



Admission Policy of Benincasa School

1 Mount Merrion Avenue

Blackrock

Co. Dublin

Roll number: 18863J

School Patron: Archbishop of Dublin



1. Introduction

This Admission Policy complies with the requirements of the Education Act 1998, the Education (Admission to Schools) Act 2018 and the Equal Status Act 2000 and the Commencement of the Education for Persons with Special Education Needs Act (2022 and all other relevant legislation. In drafting this policy, the Board of Management of the school has consulted with school staff, the school patron and with parents of children attending the school.

The policy was approved by the school patron on 12/06/2024. It is published on the school's website and will be made available in hardcopy, on request, to any person who requests it.

The relevant dates and timelines for Benincasa School admission process are set out in the school's annual admission notice which is published annually on the school's website at least one week before the commencement of the admission process for the school year concerned.

This policy must be read in conjunction with the annual admission notice for the school year concerned.

The application form for admission is published on the school's website and will be made available in hardcopy on request to any person who requests it.

2. Characteristic spirit and general objectives of the school

Benincasa is a Catholic co-educational special school with a Catholic ethos in the tradition of the Dominican Congregation under the patronage of the Archbishop of Dublin and the trusteeship of Le Chéile Trust.

- (a) "Catholic Ethos" in the context of a Catholic primary school means the ethos and characteristic spirit of the Roman Catholic Church, which aims at promoting: the full and harmonious development of all aspects of the person of the pupil, including the intellectual, physical, cultural, moral and spiritual aspects;
- (b) a living relationship with God and with other people; and
- (c) a philosophy of life inspired by belief in God and in the life, death and resurrection of Jesus; and
- (d) the formation of the pupils in the Catholic faith,

The school provides religious education for the pupils in accordance with the doctrines, practices and traditions of the Roman Catholic Church, and/or such ethos and/or characteristic spirit as may be determined or interpreted from time to time by the Irish Episcopal Conference.

In accordance with S.15 (2) (b) of the Education Act, 1998 the Board of Management of Benincasa School shall uphold, and be accountable to the Patron for so upholding, the characteristic spirit of the school as determined by the cultural, educational, moral, religious, social, linguistic and spiritual values and traditions which inform and are characteristic of the objectives and conduct of the school.

Mission Statement

Based on the Catholic philosophy and Dominican ethos the school strives to nurture the uniqueness and dignity of each child to include the child's family and to avail of the supports which can be accessed.

Mindful of the right of the child to have to the highest quality education appropriate to needs, Benincasa strives to provide a broad and balanced curriculum in a supportive caring environment taking into consideration the need of each child.

3. Admission Statement

In accordance with section 3 of the Equal Status Act 2000, Benincasa School will not discriminate in its admission of a student to the school on any of the following:

- (a) the gender ground of the student or the applicant in respect of the student concerned,
- (b) the civil status ground of the student or the applicant in respect of the student concerned,
- (c) the family status ground of the student or the applicant in respect of the student concerned,
- (d) the sexual orientation ground of the student or the applicant in respect of the student concerned,
- (e) the religion ground of the student or the applicant in respect of the student concerned,
- (f) the disability ground of the student or the applicant in respect of the student concerned,
- (g) the ground of race of the student or the applicant in respect of the student concerned,
- (h) the Traveller community ground of the student or the applicant in respect of the student concerned, or
- (i) the ground that the student or the applicant in respect of the student concerned has special educational needs

Special schools

Benincasa School is a school which, with the approval of the Minister for Education and Skills, provides an education exclusively for students with a category of special educational needs specified by the Minister and does not discriminate in relation to the admission of a student who does not have the category of needs specified. Neither does the school discriminate in relation to the admission of a student in this category who is not a Catholic.

Benincasa will cooperate with the National Council for Special Education (NCSE) in the performance by the Council of its functions under the Education for Persons with Special Educational Needs Act 2004 in relation to the provision of education to children with additional ("special") educational needs, including in particular by the provision and operation of a specialised class or classes when requested to do so by the Council.

Benincasa will comply with any direction served on the board or the patron under section 37A and 67(4)(b).

4. Categories of Special Educational Needs catered for in the school/special class

Benincasa School is a Roman Catholic co-educational school under the patronage of the Archbishop of Dublin and the trusteeship of Le Chéile Schools Trust in the Dominican tradition. With the approval of the Minister of Education and Skills It caters for children with special needs from Junior Infants to sixteen years. Children catered for are of average or above intellectual ability with severe emotional/behavioural difficulties resulting from a number of difficulties such as the autistic continuum, ODD, ADHD, social difficulties and other complex difficulties or combination of problems. In exceptional circumstances e.g. where state examinations have been cancelled, students may remain in Benincasa beyond sixteen years for the purpose of completing state exams.

