

IPPN Submission -
The Role of Religion in School
Admissions
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TABLE OF CONTENTS

Introduction	3
1. Context	4
2. Response to the Minister's Proposed Options.....	5
3. Catchment Area – Key Issues	7
Conclusion	9
Appendix I – Suggested Web-based Enrolment Process	10
Appendix II – Additional Comments – Key Issues	12

Introduction

The Irish Primary Principals' Network (IPPN) is the officially-recognised professional body for the leaders of Irish primary schools. Established in 1999, IPPN is an independent, not-for-profit voluntary association with a local, regional and national presence. Recognised by the Minister for Education and Skills as an official Education Partner, IPPN works with the Department of Education and Skills (DES), the National Parents' Council, management bodies, unions, education agencies, academic institutions and children's charities towards the advancement of primary education. IPPN articulates the collective knowledge and professional experience of over 6,400 Principals and Deputy Principals, leading Ireland's 3,200+ primary schools.

In writing this submission, IPPN sought the views of our 3000+ member schools, representing 93% of all primary schools.

1. Context

The Irish Constitution (Article 42.1) states that:

'The State acknowledges that the primary and natural educator of the child is the Family and guarantees to respect the inalienable right and duty of parents to provide, according to their means, for the religious and moral, intellectual, physical and social education of their children.'

In some cases, this has been interpreted as an absolute right of parents to a school of their choice for their children. It is probably fairer to say that parents' right to choose a school for their child is respected but not guaranteed. In any case, in a rapidly diverging society with limited resources, it is simply not possible to provide a complete choice of schools to every family in every location throughout the country.

Irrespective of any specific legal rights, there is limited capacity in some schools, both at primary and second level, to accommodate parental choice. In some parts of the country, parents experience significant challenges in finding a suitable school in which to enrol their child.

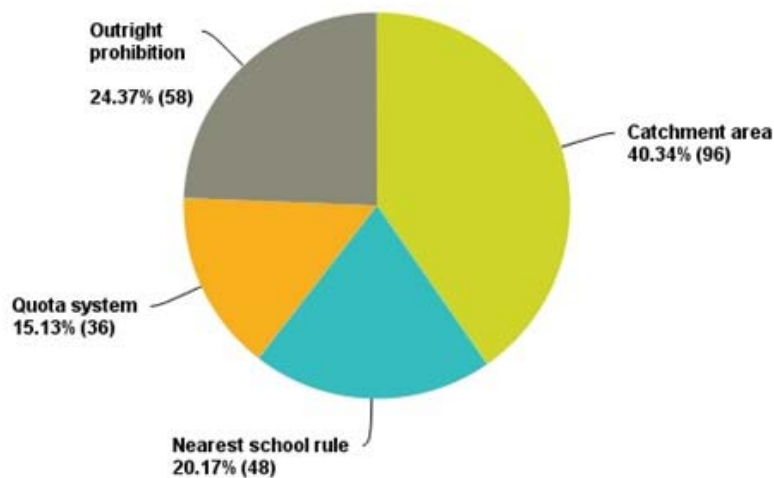
As our population grows and becomes more diverse, difficulties around enrolment are increasing and this can be extremely stressful for those affected – children, parents and schools. Some parents like to 'keep their options open', enrol their child in more than one school and don't decide until as late as September which school to accept. This causes great difficulty for Boards of Management, who need to know well in advance how many children will be enrolled as it affects staffing levels in the school. In an attempt to force parents to make up their minds sooner rather than later, some BoMs request a deposit. While parents with large disposable incomes are unlikely to be curtailed by the risk of losing a deposit, those with more limited means are likely to be dissuaded and it has become a socio-economic barrier to parents in exercising their right to choose. The number of Section 29 (enrolment-related) appeals is growing as a result of parental frustration at not getting their first choice school, which is a further drain on schools, parents and ultimately the whole school system.

