



SEANAD ÉIREANN

**AN BILLE OIDEACHAIS (LIGEAN ISTEACH I
SCOILEANNA), 2016
EDUCATION (ADMISSION TO SCHOOLS) BILL 2016**

**LEASUITHE TUARASCÁLA
REPORT AMENDMENTS**

SEANAD ÉIREANN

AN BILLE OIDEACHAIS (LIGEAN ISTEACH I SCOILEANNA), 2016 —AN TUARASCÁIL

EDUCATION (ADMISSION TO SCHOOLS) BILL 2016 —REPORT

Leasuithe Amendments

**Government amendments are denoted by an asterisk*

*1. In page 8, between lines 4 and 5, to insert the following:

“(k) the manner in which, and period during which, a review under section 29F(5) shall be undertaken;”.

*2. In page 8, line 5, to delete “(k) such” and substitute “(l) such”.

3. In page 9, lines 8 to 11, to delete all words from and including “error” in line 8 down to and including line 11 and substitute the following:

“error—

- (a) where the failure or error related to the admission of a student to a school or special class, by admitting the student to the school or special class concerned, or
- (b) where the failure or error related to a student’s ranking on the waiting list, by adjusting the ranking of the student on the waiting list.”.

—*Senators Lynn Ruane, Grace O’Sullivan.*

4. In page 10, between lines 34 and 35, to insert the following:

“(4A) At the request of the applicant, the appeals committee may facilitate consultation between the applicant and an appropriate member of staff in a neighbouring or otherwise appropriate school, for the purposes of preparing an appeal under this section.”.

—*Senators Lynn Ruane, Grace O’Sullivan.*

*5. In page 13, between lines 29 and 30, to insert the following:

- “(5) An applicant may, after receiving a copy of a decision under subsection (4), request the Minister to review the decision.
- (6) Where the Minister receives a request under subsection (5) he or she shall, as soon as practicable and subject to subsection (7), appoint a member of an appeals panel established under section 29A to review the decision.

- (7) A person appointed under subsection (6) shall not have been a member of the appeals committee that made the decision in relation to the request concerned.
- (8) A person appointed under subsection (6) shall review the decision in accordance with procedures under section 29B and, following the review shall make a recommendation to the Minister—
 - (a) that the decision of the appeals committee is upheld, or
 - (b) that the decision of the appeals committee is set aside.
- (9) Where the Minister receives a recommendation under subsection (8) (b), he or she shall set aside the decision and direct the appeals committee to proceed to hear or determine, or continue to hear and determine, the appeal concerned.”.

6. In page 13, between lines 29 and 30, to insert the following:

“(5) Following receipt of a decision under subsection (2), an applicant may seek a review by the Minister of the decision. Following the review, the Minister may direct the appeals committee to proceed to determine the appeal under section 29, notwithstanding any decision under subsection (2).”.

—*Senators Lynn Ruane, Grace O’Sullivan.*

*7. In page 13, line 30, to delete “(5) Subject” and substitute “(10#) Subject”.

[# *This is the appropriate reference if amendment No. 5 is accepted.*]

*8. In page 13, line 38, to delete “(6) Where” and substitute “(11#) Where”.

[# *This is the appropriate reference if amendment No. 5 is accepted.*]

*9. In page 13, line 39, to delete “subsection (5)” and substitute “subsection (10#)”.

[# *This is the appropriate reference if amendment No. 5 is accepted.*]

*10. In page 14, line 1, to delete “(7) An appeals” and substitute “(12#) An appeals”.

[# *This is the appropriate reference if amendment No. 5 is accepted.*]

*11. In page 18, between lines 17 and 18, to insert the following:

“(21) The Minister shall—

- (a) not later than 3 years after *section 8* of the *Education (Admission to Schools) Act 2018* comes into operation, commence a review of the operation of this section, and
- (b) not later than 12 months after the expiration of the said 3 years, make a report to each House of the Oireachtas of his or her findings and conclusions resulting from that review.”.

