



Department of
Education

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AN ROINN

Oideachais

MÁNNYSTRIE O

Lear

AN ROINN OIDEACHAIS

POLASÁÍ AISTRITHE IAR-BHUNOIDEACHAIS

DEPARTMENT OF EDUCATION

POST-PRIMARY TRANSFER POLICY



**TREOIR LE hAGHAIDH
PHRÍOMHOIDÍ BUNSCOILE, BHOIRD
GHOBHARNÓIRÍ AGUS PHRÍOMHOIDÍ
IAR-BHUNSCOILE, AGUS BHOIRD
OIDEACHAIS AGUS LEABHARLAINNE¹
MAIDIR LE PRÓISEAS AN AISTRITHE
Ó BHUNSCOIL GO hIAR-BHUNSCOIL
Ó MHEÁN FÓMHAIR 2010**

¹ Bainfidh aon tagairtí a dhéantar ar fud an doiciméid seo do na Boird Oideachais agus Leabharlainne go comhchothrom leis an Údarás Oideachais agus Scileanna nuair a thiocfaidh ann dó.

**GUIDANCE TO PRIMARY SCHOOL
PRINCIPALS, POST-PRIMARY
SCHOOLS' BOARDS OF GOVERNORS
AND PRINCIPALS, AND EDUCATION
AND LIBRARY BOARDS¹ ON THE
PROCESS OF TRANSFER FROM
PRIMARY TO POST-PRIMARY SCHOOL
FROM SEPTEMBER 2010**

¹ References throughout this document to Education and Library Boards will apply equally to the Education and Skills Authority once it is established.

ACHOIMRE

AIDHMEANNA AGUS CUSPÓIRÍ TAOBH THIAR DE THREOIR NA ROINNE OIDEACHAIS

Leagtar amach sa Treoir seo creat don nós imeachta maidir le haistriú páistí ó bhunscoil go hiar-bhunscoil ó Mheán Fómhair 2010. Is iad na haidhmeanna agus na cuspóirí atá taobh thiar de na socruithe maidir le hiontráil na ndaltaí seo chuig iar-bhunscoileanna, mar atá leagtha amach sa treoir seo, ná:

- go mbeidh gach cinneadh iontrála cothrom agus go gcuirfear ar chumas gach dalta lánacmhainneacht a bhaint amach;
- go mbeidh na socruithe iontrála ina n-iomláine, lena n-áirítear ról na Roinne, ról na mBord Oideachais agus Leabharlainne/an Údaráis Oideachais agus Scileanna, agus ról Bhoird Ghobharnóirí Bunscoileanna agus Iar-Bhunscoileanna faoi seach, soiléir agus go dtuigfear iad; agus
- go ndéanfaidh Boird Ghobharnóirí iar-bhunscoileanna cinntí iontrála stóinsithe cruinne.

CRITÉIR IONTRÁLA

Maidir leis na trí chuspóir seo, moltar sa Treoir roghchlár de chritéir iontrála ar cheart do Bhoird Ghobharnóirí é a úsáid chun a gcuid critéar iontrála a dhréachtú. Seo a leanas roghchlár na gcritéar iontrála atá molta:

Céad chritéar molta:

- larratasóirí atá i dteideal béile saor scoile (FSME): tabharfar tosaíocht lena chinntiú nach mbeidh comhréir na ndaltaí seo a iontráiltear níos lú ná comhréir na n-iarratas céadrogha FSME a fhaightear laistigh de líon iomlán na n-iarratas céadrogha a fhaightear.

Critéir eile:

- larratasóirí a bhfuil siblín acu atá ag freastal ar an scoil faoi láthair;
- larratasóirí arb iad an Páiste is sine iad;
- larratasóirí de chuid bunscoileanna friothálacha/ainmnithe;
- larratasóirí atá ag cur fúthu i bParóiste ainmnithe (ag an scoil fhóirsteanach is cóngaraí);
- larratasóirí atá ag cur fúthu i Scoilcheantar ainmnithe (ag an scoil fhóirsteanach is cóngaraí);
- larratasóirí arb í an scoil an scoil fhóirsteanach is cóngaraí dóibh;
- Roghnú randamach - ceist réitigh.

SUMMARY

AIMS AND OBJECTIVES OF THE DEPARTMENT OF EDUCATION'S GUIDANCE

This Guidance sets out a framework for the procedure for the transfer of children from primary to post-primary school from September 2010. The aims and objectives of the arrangements for the admission of these pupils to post-primary schools, as set out in this guidance, will be:

- that admissions decisions are fair and give each child the opportunity to reach his/her full potential;
- that the overall arrangements for admissions, and within that the respective roles of the Department, the Education and Library Boards, and primary and post-primary schools' Boards of Governors are clear and understood; and
- that post-primary schools' Boards of Governors achieve robust and accurate admissions decisions.

ADMISSIONS CRITERIA

With regard to these three objectives, the guidance recommends a menu of admissions criteria from which post-primary schools' Boards of Governors should draw up their admissions criteria. The recommended menu of admissions criteria is as follows:

Recommended first criterion:

- Applicants who are entitled to Free School Meals (FSME): priority to be given so that the proportion of such children admitted is not less than the proportion of first preference FSME applications received within the total number of first preference applications received.

Other criteria:

- Applicants who have a sibling currently attending the school;
- Applicants who are the Eldest Child;
- Applicants from a Feeder/named primary school;
- Applicants residing in a named Parish (with nearest suitable school);
- Applicants residing in a named Catchment Area (with nearest suitable school);
- Applicants for whom the school is the Nearest Suitable School;
- Tie-breaker criteria.

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STÁDAS DLEATHACH NA TREORACH SEO

1. Tá an treoir seo á heisiúint ag an Roinn Oideachais faoi Alt 16B den Ordú Oideachais (TÉ), 1997 - arna leasú ag Alt 30 den Ordú Oideachais (TÉ), 2006 - ina luaitear

(1) Féadtar go ndéanfadh an Roinn treoir a eisiúint agus, ó am go ham, a leasú, de réir mar a mheastar bheith iomchuí, maidir le socrúithe iontrála daltaí chuig scoileanna deontaschúnta agus le freagrachtaí na gcomhlachtaí seo a leanas faoi seach i dtaca le comhlíonadh a gcuid feidhmeanna faoin chuid seo:

- i. Na Boird;*
- ii. Boird Ghobharnóirí scoileanna deontaschúnta;*
- iii. Binsí achomhairc bunaithe de réir na rialachán faoi Alt 15(8); agus*
- iv. An foras a bhunófar le rialacháin faoi Alt 16A(6).*

(2) D'fhéadfadh sé, ach go háirithe, go ndéanfaí aidhmeanna, cuspóirí agus aon cheisteanna eile a bhaineann le comhlíonadh na bhfeidhmeanna seo a leagan amach sa treoir.

(3) Beidh de dhualgais ar

- v. Gach comhlacht a luaitear i bParagraf (1); agus*
- vi. Aon duine eile atá bainteach le haon chomhlacht dá leithéid agus le comhlíonadh na bhfeidhmeanna faoin chuid seo,*

aird chuí bheith acu ar aon treoir bhainteach, de thuras na huaire, a chuirtear i bhfeidhm faoin Alt seo".

THE LEGAL STATUS OF THIS GUIDANCE

1. This guidance is issued by the Department of Education under Article 16B of the Education Order (NI), 1997 - as amended by Article 30 of the Education Order (NI), 2006 - which states:

(1) The Department may issue, and from time to time, revise such guidance as it thinks appropriate in respect of the arrangements for the admission of pupils to grant-aided schools and the discharge by:

- i. Boards;*
- ii. The Boards of Governors of grant-aided schools;*
- iii. Appeal tribunals constituted in accordance with regulations under Article 15(8); and*
- iv. The body established by regulations under Article 16A(6),*

of their respective functions under this part.

(2) The guidance may in particular set out aims, objectives and other matters in relation to the discharge of those functions.

(3) It shall be the duty of

- v. Each of the bodies mentioned in Paragraph (1); and*
- vi. Any other person exercising any function for the purposes of the discharge by such a body of functions under this part,*

to have regard to any relevant guidance for the time being in force under this Article".

