

Polasaí Clárúcháin Ghaelscoil Lorgan

Réamhrá Ginearálta

Tá an polasaí clárúcháin seo á leagan amach de réir riachtanais an Achta Oideachais (1998). Tá súil ag an mBord Bainistíochta go mbeidh an polasaí seo mar chabhair do thuismitheoirí ó thaobh chlárúcháin de. Beidh cathaoirleach an Bhoird Bhainistíochta, Breandán Ó Dufaigh, *Clover Hill*, agus Michelle Uí Mhairtín, Gaelscoil Lorgan lánsásta aon cheisteanna a eascraíonn as an bpolasaí seo a shoiléiriú.

Ainm na Scoile: Gaelscoil Lorgan

Seoladh na Scoile: Baile na Lorgan, Co. Mhuineacháin

Uimh. Ghutháin: 042-9795638

Sáiniúlacht Chreidmheach: Caitliceach

Ainm an Phátrúin: Fóras Patrúnachta

Líon iomlán na Múinteoirí sa Scoil: 5 agus múinteoir tacaíochta

Raon na Ranganna a Mhúintear: Naíonáin Bheaga-Rang a 6

Braitheann an scoil ar na deontais agus na hacmhainní múinteora a chuireann an Roinn Oideachais agus Eolaíochta ar fáil agus feidhmíonn sí de réir na rialachán a leagann an Roinn amach ó am go ham. Ní folair do pholasaí scoile aird a thabhairt na hacmhainní agus an maoiniú atá ar fáil.

Cloíonn an scoil leis na cláir churaclaim a fhoilsíonn an Roinn Oideachais agus Eolaíochta, a leasaítear ó am go ham, de réir Ailt 9 agus 30 den Acht Oideachais (1998).

Laistigh de chomhthéacs agus teorainneacha rialacháin agus chláir na Roinne, cearta an phátrúin a leagtar amach san Acht Oideachais (1998) iad, agus an maoiniú agus na hacmhainní atá ar fáil, tugann an scoil tacaíocht do na prionsabail seo a leanas:

- Uilechumisitheacht, go háirithe maidir le clárú leanaí faoi mhíchumas nó le riachtanas oideachasúil speisialta eile;
- Cothromas rochtana agus rannpháirtíochta sa scoil;
- Rogha tuismitheora maidir le clárú; agus
- Meas ar éagsúlacht luachanna, creideamh, traidisiún, teangacha agus bealaí saoil atá le fáil i sochaí na hÉireann.
- Leantar nós an tumoideachas áit a dtumtar an pháiste sa dara teanga ar an chéad lá.

Nós Imeachta Iarratais

Tagann tuismitheoirí ar mian leo páistí a chlarú sna Naíonáin Shóisearacha chun na scoile chun foirm iarratais a fháil. Más mian leo an pháiste a chlarú tá orthu an fhoirm a líonadh agus a chur ar ais chuig na scoile. Bíonn oíche oscailte/clárúcháin sa dara téarma. Déantar cumarsáid ghinearálta maidir le clárúcháin leis an bpobal trí nuachtán áitiúla, nuachtlitr an pharóiste, fógra ar an raidió.

Foirm Iarrtais

- Bíonn gá le rinnt eolais nuair atá leanaí á gclárú. *Féach foirm clárúcháin in Aguisín a hAon. Mar thoradh ar an Bunachar Sonraí ar Líne do Bhunscoileanna(POD), Caithfidh muid sonraí aonair an pháiste a fháil: uimhir PSP, ainm, seoladh, dáta breithe agus náisiúnacht an linbh. Cuireadh na sonraí sedo uilig ar líne i rith na scoilbhliana 2014/2015 le cead ó na tuistí.*

Déanamh Cinntí

Déanfaidh an Bord Bainistíochta cinntí maidir le hiarratais chlárúcháin de réir pholasaí na scoile. *Cuirfidh an Bord tuismitheoirí ar an eolas faoina gcinneadh laistigh de 21 lá ó fháil an eolais sin (le teacht i bhfeidhm de réir an Achta Oideachais (Leas)(2000)).* Mar phrionsabal ginearálta, agus chomh fada agus is féidir maidir le polasaí clárúcháin na scoile, clárófar leanaí nuair a dhéantar iarratas, chomh fada agus atá spás sa scoil dóibh. *(Féach ar an nóta thíos maidir leis an Acht um Oideachas do Dhaoine le Riachtanais Oideachasúla Speisialta, 2004)*

Breathnóidh an Bord ar threoirlínte na Roinne Oideachais agus Eolaíochta maidir le méid ranganna agus soláthair foirne agus/nó aon riachtanais eile a bhaineann le cóiríocht, lena n-áirítear spás fisiciúil agus sláinte agus leas na leanaí.

Tá an Bord teoranta ag *Rialacha do Bhunscoileanna* na Roinne Oideachais agus Eolaíochta a luann nach féidir daltaí a chlárú ach ó aois 4 bliana suas, cé nach bhfuil sé éigeantach freastal ar scoil go dtí aois 6 bliana.

Má tharlaíonn sé go dtéann líon na n-iarratas clárúcháin thar líon na spásanna atá ar fáil/má cheaptar go dtarlóidh a leithéid, bhainfí úsáid as an bpróiseas déanta cinntí seo a leanas. Beidh a rogha féin ag an mBord maidir le cur i bhfeidhm na gcritéir seo a leanas. *Féadtar úsáid a bhaint as aon cheann de na critéir seo a leanas, agus ní gá iad a úsáid san ord seo a leanas:*

- *An bhfuil deartháireacha/deirfiúracha ag an iontrálaí molta nua sa scoil cheana féin;*
- *Aoiseanna na leanaí;;*
- *Tús áite tugtha do na daoine a dhéanann na hiarratais is tuisce;*
- *Leanaí na mball foirne;*
- *Aon soláthair ar leith déanta do leanaí ó mhionlaigh eitneacha, lena n-áirítear an lucht siúil, teifigh, iarratasóirí tearmainn etc;*
- *Ábhair a bhaineann le héiteas na scoile: Freastal ar an naíonrá*
- *Gaeilge sa bhaile*

Achomhairc

Tá dualgas ar Bhord Bainistíochta chomh maith faoi alt 19 (3) den Acht um Oideachais Leas 2000 cinneadh a dhéanamh i scríbhinn maidir le hiarratas ar rollú laistigh de 21 lá agus an cinneadh a chur in iúl do na tuismitheoirí i scríbhinn.

Nuair a dhiúltaíonn Bord Bainistíochta dalta a rollú i scoil, tá teidlíocht reachtúil ag tuismitheoir an dalta nó, nuair atá 18 mbliana sroichte ag an dalta, an dalta féin, faoi Alt 29 den Acht Oideachais (mar atá leasaithe faoi Alt 4 den Acht Oideachais (Forálacha Ilghnéitheacha) 2007, achomharc a dhéanamh ar an gcinneadh chuig Ard-Rúnaí na Roinne Oideachais agus Eolaíochta. Tá coiste bunaithe chun éisteacht leis an achomharc, le héisteachtaí stiúrtha le híosmhéid foirmeálachta. I mórlach na gcásanna, caithfear leo laistigh de 30 lá. Nuair atá sé oiriúnach, d'fhéadfadh an tArd-Rúnaí cibé treoracha a thabhairt don Bhord Bainistíochta a mheastar a bheith oiriúnach chun an cheist a ndearnadh gearán fúithi a réiteach.

- Cuirfidh an príomhoide na tuismitheoirí/caomhnóirí ar an eolas faoin cheart atá acu achomhairc a dhéanamh i scríbhinn. Sa litir déanfar tagairt d'Alt 29 den Acht Oideachais agus gur féidir eolas a fháil faoi ag www.education.ie.
- Ullmhóidh cathaoirleach agus príomhoide na scoile freagra má agus nuair atá achomhairc a iniúchadh ag an ROE.