Currently, each Board of Management can choose enrolment criteria specific to their school without reference to other schools or the wider community. Once they strictly implement the policy, parents are unlikely to be successful in any appeal in relation to a decision not to enrol their child, regardless of how fair or otherwise the criteria are deemed to be. For example, some schools give preference to children based on religion, historical family links, children of current staff, how early the child joined the waiting list and/or receipt of a deposit. IPPN believes that securing a school place should not be influenced by whether the child's parents are past pupils or teachers, nor whether the child practices a particular faith. Neither should a relationship with a benefactor of the school, a place on a multi-annual waiting list, a receipt of a deposit or aptitude screening results be among the criteria, official or otherwise. A fairer and more transparent enrolment process would relieve stress on many parents and schools. Ideally, all children would be enrolled in their local school, thus proximity to the school would be the only criterion, or at least the main criterion.

2. Response to the Minister's Proposed Options

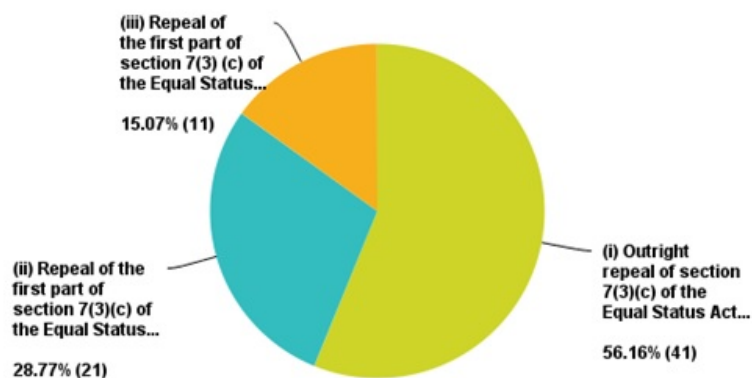
In our submission to the Joint Oireachtas Committee on Education & Skills in November 2013 in relation to the Education (Admission to Schools Bill), IPPN supported the position that a school cannot discriminate in relation to the admission of pupils.

However, in relation to the Minister's proposals in 2017, the views of IPPN members are not quite so clear-cut. IPPN has consulted with our members (93% of all primary school leaders) and received 254 responses (8% of primary school leaders). Below is the spread of opinion in relation to the options put forward by the Minister.



While not given the option of retaining the status quo, it is worth noting that many principals commented that would be their preferred option as they believe their schools to be fully inclusive. This also reflects many of the views expressed at our recent National Council meeting.

Note: Of the 25% of members who chose 'Outright Prohibition' as their preferred option, the majority (57%) selected 'outright repeal' as their preferred sub-option, with option (ii) receiving 29% and (iii) receiving 14%:



When asked why they chose their preferred option (Catchment Area), the following words were the most commonly used descriptors:

Think Fairness Sense Reasons Parish
Nearest School Local School
Catholic Schools Catchment Area
Issue Community Families Fairest Allocated
Religion

Whatever option is chosen, the web-based enrolment process outlined in Appendix I is worth considering, as it ensures openness and transparency across the system in relation to school admissions.

3. Catchment Area – Key Issues

IPPN's summary responses in relation to the specific issues on which views are sought by the Minister are below. More comments provided by school leaders in relation to these issues are provided in Appendix II:

A. Possible impacts on minority religions

- a. The faith formation of the minority religions may not be catered for in the school
- b. It could be detrimental to minority faiths if they could not cater for all children of that faith looking for a place as there may be no other school of that faith in the area
- c. Other aspects of religious ethos of minority religions may not be catered for in the school
- d. Minority religions could have a larger catchment area to minimise the impact on their ethos
- e. It would depend on what percentage quota is decided upon – if it is sufficiently large, there should be a minimal problem for children of minority faiths
- f. Challenging for minority faiths regardless of what option is chosen
- g. Definition of catchment area will determine the level of impact on all faiths.