2. Beidh de cheangal ar bhunscoileanna, ar phríomhoidí agus ar Bhoird Ghobharnóirí iar-bhunscoileanna agus ar Bhoird Oideachais agus Leabharlainne (na Boird) mar sin de, "aird chuí" bheith acu ar an treoir seo. Ba cheart go dtuigfeadh Boird Ghobharnóirí agus páirtithe eile a mbaineann an Treoir seo leo gur ceangal dleathach é an ceangal seo aird chuí bheith acu ar an Treoir seo. Go praiticiúil, is éard is ciall leis an dualgas seo, maidir le Boird Ghobharnóirí iar-bhunscoile, gur gá dóibh breithniú gníomhach agus glacach a dhéanamh, agus critéir iontrála á ndrúchtú acu, ar mholtaí na Treorach i dtaca le critéir iontrála agus taifead a dhéanamh ar an bhreithniú seo.

3. Eiscfear uaidh seo, dar ndóigh, na codanna den treoir seo ina gcuirtear síos ar dhualgais agus ar fhreagrachtaí Bhoird Ghobharnóirí iar-bhunscoileanna agus na mBord a bhfuil bonn reachtúil ó cheart leo féin. Eiscfear chomh maith ón treoir seo aistriú na bpáistí sin a bhfuil ráiteas Sainriachtanais Oideachais acu. Foráiltear aistriú na bpáistí seo le reachtaíocht agus ní chlúdaítear é le nósanna imeachta Rollaithe Oscailte lena chinntiú go mbíonn fáil ag a leithéid de pháistí ar an socrúchán scoile is fóirsteanáí dóibh féin agus go ndéantar freastal ar a gcuid riachtanas.

AN PRÓISEAS AISTRITHE

4. Beidh ról agus freagrachtaí na Roinne, na mBord Oideachais agus Leabharlainne, na mbunscoileanna, na n-iar-bhunscoileanna agus na mBord Gobharnóirí acu mórán mar an gcéanna le hAistriú 2010, agus déanfar iad seo a shonrú sa chiorclán oibríoch a fhoilseoidh an Roinn i gcomhráth le tús na scoilbhliana úire. Tá sé seo amhlaidh chomh maith i gcás an pholasáí iompair atá mar thaca ag an aistriú iar-bhunscoile. **Ba cheart go mbeadh a fhios ag scoileanna, maidir**

2. Primary schools, the principals and Boards of Governors of post-primary schools and the Education and Library Boards (ELBs) will, therefore, be required to have regard to this guidance. Boards of Governors and others addressed by this Guidance should understand that the duty to have regard to this Guidance is a legal one. In practical terms this duty, for a post-primary school's Board of Governors, means that in drawing up admissions criteria they should give active and receptive consideration to the Guidance's recommendations on admissions criteria and record this consideration.

3. Excepted from this, of course, will be the parts of this guidance describing duties and responsibilities of post-primary school Boards of Governors and the ELBs that have a legislative basis in their own right. Also excepted from this guidance is the transfer of children in possession of a statement of special educational needs. The transfer of such children is provided for in legislation and lies outside of Open Enrolment procedures in order to ensure that such children are provided with the most appropriate school placement and that their needs are met.

THE TRANSFER PROCESS

4. The roles and responsibilities of the Department, Education and Library Boards, primary schools and post-primary schools and their Boards of Governors will be broadly similar to Transfer 2010, and will be detailed in the operational circular that the Department will publish to coincide with the start of the new school year. The same applies to transport policy in support of post-primary transfer. **Schools should be aware that any**

le hathruithe ar bith a dhéanfar ar a gcuid ról agus freagrachtaí, a measann an Roinn iad bheith riachtanach chun feidhmiú an phróisis aistrithe a fheabhsú, agus iad ag tarraingt ar cheachtanna a foghlaimíodh agus Aistriú 2010 á chur i bhfeidhm; go ndéanfar é seo a shonrú sa chiorclán oibríoch.

5. Baineann an Treoir seo go comhchothrom leis na scoileanna sin ina bhfeidhmítear an próiseas aistrithe in aois 14 bliana laistigh de chóras Phlean Dickson.

CEISTEANNA LEANÚNACHA DLÍ MAIDIR LE SOCRÚ NA gCRITÉAR IONTRÁLA

6. Tá de cheangal ar Bhord Gobharnóirí a chinntiú go mbíonn bonn dlí leis na critéir iontrála a úsáideann siad agus go mbíonn siad ag teacht leis an reachtaíocht chomhionannais.

7. Aon áit nach mbíonn scoileanna ró-shuibscríofa, bíonn de cheangal orthu uile iarratasóirí a iontráil go dtí gach áit atá ar fáil - (ie an t-aon eisceacht a cheadaítear, i mbliainghrúpaí seachas bliain 8, go dtig le Bord Gobharnóirí iar-bhunscoile a léiriú "go ndéanfadh iontráil páiste chuig an scoil dochar d'úsáid éifeachtúil acmhainní" (Alt 13, Ordú Oideachais (TÉ), 1997)).

8. In ainneoin na moltaí thuas uile, tugtar moltaí do gach Bord Gobharnóirí iar-bhunscoile sa Treoir seo maidir leis na critéir iontrála ba chóir agus nár chóir dóibh a úsáid. Beidh de cheangal ar gach scoil aird chuí bheith acu ar na moltaí seo.

changes to their roles and responsibilities that DE considers necessary to improve the operation of the transfer process, drawing on lessons from the implementation of Transfer 2010, will be detailed in the operational circular.

5. This Guidance applies equally to schools that operate transfer at age 14 within the Dickson Plan system.

CONTINUING LEGAL CONSIDERATIONS IN SETTING ADMISSIONS CRITERIA

6. There is a duty upon a Board of Governors to ensure any admissions criteria they use are legally based and compliant with equality legislation.

7. Where schools are not oversubscribed, they all have the same obligations to admit applicants to all available places - (ie the only exception being where, for year groups other than year 8, a post-primary school's Board of Governors can demonstrate "that the admission of the child to the school would prejudice the efficient use of resources" (Article 13, Education Order (NI), 1997).

8. Notwithstanding all of the above considerations, this guidance makes recommendations to all post-primary schools' Boards of Governors on the admissions criteria they should and should not use. All schools are obliged to have regard to these recommendations.

CRITÉIR IONTRÁLA MOLTA

9. Maidir le hiontráil gach páiste atá in aois éigeantach scoile, molann an Roinn go ndéanfadh Boird Ghobharnóirí iar-bhunscoile a gcuid critéar iontrála a dhréachtú ón roghchlár seo a leanas de chritéir mholta (tá de cheangal ar gach scoil aird chúil bheith acu ar na moltaí seo):

Céad chritéar molta:

- Iarratasóirí atá i dteideal béile saor scoile (FSME): tabharfar tosaíocht lena chinntiú nach mbeidh comhréir na ndaltaí seo a iontráiltear níos lú ná comhréir na n-iarratas céadrogha FSME a fhaightear laistigh de líon iomlán na n-iarratas céadrogha a fhaightear.

Critéir eile:

- Iarratasóirí a bhfuil siblín acu atá ag freastal ar an scoil faoi láthair;
- Iarratasóirí arb iad an Páiste is sine iad;
- Iarratasóirí de chuid bunscoileanna friothálacha/ainmnithe;
- Iarratasóirí atá ag cur fúthu i bParóiste ainmnithe (ag an scoil fhóirsteanach is cóngaraí);
- Iarratasóirí atá ag cur fúthu i Scoilcheantar ainmnithe (ag an scoil fhóirsteanach is cóngaraí);
- Iarratasóirí arb í an scoil an scoil fhóirsteanach is cóngaraí dóibh;
- Roghnú randamach – ceist réitigh.

RECOMMENDED ADMISSIONS CRITERIA

9. For the admission of all children of compulsory school-age, the Department recommends that Boards of Governors of post-primary schools draw up their admissions criteria from the following menu of recommended criteria (all schools are obliged to have regard to these recommendations):

Recommended first criterion:

- Applicants who are entitled to Free School Meals (FSME): priority to be given so that the proportion of such children admitted is not less than the proportion of first preference FSME applications received within the total number of first preference applications received.

Other criteria:

- Applicants who have a sibling currently attending the school;
- Applicants who are the Eldest Child;
- Applicants from a Feeder/named primary school;
- Applicants residing in a named Parish (with nearest suitable school);
- Applicants residing in a named Catchment Area (with nearest suitable school);
- Applicants for whom the school is the Nearest Suitable School;
- Tie-breaker criteria.

10. Déanfar eolas mionsonraithe breise a eisiúint maidir le gach ceann de na critéir mholta sa chiorclán oibríoch a fhoilseoidh an Roinn i gcomhthráth le tús na scoilbhliana úire.