Lá/Dáta Iontrála

Tosnaíonn daltaí sa Naíonáin Shóisearacha ar an chéad lá den scoilbhliain. Bíonn an cinneadh deireannach i gcónaí ag an BB glacadh le páistí.

Clárú Leanáí le Riachtanais Speisialta

Maidir le hiarratais chun leanáí le riachtanais speisialta a chlárú, lorgóidh an Bord Bainistíochta cóip de thuirisc leighis/shíceolaíoch an linbh, nó mura bhfuil a leithéid de thuirisc ar fáil, lorgóidh sé go ndéanfaí an leanbh a mheas láithreach. Is é aidhm na tuairisce measúnachta ná cuidiú leis an scoil riachtanais oideachasúla agus oiliúna an linbh a bhaineann lena m(h)íchumas nó a riachtanais speisialta a fháil amach agus próifíl a chur le chéile de na seirbhísí tacaíochta a bhfuil gá leo.

Tar éis na tuairisce a fháil, measfaidh an Bord conas is féidir leis an scoil freastal ar na riachtanais a shonraítear sa tuairisc. Má mheasann an Bord go bhfuil gá le hacmhainní breise, iarraidh sé ar an SENO (NCSE féach Imlitir 01/05) roimh an gclárú na hacmhainní a bhfuil gá leo chun freastal ar riachtanais an linbh, a ndéantar cur síos orthu sa tuairisc shíceolaíoch agus/nó leighis, a sholáthar. B'fhéidir go mbeadh ceann de na hacmhainní seo a leanas, nó soláthar ceann de na hacmhainní seo leanas nó meascán dóibh i gceist: seirbhís múinteora ar cuairt, múinteoir do riachtanais speisialta, cúntóir riachtanas speisialta, trealamh nó troscán speisialta, seirbhísí iompair nó eile.

Buailfidh an scoil leis an SENO chomh maith le tuismitheoirí an linbh chun riachtanais an linbh a phlé i dteannta oiriúnacht agus chumas na scoile freastal ar na riachtanais sin. Más gá, reáchtálfar comhdháil don chás iomlán a mbeidh na páirtithe uile páirteach ann; m.sh. tuismitheoirí, an príomhoide, an múinteoir ranga, múinteoir tacaíochta foghlama, múinteoir ranga speisialta, múinteoir acmhainne do riachtanais speisialta, Eagarthóir Riachtanas Oideachasúil Speisialta nó síceolaí a bheith páirteach ann, de réir mar is cuí.

(Féach ar an nóta thíos maidir leis an Acht um Oideachas do Dhaoine le Riachtanais Oideachasúla Speisialta, 2004)

Daltaí ag Aistriú

Féadann daltaí aistriú chuig an scoil ag aon am, ag braith ar pholasaí na scoile, an spás atá ann, agus i roinnt cásanna, ceadú na Roinne Oideachais agus Eolaíochta. *Is ceanglas de chuid an Bhoird Bhainistíochta é eolas maidir le tinreamh agus dul chun cinn oideachasúil an linbh a chur ar aghaidh ó scoil go scoil. An tAcht Oideachais Leas, Alt 28*

Cód Iompair

Tá an Cód Iompair iniata le polasaí clárúcháin na scoile c.f Aguisín a dó (Cód Iompair).

Cur i bhfeidhm

Scaipfear an dréachtpholasa seo agus déanfar leasúcháin más gá.

Daingniú:

- Cuir an polasaí faoi bhráid an Bhoird Bhainistíochta le daingniú ar an 11ú Meitheamh 2015.
- Cuirfear baill eile pobal na scoile ar an eolas faoi an polasaí daingnithe agus beidh cóip ar fáil san oifig dóibh siúd gur mian leo.
- As seo amach tabharfar cóip den pholasaí seo do thuistí nuair a fhíosraíonn siad faoi pháiste a chlarú.

Athbhreithniú agus Monatóireacht

Déanfaidh an Bord Bainistíochta monatóireacht agus athbhreithniú ar an bpolasaí go rialta agus ag amanna eile de réir mar is gá.

An polasaí glactha ag an mBord Bainistíochta ar 21 Meitheamh 2009.

Sínithe: _____

Brendan Ó Dufaigh
Cathaoirleach

An polasaí leasaithe ag an mBord Bainistíochta ar 11 Meitheamh 2015

Sínithe: _____

Brendan Ó Dufaigh
Cathaoirleach

Bhí athbhreithniú déanta ar an pholasaí seo ar an _____.

Bhí athbhreithniú déanta ar an pholasaí seo ar an _____.

Bhí athbhreithniú déanta ar an pholasaí seo ar an _____.

Bhí athbhreithniú déanta ar an pholasaí seo ar an _____.

Aguisín a 3: Reachtaíocht

Sleachta:

An [tAcht Oideachais, 1998](#)

Alt 9. —Cuirfidh scoil aitheanta oideachas ar fáil do mhic léinn ar oideachas é is cuí dá gcumais agus dá riachtanais agus, gan dochar do ghinearáltacht an mhéid sin roimhe seo, úsáidfidh sí na hacmhainní a bheidh ar fáil di—

_ (a) chun a chinntiú go ndéanfar riachtanais oideachais gach mic léinn, lena n-áirítear iad sin atá faoi mhíchumas nó a bhfuil riachtanais speisialta eile oideachais acu, a shainaitheint agus go ndéanfar soláthar faoina gcomhair,

_ (b) chun a chinntiú, maidir leis an oideachas a chuireann sí ar fáil, go ndéanann sé freastal ar cheanglais an bheartais oideachais mar a chinntiú an tAire é ó am go ham, lena n-áirítear ceanglais i dtaca le soláthar curaclaim mar a fhorordóidh an tAire de réir *alt 30*,

_ (c) chun a chinntiú go mbeidh rochtain ag mic léinn ar threoir chúil chun cabhrú leo i dtaca lena roghanna oideachais agus gairme,

_ (d) chun forbairt mhorálta, spioradálta, shóisialta agus phearsanta mac léinn a chur chun cinn agus chun oideachas sláinte a chur ar fáil dóibh, i gcomhairle lena dtuismitheoirí, ag féachaint do spiorad sainiúil na scoile,

_ (e) chun comhionannas deiseanna a chur chun cinn do mhic léinn agus d'fhoireann na scoile, idir fhreannaigh agus bhaineannaigh,

_ (f) chun forbairt na Gaeilge agus thraidisiúin na hÉireann, litríocht na hÉireann, na healaíona agus nithe cultúrtha eile, a chur chun cinn,

_ (g) chun a chinntiú go mbeidh rochtain sa mhodh forordaithe ag tuismitheoirí mic léinn nó, i gcás mic léinn a bhfuil 18 mbliana d'aois slánaithe aige nó aici, ag an mac léinn, ar thaifid a choimeádann an scoil sin i ndáil le dul chun cinn an mhic léinn sin i dtaca lena oideachas nó lena hoideachas,

_ (h) i gcás scoileanna atá lonnaithe i limistéar Gaeltachta, chun cuidiú leis an nGaeilge a choinneáil mar phríomhtheanga an phobail,

_ (i) chun a cuid gníomhaíochtaí a sheoladh de réir aon rialachán a dhéanfaidh an tAire ó am go ham faoi *alt 33*,

_ (j) chun a chinntiú go ndéanfar riachtanais an phearsanra atá ag gabháil d'fheidhmeanna bainistíochta agus riachtanais forbartha na foirne i gcoitinne sa scoil a shainaitheint agus go ndéanfar soláthar faoina gcomhair,

_ (k) chun córais a bhunú agus a chothabháil lena bhféadfar éifeachtúlacht agus éifeachtacht a cuid oibríochtaí a mheasúnú, lena n-áirítear cáilíocht agus éifeachtacht na múinteoireachta sa scoil agus leibhéil ghnóthachtála agus caighdeáin acadúla mac léinn,

_ (l) chun teagmhálacha a bhunú nó a chothabháil le scoileanna eile agus ag leibhéil chúil eile ar fud an phobail dá bhfónann an scoil, agus

_ (m) faoi réir an Achta seo agus go háirithe *alt 15 (2)(d)*, chun beartas i dtaca le ligean isteach a bhunú agus a chothabháil lena bhforálfar don inrochtaineacht is mó is féidir ar an scoil.