12. In page 18, between lines 17 and 18, to insert the following:

“(21) The Minister shall—

- (a) not later than 3 years after this section comes into operation, commence a review of the operation of this section, and
- (b) not later than 12 months after its commencement, make a report to each House of the Oireachtas of the findings made on the review and of the conclusions drawn from the findings.”.

—*Senators Colette Kelleher, Alice-Mary Higgins.*

***13.** In page 18, line 18, to delete “(21) In this” and substitute “(22#) In this”.

[# *This is the appropriate reference if amendment No. 11 is accepted.*]

14. In page 23, line 11, after “school” to insert “not aided by the Department of Education and Skills”.

—*Senators Grace O’Sullivan, Lynn Ruane.*

***15.** In page 23, to delete lines 39 and 40 and substitute the following:

“(iii) other than in relation to a course known as a post leaving certificate course or a further education and training course and subject to subsections (8) and (9), a student’s academic ability, skills or aptitude;”.

16. In page 24, between lines 25 and 26, to insert the following:

“(h) provide that the admission policy of a second level school that provides education through the medium of Irish may provide for the inclusion of students that have attended a primary school that provides education through the medium of Irish;”.

—*Senators Paul Gavan, Fintan Warfield.*

***17.** In page 26, to delete lines 21 to 28 and substitute the following:

“(8) Notwithstanding subsection (7)(e)(iii) in relation to—

(a) a school approved by the Minister to provide an education exclusively for students with a specified category or categories of special educational needs, or

(b) a special class,

a student’s academic ability, skills or aptitude may be considered or taken into account insofar only as is necessary in order to ascertain whether or not the student has the category of special educational needs concerned.”.

18. In page 26, between lines 28 and 29, to insert the following:

“(9) Notwithstanding subsection (7)(e)(iii), and subject to this subsection, an Irish medium school may prioritise the admission of a student where the student has previously attended a Irish language pre-school or Naíonra.”.

—*Senators Grace O’Sullivan, John Dolan.*

19. In page 26, lines 30 to 37, to delete all words from and including “of—” in line 30 down to and including line 37 and substitute the following:

“of a sibling of the student concerned attending or having attended the school.”.

—*Senators Aodhán Ó Ríordáin, Ivana Bacik, Gerald Nash, Kevin Humphreys,
Colette Kelleher, Lynn Ruane.*

20. In page 31, line 6, to delete “concerned.” and substitute the following:

“concerned;

- (xv) age-appropriate guidelines for primary and post-primary schools, respectively, in relation to students who do not wish to attend religious instruction or classes.”.

—*Senators Grace O’Sullivan, Lynn Ruane.*

21. In page 31, line 6, to delete “concerned.” and substitute the following:

“concerned;

- (xv) statutory guidelines for schools in preparing arrangements and procedures in relation to the suspension and exclusion of students under section 23 of the Education (Welfare) Act of 2000.”.

—*Senators Lynn Ruane, Grace O’Sullivan.*

22. In page 41, between lines 21 and 22, to insert the following:

“Prohibition on discrimination by publicly funded schools on the basis of religion

11. Section 7(3) of the Equal Status Act 2000 is amended in paragraph (c), by the insertion of “not aided by the Department of Education and Skills” after “where the establishment is a school”.”.

—*Senators Grace O’Sullivan, Lynn Ruane.*

- *23. In page 43, between lines 19 and 20, to insert the following:

“(5) The Minister for Education and Skills shall—

- (a) not later than 5 years after *section 11* of the *Education (Admission to Schools) Act 2018* comes into operation, commence a review of the operation of this section, and
- (b) not later than 12 months after the expiration of the said 5 years, make a report to each House of the Oireachtas of his or her findings and conclusions resulting from that review.”.

24. In page 43, between lines 19 and 20, to insert the following:

“(5) The Minister shall—

- (a) between three and five years after this section comes into operation, commence a review of the operation of section 7A, and

(b) not later than 12 months after its commencement, make a report to each House of the Oireachtas of the findings made in the review, and of the conclusions drawn from the findings, including any potential need for legislative amendment.”.

—*Senators Lynn Ruane, Grace O’Sullivan.*

***25.** In page 43, line 20, to delete “(5) In this” and substitute “(6) In this”.