CRITÉIR IONTRÁLA NACH MOLTAR

11. Molann an Roinn nach mbainfeadh scoileanna úsáid as aon cheann de na critéir seo a leanas:

- Roghnú Neamhrialaithe Acadúil: measann an Roinn go ndéantar an éagothroime a chothú agus a bhuanú le cinntí atá bunaithe ar thorthaí na tástála neamhrialaithe acadúla agus nach dtagann siad leis an chuspóir go gcaithfí go cothrom le páistí agus go gcuirfí ar chumas gach páiste lánacmhainneacht a bhaint amach. Tá sé seo i gcomhréir leis an dearcadh atá ag an Choimisiún um Chearta an Duine. Ó thaobh an chomhionannais de, molann an Roinn go láidir go stadann scoileanna d'úsáid na gcritéir iontrála acadúil agus d'úsáid na dteisteanna neamhrialaithe lena n-éascaítear cur i bhfeidhm na gcritéir seo.
- Critéir teaghlaigh de bhreis ar shiblín reatha: moltar siblín reatha agus ní naisc teaghlaigh eile mar gur gá freastal ar leas tuismitheoirí, páistí agus teaghlach gan iarratasóirí eile bheith thíos leis. Is léir mar sin, ó thaobh chúrsaí iompair amháin de, gur rud áisiúil tacúil é do pháiste áit a fháil sa scoil chéanna a bhfuil siblín leis/léi ag freastal cheana uirthi.
- Ceisteanna réitigh a bhaineann le hachar: ní mholtar ceisteanna réitigh a bhaineann le hachar mar go mbeidh iarratasóirí

10. Further detailed information in relation to each of the recommended criteria will appear in the operational circular that the Department will publish to coincide with the start of the new school year.

ADMISSIONS CRITERIA THAT ARE NOT RECOMMENDED

11. The Department recommends that schools do not use any of the following criteria:

- Unregulated Academic Selection: the Department considers that decisions based on the outcome of unregulated academic testing maintain and support inequality, and are not consistent with the objective of treating children fairly and giving each child the opportunity to reach his/her full potential. This is consistent with views expressed by the Human Rights Commission. On equality grounds, the Department strongly recommends that schools end the use of academic admissions criteria and the use of unregulated tests that facilitate the application of these criteria.
- Familial criteria beyond current sibling: the reason why only current sibling and not other family connections are recommended is because of the need to serve the interests of parents, children and families without disadvantaging other applicants. It is clearly, in transport terms alone, convenient and supportive for a child to gain admission to the same school as that currently attended by their sibling.
- Distance tie-breakers: distance tie-breakers are not recommended because they will disadvantage rural/

forimeallacha/tuaithe thíos leo agus téann siad in éadan na ngnéithe sin de roghchlár molta na gcritéar a dearadh lena chinntiú go gcaithfí go cothrom leis na hiarratasóirí seo.

- Páistí de chuid fhostaithe/ghobharnóirí na scoile: d'ainneoin gur áisiúil an critéar seo do líon beag teaghlach, fágann sé, de thairbhe seirbhíse nó fostaíochta, go mbeifí ag fáil tosaíochta ó thaobh na hiontrála de. Bíonn tairbhí eile ag baint le seirbhís nó le fostaíocht, é sin nó ní spéis le lucht fostaíochta/seirbhíse iad. Ar a bharr sin, ní féidir ach le sainghrúpaí agus le líon iontach beag daoine ón phobal a ndéanfadh an scoil freastal air, teacht ar an fostaíocht nó ar an tseirbhís seo.
- Critéir Roghnachais: Molann an Roinn Oideachais go láidir do gach Bord Gobharnóirí, cé nach bhfuil aon léirchosc níos mó ar chritéir roghnachais (ie tosaíocht a thabhairt d'iarratasóirí de réir an leibhéal roghnachais laistigh dá n-iarratas – 1ú, 2ú, 3ú srl.), nár chóir, ar mhaithe le polasáí an rollaithe oscailte, iad a úsáid i scoil ar bith in am ar bith. Is éard is prionsabal leis an rollú oscailte agus le rogha na dtuismitheoirí gur chóir go mbeadh tuismitheoirí in ann a gcuid roghnachas a léiriú maidir le scoil dá bpáiste ar dhóigh neamhshrianta. Má bhaintear úsáid as critéir roghnachais, imreoidh an dóigh a léiríonn tuismitheoirí agus páistí a gcuid roghnachas tionchar ar a gcuid ionchas iontrála. Cuirfidh sé seo, gan amhras, iallach ar thuismitheoirí agus ar pháistí a gcuid roghnachas a léiriú ar bhonn beartach. Cuirfear srian dá réir ar rogha na dtuismitheoirí.

outlying applicants and will undermine those aspects of the recommended menu of criteria designed to ensure that these applicants are treated fairly.

- Children of employees/governors or a school: notwithstanding the ability of this criterion to provide convenience for a small number of families, it makes admissions priority a benefit of service or employment. Employment or service either have their own benefit or are disinterested in one. Furthermore, employment or service can only be accessed by specific groups from, and a very small number of, the potential community to be served by a school.
- Preference Criteria: DE strongly recommends to all Boards of Governors that, whilst, preference criteria (ie the prioritising of applicants according to the level of preference of their application – 1st, 2nd, 3rd etc) may no longer be explicitly prohibited, they should not in the interests of open enrolment policy be used by any school at any stage. The principle of open enrolment and of parental choice is that parents should be able to express their preferences of school for their child in an unfettered manner. The use of preference criteria will mean that the manner in which parents and children express these preferences will affect their prospects of admission. This will inevitably compel parents and children to express their preferences tactically. It will restrict parental choice.

CEISTEANNA A BHAINNEANN LE HÚSÁID NA dTEISTEANNA NEAMHRIALAITHE

Riosca agóide – comhairle d'iar-bhunscoileanna

12. Moltar sa Treoir seo go gcuirfeadh scoileanna deireadh leis an roghnú acadúil trí theisteanna neamhrialaithe d'fhonn páistí a roghnú le haghaidh iontrála. Ní mór go mbeadh scoileanna nach nglacann leis an mholadh seo meabhrach ar an réimse de cheisteanna a bhaineann le teisteanna neamhrialaithe a bhféadfadh sé go bhfágfaí faoi lé riosca agóide iad dá ndeasca. Tá liosta díobh seo thíos agus déantar plé mionsonraithe orthu in larscríbhinn 1:

- **Meicníocht stóinsithe measúnaithe** – ie meicníocht lenar féidir cinntí iontaofa inniúlacht-bhunaithe a sholáthar;
- **Leagan comhionann Gaeilge den teist.**
- **Breithniú ar iarratasóirí FSME.**
- **Cumarsáid i dtaca leis na socrúithe neamhspleácha measúnaithe nó teisteanna neamhrialaithe.**
- **Nós Imeachta um Chúinsí Eisceachtúla le haghaidh chur i bhfeidhm critéar acadúil:** níor cheart d'iar-bhunscoileanna socrúithe a chur i bhfeidhm i gcás Chúinsí Eisceachtúla ina dtugtar aon ról do bhunscoil nó d'eolas ar bith a choinnítear i mbunscoil.
- **Foráil speisialta agus iontrálacha de bhreis ar an líon rollaithe.**

ISSUES RELATING TO THE USE OF UNREGULATED TESTS

Risk of Challenge – advice to post-primary schools

12. This guidance recommends that schools should end the use of academic selection through unregulated tests for the purposes of selecting children for admission. Schools failing to follow this recommendation need to be aware of the range of issues associated with unregulated tests that may expose them to the risk of challenge. These are listed below and are discussed in more detail in Annex 1:

- **A robust assessment mechanism** – ie one that is capable of providing for sound ability-based admissions decisions;
- **An Irish-language equivalent to the test.**
- **Consideration of FSME applicants.**
- **Communication of independent assessment arrangements or unregulated tests.**
- **Special Circumstances Procedure for the application of academic criteria:** post-primary schools should not put in place arrangements for Special Circumstances that ascribe any role to a primary school or any information held by a primary school.
- **Special Provision and supernumerary admissions.**

Ról na mbunscoileanna

13. Ba cheart go dtuigfeadh bunscoileanna go mbíonn ról ríthábhachtach leithleach acu maidir le forbairt oideachasúil gach páiste. Is é an ról atá acu cinntiú go gcuirtear an bhunchéim d'fhorbairt oideachasúil gach páiste (a bhfuil tábhacht bhunúsach léi maidir le gach céim iartheachtach den fhorbairt oideachasúil) i gcrích.