Alt 29

(1) Má s rud é, maidir le bord nó le duine atá ag gníomhú thar ceann an bhoird—

- (a) go n-eisiafaidh sé nó sí mac léinn go buan ó scoil, nó
- (b) go ndéanfaidh sé nó sí mac léinn a fhionraí ó fhreastal ar scoil ar feadh thréimhse a fhorordófar chun críche na míre seo, nó
- (c) go ndiúltóidh sé nó sí mac léinn a rollú i scoil, nó
- (d) go ndéanfaidh sé nó sí cinneadh d'aicme a gcinnfidh an tAire ó am go ham, tar éis dul i gcomhairle le pátrúin, le cumainn náisiúnta tuismitheoirí, le heagraíochtaí aitheanta bainistíochta scoile, le ceardchumainn aitheanta agus le comhlachais foirne atá ionadaitheach do mhúinteoirí, go bhféadfar achomharc a dhéanamh ina haghaidh de réir an ailt seo,

féadfaidh tuismitheoir an mhic léinn nó , i gcás mic léinn a bhfuil 18 mbliana d'aois slánaithe aige nó aici, an mac lé inn, laistigh de thréimhse réasúnach ón dáta ar cuireadh an cinneadh in iúl don tuismitheoir nó don mhac léinn agus tar é is aon nó sanna imeachta achomhairc a bheidh curtha ar fáil ag an scoil nó ag an bpátrún de réir alt 28 a bheith tugtha chun críche, achomharc in aghaidh an chinnidh sin a dhéanamh chun Ard-Rú naí na Roinne Oideachais agus Eolaíochta agus déanfaidh coiste a cheapfar faoi fho-alt (2) an t-achomharc sin a éisteacht.

(2) Déanfaidh an tAire, d'fhonn achomharc faoin alt seo a éisteacht agus a chinneadh, coiste amháin nó níos mó a cheapadh (dá ngairtear “coiste achomhairc” san alt seo) agus beidh Cigire agus cibé daoine eile is cuí leis an Aire ar gach coiste acu sin.

(3) Má s rud é go gcheapfar coiste faoi fho-alt (2), déanfaidh an tAire duine amháin dá líon a cheapadh chun bheith ina chathaoirleach nó ina cathaoirleach ar an gcoiste sin agus, i gcás comhionannais vótaí, beidh an dara vóta nó vóta réitigh ag an gcathaoirleach.

(4) Gníomhóidh coiste achomhairc, le linn achomharc faoin alt seo a éisteacht agus a chinneadh, de réir cibé nó sanna imeachta a chinnfidh an tAire ó am go ham tar é is dul i gcomhairle le pátrúin, le cumainn náisiúnta tuismitheoirí, le heagraíochtaí aitheanta bainistíochta scoile agus le ceardchumainn aitheanta agus comhlachais foirne atá ionadaitheach do mhúinteoirí agus cinnteofar leis na nó sanna imeachta sin

(a) go gcabhrófar leis na páirtithe san achomharc teacht ar chomhaontú maidir leis na nithe is ábhar don achomharc i gcás ina mbeidh an coiste achomhairc den tuairim gurb indéanta teacht ar chomhaontú den sórt sin sna himthosca,

(b) go seolfar éisteachtaí leis an bhfoirmiú lucht is lú a bheidh ar comhréir le héisteacht chóir a thabhairt do gach páirtí, agus

(c) go ndéileálfar le hachomhairc laistigh de thréimhse 30 lá ó ndáta ar a bhfaighidh an tArd-Rú naí an t-achomharc, ach amháin má s rud é , ar iarratas i scríbhinn ó n gcoiste achomhairc ina luafar na cúiseanna atá le moill i dtaca leis an achomharc a chinneadh, go dtoileoidh an tArd- Rúnaí i scríbhinn an thréimhse a fhadú de thréimhse nach faide ná 14 lá .

(5) Ar achomharc a dhéanfar faoin alt seo a chinneadh, déanfaidh an coiste achomhairc fógra i scríbhinn maidir lena chinneadh ar an achomharc agus maidir leis na cúiseanna a bhí leis an gcinneadh sin a chur chuig an Ard-Rú naí.

(6) Má s rud é—

(a) go seasfaidh coiste achomhairc le casaoid go hiomlán nó go páirteach, agus

(b) gur dealraitheach don choiste achomhairc gur ceart aon ní ab ábhar don chasaoid (a mhéid a seasadh lé i) a leigheas, cuirfidh an coiste achomhairc moltaí faoi bhrá id an Ard-Rúnaí maidir leis an ngníomh a bheidh le déanamh.

(7) A luaithe is indéanta tar é is don Ard-Rú naí an fógra dá dtagraítear i bhfo-alt (5) a fháil—

- (a) déanfaidh an tArd-Rú naí cinneadh an choiste achomhairc agus na cúiseanna a bhí leis a chur in iúl, trí fhógra i scríbhinn, don duine a rinne an t-achomharc agus don bhord, agus
- (b) i gcás lena mbaineann fo-alt (6), féadfaidh an tArd-Rúnaí, san fhógra sin, cibé ordacháin a thabhairt don bhord is dealraitheach don Ard-Rú naí (ag féachaint d'aon mholtaí a bheidh déanta ag an gcoiste achomhairc) a bheith fóirsteanach chun an ní ab ábhar don achomharc a leigheas agus gníomhóidh an bord de réir na n-ordachán sin.

(8) Déanfaidh an tAire, i gcomhairle le pátrúin scoileanna, le cumainn náisiúnta tuismitheoirí, le heagraíochtaí aitheanta bainistíochta scoile agus le ceardchumainn aitheanta agus comhlachais foirne atá ionadaitheach do mhúinteoirí, oibriú an ailt seo agus alt 28 a athbhreithniú ó am go ham agus beidh an chéad athbhreithniú den sórt sin ann tráth nach déanaí ná dhá bhliain tar éis thosach feidhme an ailt seo.

(9) I gcás scoile a bheidh bunaithe nó faoi chothabháil ag coiste gairmoideachais, is chun an choiste gairmoideachais a bheidh ábhar achomhairc ann in aghaidh chinneadh ó bhord na scoile sin, ar an gcéad á sc, agus ina dhiaidh sin chun an Ard-Rúnaí de réir fho-alt (1).

(10) Déanfaidh an tAire, ó am go ham, tar é is dul i gcomhairle le coistí gairmoideachais, le cumainn náisiúnta tuismitheoirí agus le ceardchumainn aitheanta agus comhlachais foirne atá ionadaitheach do mhúinteoirí, na nithe seo a leanas a fhorordú—

- (a) na nó sanna imeachta le haghaidh achomharc faoin alt seo chun coistí gairmoideachais, agus
- (b) cé na hachomhairc lena bhfiosrófar an raibh an nós imeachta a ghlac bord, le linn dó teacht ar chinneadh nó le linn dó achomharc a sheoladh, cóir agus réasúnach agus cé na hachomhairc a sheolfar trí athéisteacht iomlán.

(11) Féadfaidh an tArd-Rú naí, de réir ailt 4(1)(i) agus 9 den Acht um Bainistíocht na Seirbhíse Poiblí, 1997, an fhreagracht i gcomhlíonadh na bhfeidhmeanna a bhfuil an tArd-Rúnaí freagrach iontu faoin alt seo a shannadh d'oifigeach eile de chuid na Roinne Oideachais agus Eolaíochta.