B. Possible constitutional issues

- a. It may be counter to Article 42, paragraph 4 whereby the State would 'provide [...] educational facilities or institutions with due regard, however, for the rights of parents, especially in the matter of religious and moral formation'.
- b. I have no access to legal advice
- c. It could restrict the choice of parents to choose the school they think is most suitable for their child
- d. The only issue would be a clear definition of the catchment area
- e. Discrimination by address/Eircode
- f. None
- g. The definition of a catchment area will be very complex and open to challenge. There has to be local agreement where there are a number of schools in a parish/area
- h. This is a matter for the legal profession to decide
- i. The constitution protects the right of school to give preference to children of its own ethos. This would still be the case with only a change in the order of preference in the event of over-subscription.
- j. If church and state are separated, the constitutional issues ameliorate.

C. Possible impacts on the management/administration of individual primary schools/of a primary school system of 3200 schools

- a. Schools of a particular ethos may find it challenging to meet the demands of parents for that ethos to be maintained where there are pupils of other faiths and none
- b. Catchment areas in oversubscribed locations are already very difficult to define and to implement. Boundaries can literally be the footpath outside an applicant's house. Ideally there would be guidance for schools on this.
- c. If children attend a local school, it is much easier to promote a sense of community and ownership of the school
- d. There will be an increasing dilution of the ethos of all schools - management will have to accept all children regardless of the effect on the school in question
- e. It could have impact on transport as DES only provide transport to the nearest school. These regulations would have to be changed to allow parental choice.
- f. Pupils should go to their local school unless they have a genuine reason
- g. Implementing a religious education programme that promotes the understanding and beliefs of all children on that school
- h. If schools in a local area are over-subscribed, removing faith will not result in places for all. If there is a shortage of places more resources are needed in the local area.
- i. More paper work
- j. If RE were taught at the end of the school day in Faith schools, there would be a far less complicated outcome.

D. Possible unintended impacts on other goals of education policy

- a. It may result in increased enrolments in Gaelscoileanna where it is more likely to be homogenous enrolment
- b. This may also result in increased demand for school transport to schools of a denominational ethos
- c. Where you live can have a huge impact on your educational opportunities
- d. If fairness is the aim across the board then no school should be given special exemptions
- e. Socio Economic factors already in the system. Gaelscoileanna already operate with a much wider catchment area. Policy on transport would have to be changed by DES/CIE
- f. There could be boundary issues in a catchment area approach
- g. Parents often falsify addresses to gain priority in their school of choice or move into an area temporarily until a place is obtained - extremely difficult to prove
- h. It certainly could lead to increased concentration of disadvantage in some schools in certain areas
- i. Increased pressure on the Department to fund new schools to accommodate the needs of those not wanting a religious ethos school
- j. Above all government must ensure that there are sufficient school places in highly populated areas and that families do not have to travel long distances to school.

Conclusion

The issue of school admissions is closely linked to patronage and curriculum and all three elements need to be reviewed together if Irish education is to become truly inclusive. As the responses to our own survey show, there is considerable variety of opinion – although almost two thirds chose either catchment area or nearest school rule - and it will be very challenging to bring about change without alienating significant cohorts.

Further consultation and a pilot project are required to ensure that the chosen option is workable on the ground and that all scenarios are dealt with up front. Communication with all stakeholders is also vital. Whatever option is chosen, the web-based enrolment process outlined in Appendix I is worth considering, as it ensures openness and transparency across the system in relation to school admissions.

Appendix I – Suggested Web-based Enrolment Process

Regardless of the option chosen by the Minister, a simple and effective solution to the challenge of over-subscribed schools would be to adopt a process similar to that used by third-level institutions to centrally manage student applications for undergraduate courses - the Central Applications Office (CAO). Such a process could work along the following lines:

