

## 1995 No. 303

## EDUCATION

**Secondary Schools (Admissions Criteria) Regulations  
(Northern Ireland) 1995**

*Made* . . . . . *1st August 1995*

*Coming into operation* . . . . . *4th September 1995*

The Department of Education, in exercise of the powers conferred on it by Article 38(6) of the Education Reform (Northern Ireland) Order 1989(a) and of every other power enabling it in that behalf, hereby makes the following Regulations:

*Citation and commencement*

1. These Regulations may be cited as the Secondary Schools (Admissions Criteria) Regulations (Northern Ireland) 1995 and shall come into operation on 4th September 1995.

*Interpretation*

2. In these Regulations—

“assessment arrangements” has the meaning given by Article 7(3)(c) of the 1989 Order;

“key stage 2” means the key stage as defined by Article 5(6)(b) of the 1989 Order;

“preference” means a preference expressed by a parent as to the school at which he wishes education to be provided for his child by virtue of Article 36(1) or (5) of the 1989 Order;

“relevant assessment” means an assessment of a pupil required by Article 6(3) of the 1989 Order;

“pilot assessment” means an assessment of an experimental and voluntary nature in advance of the introduction of a relevant assessment;

“school year” means a year beginning on 1st August and ending on 31st July, both dates inclusive;

“the 1989 Order” means the Education Reform (Northern Ireland) Order 1989;

“the criteria” means the criteria to be drawn up under Article 38 (1) of the 1989 Order;

“transfer procedure test grade” means the grade achieved by a pupil on his performance in an examination which is a relevant examination under Article 21(12)(c) of the 1989 Order.

*Application*

3. Save as otherwise herein provided these Regulations shall apply to all grant-aided secondary schools.

*Matters to be included in criteria*

4. The criteria shall include the following matters—

(a) the order of priority in which pupils shall be admitted to the school where the number of applications for admission exceeds the school’s admissions number for any school year;

(b) where a grammar school includes in its criteria the transfer procedure test grade achieved by pupils, a provision that, subject to regulation 6 and to the consideration by the Board of Governors of medical or other problems which may have affected a child’s performance in a test and which are supported by documentary evidence of a medical or other appropriate nature—

a pupil who achieved the transfer procedure test Grade A shall be admitted in preference to a pupil with any other grade;

a pupil who achieved the transfer procedure test Grade B1 shall be admitted in preference to a pupil who achieved a transfer procedure test Grade B2, C1, C2 or D;

a pupil who achieved the transfer procedure test Grade B2 shall be admitted in preference to a pupil who achieved a transfer procedure test Grade C1, C2 or D;

a pupil who achieved the transfer procedure test Grade C1 shall be admitted in preference to a pupil who achieved a transfer procedure test Grade C2 or D;

a pupil who achieved the transfer procedure test Grade C2 shall be admitted in preference to a pupil who achieved a transfer procedure test Grade D.

*Matters not to be included in criteria*

5. The criteria shall not include the following matters—

(a) provision for the selection of pupils by reference to ability or aptitude, except in the case of—

(i) a grammar school;

(ii) a school which on 5th September 1994 was recognised by the Department as one which selects some of its pupils by reference to ability or aptitude; or

(iii) a school for which a development proposal is approved by the Department under Article 14 of the principal Order and which enables that school to select some of its pupils by reference to ability or aptitude;

- (b) provision for the selection of pupils on the basis of their performance in a test or examination held by, or on behalf of, the Board of Governors other than a test or examination held by a board at the request of the Board of Governors of a grammar school;
- (c) the outcome of any relevant assessment which may be conducted by the Northern Ireland Council for the Curriculum, Examinations and Assessment under Article 21(1)(b) of the 1989 Order in relation to a pupil in key stage 2 in the 1996/97 school year or in any subsequent school year;
- (d) the outcome of any pilot assessment conducted in accordance with arrangements made by the Northern Ireland Council for the Curriculum, Examinations and Assessment in relation to a pupil in key stage 2 in any school year for the purpose of making assessment arrangements;
- (e) in the case of selections by grammar schools between pupils who have the same transfer procedure test grade, provision for selection on the basis of information provided by the primary school principal about the pupil's classroom performance other than information which is—
  - (i) relevant to the consideration by the Board of Governors of medical or other problems which may have affected a pupil's performance in a test; and
  - (ii) supported by documentary evidence of a medical or other appropriate nature.

#### *Boarding pupils in grammar schools*

6.—(1) This regulation applies to a grammar school which includes in its criteria the transfer procedure test grade achieved by pupils and which has a boarding department on the day on which these Regulations come into operation.

(2) A school to which this regulation applies may also include in its criteria a provision that priority shall be given to pupils who intend to board at the school without regard to the grades which they have achieved in the transfer procedure test but such a provision may be included in the criteria only so long as the number of pupils enrolled in the boarding department of the school does not exceed the number so enrolled on 21st September 1990.

#### *Revocation*

7. The Secondary Schools (Admissions Criteria) Regulations (Northern Ireland) 1994(a) are hereby revoked.

Sealed with the Official Seal of the Department of Education on 1st August 1995.

(L.S.)

*J. S. Smith*

Assistant Secretary

## EXPLANATORY NOTE

*(This note is not part of the Regulations.)*

These Regulations amend and consolidate the Secondary Schools (Admissions Criteria) Regulations (Northern Ireland) 1994.

Article 38 of the Education Reform (Northern Ireland) Order 1989 requires the Board of Governors of each grant-aided school to draw up the criteria to be applied in selecting pupils for admission to the school. It also enables the Department to make Regulations providing for the criteria to include, or not to include, such matters or matters of such description as are specified.

These Regulations specify matters to be included, and matters not to be included, in the criteria for admission to secondary schools.

Regulation 4 specifies matters which the criteria shall include.

Regulation 5 specifies matters which the criteria shall not include.

Regulation 6 makes special provision about matters which grammar schools having a boarding department may include in their criteria.

The principal changes are as follows:

1. Revision of the definition of "transfer procedure test grade" to take account of the statutory base for the transfer tests.
2. An amendment to take account of the administrative change in the Transfer Procedure Test Grading structure.
3. Revision of the definition of those non-grammar schools which may use ability and aptitude as an admissions criterion.
4. Prohibition on the use by grammar schools as an admissions criterion of the information provided by the primary school principal about the pupil's classroom performance except where the information is relevant to any special circumstances pertaining to the pupil.