(12) Chun críocha fho-alt (1)(c), ciallaíonn “mac léinn” duine a iarrann rollú i scoil agus féadfaidh an duine sin, nó tuismitheoirí an duine sin, achomharc a dhéanamh in aghaidh diúltú é nó í a rollú ar an modh céanna ar a bhféadfaidh mac léinn, nó tuismitheoirí mic léinn, achomharc a dhéanamh in aghaidh cinnidh faoin alt seo.

Luann 15(2)(d) den Acht Oideachais:

"foilseoidh [bord], i cibé modh is dóigh leis an mbord, le comhaontú an phátrúin, a bheith cuí, beartas na scoile i dtaca le ligean isteach agus rannpháirtíocht sa scoil, lena n-áirítear beartas na scoile i ndáil le mic léinn a dhíbirt agus a chur ar fionraí, agus i ndáil le ligean isteach agus rannpháirtíocht mac léinn atá faoi mhíchumas nó a bhfuil riachtanais speisialta eile oideachais acu, agus cinnteoidh sé, ..., go n-urramófar ...an ceart atá ag tuismitheoirí a leanaí a chur ar scoil is rogha leis na tuismitheoirí ..."

Tá na treoirínte faoi réir aon treoracha sonracha a dhéanann pátrún na scoile agus 15(2)(d) *"cibé ordacháin a dhéanfaidh an tAire ó am go ham"*

Alt 30 (1) (1)

Féadfaidh an tAire ó am go ham, tar éis dul i gcomhairle le pátrúin scoileanna, le cumainn náisiúnta tuismitheoirí, le heagraíochtaí aitheanta bainistíochta scoile agus le ceardchumainn aitheanta agus comhlachais foirne atá ionadaitheach do mhúinteoirí,

de réir mar is cuí leis an Aire, an curaclam do scoileanna aitheanta a fhorordú, eadhon

- (a) na hábhair a bheidh le tairiscint i scoileanna aitheanta,
- (b) siollabas gach ábhair,
- (c) an méid ama teagaisc a thabharfar do gach ábhar, agus
- (d) an soláthar treorach agus comhairliúcháin a bheidh le tairiscint i scoileanna.

An tAcht Oideachais (Leas), 2000

Alt 19

(1) Ní dhiúltóidh bord bainistíochta scoile aitheanta leanbh a ligean isteach mar mhac léinn sa scoil sin, ar leanbh é nó í a mbeidh iarratas chun é nó í a ligean isteach amhlaidh déanta ina leith, ach amháin i gcás ina mbeidh an diúltú sin de réir bheartas na scoile aitheanta lena mbaineann, arna fhoilsiú faoi alt 15(2) (d) d'Acht 1998. (i.e. An tAcht Oideachais)

(2) Déanfaidh tuismitheoir linbh a mbeidh iarratas dá dtagraítear i bhfo-alt (1) déanta aige nó aici cibé faisnéis a fhorordóidh an tAire a chur ar fáil don scoil aitheanta lena mbaineann.

(3) A luaithe is indéanta, ach tráth nach déanaí ná 21 lá, tar éis do thuismitheoir cibé faisnéis a chur ar fáil, de réir fho-alt (2), a fhorordóidh an tAire faoin bhfo-alt sin, déanfaidh bord bainistíochta na scoile lena mbaineann cinneadh i leith an iarratais lena mbaineann agus cuirfidh sé an cinneadh sin in iúl i scríbhinn don tuismitheoir.

Alt 20

Tá roinnt forálacha sonracha nua maidir le haistriú daltaí san Acht Oideachais (Leas) 2000, lena n-áirítear an ceanglas faisnéis a bhaineann le tinreamh agus dul chun cinn oideachasúil an linbh a chur ar aghaidh ó scoil go scoil. Cuirfear an tAcht i bhfeidhm le linn na tréimhse 2000-2002.

(1) Déanfaidh príomhoide scoile aitheanta, a luaithe is féidir tar éis thosach feidhme an ailt seo, a chur faoi deara clár de na mic léinn go léir a fhreastalaíonn ar an scoil sin a bhunú agus a chothabháil.

(2) Déanfaidh príomhoide scoile aitheanta, an lá a fhreastalóidh an leanbh ar an scoil sin den chéad uair, ainm an linbh, an dáta a fhreastalaíonn sé nó sí amhlaidh den chéad uair agus cibé sonraí eile a fhorordóidh an tAire a thaifeadadh sa chlár a bheidh á chothabháil faoin alt seo i leith na scoile sin agus measfar, chun críocha an Achta seo, an leanbh lena mbaineann a bheith cláraithe sa scoil sin amháin ar an agus ón dáta sin.

(3) Déanfaidh príomhoide scoile aitheanta, a luaithe is féidir tar éis ainm linbh atá cláraithe i scoil aitheanta eile a chlárú sa chlár a bheidh á chothabháil faoin alt seo i leith na chéad scoile a luaitear, an méid sin a chur in iúl, trí fhógra i scríbhinn, do phríomhoide an dara scoil a luaitear.

(4) Déanfaidh príomhoide an dara scoil a luaitear agus dá dtagraítear i bhfo-alt (3), ar fhógra faoin bhfo-alt sin a fháil, ainm an linbh lena mbaineann a bhaint den chlár a bheidh á chothabháil faoin alt seo i leith an dara scoil sin a luaitear ach amháin i gcás ina leanfaidh an leanbh de bheith ag fáil cuid dá oideachas nó dá hoideachas sa scoil sin.

(5) Déanfaidh príomhoide scoile aitheanta, ar fhógra faoi fho-alt (3) a fháil i leith linbh, na nithe seo a leanas a chur in iúl do phríomhoide na chéad scoile a luaitear san fho-alt sin—

(a) aon fhadhbanna i ndáil le freastal scoile a bhí ag an leanbh lena mbaineann le linn dó nó di a bheith ag freastal ar an dara scoil a luaitear agus dá dtagraítear ann, nó

- _ (b) cibé nithe eile is cuí leis nó léi i ndáil le dul chun cinn oideachasúil an linbh.
- _ (6) Ní bhainfidh príomhoide scoile aitheanta ainm linbh den chlár seachas—
- _ (a) de réir fho-alt (4), nó
- _ (b) i gcás ina mbeidh fógra i scríbhinn faighte aige nó aici ón mBord á rá go bhfuil an leanbh lena mbaineann cláraithe sa chlár a bheidh á chothabháil faoi [alt 14](#).
(i.e. *An Clár – bunóidh NEWB clár de na leanaí uile a fhaigheann oideachas in áit nach scoil aitheanta é)

Alt 28

(1) Féadfaidh rialaitheoir sonraí comhlachta fhorordaithe sonraí pearsanta a bheidh á gcoimeád aige nó aici, nó faisnéis arna baint as sonraí den sórt sin, a sholáthar do rialaitheoir sonraí comhlachta fhorordaithe eile más deimhin leis nó léi gur chun críche iomchuí, agus chuige sin amháin, a úsáidfear iad.

(2) Féadfaidh rialaitheoir sonraí comhlachta fhorordaithe, chun críche iomchuí agus chuige sin amháin, sonraí pearsanta a sholáthrófar dó nó di faoin alt seo a choimeád agus a úsáid.

(3) San alt seo.... ciallaíonn “chun críche iomchuí”

(a) chun stair oideachais nó oiliúna duine a thaifeadadh, nó chun faireachán a dhéanamh ar dhul chun cinn oideachasúil nó oiliúna an duine sin, d’fhonn a fháil amach conas is fearr is féidir cabhrú leis nó léi leas a bhaint as deiseanna oideachais nó oiliúna nó a lánphoitéinseal oideachasúil a fhorbairt...

Ailt 23 agus 24

Baineann ailt 23 agus 24 le Cód Iompraíochta agus Díbeartha na scoile. Ní mór don scoil a Cód Iompraíochta a chur faoi iamh le beartas clárúcháin na scoile (roimh chur i bhfeidhm an Achta Oideachais (Leas), 2000 agus eisiúint na dtreoirínite cuí – alt 23(3) ag an mBord Náisiúnta Leasa Oideachais).