- Centrally managed to ensure common process
- Applications for enrolment only accepted online. Schools cannot opt out.
- No waiting lists so families new to an area are not disadvantaged
- Common criteria applied across all schools
- DES sets a national closing date for enrolment applications after which enrolments cannot be accepted until all applications have been processed and places allocated
- Parents complete an online form providing details of home address, child's date of birth, parent and child PPS numbers, whether there are siblings attending the school etc.
- Parents select from a list of possible options – school type, patronage, distance from home address etc. The system lists all schools matching the selected criteria and the parents choose those in which they wish to enrol their child in order of preference.
- A Geographical Information System (GIS) locates the family home, based on the address and PPS numbers, and can determine proximity to the selected school(s) - the key criterion in allocating a school place
- Any data that is verifiable against a central database (e.g. PPS numbers linked to home addresses) is validated to ensure accuracy of information provided
- Where demand for places in a particular school is greater than supply, the system allocates places giving priority, in the following order, to:
 - Children with siblings currently enrolled in the school
 - The oldest children on the list of applicants
 - Those living nearest to the school
 - Any remaining places are allocated by computerised random selection.
- A national closing date is set for Boards of Management to respond to all applicants, including those for whom the school cannot offer a place.

A web-based approach to allocate child places in schools has many advantages. It is fully open and transparent. There is no 'judgement call'. Where there is competition for places, decisions are made automatically by the system based on pre-agreed criteria and where all else is equal, final places are allocated by computerised random selection.

Suggested Parental Web-based Selection Options

Select from the following options to indicate your choice of school. Please note: the more options you select, the fewer schools will match your choice. Where there are capacity issues in those schools, your preferred choice may not be accommodated.

School Types

- I don't mind what school type
- Mainstream
- Mainstream with special classes
- Special School

Gender

- All Girls
- All Boys
- Co-educational

Language

- English
- Gaelscoil

Patronage

- I don't mind what patronage
- Gaelscoileanna
- Scoileanna sa Ghaeltacht
- An Foras Pátrúntachta
- Catholic
- Church of Ireland
- Jewish
- Methodist
- Muslim
- Presbyterian
- Multi-Denominational – No specific patronage
- Multi-Denominational – Educate Together
- Multi-Denominational – Community National Schools (Education & Training Boards)
- Autism Ireland
- Saplings
- Private / fee paying
- [Others as agreed]

Distance

- Distance doesn't matter
- Within 10 Kilometres
- Within 5 Kilometres
- Within 2 Kilometres

Appendix II – Additional Comments – Key Issues

A. Possible impacts on minority religions

- a. Parents of minority religions have the ability to opt out of RE, albeit still respecting the ethos of the school
- b. preferred option will have little or no impact on minority religions as all welcome
- c. I think that a 'catchment area' rather than a nearest school rule would allow more options for all schools. Catchment could defined in different ways in the interest of equality and fairness with respect to upholding an ethos.
- d. Minority religions would only be allowed give preference to those children in the catchment area which will have an impact. Such minority religions should be allowed have a larger catchment area in order to minimise this impact.
- e. The repeal of Section 3(c) of the Equal Status Act will negate the choice of freedom of parents to send their child to a school with an ethos of their choosing.
- f. Any parents of children who are not of the ethos of the school would sign a declaration to uphold the ethos of the school.
- g. I believe it is a right for a faith denomination to educate children in that faith
- h. It would mean that religion would not be a deciding factor for enrolment
- i. One size fits all approach will not protect minority religious groups and I believe that other options need to be considered for such cases
- j. None
- k. It could have an impact on minority religions in the school if there were not sufficient numbers of pupils of that religion in the local catchment area. Pastoral care for the minority religion could be organised through their local pastors
- l. Minority religious schools will find it difficult to maintain what is denominational about the school without some sort of minimum percentage of pupils of their religion in the school
- m. If catchment area is the first criterion very little impact
- n. It could mean that pupils of a minority religion cannot go to the school of their choice as they are not resident in the catchment area
- o. Catchment areas based on parish system would facilitate protection of ethos
- p. Minority religions should be enabled to retain a certain proportion (see ii). This should be dependent on the size of the school and regularly reviewed to reflect the schools population and community.
- q. For minority religions that may have large catchment areas, they will need good transport arrangements
- r. Minimal

B. Possible constitutional issues

- a. I have no access to legal advice
- b. Limited space due to the physical environment is a factor in many older rural schools.