5. Admission of Students

Applicants must be 12 years of age or under and be attending or have attended a recognised primary school, or have attended a Special School. Applications for placement are considered on receipt of:

- Letter of request for admission to the school
- Appropriate up to date available reports such as:
 - Cognitive assessment
 - Psychiatric assessment
 - Speech & Language assessment
 - Occupational therapy report
 - Social work report
 - Recent school report

Following receipt of these reports and consideration by the admission sub-committee of the Board of Management, an Enrolment Form, Admission and Participation Policy and Code of Behaviour policy will be sent to parents/guardians. The Enrolment Form with official proof of age such as the child's Birth Certificate, should be returned promptly in order to secure a placement.

This school shall admit each student seeking admission except where –

- a) the school is oversubscribed
- b) a parent of a student, when required by the principal in accordance with section 23(4) of the Education (Welfare) Act 2000, fails to confirm in writing that the code of behaviour of the school is acceptable to him or her and that he or she shall make all reasonable efforts to ensure compliance with such code by the student.

Special School

Benincasa School provides an education exclusively for a maximum of 43 students with a diagnosis of severe emotional and behavioural difficulty and may refuse admission to a student, where the student does not have the specified category of special educational needs provided for by this school.

Benincasa School is a Catholic School and may refuse to admit as a student a person who is not of Catholic denomination where it is proved that the refusal is essential to maintain the ethos of the school.

6. Oversubscription

In the event that the school is oversubscribed, the school will, when deciding on applications for admission, apply the following selection criteria in the order listed below to those applications that are received within the timeline for receipt of applications as set out in the school's annual admission notice:

- Whether a child who is deemed appropriate for enrolment has a sibling in the school.
- Urgency of enrolment
- Applications in order of application date

In the event that there are two or more students tied for a place or places in any of the selection criteria categories above (the number of applicants exceeds the number of remaining places), the following arrangements will apply:

- Urgency of enrolment
- Applications in order of application date
- A maximum number of 43 students will be enrolled.

7. What will not be considered or taken into account

In accordance with section 62(7) (e) of the Education Act, the school will not consider or take into account any of the following in deciding on applications for admission or when placing a student on a waiting list for admission to the school:

Points (a) to (g) must be included here by all schools. There are limited exceptions to some of these (highlighted in red below) and schools must retain the exceptions that apply to them and delete those that do not:

- (a) a student's prior attendance at a pre-school or pre-school service, including naíonraí,
 - (b) the payment of fees or contributions (howsoever described) to the school;
- a student's academic ability, skills or aptitude;
other than in relation to:
- admission to Benincasa School's designation as a special school as set down by the Minister for Education and Skills

- (c) the occupation, financial status, academic ability, skills or aptitude of a student's parents;
- (d) a requirement that a student, or his or her parents, attend an interview, open day or other meeting as a condition of admission;
- (e) a student's connection to the school by virtue of a member of his or her family attending or having previously attended the school;
- (f) the date and time on which an application for admission was received by the school,

This is subject to the application being received at any time during the period specified for receiving applications set out in the annual admission notice of the school for the school year concerned.

This is also subject to the school making offers based on existing waiting lists (up until 31st January 2025 only).

8. Decisions on applications

All decisions on applications for admission to Benincasa School will be based on the following:

- Our school's admission policy
- The school's annual admission notice
- The information provided by the applicant in the school's official application form received during the period specified in our annual admission notice for receiving applications

Selection criteria that are not included in our school admission policy will not be used to make a decision on an application for a place in our school.

9. Notifying applicants of decisions

Applicants will be informed in writing as to the decision of the school, within the timeline outlined in the annual admissions notice.

If a student is not offered a place in Benincasa, the reasons why they were not offered a place will be communicated in writing to the applicant, including, where applicable, details of the student's ranking against the selection criteria and details of the student's place on the waiting list for the school year concerned.

Applicants will be informed of the right to seek a review/right of appeal of the school's decision.

10. Acceptance of an offer of a place by an applicant

In accepting an offer of admission from Benincasa School, applicant must indicate—

- (j) whether or not an offer of admission has been accepted for another school or schools. If such an offer has been accepted, details of the offer or offers concerned must be provided to the Principal of Benincasa School and

(ii) whether or not confirmation of an offer of admission from another school or schools is awaited, and if so, details of the other school or schools concerned must be provided to the Principal of Benincasa School.

11. Circumstances in which offers may not be made or may be withdrawn

An offer of admission may not be made or may be withdrawn by Benincasa School where—

- (i) it is established that information contained in the application is false or misleading.
- (ii) an applicant fails to confirm acceptance of an offer of admission on or before the date set out in the annual admission notice of the school.
- (iii) the parent of a student, when required by the principal in accordance with section 23(4) of the Education (Welfare) Act 2000, fails to confirm in writing that the code of behaviour of the school is acceptable to him or her and that he or she shall make all reasonable efforts to ensure compliance with such code by the student; or
- (iv) an applicant has failed to comply with the requirements of ‘acceptance of an offer’ as set out above.