An tAcht um Stádas Comhionann, 2000

Alt 7

7. —(1) San alt seo ciallaíonn “bunachas oideachais” seirbhís réamhscoile de réir bhrí Chuid VII den Acht um Chúram Leanáí, 1991, bunscoil nó iar-bhunscoil,...

_ (2) Ní dhéanfaidh bunachas oideachais idirdhealú i ndáil leis na nithe seo a leanas—

- _ (a) duine a ligean isteach sa bhunachas mar mhac léinn nó na téarmaí nó na coinníollacha a bhaineann le duine a ligean isteach sa bhunachas mar mhac léinn,
- _ (b) rochtain mic léinn ar aon chúrsa, saoráid nó sochar a sholáthraíonn an bunachas,
- _ (c) aon téarma nó coinníoll eile a bhaineann le páirteachas ag mac léinn sa bhunachas, nó
- _ (d) díbirt mic léinn as an mbunachas nó aon smachtbhanna eile i gcoinne an mhic léinn.

_ (3) Ní dhéanann bunachas oideachais idirdhealú faoi *fho-alt (2)* de bhíthin amháin—

- _ (a) i gcás nach foras oideachais tríú leibhéal an bunachas agus nach ligean sé isteach ach mic léinn d'inscne amháin, go ndiúltaíonn sé duine nach den inscne sin a ligean isteach mar mhac léinn,
- _ (c) i gcás gur scoil an bunachas a sholáthraíonn bunoidreachas nó iar-bhunoideachas do mhic léinn agus gurb é cuspóir na scoile oideachas a sholáthar i dtimpeallacht a chuireann luachanna áirithe creidimh chun cinn, go ndéanann sé daoine de shainaicme áirithe creidimh a ligean isteach de rogha ar dhaoine eile nó go ndiúltaíonn sé duine nach den tsainaicme sin a ligean isteach mar mhac léinn agus, i gcás diúltú, go gcruthaítear go bhfuil an diúltú riachtanach chun aetas na scoile a chothú,

An tAcht um Oideachas do Dhaoine le Riachtanais Oideachasúla Speisialta 2004

2. – Cuirfear oideachas ar leanbh le riachtanais oideachasúla speisialta i dtimpeallacht uilechuimsitheach le leanáí nach bhfuil na riachtanais sin acu, ach amháin mura dtéann nádúr nó leibhéal riachtanais an linbh sin le -

- (a) leas is fearr an linbh mar a chinntítear é de réir aon mheasúnachta a dhéantar faoin Acht seo, nó
- (b) foráil éifeachtúil oideachais do na leanáí lena bhfuil an leanbh chun oideachas a fháil.

An tAcht um Chosaint Sonraí, 1988 agus an tAcht um Chosaint Sonraí (Leasú), 2003

Tugadh an tAcht um Chosaint Sonraí 1988 isteach mar fhreagra ar shaincheisteanna príobháideachais a d'eascair as sonraí a bheith á gcoimeád ar ríomhairí agus chun freagrachtaí a shonrú dóibh sin a choinníonn sonraí pearsanta ar ríomhaire (rialtóirí sonraí). Baineann an tAcht le sonraí a choinnítear ar ríomhairí i bhformáid inar féidir iad a phróiseáil go huathoibríoch. Is éard a chiallaíonn "Mionsonraí Pearsanta" sa chomhthéacs sin ná *"sonraí a bhaineann le duine aonair atá beo ar féidir an duine sin a aithint ó na sonraí nó ó na sonraí i dteannta le faisnéis eile atá i seilbh an rialtóra sonraí."*

Murab ionann agus an tAcht um Shaoráil Faisnéise, baineann an tAcht um Chosaint Sonraí le gach eagraíocht. Baineann forálacha an Achta le scoileanna a choinníonn sonraí faoin bhfoireann nó faoi dhaltáí ar ríomhaire.

Sonraíonn an tAcht um Chosaint Sonraí roinnt príomhfhreagrachtaí nár mhór do rialtóirí a fheidmiú:

- Sonraí a fháil agus a phróiseáil ar bhealach cothrom – ba chóir céannacht an té a bhaillonn na sonraí, an úsáid a bhainfear astu agus an té lena scaoilfear iad a leagan amach don duine a sholáthraíonn an fhaisnéis, nó ba chóir cuntas a thabhairt ar aon úsáidí tánaisteacha nó aon úsáid a bhainfear as na sonraí amach anseo.
- Ní féidir sonraí a choimeád ar ríomhaire faoi dhaoine ach amháin má choinnítear iad ar mhaithe le cuspóir atá sonrathach agus dlíthiúil agus a luaitear go soiléir.
- Ní mór do na sonraí a bheith cruinn agus coinnithe cothrom le dáta.
- Ní féidir na sonraí a úsáid ach amháin ar bhealaí a thagann leis an gcuspóir/na cuspóirí dá bhfuil siad á gcoimeád.
- Ní mór bearta slándála a chur i bhfeidhm chun rochtain, athrú, nochtadh nó scrios neamhúdaraith na sonraí a chosc agus chun cosaint i gcoinne scriosta nó cailleanais de thaisme.
- Ní mór do na sonraí a choinnítear a bheith leordhóthanach, ábhartha agus gan a bheith iomarcach maidir leis an gcuspóir/na cuspóirí dá bhfuiltear á gcoimeád.
- Ní cóir na sonraí a choimeád tráth nach fada ná mar is gá. Ba chóir do rialtóirí sonraí a bheith soiléir faoin bhfad ama is cóir sonraí a choimeád agus faoin gcúis a bhfuiltear á gcoimeád. Mura bhfuil córas ag an scoil chun taifid leictreonacha a bhainistiú, ba chóir déileáil leis an líon taifead leictreonach, líon a bhíonn ag fás de shíor, ar an mbealach céanna agus a dhéileáiltear le taifid ar pháir, i.e. úsáid a bhaint as na tréimhsí céanna coinneála agus diúscartha, etc. Moltar cóipeanna de chomhfhreagras tábhachtach ríomhphoist nó de cháipéisí a phriontáil don chomhad.
- Ceart Rochtana – tá duine aonair a bhfuil sonraí á gcoimeád faoi/fúithi, agus a dhéanann iarratas i scríbhinn a shonraíonn an fhaisnéis a éilítear, i dteideal cóip de na sonraí atáthar ag coinneáil faoi/fúithi a fháil. Chomh maith le ceart rochtana ar shonraí pearsanta, tugann an tAcht um Chosaint Sonraí ceart d'fhostaithe fáil amach an bhfuil sonraí pearsanta ann a bhaineann leo agus ceart na sonraí a leasú nó a scriosadh.

An tAcht um Chosaint Sonraí (Leasú), 2003

Leasaíonn an tAcht um Chosaint Sonraí (Leasú), a achtaíodh i mí Iúil 2003, an tAcht um Chosaint Sonraí 1988 ar roinnt bealaí suntasacha:

- leathnaíonn sé na rialacha maidir le cosaint chun sonraí áirithe láimhe (córais chomhdúcháin pháipéarbhunaithe) a bhaineann le daoine aonair atá beo a chur san áireamh, sonraí a dhéantar a thaifeadadh mar chuid de chóras comhdúcháin;
- leagann sé síos coinníollacha maidir le sonraí pearsanta a phróiseáil, lena n-áirítear rialuithe níos déine maidir le sonraí íogair pearsanta, e.g. creidimh reiligiúin, cine nó bunadh eitneach, etc.
- treisíonn sé cearta an duine aonair, go háirithe an ceart a bheith curtha ar an eolas faoi phróiseáil sonraí a bhaineann leis/léi;
- bronnann sé cumhachtaí nua ar an gCoimisinéir um Chosaint Sonraí chun imscrúdúcháin a dhéanamh d'fhonn a chinntiú go bhfuiltear ag comhlíonadh rialacha cosanta sonraí.
- athluaitear ann freisin na bunphrionsabail cosanta sonraí, mar aon le cosaintí breise a bhaineann le margáocht dhíreach (úsáid a bhaint as na sonraí a

bhailítear ar mhaithe le cuspóir áirithe dlíthiúil chun teagmháil a dhéanamh le daoine aonair d'fhonn táirgí nó seirbhísí a dhíol);

- sonraíonn sé coinníollacha breise a bhaineann le sonraí pearsanta a phróiseáil, e.g., catagóir nua sonraí íogair pearsanta a bheidh le cruthú, catagóir a mbeidh cosaint níos láidre aige;
- tugann sé isteach ceart do dhaoine aonair agóid a dhéanamh i gcoinne cinntí a dhéanamh go huathoibríoch (cinntí a dhéantar go leictreonach gan ionchur daonna).