- c. It could restrict the choice of parents to choose the school they think is most suitable for their child
- d. The right to association - the right of individual patrons to maintain their ethos - a vocal minority doesn't mean that we should throw the baby out with the bath water
- e. Currently there are plenty of constitutional issues, we need to look at human rights and the right to an education. Children are being turned away for lack of places, no baptism that in itself is discrimination.
- f. Parental choice issue for minority/ non-religious. Should this be allowed to impact on the significant majority? We live in a democracy.
- g. The only issue would be a clear definition of the catchment area.
- h. The right for any parent to enrol their child in the school of their choice
- i. The repeal of Section 3(c) of the Equal Status Act will negate the choice of freedom of parents to send their child to a school with an ethos of their choosing. The European Constitution for Human Rights (Article 2 Protocol 1) states that "No person shall be denied the right to education. In the exercise of any functions which it assumes in relation to education and to teaching, the State shall respect the right of parents to ensure such education and teaching in conformity with their own religious and philosophical convictions". In other words, parents have an entitlement, which the state must respect to have their child educated in a school with an ethos which reflects their own faith.
- j. In our school religion is not used as enrolment criteria.
- k. Discrimination by address/Eircode
- l. None
- m. A constitutional right to choose may make delineation difficult
- n. The definition of a catchment area will be very complex and open to challenge. I think there has to be local agreement where there are a number of schools in a parish
- o. Not aware of any constitutional issues. Parents/Guardians could choose to enrol their children in either their local school or a school of their choice matching their religious beliefs. Have concerns regarding parents/ Guardians who may wish to choose a Catholic school if schools with Catholic ethos are no longer available.
- p. Catering for minority religions under a Catholic ethos
- q. Creation of catchment areas/nearest school rules – would this impact on parents right to choose in their view the most appropriate school for their child? Would it create 'post code' areas where it will be more desirable to live? Would this impact on the social make up of areas. Perhaps this is particularly relevant in urban areas.
- r. this is a matter for the legal profession to decide
- s. The constitution protect the right of school to give preference to children of its own ethos. This would still be the case with only a change in the order of preference in the event of over-subscription.
- t. Offer the option of after school religion lessons by non-teaching staff
- u. A one size fits all view of catchment areas will not work given that there may be 3 schools of a minority faith in 1 county. Minority faith catchment areas genuinely often span large catchment areas. These moves solve one apparent problem by creating another. I'm not sure if these thoughts are constitutional issues but take the case of two neighbouring schools, one of minority faith and one of majority faith. These moves should increase options not diminish them.
- v. If church and state are separated the constitutional issues ameliorate

- w. Parental right for children to go to a faith school of their choice- there are no non denominations schools in huge swathes of rural Ireland. Many parishes have 3 or 4 Catholic schools. Really these need to be changed to reflect the needs of modern society.
- x. I submit that any and every attempt to remove religion from schools or to remove from schools the ability to make considered judgements is unconstitutional. Faith schools are protected by the Preamble to the Constitution. Faith is in the Constitution, to remove it from schools is unconstitutional.
- y. The constitution undertakes to vindicate the right of parents to choose their child's form of Education while also imposing an imperative on the state to ensure that every child gets an appropriate education. The state is not obliged to 'provide' this education but rather to 'provide for' the education
- z. There shouldn't be any as educational placement is not being provided on the basis of religion but on the catchment area as defined in the school admissions policy
- aa. Prioritise children who are baptised / initiated into stated religious ethos of the school, then accept others from the catchment area.

C. Possible impacts on the management/administration of individual primary schools/of a primary school system of 3200 schools