14. Níor cheart go laghdófaí nó go saobhfaí an ról ríthábhachtach oideachasúil atá ag bunscoileanna go dtí ról ina bhfeicfí do bhunscoileanna go gcaithfidh siad riar ar phróisis iontrála acadúla na n-iar-bhunscoileanna. Tá gach bunscoil faoi cheangal reachtúil curaclam na bunscoile a sheachadadh de réir mar atá sainmhínithe in Ailt 4-9 den Ord Oideachais 2006 - agus ní ceadmhach imeacht ón cheangal sin. Molann an Roinn go láidir nach n-ullmhaíonn bunscoileanna a gcuid páistí do na teisteanna iontrála neamhrialaithe. Níor cheart don scoil na socruithe le haghaidh na dteisteanna iontrála neamhrialaithe a éascú ar shlí ar bith trí ábhair thacaíochta a sholáthar, trí bheith ag tairiscint oiliúnú iarnóna ar scoil ar theicníc scrúduithe nó trí thaithí a thabhairt dóibh ar thimpeallacht scrúdaithe. Leanfaidh an Chigireacht Oideachais agus Oiliúna leo ag déanamh monatóireachta ar chaighdeán an teagaisc agus na foghlama, i gcomhthéacs an churaclaim leasaithe, i mbunscoileanna.

15. Tuigeann bunscoileanna go dtig gearán foirmeálta a dhéanamh chuig Binse Gearán Curaclaim mura mbíonn an curaclam leasaithe á sheachadadh sa scoil. Leanfaidh na Boird leo ag cur i bhfeidhm socruithe lena n-éascaítear do thuismitheoirí gearáin a dhéanamh leis na Binsí seo maidir leis an dóigh a seachadann scoil an curaclam.

Role of primary schools

13. Primary schools should understand that they play a distinct and crucial role in the educational development of all children. This role is to ensure that the primary stage of every child's educational development (fundamental to all subsequent stages of educational development) is completed.

14. The vital educational role of primary schools should not be reduced and distorted into a role where primary schools see themselves as serving the academic admissions processes of post-primary schools. All primary schools have statutory obligations to deliver the primary curriculum as defined in Articles 4-9 of the Education Order 2006 - and must not depart from these obligations. The Department strongly recommends that primary schools do not prepare their children for unregulated entrance tests. The school should not facilitate unregulated entrance test arrangements in any way by supplying support materials, offer afternoon school coaching in exam technique or familiarisation with a testing environment. The Education and Training Inspectorate will continue to monitor the quality of teaching and learning, in the context of the revised curriculum, in primary schools.

15. Primary schools will be aware that any failure to deliver the revised curriculum can be formally reported as a complaint to a Curriculum Complaints Tribunal. ELBs will continue to make arrangements that enable parents and others to bring complaints about a school's delivery of the curriculum to these Tribunals.

16. Ba cheart go mbeadh a fhios ag bunscoileanna, sa chás go ndéanfaidh tuismitheoir nó páirtí leasmhar eile teagmháil leis an Roinn agus é/í buartha nach bhfuil an curaclam leasaithe á sheachadadh mar is ceart, go molfar dó/ di gearán a dhéanamh le príomhoide na scoile ar dtús agus mura mbíonn aon réiteach sásúil ann dá bharr seo, gur cheart dul chuig Bord na nGobharnóirí ina dhiaidh sin. Mura dtagann freagairt shásúil ó Bhord na nGobharnóirí, beidh an tuismitheoir in ann gearán foirmeálta a dhéanamh le Binse Gearán Curaclaim.

17. Níor cheart go n-éascódh bunscoileanna d'iar-bhunscoileanna critéir iontrála neamhrialaithe acadúla a chur i bhfeidhm. Mura gcloíonn roinnt iar-bhunscoileanna leis an mholadh nár cheart dóibh, faoi shocruithe um chúinsí eisceachtúla, ról a thaisealbhadh do bhunscoil, d'fhágfaidh sé seo go mothódh roinnt bunscoileanna faoi bhrú bheith páirteach sa phróiseas seo, rud nach mbeadh cothrom. Maidir le **Cúinsí Eisceachtúla**, ba cheart go mbeadh sé soiléir do bhunscoileanna:

- Tá ceart dlíthiúil ag tuismitheoirí/ caomhnóirí ar aon eolas a choinníonn bunscoil a bhaineann lena bpáiste féin amháin;
- Níl aon cheangal dlíthiúil orthu eolas a sholáthar in aon sainfhormáid a iarrtar;
- Níor cheart dóibh aon eolas maidir le feidhmíocht páiste eile seachas a bpáiste féin a sholáthar do thuismitheoirí nó caomhnóirí;
- Ní ceadmhach dóibh, faoin dlí um Chosaint Sonraí, eolas a bhaineann le feidhmíocht a gcuid daltaí a sholáthar go díreach d'aon scoil eile.

16. Primary schools should be aware that where a parent or other interested party approaches the Department with a concern that the revised curriculum is not being delivered properly they will be advised to lodge a complaint with the school principal in the first instance, and if there is no satisfactory outcome to escalate the complaint to the Board of Governors. If the Board of Governors fails to respond appropriately the parent can make a formal complaint to a Curriculum Complaints tribunal.

17. Primary schools should not facilitate a post-primary school's application of unregulated academic admissions criteria. If some post-primary schools do not follow the recommendation that they should not, in special circumstances arrangements, ascribe a role to a primary school, then some primary schools may, unfairly, feel pressured into involvement. In relation to **Special Circumstances**, primary schools should be clear that:

- Parents/Guardians have a legal right to any information that is held by a primary school that relates solely to their child;
- They are not required, in law, to provide information in a specifically requested format;
- They should not provide performance information to parents or guardians relating to any child other than their own;
- They should not, under Data Protection law, directly provide performance relating to any of their pupils to any other school.

ACHOMHAIRC

Binsí Achomhairc Iontrála

18. Leanfaidh na Boird leo le riar na mBinsí neamhspleácha Achomhairc Iontrála. Tabharfar comhairle do thuismitheoirí maidir le hiarratas a dhéanamh chuig binse achomhairc iontrála sa litir socrúcháin a chuirfear amach chucu ag deireadh an phróisis iontrála.

Próiseas na gCúinsí Eisceachtúla

19. Tá próiseas nua mar aon le Foras nua um Chúinsí Eisceachtúla bunaithe ag an Roinn chun meicníocht a sholáthar lena mbreithneofaí ar chás an lín bhig páistí faoi chúinsí eisceachtúla doshéanta ar leith a shainbhaineann le gach páiste ann féin, agus a fhágann gur gá an páiste a iontráil chuig iar-bhunscoil ar leith ach nár éirigh leis an pháiste áit a fháil trí chur i bhfeidhm chritéir iontrála na scoile sin. Is féidir leis an Fhoras breithniú ar achomhairc ó thuismitheoirí maidir le cásanna nuair nach bhfuair páiste neamhráiteasaithe a bhí ag iarraidh iontrála chuig ceann de bhlianta 8-12, trí na gnáthphróisis, áit sa scoil shonraithe sin agus, dar leis na thuismitheoirí, gurb éigean don pháiste freastal ar an scoil sin agus ar an scoil sin amháin. Is gá do thuismitheoirí mar chuid den phróiseas achomhairc fianaise a sholáthar le tacú lena leithéid d'éileamh. Má sheasann an Foras le hachomharc, bainfidh sé leas as an chumhacht atá aige chun iontráil a cheadú de bhreis ar an líon iontrálacha. Tabharfar comhairle do thuismitheoirí maidir le cén dóigh ar féidir leo eolas breise a fháil ar an phróiseas seo agus cén dóigh ar féidir iarratas a dhéanamh chuig an Fhoras le litir socrúcháin a gheobhaidh siad ag deireadh an phróisis iontrála. Is ceadmhach do thuismitheoirí iarratais a dhéanamh chuig an Fhoras seo agus chuig binse achomhairc iontrála san aon am amháin.

APPEALS

Admissions Appeal Tribunals

18. ELBs will continue to administer independent Admissions Appeal Tribunals. Parents will continue to be advised on how to apply to an admissions appeal tribunal in the placement letter they receive at the end of the admissions process.