12. Sharing of Data with other schools

Applicants should be aware that section 66(6) of the Education (Admission to Schools) Act 2018 allows for the sharing of certain information between schools in order to facilitate the efficient admission of students.

Section 66(6) allows a school to provide a Patron or another Board of Management with a list of the students in relation to whom—

- (i) an application for admission to the school has been received,
- (ii) an offer of admission to the school has been made, or
- (iii) an offer of admission to the school has been accepted.

The list may include any or all of the following:

- (i) the date on which an application for admission was received by the school;
- (ii) the date on which an offer of admission was made by the school;
- (iii) the date on which an offer of admission was accepted by an applicant;
- (iv) a student’s personal details including his or her name, address, date of birth and personal public service number (within the meaning of section 262 of the Social Welfare Consolidation Act 2005).

13. Waiting list in the event of oversubscription

In the event of there being more applications to the school year concerned than places available, a waiting list of students whose applications for admission to Benincasa School were

unsuccessful due to the school being oversubscribed will be compiled and will remain valid for the school year in which admission is being sought.

Placement on the waiting list of Benincasa School is in the order of priority assigned to the students' applications after the school has applied the selection criteria in accordance with this admission policy.

Offers of any subsequent places that become available for and during the school year in relation to which admission is being sought will be made to those students on the waiting list, in accordance with the order of priority in relation to which the students have been placed on the list.

14. Late Applications

Applications are accepted throughout the year and places allocated in accordance with our school's admissions policy as vacancies arise.

Applicants will be notified of the decision in respect of their application no later than three weeks after the date on which the school received the application. In the event that there is no place available, the name of the applicant will be added to the waiting list as set out in Section 13.

15. Procedures for admission of students to other years and during the school year

Subject to suitable places becoming available for applicants who fit the criteria, places will be offered in order of application date.

16. Declaration in relation to the non-charging of fees

The Board of Benincasa School or any persons acting on its behalf will not charge fees for or seek payment or contributions (howsoever described) as a condition of-

- (a) an application for admission of a student to the school, or
- (b) the admission or continued enrolment of a student in the school.

17. Arrangements regarding students not attending religious instruction

The following are the school's arrangements for students, where the parents or in the case of a student who has reached the age of 18 years, the student, who has requested that the student attend the school without attending religious instruction in the school. These arrangements will not result in a reduction in the school day of such students:

A written request should be made to the Principal of the school. A meeting will then be arranged with the parent(s)/guardians or the student, as the case may be, to discuss how the request may be accommodated by the school.

18.

19. Reviews/appeals

Review of Decisions by the Board of Management

The parent of the student, or in the case of a student who has reached the age of 18 years, the student, may request the board to review a decision to refuse admission. Such requests must be made in accordance with Section 29C of the Education Act 1998.

The timeline within which such a review must be requested and the other requirements applicable to such reviews are set out in the procedures determined by the Minister under Section 29B of the Education Act 1998 which are published on the website of the Department of Education and Skills.

The Board will conduct such reviews in accordance with the requirements of the procedures determined under Section 29B and with section 29C of the Education Act 1998.

Note: Where an applicant has been refused admission due to the school being oversubscribed, the applicant **must request a review** of that decision by the Board of Management prior to making an appeal under Section 29 of the Education Act 1998.

Where an applicant has been refused admission due to a reason other than the school being oversubscribed, the applicant **may request a review** of that decision by the Board of Management prior to making an appeal under Section 29 of the Education Act 1998.

Right of Appeal

Under Section 29 of the Education Act 1998, the parent of the student, or in the case of a student who has reached the age of 18 years, the student, may appeal a decision of this school to refuse admission.

An appeal may be made under Section 29 (1) (c) (i) of the Education Act 1998 where the refusal to admit was due to the school being oversubscribed.

An appeal may be made under Section 29 (1) (c) (ii) of the Education Act 1998 where the refusal to admit was due a reason other than the school being oversubscribed.

Where an applicant has been refused admission due to the school being oversubscribed, the applicant **must request a review** of that decision by the board of management **prior to making an appeal** under section 29 of the Education Act 1998. (see Review of decisions by the Board of Management)

Where an applicant has been refused admission due to a reason other than the school being oversubscribed, the applicant **may request a review** of that decision by the board of management prior to making an appeal under section 29 of the Education Act 1998. (see Review of decisions by the Board of Management)

Appeals under Section 29 of the Education Act 1998 will be considered and determined by an independent appeals committee appointed by the Minister for Education and Skills.

The timeline within which such an appeal must be made and the other requirements applicable to such appeals are set out in the procedures determined by the Minister under section 29B of the Education Act 1998 which are published on the website of the Department of Education and Skills.

Signed: *Margaret Ki Gualchoblei O.P.*

Date: 12/06/2024