An tAcht um Shaoráil Faisnéise

Ní thagann bunscoileanna faoi fhorálacha an Achte um Shaoráil Faisnéise fós ach is cosúil go gcuirfeadh san áireamh iad de réir mar a dhéanfar leathnú ar na réimsí sin den tseirbhís phoiblí a thiochfaidh faoi scóip na reachtaíochta um Shaoráil Faisnéise amach anseo. Tagann roinnt gníomhaireachtaí a mbíonn scoileanna ag idirghníomhú leo faoi dhaltaí (e.g. Boird Sláinte, an Roinn Oideachais agus Eolaíochta) faoi fhorálacha an Achte.

Enrolment Policy for Gaelscoil Lorgan

Enrolment Policy

General Introduction

This enrolment policy is being set out in accordance with the provisions of the Education Act (1998). The Board of Management trusts that by so doing parents will be assisted in relation to enrolment matters. The chairperson of the Board of Management, Breandán O Dufaigh and Michelle Uí Mháirtín, Gaelscoil Lorgan will be happy to clarify any further matters arising from the policy.

School Name: Gaelscoil Lorgan

School Address: Baile na Lorgan, Co. Mhuineacháin

Telephone No. 042-9795638

Denominational Character: Catholic

Name of Patron: Foras Patrúnachta

Total Number of Teachers in the School: 5 and learning support

Range of Classes Taught: Naíonáin Bheaga go dtí Rang a sé

The school depends on the grants and teacher resources provided by the Department of Education and Science and it operates within the regulations laid down, from time to time, by the Department. School policy has regard to the resources and funding available.

The school follows the curricular programmes prescribed by the Department of Education and Science, which may be amended from time to time, in accordance with Sections 9 and 30 of the Education Act (1998).

Within the context and parameters of Department regulations and programmes, the rights of the patron as set out in the Education Act (1998), and the funding and resources available, the school supports the principles of:

- inclusiveness, particularly with reference to the enrolment of children with a disability or other special educational need;
- equality of access and participation in the school;
- parental choice in relation to enrolment; and
- respect for diversity of values, beliefs, traditions, languages and ways of life in society.
- The school follows the immersion education where the children are immersed in Gaeilge from the first day.

Application Procedure

Parents come to the school to register children in Junior infants and they are given an application form. If they wish to enrol their child they are asked to fill in an enrolment form. As part of the new Primary Online Database(POD) individual information on each pupil including their PPS number, name, address, date of birth and nationality. Gaelscoil Lorgan updated all information onto POD during the 2014/2015 school year. There is an enrolment/open day held during the second term. General information regarding enrolment is communicated to the community via the local newspaper/parish bulletin and local radio station.

Provision of Key Information by Parents

Certain information will be required on registration of a child ,see Appendix 1 for registration form.

Decision Making

Decisions in relation to applications for enrolment will be made by the Board of Management in accordance with school policy. The Board will notify parents of their decision within 21 days of receiving such information.

As a general principle and in so far as practicable having regard to the school's enrolment policy, children will be enrolled on application, provided that there is space available. (*See note below on Education for Persons with Special Educational Needs Act 2004*)

The Board will have regard for relevant Department of Education and Science guidelines in relation to class size and staffing provisions and/or any other relevant requirements concerning accommodation, including physical space and the health and welfare of children.

The Board is bound by the Department of Education and Science's *Rules for National Schools* which provides that pupils may only be enrolled from the age of 4 years and upwards, though compulsory attendance does not apply until the age of 6 years.

In the event that applications for enrolment exceed/is expected to exceed the number of places available the following decision making process will apply. The Board will exercise its discretion in the application of the following criteria. The criteria may include any of the following though not necessarily in that order:

- *Whether there are siblings of the proposed new entrant already in the school;*
- *Ages of the children;*
- *Parish boundaries/Diocesan policies;*
- *First come, first served;*
- *Children of staff members;*
- *Any specific provision for children of ethnic minorities, including travellers, refugees, asylum seekers etc;*
- *Ethos considerations; attendance at naíonra and/or Gaeilge at home.*

Appeals

The Board of Management of a school is also obliged under section 19(3) of the Educational Welfare Act 2000 to make a decision in writing in respect of an application for enrolment within 21 days and to inform the parents in writing of that decision.

Where a Board of Management refuses to enrol a student in a school, the parent of the student or, where the student has reached 18 years of age, the student himself or herself, following the conclusion of any appeal procedures at school level, has a statutory entitlement under section 29 of the Education Act (as amended by Section 4 of the Education (Miscellaneous Provisions) Act 2007, to appeal that decision to the Secretary General of the Department of Education and Science. A committee is established to hear the appeal with hearings conducted with a minimum of formality. In most cases appeals must be dealt with within 30 days. Where appropriate, the Secretary General may give whatever directions to the Board of Management that are considered necessary to remedy the matter complained of.

Details on appealing decisions on enrolment under section 29 of the Education Act (as amended by Section 4 of the Education (Miscellaneous Provisions) Act, 2007), are available on the Department's website at www.education.ie

- The principal and chairperson of the BB will inform parents/guardians of their entitlement to appeal a decision of the Board of Management. Parents will be guided to relevant information regarding education act on [www. Education.ie](http://www.Education.ie).
- The principal and chairperson of the BB will prepare a response if and when an appeal is being investigated by the Dept of Education and Science (Section 12, Circular 22/02 – Processing of an Appeal)

Admission Day/Date

The Board of Management may specify that Junior Infants may be admitted to the school on the first day of the new school year, and that the final decision regarding enrolment lies with the Board of Management.

Enrolment of Children with Special Needs

In relation to applications for the enrolment of children with special needs the Board of Management will request a copy of the child's medical and/or psychological report or where such a report is not available, will request that the child be assessed immediately. The purpose of the assessment report is to assist the school in establishing the educational and training needs of the child relevant to his/her disability or special needs and to profile the support services required.

Following receipt of the report, the Board will assess how the school can meet the needs specified in the report. Where the Board deems that further resources are required, it will, prior to enrolment, request the Special Education Needs Organiser (NCSE see Circular 01/05) to provide the resources required to meet the needs of the child as outlined in the psychological and/or medical report. These resources may include for example, access to or the provision of any or a combination of the following: visiting teacher service, resource teacher for special needs, special needs assistant, specialised equipment or furniture, transport services or other.

The school will meet with the parents of the child and with the SENO to discuss the child's needs and the school's suitability or capability in meeting those needs. Where necessary, a full case conference involving all parties will be held, which may include parents, principal, class teacher, learning support teacher, special class teacher, resource teacher for special needs, Special Educational Needs Organiser or psychologist, as appropriate.

See note below on p.10 re Education for Persons with Special Educational Needs Act

Pupils Transferring

Pupils may transfer to the school at any time, subject to school policy, available space and in some cases, the approval of the Department of Education and Science. *It is a requirement of the Board of Management that information concerning attendance and the child's educational progress be communicated between schools.(Section 28, Education Welfare Act 2000)*

Code of Behaviour

The Code of Behaviour is to be found in Appendix 2

Circulation:

This draft policy will be circulated and amended if necessary.