Exceptional Circumstances Process

19. The Department has established a new Exceptional Circumstances process and Body to provide a mechanism to consider the cases of a small group of children with exceptional and compelling circumstances, particular to the individual child, that require admission to a specific post-primary school but where the child is unable to secure such admission through the application of the school's admissions criteria. The Body can consider appeals from parents in relation to situations where a non-statemented child seeking admission to Years 8-12 has not, through the normal processes, gained a place in the specified school, and it is asserted by the parents that the child must attend that school, and that school only. The appeals process requires parents to provide evidence in support of any such assertion. If an appeal is upheld by the Body, it will use its power to direct admission on a supernumerary basis. Parents are advised on how to obtain further information about the process and how to apply to this Body in the placement letter they receive at the end of the admissions process. Parents can make applications to this Body in parallel with applications to an admissions appeals tribunal.

AG AMHARC CHUN TOSAIGH - I dTreo PRÓISEAS AISTRITHE ATÁ BUNAITHE AR CHOITHOIME

20. Is mian leis an Roinn a chinntiú go mbeidh scoileanna in ann an Treoir seo a chur i bhfeidhm chomh gasta agus is féidir. Is eol dúinn gur ábhar buartha iad na hathruithe ar pholasaithe iontrála agus cé acu a mheastar gur athrú suntasach ar charachtar na scoile iad, go háirithe imeacht ó úsáid na gcritéar iontrála acadúil, rud a d'fhágfadh, faoin dlí, gur ghá togra forbartha a fhoilsiú.

21. Tá sé soiléir le hAlt 14 den Ord Oideachais agus Leabharlann (TÉ) 1986 go mbíonn gá le togra forbartha aon áit a mbíonn togra ann chun "athrú suntasach a dhéanamh ar charachtar nó ar mhéid" scoile, nó chun athrú eile a dhéanamh i scoil "lena n-imreofaí tionchar suntasach ar scoil dheontaschúnta eile". Tá luaite sa Treoir atá curtha amach ag an Roinn chuig gach scoil, ó bhí 2003 ann, gur athrú amháin maidir le carachtar scoile a bheadh suntasach go leor le go dtitfeadh sé faoi na forálacha dlí seo ná scoil roghnach ag athrú go scoil neamhroghnach.

22. Tá an ghné áirithe seo de Threoir na Roinne maidir le tograí forbartha á athbhreithniú i láthair na huaire agus déanfar treoir nua a bhaineann go sainiúil leis an cheist seo a eisiúint go luath. Tá sé soiléir anois áfach, i gcás gach aon scoil roghnach, go bhféadfadh sé go dtiocfadh athruithe eile ar charachtar na scoile nó go n-imreofaí tionchar ar scoileanna eile sa cheantar áitiúil trí dheireadh a chur le roghnú acadúil. Beidh siad seo uile difriúil, ag brath ar chúinsí gach scoile agus a cuid pleananna don todhchaí: na critéir neamhadúla a úsáidfadh scoil in áit a cuid critéar acadúil;

MOVING FORWARD - THE TRANSITION TO AN EQUALITY BASED TRANSFER PROCESS

20. The Department wants to ensure that schools are able to implement this guidance as quickly as possible. We are aware that there are concerns around whether or not changes to admissions policies, particularly a move away from the use of academic admissions criteria, would be considered a significant change to the character of the school requiring, by law, the publication of a development proposal.

21. Article 14 of the Education and Libraries (NI) Order 1986 makes it clear that a development proposal is required where there is a proposal "to make a significant change in the character or size" of a school, or to make any other change in a school "which would have a significant effect on another grant-aided school". Since 2003, Departmental guidance issued to all schools has stated that one change in a school's character that would be significant enough to qualify for these legal provisions would be an academically selective school changing to become non-selective.

22. This particular aspect of the Department's guidance on development proposals is currently being reviewed and new guidance specific to this issue will issue in the near future. What is clear now, however, is that for each and every selective school the ending of academic selection may introduce other changes in the character of the school or have an impact on other schools in the local area. These will vary according to each school's circumstances and their plans for their future: the non-academic admissions criteria a school

próifil acadúil an ghrúpa reatha daltaí; a cuid pleananna maidir lena curaclam. Más amhlaidh go n-eascróidh athruithe a bheidh suntasach don scoil féin agus/nó do scoil ar bith eile as na pleananna chun deireadh a chur leis an roghnú acadúil, ba cheart, faoin dlí, go mbeadh na hathruithe seo faoi réir togra forbartha. Bainfidh an breithniú i dtús báire leis na scoileanna bainteacha maidir leis na sonraí sa phlean s'acu. Cuideofar le scoileanna, leis an treoir úr um thograí forbartha a shainbhaineann leis an cheist seo, breithniú tosaigh a dhéanamh agus leanúint leis ar an bhonn sin. Cuirfidh an RO comhairle aonair ar fáil chomh maith do gach scoil chun freagairt dá sainphlean féin le haghaidh athraithe. Déanfaidh an Roinn gach togra forbartha a thagann isteach ó na scoileanna sin a bhfuil sé beartaithe acu an treoir seo a úsáid agus deireadh a chur leis an roghnú acadúil a phróiseáil chomh gasta agus is féidir.

23. Ní mór a thabhairt faoi deara gurb é is cuspóir le togra forbartha a chinntiú go ndéantar comhairliúchán iomchuí leis na heochair-gheallsealbhóirí agus leis an mhórphobal aon áit a moltar athrú suntasach ar mhéid nó ar charachtar scoile nó áit ar bith a mbeadh tionchar suntasach ag a leithéid d'athrú ar scoil dheontaschúnta eile.

24. Bíodh a fhios ag scoileanna chomh maith go bhfuil an Roinn i mbun athbhreithnithe ar an pholasáí maidir le breithniú ar iarratais ar athrú sealadach ar líonta ceadaithe. Tá an t-athbhreithniú seo á dhéanamh de thoradh thionchar na titime déimeagrafaí ar an chóras oideachais agus an ghá atá le scoileanna inbhuanaithe, ach ní mór ceisteanna polasáí níos leithne a chur san áireamh chomh maith lena n-áirítear an t-aistriú iar-bhunscoile. I ndiaidh chur i gcrích an athbhreithnithe seo, tiocfaidh polasáí athbhreithnithe ar athruithe sealadacha i bhfeidhm le haghaidh iontrálacha sa scoilbhliain 2011/12 ina léireofar torthaí an athbhreithnithe.

will use instead of its academic criteria; the academic profile of its current intake; its plans for its curriculum. If plans involving the ending of academic selection do involve changes that are significant for the school concerned and/or any other school, then these changes should, by law, be the subject of a development proposal. The judgement will initially be for the schools concerned in relation to the details of their particular plans. The new development proposal guidance specifically relating to this issue will help schools make this initial judgement and proceed upon it. DE will also offer schools individual advice in response to their specific plans for change. All development proposals received from schools planning to implement this guidance and end the use of academic criteria will be processed as quickly as possible by the Department.

23. It is important to note that the purpose of a development proposal is to ensure that appropriate consultation with the key stakeholders and wider community is conducted when a significant change to the size or character of a school is proposed or if such a change will have a significant impact on another grant-aided school.

24. Schools will also wish to be aware that the Department is reviewing its policy for considering requests for a temporary variation to approved numbers. This review is prompted by the impact of demographic decline on the education system and the need for sustainable schools, but must also take account of wider policy issues including post-primary transfer. Following the completion of this review a revised policy on temporary variations reflecting the outcome of the review will come into operation for admissions into the 2011/12 school year.

CONCLÚID

25. Dar leis an Roinn gur leor an Treoir seo mar eolas d'iar-bhunscoil le go dtig léi socrú ar chritéir iontrála le haghaidh iontrála ó Mheán Fómhair 2010. Cuirfidh sé seo ar a cumas cinnteacht agus soiléireacht a sholáthar do gach iarratasóir amach anseo. Ba cheart go mbeadh príomhoidí agus foirne bunscoile soiléir chomh maith maidir le nádúr an phróisis.

AN ROINN OIDEACHAIS

CONCLUSION

25. The Department considers that, in possession of this guidance, a post-primary school has the information it needs in order to help it determine its admissions criteria for admissions from September 2010. This should enable it to give certainty and clarity to all future applicants. Primary school principals and staff should also be clear on the nature of the process.

DEPARTMENT OF EDUCATION

Comhairle ar cheisteanna a bhaineann le teisteanna neamhrialaithe

Moltar go gcuireann iar-bhunscoileanna deireadh le húsáid na gcritéar iontrála acadúil de bhri nach measann an Roinn roghnú ar bhonn acadúil bheith ag teacht leis an chuspóir go gcaithfí go cothrom le gach páiste agus go gcuirfí ar chumas gach páiste lánacmhainneacht a bhaint amach.

Seo a leanas roinnt ceisteanna ar shaináithin an Roinn gur ábhar buartha iad sa chás go socródh scoileanna ar theisteanna neamhrialaithe a úsáid ("Teisteanna Iontrála") chun tacú le critéir iontrála acadúla. Ná glactar leis gur uileghabhálach an tsraith ceisteanna seo. Beidh ar gach scoil ghramádaí a bhaineann úsáid as teist neamhrialaithe a chinntiú go bpléifidh sí lena leithéid de cheisteanna.

Teist Stóinsithe: rinneadh, sa teist a chuir CCEA ar fáil, luach éascaíochta agus luach idirdhealúcháin a ríomh le haghaidh gach ceiste. Chuir sé seo ar chumas CCEA deacracht agus iontaofacht gach ceiste a mheas agus dá réir, iad a chur san ord cuí sna Teisteanna Aistrithe. Baineadh úsáid as na luachanna éascaíochta d'fhonn teacht ar mheánleibhéal i ngach ábhar agus i ngach páipéar lena chinntiú go mbeadh an caighdeán inchomparáideach ó bhliain go bliain agus ó theist go teist san aon bhliain amháin.

Rinneadh gach mír sna teisteanna a thriail ag céim forbartha na dteisteanna lena chinntiú go mbeadh siad éifeachtach agus baineadh úsáid as an chur chuige céanna d'fhonn éifeachtacht a chinntiú maidir le struchtúr, leagan amach, stíl agus clóbhualadh na Teiste mar aon le socrúithe slándála le haghaidh an ábhair teiste.

Advice on issues related to unregulated tests

It is recommended that post-primary schools end the use of academic admissions criteria because the Department does not consider academic selection to be consistent with the objective of treating children fairly and giving each child the opportunity to reach his/her full potential.

The following are issues which the Department has identified as giving cause for concern if schools opt to use unregulated tests ("Entrance Tests") in support of academic admissions criteria. This series of issues should not be considered to be exhaustive. It will be a matter for any grammar school using an unregulated test to ensure that it addresses such concerns.

A Robust Test: the CCEA test was one where, for each question, facility values and discrimination values were calculated. This enabled CCEA to know the difficulty and reliability of the questions and so order them appropriately in the Transfer Tests. Using the facility values, the mean was set for each subject in each paper as in previous years to ensure comparability of standards year-on-year and across tests in any one year.

In the development stages, the trialing of the test items established their effectiveness, and similarly appropriate measures were taken to ensure the effectiveness of the structure of the test, the layout, style and printing of the Test and appropriate security arrangements for the test material.

Baineadh úsáid chomh maith as comhéifeacht iontaofachta mar thomhas éifeachtach ar chomhsheasmhacht inmheánach gach míre sa teist.

Cuireann an Roinn, chomh maith, ar a súile do Bhoird Ghobharnóirí gurb iadsan an t-údarás reachtúil iontrála dá scoil féin. Cuireann an Roinn i gcuimhne do Bhoird Ghobharnóirí ach go háirithe an dualgas ar leith atá orthu faoin Ordú Oideachais 1997 (Alt 16, 5). Déantar foráil anseo le go mbeifí in ann na critéir a dhréachtaíonn Bord Gobharnóirí iar-bhunscoile a úsáid chun líon beacht iarratasóirí is comhionann lena líon rollaithe agus iontrálacha, mar atá leagtha síos ag an Roinn, a iontráil – ie ba chóir go mbeifí in ann na critéir a úsáid chun idirdhealú idir iarratasóirí anuas go dtí an áit dheireanach atá ar fáil. Fágann sé seo, mar sin, má tá critéir dréachtaithe ag Bord Ghobharnóirí, go ndéanfar idirdhealú idir iarratasóirí de réir a gcuid feidhmíochta i "dTeist Iontrála", gur chóir gur gléas stóinsithe a bheadh sa "Teist Aistrithe" trína mbeifí in ann an bunús lena leithéid d'idirdhealú a chinntiú, nó cur leis an bhunús sin.

Má tá de rún ag Boird Ghobharnóirí "Teisteanna Iontrála" a úsáid mar thacú le critéir iontrála acadúla, tá dualgas dlíthiúil orthu "Teist Iontrála" a úsáid a chuireann ar a gcumas a gcuid dualgas faoi Alt 16 (5) den Ordú Oideachais 1997 a chomhlíonadh. Dá bharr seo, molann an Roinn d'aon Bhord Gobharnóirí a bhfuil sé de rún acu "Teist Iontrála" a úsáid a chinntiú dóibh féin, maidir leis na téarmaí atá leagtha amach san iarscríbhinn seo, gur meicníocht stóinsithe mheasúnaithe a bheidh sa "Teist Iontrála" atá beartaithe acu, trínar féidir cinntí iontaofa inniúlacht-bhunaithe a sholáthar.

A reliability coefficient was also used as an effective measure of the internal consistency of the items in the test.

The Department also advises all Boards of Governors that they are the statutory admissions authority for their school. In particular, the Department advises Boards of Governors of their particular obligation under the 1997 Education Order (Article 16, 5). This provides that the criteria drawn up by the post-primary schools' Board of Governors must be capable of enabling them to admit the number of applicants exactly equivalent to their admissions and enrolment numbers as set by the Department – ie the criteria must be capable of distinguishing between applicants right down to the last available place. It follows, therefore, that if one of the criteria drawn up by a Board of Governors will distinguish between applicants according to their performance in a named "Entrance Test", that "Entrance Test" must be robustly capable of providing, or contributing to, the basis for such distinctions.

If Boards of Governors are planning to use "Entrance Tests" in order to support academic admissions criteria, then they have a legal responsibility to use an "Entrance Test" that enables them to discharge their obligation under Article 16 (5) of the Education Order 1997. In the light of this, the Department advises any Board of Governors planning to use an "Entrance Test" of its responsibility to assure itself that, in the terms set out in this annex, its planned "Entrance Test" will be a robust assessment mechanism capable of providing for sound ability-based decisions.

"Teist Iontrála" Ghaeilge: mheas an Roinn i gcónaí go raibh sé tábhachtach agus riachtanach leagan Gaeilge den Teist Aistrithe a sholáthar. Bhí réimse d'fháthanna taobh thiar de seo, ar na fáthanna is mó bhí aitheantas d'earnáil na bunscolaíochta trí mheán na Gaeilge agus a seasamh laistigh den chóras scolaíochta i gcoitinne. Leoga, níor mheas an Roinn in am ar bith gur rud roghnach é leagan Gaeilge den Teist Aistrithe a sholáthar.

Tá breithniú déanta ag an Roinn ar an cheist seo ó thaobh an dlí de agus maidir leis na "Teisteanna Iontrála" neamhspleácha. Dá thoradh seo, molann an Roinn go láidir d'aon scoil a bhfuil sé de rún acu "Teist Iontrála" a úsáid foráil a dhéanamh laistigh dá gcuid pleananna chun leagan Gaeilge is comhionann leis an "Teist Iontrála" Béarla a chur ar fáil. Bheadh aon scoil nach ndéanann amhlaidh ag dul sa seans go gcuirfí in aghaidh an phróisis iontrála acu go dlíthiúil mar gheall ar idirdhealú indéach. Ag croí aon agóide dlíthiúla dá leithéid, bheadh fianaise oideachasúil ar bith a léireodh go mbeadh páistí ar cuireadh oideachas orthu trí mheán na Gaeilge faoi mhíbhuntáiste agus iad ag dul in iomaíocht lena gcomhpháirtithe ar cuireadh oideachas orthu trí Bhéarla.

Maidir le leaganacha Gaeilge de "Theisteanna Iontrála" Béarla, bhain CCEA úsáid, sna leaganacha Gaeilge dá gcuid Teisteanna Aistrithe, as na míreanna Máta agus Eolaíochta céanna a forbraíodh do na teisteanna Béarla (ach iad aistrithe go Gaeilge). Rinneadh míreanna Gaeilge (le dul isteach in áit na míreanna Béarla) a fhorbairt, áfach, agus réamhscrúdú déanta orthu faoi phróiseas dearbhaithe cáilíochta lán chomh láidir leis an phróiseas ar baineadh úsáid as don teist Bhéarla.