Ratification:

- Draft policy to be presented to BoM for ratification on 11th June 2015.
- Parents will be made aware of the ratified policy through the Parents Association and newsletter copies will be available in the office for viewing.
- From now on, copies of this policy will be given to all new applicants for enrolment.

Athbhreithniú agus Monatóireacht

Déanfaidh an Bord Bainistíochta monatóireacht agus athbhreithniú ar an bpolasaí go rialta agus ag amanna eile de réir mar is gá.

An polasaí glactha ag an mBord Bainistíochta
ar _____

Sínithe: _____
Cathaoirleach

Bhí athbhreithniú déanta ar an pholasaí seo ar an
_____.

Bhí athbhreithniú déanta ar an pholasaí seo ar an
_____.

Bhí athbhreithniú déanta ar an pholasaí seo ar an
_____.

Bhí athbhreithniú déanta ar an pholasaí seo ar an
_____.

Bhí athbhreithniú déanta ar an pholasaí seo ar an
_____.

Appendix 3: Legislation

Education Act, 1998

Section 9

A recognised school shall provide education to students which is appropriate to their abilities and needs and, without prejudice to the generality of the foregoing, it shall use its available resources to –

- (a) ensure that the education needs of all students, including those with a disability or other special education needs are identified and provided for,*
- (b) ensure that the education provided for meets the requirements of education policy as determined from time to time by the Minister including requirements as to the provision of a curriculum as prescribed by the Minister in accordance with section 30,*
- (c) ensure that students have access to appropriate guidance to assist them in their educational and career choices,*
- (d) promote the moral, spiritual, social and personal development of students and provide health education for them, in consultation with their parents, having regard to the characteristic spirit of the school,*
- (e) promote equality of opportunity for both male and female students and staff of the school,*
- (f) promote the development of the Irish language and traditions, Irish literature, the arts and other cultural matters,*
- (g) ensure that parents of a student, or in the case of a student who has reached the age of 18 years, the student, have access in the prescribed manner to records kept by that school relating to the progress of that student in his or her education,*
- (h) in the case of schools located in a Gaeltacht area, contribute to the maintenance of Irish as the primary community language,*
- (i) conduct its activities in compliance with any regulations made from time to time by the Minister under section 33,*
- (j) ensure that the needs of personnel involved in management functions and staff development needs generally in the school are identified and provided for,*
- (k) establish and maintain systems whereby the efficiency and effectiveness of its operations can be assessed, including the quality and effectiveness of teaching in the school and the attainment levels and the academic standards of the students,*
- (l) establish or maintain contacts with other schools and at other appropriate levels throughout the community served by the school, and*
- (m) subject to this Act and in particular section 15(2)(d), establish and maintain an admissions policy which provides for maximum accessibility to the school*

Section 29

- (1) *Where a board or a person acting on behalf of the board —*
- (a) permanently excludes a student from a school, or*
 - (b) suspends a student from attendance at a school for a period to be prescribed for the purpose of this paragraph, or*
 - (c) refuses to enrol a student in a school, or*
 - (d) makes a decision of a class which the Minister, following consultation with patrons, national associations of parents, recognised school management organisations, recognised trade unions and staff associations representing teachers, may from time to time determine may be appealed in accordance with this section,*

the parent of the student, or in the case of a student who has reached the age of 18 years, the student, may, within a reasonable time from the date that the parent or student was informed of the decision and following the conclusion of any appeal procedures provided by the school or the patron, in accordance with section 28, appeal that decision to the Secretary General of the Department of Education and Science and that appeal shall be heard by a committee appointed under subsection (2).

- (2) *For the purposes of the hearing and determination of an appeal under this section, the Minister shall appoint one or more than one committee (in this section referred to as an “appeals committee”) each of which shall include in its membership an Inspector and such other persons as the Minister considers appropriate.*

- (3) *Where a committee is appointed under subsection (2) the Minister shall appoint one of its number to be the chairperson of that committee and who, in the case of an equal division of votes, shall have a second or casting vote.*

- (4) *In hearing and determining an appeal under this section an appeals committee shall act in accordance with such procedures as may be determined from time to time by the Minister following consultation with patrons, national associations of parents, recognized school management organisations and recognised trade unions and staff associations representing teachers and such procedures shall ensure that—*

- (a) the parties to the appeal are assisted to reach agreement on the matters the subject of the appeal where the appeals committee is of the opinion that reaching such agreement is practicable in the circumstances,*
- (b) hearings are conducted with the minimum of formality consistent with giving all parties a fair hearing, and*
- (c) appeals are dealt with within a period of 30 days from the date of the receipt of the appeal by the Secretary General, except where, on the application in writing of the appeals committee stating the reasons for a delay in determining the appeal, the Secretary General consents in writing to extend the period by not more than 14 days.*

- (5) *On the determination of an appeal made under this section, the appeals committee shall send notice in writing of its determination of the appeal and the reasons for that determination to the Secretary General.*

- (6) *Where—*
- (a) an appeals committee upholds a complaint in whole or in part, and*
 - (b) it appears to the appeals committee that any matter which was the subject of the complaint (so far as upheld) should be remedied, he appeals committee shall make recommendations to the Secretary General as to the action to be taken.*

- (7) *As soon as practicable after the receipt by the Secretary General of the notice referred to in subsection (5), the Secretary General—*

(a) shall, by notice in writing, inform the person who made the appeal and the board of the determination of the appeals committee and the reasons therefor, and

(b) in a case to which subsection (6) applies, may in such notice give such directions to the board as appear to the Secretary General (having regard to any recommendations made by the appeals committee) to be expedient for the purpose of remedying the matter which was the subject of the appeal and the board shall act in accordance with such directions.

(8) The Minister, in consultation with patrons of schools, national associations of parents, recognised school management organizations and recognised trade unions and staff associations representing teachers, shall from time to time review the operation of this section and section 28 and the first such review shall take place not more than two years from the commencement of this section.

(9) In the case of a school which is established or maintained by a vocational education committee an appeal against a decision of the board of such school shall lie, in the first instance, to the vocational education committee and thereafter to the Secretary General in accordance with subsection (1).

(10) The Minister shall, from time to time, following consultation with vocational education committees, national associations of parents and recognised trade unions and staff associations representing teachers, prescribe—

(a) the procedures for appeals under this section to vocational education committees, and

(b) which appeals shall inquire into whether the procedure adopted by a board in reaching a decision or conducting an appeal was fair and reasonable and which appeals shall be by way of a full re-hearing.

(11) The Secretary General may, in accordance with sections 4 (1) (i) and 9 of the Public Service Management Act, 1997, assign the responsibility for the performance of the functions for which the Secretary General is responsible under this section to another officer of the Department of Education and Science.

(12) For the purposes of subsection (1)(c), “student” means a person who applies for enrolment at a school and that person or his or her parents may appeal against a refusal to enroll him or her in the same manner as a student or his or her parents may appeal a decision under this section.

Section 15(2)(d) of the Education Act states that:

"A board shall... publish, in such a manner as the board with the agreement of the patron considers appropriate, the policy of the school concerning admission to and participation in the school, including the policy of the school relating to the expulsion and suspension of students and admission to and participation by students with disabilities or who have other special educational needs... and ensure ...that ...the right of parents to send their children to a school of the parents' choice are respected..."