An Irish "Entrance Test": the Department always considered it important and necessary to provide an Irish equivalent to the Transfer Test. The Department had a range of reasons for this, not least of which was the recognition of the Irish-medium primary sector and its place within the overall school system. Indeed, the Department never considered the provision of an Irish version of the Transfer Test to be optional.

The Department has considered this question in legal terms and in relation to the prospect of independent "Entrance Tests". As a result of this the Department would strongly advise any school planning to use an "Entrance Test" to make provision within their plans for the availability of an Irish equivalent to their English "Entrance Test". The risk to schools that do not provide this equivalent and to the adequate standard is the threat of legal challenge to their admissions process on the grounds of indirect discrimination. Key to such a challenge would be any educational evidence that showed that children taught in Irish-medium primary schools were disadvantaged when competing with contemporaries taught in English-medium primary schools.

On Irish equivalents of English "Entrance Tests", CCEA has advised that its Irish-medium Transfer Tests used the same Mathematics and Science items developed for the English-medium tests (translated into Irish). However, Irish Language items (to replace the items written to test English) were developed and pre-tested separately within an equally rigorous quality assurance process as that for English-medium.

Bearta Slándála iomchuí – socruithe um

Theist Chúltaca: Is léir go bhfuil bearta slándála iomchuí maidir le hábhar na teiste riachtanach ach ba chóir go dtuigfeadh scoileanna go bhfuil níos mó i gceist le bearta slándála ná a chinntiú go ndéanfar gach iarracht réasúnach aon sárú ar shlándáil ó thaobh na teiste de a sheachaint. Leoga, tá léirithe thar na blianta, in éineacht lena leithéid d'iarrachtaí réasúnacha, go bhfuil géarghá le socruithe teagmhasacha bheith i bhfeidhm sa chás go dtarlódh a leithéid de sárú. An t-aon socrú fóirsteanach teagmhasach i gcás teiste a fhágtar neamhbhailí de dheasca sáraithe slándála ná socrú cúltaca, sa mhéid is a bhí amhlaidh leis an bhunteist, ar meicníocht stóinsithe mheasúnaithe é trína mbeifear in ann cinntí iontaofa inniúlacht-bhunaithe a sholáthar.

Mar achoimre, má tá Boird Ghobharnóirí le "Teisteanna Iontrála" a úsáid mar thacú le critéir iontrála acadúla ba chóir go dtuigfeadh siad go bhfuil sé de dhualgas orthu teist is comhionann leis an "Teist Iontrála" seo bheith i mbunchúil acu ar eagla go dtarlódh sárú slándála. Bheadh an dualgas seo bunaithe ar dhliteanas Bhord na nGobharnóirí i leith teipe ar an phróiseas iontrála, rud a bheadh dosheachanta dá dtarraingeofaí amhras ar an "Teist Iontrála" beartaithe go bhfágfaí neamhbhailí í agus mura mbeadh aon choibhéis ann le cur isteach ina háit.

Cumarsáid Réamhtheiste: tráth ar chuir siad an Teist Aistrithe ar fáil – ar chuir tuismitheoirí/daltaí isteach uirthi gach bliain i mí Mheán Fómhair (agus a rinne daltaí i mí na Samhna/Nollag ina diaidh gach bliain) – rinne an Roinn cumarsáid le tuismitheoirí R7 i mí Lúnasa agus chuir siad gach eolas a bhain leis an Teist Aistrithe in iúl dóibh. Rinne an Roinn amhlaidh trí leabhrán a d'eisigh siad a scaipeadh chuig tuismitheoirí tríd na bunscoileanna. Míníodh sa leabhrán cad é

Appropriate Security measures – Reserve

Test Arrangements: Appropriate security arrangements for test materials are obviously vital but schools should understand that these security arrangements should not just consist of ensuring that all reasonable efforts are made to avoid a breach in test security. Indeed, experience has shown that accompanying such reasonable efforts, it is very necessary for there to be in place contingency arrangements for the occurrence of such a breach. The only appropriate contingency arrangement for a test that has been invalidated due to a security breach is a reserve arrangement that, just as much as the original test, will be a robust assessment mechanism capable of providing for sound ability-based decisions.

In summary, if Boards of Governors are going to use "Entrance Tests" in order to support academic admissions criteria then they should understand that they have an obligation to have an equivalent to this "Entrance Test" in reserve in case of a security breach. This obligation would be established by the liability of a Board of Governors for the breakdown in their admissions process that would inevitably occur if their planned "Entrance Test" was compromised and invalidated, and there was nothing equivalent to take its place.

Pre-test Communications: when it provided the Transfer Test – to be applied for by parents/pupils in the September of each year (then sat in the following November/ December of each year) – the Department communicated in August all of the information relating to the Transfer Test to all P7 parents. The Department did this through a booklet that it issued and which was distributed to all parents through their

a bhí i gceist leis an Teist Aistrithe, na rudaí a ndéanfaí scrúdú orthu laistigh di, an áit agus an t-am a ndéanfaí í, an dóigh agus an t-am ar féidir cur isteach uirthi, an t-am a dtiocfadh torthaí amach agus cén fhormaid, agus, i measc rudaí eile, an dóigh a raibh Nós Imeachta um Chúinsí Eisceachtúla mar thacú léi. Rinneadh an leabhrán seo, rud a bhí tábhachtach, a aistriú chuig Gaeilge, Polainnis, Sínis, Portaingéilis agus Liotuáinis.

Ní mór d'aon scoil a bhfuil sé de rún acu "Teist Iontrála" a úsáid gach iarracht réasúnach inchomparáide a dhéanamh lena chinntiú go mbeidh ar chumas gach tuismitheora/dalta ar mian leo gach eolas ábhartha a bhaineann le "Teist Iontrála" na scoile a fháil agus a thuiscint, é sin nó beidh baol ann go ndéanfaí agóid dhlíthiúil ina n-aghaidh mar gheall ar idirdhealú indíreach. Ní mór dóibh bheith meabhrach gur gá a chur in iúl do thuismitheoirí de chuid grúpaí mionlaigh, amhail an lucht siúil, agus do na tuismitheoirí sin nach é an Béarla a gcéad theanga, go bhfuil ann don teist.

Táillí "Theist Iontrála": tuigtear don Roinn go bhfuil sé beartaithe ag roinnt scoileanna teist a úsáid, soláthraithe ag foras a ghearrfaidh táille ar thuismitheoirí as ucht a bpáiste an teist a dhéanamh. Cé gur féidir go ndéanfar iarracht tástáil acmhainne a thabhairt isteach sa socrú seo, molann an Roinn do scoileanna bheith ag machnamh ar cé acu ar chóir do thuismitheoirí bheith ag íoc chun iarratas a dhéanamh chuig scoil stáit?

Tá an Roinn buartha chomh maith go bhféadfadh sé go ndéanfaí agóid dhlíthiúil in éadan pleananna dá leithéid seo, mar gheall ar an tslí a bhféadfaí Alt 128 (1) a mhíniú ó thaobh táillí teiste de. Dar leis an Alt seo: "ní ghearrfar aon táille i dtaca le hiontráil chuig aon scoil dheontaschúnta".

primary schools. The booklet explained what the Transfer Test was, what it would test, when and where it would be sat, how and when parents/children should apply for the test, when results would issue and in what form, and, amongst other things, how it was supported by a Special Circumstances Procedure. Importantly, this booklet was translated into Irish, Polish, Chinese, Portuguese and Lithuanian.

If they are not to be vulnerable to a challenge of indirect discrimination, a school planning to use an "Entrance Test" must make all reasonable and comparable efforts to ensure that all parents/children who may wish to can receive and understand all of the necessary information related to a school's "Entrance Test". They need to be alert to the need to communicate the availability of the test to parents in minority groups such as Travellers, and to those parents who do not have English as their first language.

"Entrance Test" Charges: the Department would advise any schools intending to charge parents for entering their child to sit a test, whether means-tested or not, to consider whether parents should have to pay in order to apply meaningfully for a state school?

The Department also has some concerns about the potential for such plans to be vulnerable to a legal challenge according to the way in which Article 128 (1) may be interpreted in relation to test-charges. This Article states: "no charge shall be made in respect of admission to any grant-aided school".