The guidelines are subject to any specific directions of the patron of the school and to 15(2)(d) *"such directions as may be made from time to time by the Minister"*

Section 30 (1)

The Minister may, from time to time, following such consultation with patrons of schools, national associations of parents, recognised school management organisations and recognised trade unions and staff associations representing teachers, as the Minister considers appropriate, prescribe the curriculum for recognised schools, namely –

- (a) the subjects to be offered in recognised schools,*
- (b) the syllabus for each subject,*
- (c) the amount of instruction time to be allocated to each subject, and*
- (d) the guidance and counselling provision to be offered in schools.*

Education Welfare Act, 2000

Section 19

(1) The board of management of a recognised school shall not refuse to admit as a student in such school a child, in respect of whom an application to be admitted has been made, except where such refusal is in accordance with the policy of the recognised school concerned published under section 15(2)(d) of the Act of 1998 (i.e. Education Act)

(2) The parent of a child who has made an application referred to in subsection (1) shall provide the recognised school concerned with such information as may be prescribed by the Minister.

(3) As soon as practicable, but not later than 21 days, after a parent has provided, in accordance with subsection (2), such information as may be prescribed by the Minister thereunder, the board of management of the school concerned shall make a decision in respect of the application concerned and inform the parent in writing thereof.

Section 20

The Education Welfare Act (2000) contains some specific new provisions in relation to the transfer of pupils including the requirement that information concerning attendance and the child's educational progress, should be communicated between schools.

- (1) The principal of a recognised school shall, as soon as maybe after the commencement of this section, cause to be established and maintained a register of all students attending the school.*
- (2) The principal of a recognised school shall, on the day the child first attends the school, enter the child's name, the date of his or her first so attending and any such particulars as may be prescribed by the Minister, in the register maintained under this section in respect of that school, and the child concerned shall, for the purposes of this Act, be deemed, as on and from that date, to be registered in that school.*

- (3) *The principal of a recognised school shall, as soon as may be after entering in the register maintained under this section in respect of that school the name of that child who is registered in another recognised school, so inform by notification in writing the principal of the second- mentioned school.*
- (4) *The principal of the second- mentioned school referred to in subsection (3) shall, on receipt of a notification under that subsection, remove the name of the child concerned from the register maintained under this section in respect of the said second- mentioned school except where the child continues to receive part of his or her education at that school.*
- (5) *The principal of a recognised school shall, on receiving a notification under subsection(3) in relation to a child, notify the principal first-mentioned in that subsection of-*
 - (a) *any problems relating to school attendance that the child concerned had while attending the second-mentioned school referred to therein, and*
 - (b) *such other matters relating to the child's educational progress as he or she considers appropriate*
- (6) *The principal of a recognised school shall not remove a child's name form the register other than-*
 - (a) *in accordance with subsection (4), or*
 - (b) *where he or she has received a notification in writing from the Board that the child concerned is registered in *the register maintained under section 14 (i.e. *The Register – NWEB shall establish a register of all children in receipt of education in a place other than a recognised school)*

Section 23 and 24

Sections 23 and 24 relate to the school's Code of Behaviour and Expulsion. The school should append its Code of Behaviour to the school's enrolment policy (pending the implementation of the Education Welfare Act 2000 and the issue of appropriate guidelines - section 23(3) by the National Education Welfare Board).

Section 28

- (1) *The data controller of a prescribed body may supply personal data kept by him or her, or information extracted from such data, to the data controller of another prescribed body if he or she is satisfied that it will be used for a relevant purpose only.*
- (2) *The data controller of a prescribed body may, for a relevant purpose only, keep and use personal data supplied to him or her under this section.*
- (3) *In this section... "relevant purpose" means the purpose of—*
 - (a) *recording a person's educational or training history or monitoring his or her educational or training progress in order to ascertain how best he or she may be assisted in availing of educational or training opportunities or in developing his or her full educational potential,*

Equal Status Act, 2000

Section 7

(1) *In this section "educational establishment" means a pre-school service within the meaning of Part V11 of the Child Care Act, 1991, a primary or post-primary school, ...*

(2) *An educational establishment shall not discriminate in relation to –*

- (a) *the admission or the terms or conditions of admission of a person as a student to the establishment,*
- (b) *the access of a student to any course, facility or benefit provided by the establishment,*
- (c) *any other term or condition of participation in the establishment by a student, or*
- (d) *the expulsion of a student from the establishment or any other sanction against the student.*

(3) *An education establishment does not discriminate under sub-section (2) by reason that-*

- (a) *where the establishment is not a third-level institution and admits students of one*

gender only, it refuses to admit as a student a person who is not of that gender,

- (c) *where the establishment is a school providing primary or post-primary education to students and the objective of the school is to provide education in an environment which promotes certain religious values, it admits persons of a particular religious denomination in preference to others or it refuses to admit as a student a person who is not of that denomination and , in the case of a refusal, it is proved that the refusal is essential to maintain the ethos of the school*

Education for Persons with Special Educational Needs Act, 2004

2.—A child with special educational needs shall be educated in an inclusive environment with children who do not have such needs unless the nature or degree of those needs of the child is such that to do so would be inconsistent with -

- (a) the best interests of the child as determined in accordance with any assessment carried out under this Act, or
- (b) the effective provision of education for children with whom the child is to be educated.

The Data Protection Act 1988 and the Data Protection (Amendment) Act, 2003

The Data Protection Act 1988 was introduced in response to privacy issues raised by the maintenance of data on computers and to specify the responsibilities of those who keep personal data on computer (data controllers). The Act relates to data held on computers in a format in which it can be processed automatically. "Personal Data" in this context means "*data relating to a living individual who can be identified either from the data or from the data in conjunction with other information in the possession of the data controller.*"

Unlike the Freedom of Information Act, the Data Protection Act applies to all organisations. Schools that retain data on staff or students on computer are subject to its provisions.

The Data Protection Act specifies certain key responsibilities that data controllers must exercise:

- Fair obtaining and processing of data - the identity of the person collecting the data, the use to which it will be put and to whom it will be released should be set out for the person providing the information, or should outline any secondary or future uses to which the data might be put.
- Data may only be held on computer about people if it is held for a specific, lawful and clearly stated purpose.
- The data must be accurate and kept up to date.
- The data must be used only in ways that are consistent with the purpose/purposes for which it is kept.
- Security measures must be put in place to prevent unauthorised access, alteration, disclosure or destruction of the data and against accidental loss or destruction.
- The data held must be adequate, relevant and not excessive in relation to the purpose/purposes for which it is held.
- The data must not be kept longer than is necessary. Data controllers should be clear on how long data is to be kept and why it is being retained. Unless the school has a system for managing electronic records, the ever-increasing number of electronic records should be dealt with in the same way as paper records, i.e. using the same retention and disposal periods, etc. It is advisable to print off copies of important e-mail correspondence or documents for the file.
- Right of Access - an individual about whom data is held and who applies in writing specifying the information requested is entitled to a copy of the data held about him or her. Along with the right of access to personal data, the Data Protection Act also gives employees the right to ascertain the existence of personal data and the right to rectify or erase data.

The Data Protection (Amendment) Act, 2003

The Data Protection (Amendment) Act, enacted in July 2003, amends the Data Protection Act, 1988 in a number of significant ways:

- it extends data protection rules to include certain manual data (paper-based filing systems) relating to living individuals, which is recorded as part of a filing system;
- it sets out conditions for processing personal data, including more stringent controls in relation to sensitive personal data, e.g. religious beliefs, racial or ethnic origin, etc.;
- it strengthens individuals' rights, in particular the right to be informed about the processing of data relating to them;
- it gives the new powers to the Data Protection Commissioner to carry out investigations in order to ensure that data protection rules are being complied with.
- it includes a re-statement of basic data protection principles, with additional safeguards in relation to direct marketing (using data collected for a particular legitimate purpose to contact individuals to sell products or services);
- it specifies additional conditions relating to the processing of personal data, e.g. a new category of sensitive personal data is to be created which will benefit from stronger protection;
- it introduces a right for individuals to object to automated decision-making (decision-making which is processed by electronic means without human input).

The Freedom of Information Act

Primary schools are not yet subject to the Freedom of Information Act but can expect to be included in a future expansion of those areas of the public service that come under the scope of the Freedom of Information legislation. Some agencies with whom a school may interact in relation to pupils (e.g. Health Boards, DES) are subject to the act.