Nós Imeachta um Chúinsí Eisceachtúla ba chóir go dtuigfeadh scoil ar bith a shocraíonn ar chritéar acadúil a chur lena gcuid critéar iontrála, a mbeadh gá le "Teist Iontrála" dá bharr, go bhfuil sé ríthábhachtach go mbeadh nós imeachta um chúinsí eisceachtúla ag tacú lena leithéid de phróiseas. Is dócha go measfadh na cúirteanna go mbeadh sé míréasúnta mura mbeadh scoil in ann cúinsí nach raibh smacht ag iarratasóir orthu (m.sh. méala, timpiste nó tinneas), a d'fhág, lá na "Teiste Iontrála" gur cuireadh as d'fheidhmíocht an dalta, a chur san áireamh in aon chinneadh iontrála teistbhunaithe. Ba chóir go dtuigfeadh scoileanna atá ag iarraidh "Teisteanna Iontrála" a úsáid, mar sin, go bhfuil sé d'fhreagracht orthu nós imeachta um chúinsí eisceachtúla a sholáthar.

Ar an ábhar seo, ba chóir go mbeadh scoileanna atá ag iarraidh nósanna imeachta measúnaithe neamhspleácha nó "Teisteanna Iontrála" a úsáid lena gcuid iontrálacha meabhrach ar reachtaíocht mhíchumais – mar atá sainmhínithe faoin Acht um Idirdealú Míchumais, 1995. Má chuirtear síos do dhalta atá ag iarraidh iontrála chuig scoil go bhfuil sé/sí faoi mhíchumas de réir théarmaí an Achta seo, beidh de dhualgas ar an scoil "coigeartú réasúnach" a dhéanamh maidir leis na socruithe atá i bhfeidhm acu d'fhonn cinneadh ar iontráil. Is dócha go dtiocfaidh an cheist seo aníos ós rud é nach bhfaigheann iarratasóirí ráiteas ar shainriachtanais oideachais mar gheall ar roinnt cineálacha míchumais, mar a shainmhínítear san Acht, agus fágfaidh sé seo, dá bharr, gur gá cinneadh ar iontráil na n-iarratasóirí seo go cothrom laistigh de na nósanna imeachta caighdeánacha iontrála. Gheobhaidh scoileanna comhairle mar gheall air seo i gCód Cleachtais an Choimisiúin Chomhionannais, Disability Discrimination – Code of Practice for Schools, agus Cuid 6 den Chód sin ach go háirithe.

Special Circumstances Procedure: any schools that decide to include as part of their admissions criteria an academic criterion requiring an "Entrance Test", should understand the critical importance of such a process being supported by a special circumstances procedure. It is likely that the courts would consider it unreasonable for a school not to be able to factor into a test-based admissions decision, circumstances beyond the control of the candidate (eg bereavement, accident or illness) that on the day of the "Entrance Test" may have led to that candidate's performance being adversely affected. Schools that decide to use "Entrance Tests" should understand therefore that it is their responsibility to provide a special circumstances procedure.

In this regard, schools attempting to use independent assessment procedures or "Entrance Tests" within their admissions should be mindful of disability discrimination – as it is defined under the Disability Discrimination Act, 1995. If a pupil seeking admission to a school is defined as disabled under the terms of this Act, then the school will have a duty to make "reasonable adjustments" in relation to the arrangements it makes for determining admission. This is likely to be an issue given the fact that some forms of disability, as defined by the Act, will not mean that the applicant is in receipt of a Statement of Special Educational Needs – and will, therefore, mean that their admission is to be determined fairly within the standard admissions procedures. For advice on this, schools should refer to the Equality Commission Code of Practice, Disability Discrimination – Code of Practice for Schools", and in particular Part 6 of that Code.

Ba chóir, chomh maith, go dtuigfeadh iar-bhunscoileanna a bhfuil sé de rún acu "Teisteanna Iontrála" a úsáid, gur cheadaigh an Roinn, tráth a ndearna sí an Teist Aistrithe a sholáthar, do CCEA an scrúdpháipéar a sholáthar in éagsúlacht d'fhormáidí, saindeartha le riar ar riachtanais na bpáistí neamhráiteasaithe a raibh disléicse nó díospraicse orthu.

Foráil speisialta agus iontrálacha de bhreis ar an líon rollaithe: ba chóir, chomh maith, go dtuigfeadh iar-bhunscoileanna ar bith a shocraíonn ar chritéar acadúil a chur lena gcuid critéar iontrála, a mbeadh gá le "Teist Iontrála" dá bharr, an ról tacaíochta, maidir leis an Teist Aistrithe, a bhí ag Nós Imeachta na Forála Speisialta. Cuireadh an ról tacaíochta seo ar fáil le haghaidh páistí a tháinig isteach mall chuig an churaclam bunscoile (i.e. de bhrí gur aistrigh siad anseo ó thír eile) agus nach raibh, dá bharr, chomh hullmhaithe le haghaidh Teist Aistrithe a bhí dírithe ar an churaclam sin. Cuireadh ar fáil chomh maith é le haghaidh páistí a rinne iarratas "Iárbhliana" chuig scoil ghramadaí. Ag brath ar a gcuid cúinsí ar leith féin, bhí roinnt mhaith páistí incháilithe don Fhoráil Speisialta seo, go ndéanfaí measúnú orthu chun críocha na hiontrála chuig scoil ghramadaí, ní tríd an Teist Aistrithe, ach trí mheasúnú síceolaíoch le Síceolaí Oideachais de chuid an Bhoird.

Ba chóir go dtuigfeadh scoileanna a bhfuil sé de rún acu "Teisteanna Iontrála" a úsáid go mbeidh orthu cinntí iontrála cothroma stóinsithe a dhéanamh maidir le hiarratasóirí nach raibh in ann an "Teist Iontrála" a dhéanamh nó iarratasóirí nach féidir measúnú cothrom a dhéanamh orthu trína leithéid de theist.

Ní bhíonn iontrálacha ar cinneadh orthu trí nósanna imeachta a thacaíonn le "Teisteanna Iontrála" (Nósanna Imeachta um Chúinsí

Post-primary schools that are planning to use "Entrance Tests" should also understand that the Department, when it provided the Transfer Test, sanctioned CCEA to provide the test paper in a variety of formats designed for the needs of non-statemented children with dyslexia/dyspraxia.

Special Provision and supernumerary admissions: any post-primary schools that decide to include as part of their admissions criteria an academic criterion requiring an "Entrance Test" should also understand the supporting role that, in relation to the Transfer Test, was performed by the Special Provisions Procedure. This supporting role was provided for children who entered late into the primary curriculum (ie because they have moved here from another country) and who, therefore, were less prepared for a Transfer Test aligned with that curriculum. It was also provided for children who made a "mid-year" application to a grammar school. According to their specific circumstances, many such children qualified for the Special Provision of being assessed for the purposes of grammar school admissions, not through the Transfer Test, but through the psychological assessment of an ELB Educational Psychologist.

Schools contemplating using "Entrance Tests" should understand that they will need to make fair and robust admissions decisions on applicants who have not been able to sit an "Entrance Test" or who cannot be assessed fairly by such a test.

Admissions determined by procedures in support of "Entrance Tests" (Special Circumstances Procedures, Special Provisions

Eisceachtúla, nós imeachta na Forála Speisialta), nó trí chur i bhfeidhm aon chritéir iontrála, de bhreis ar líon rollaithe nó líon iontrálacha scoile in am ar bith: cuirtear na hiontrálacha seo san áireamh i gcónaí le líon rollaithe agus iontrálacha na scoile.

Úsáid an eolais ó InCAS: cuirtear litir na Roinne ón 9 Samhain 2009 i gcuimhne do scoileanna inar tugadh comhairle - "nach smaoiníodh iar-bhunscoileanna, i gcás ar bith, ar thorthaí measúnaithe InCAS, mar a tuairiscíodh do thuismitheoirí, a úsáid mar eolas chun cinntí roghnaithe a dhéanamh."

Tá sé tábhachtach, ar mhaithe leis na páistí, go mbíonn scoileanna meabhrach ar na rioscaí a bhaineann leis an chinneadh leanúint le húsáid na dteisteanna neamhrialaithe. Ná glactar leis gur uileghabhálach an tsraith ceisteanna seo.

procedure), or by the application of any admissions criteria are never supernumerary: they always count towards a school's admissions and enrolment number.

Usage of InCAS information: schools are reminded of the Department's 9 November 2009 letter which advised that - "on no account should grammar schools consider using InCAS assessment outcomes reported to parents to inform decisions on selection".

It is important that, in the interests of children, schools are aware of the risks associated with the decision to continue the use of unregulated tests. This series of issues should not be considered to be exhaustive.