- a. Quota systems can operate in many schools for several reasons, including but no limited to pupil oversubscription and limited physical environment
- b. If children attend a local school it is much easier to promote a sense of community and ownership of the school. It would also facilitate better communication between diverse groups i.e. if diverse groups make up the population of a certain geographical area.
- c. There will be an increasing dilution of the ethos of all school - management will have to accept all children regardless of effect on the school in question
- d. Just different headaches to the current ones. Perhaps an adequate supply of places for the student population is the real issue.
- e. Opting for a catchment rule would simply mean a change in enrolment policies in individual schools
- f. In applying a "catchment area" criteria, then the catchment boundary would have to be defined by an independent body. In the case of C of I schools this could be the Diocesan Councils of the Church of Ireland. The school transport policy makes reference to the nearest school "having reference to ethos and language." Church of Ireland schools cater for pupils from a wide range of social and economic backgrounds so a catchment criteria would not have any major impact on disadvantage.
- g. Minority religion parents will be entitled to put their names forward for Parents Association and Board of Management
- h. Catchment appears the simplest from a management point of view - without regard to particular individual/minority needs
- i. School transport is in the main provided by private companies and parents pay
- j. It would mean abolishing the nearest school rule and replacing it with a defined catchment area
- k. School transport should be provided to the catchment/nearest school only. If the nearest school has no room then they could be transported to the next local school.

- l. Changes to school bus route would be an issue of concern
- m. It could have impact on transport as DES only provide transport to the NEAREST school. These regulations would have to be changed to allow parental choice.
- n. Pupils should go to their local school unless they have a genuine reason
- o. catchment area approach plus the 'nearest school' approach may work
- p. Implementing a religious education programme that promotes the understanding and beliefs of all children on that school
- q. A quota system sets a precedent which leaves schools (and other agencies of the state) open to further introductions of other quotas which will no doubt result in mind-boggling administration difficulties
- r. Limited impact for schools which are not oversubscribed, but much greater paperwork and a great need for departments/ sections of the Dept. of Education to cross reference and verify details/ information- validity of enrolments, dual enrolments etc. As it stands there is not the capacity for individuals to carry out these roles.
- s. Over subscription should be thought of in terms of a local issue. If schools in a local area are over-subscribed removing faith will not result in places for all. If there is a shortage of places more resources are needed in the local area.
- t. The nearest school model of transport is seriously flawed! If a catchment area model is to be considered transport needs to be revisited
- u. More paper work which is unnecessary and time consuming
- v. Perhaps if RE were taught at the end of the school day in Faith schools, there would be a far less complicated outcome.

D. Possible unintended impacts on other goals of education policy

- a. School building projects need to be fast tracked. Children should attend their local primary which should be properly funded and resourced by Government
- b. If there is a less diverse population in a certain area this allows a ghetto mentality be it a middle class or a socio /economic disadvantaged area
- c. The majority of parents in our school - following survey - stated that they were very happy with the ethos and the way our school deals with difference
- d. give people more of a choice open more multi d schools , then you have a choice in your local area
- e. Better planning of schools. Stricter policies about urban development. Put the facilities in for families first as for too long, facilities such as childcare, schools, community centres, road infrastructure, social welfare supports are left to the last and then there is uproar about religion
- f. Church of Ireland schools cater for pupils from a wide range of social and economic backgrounds so a catchment criteria would not have any major impact on disadvantage
- g. It is very difficult to ensure an equitable education system. Where you live can have a huge impact on your educational opportunities
- h. If catchment areas are sufficiently broad one should have a good mix of pupils. Many pupils from disadvantaged backgrounds are now housed in rental properties in private estates and not as in the past in Council or corporation estates. If fairness is the aim across the board then no school should be given special exemptions

- i. If catchment areas were carefully designed to include areas of different social background, that would solve most of the problem of Option 1
- j. Socio Economic factors already in the system. Gaelscoileanna already operate with a much wider catchment area. Policy on transport would have to be changed by DES/CIE
- k. It would greatly depend on the schools relationship with its community.
- l. There could be boundary issues in a catchment area approach
- m. I know that people often falsify addresses to gain priority in their school of choice or move into an area for a temporary spell until a place is obtained. It is often extremely difficult to prove this
- n. We have a catchment area system in operation in most parts of the country - the parish system and it works fine. This issue only affects a very small minority of families
- o. It certainly could lead to increased concentration of disadvantage in some schools in certain areas
- p. A continued perception of unfairness. Increased pressure on the Department to fund new schools to accommodate the needs of those not wanting a religious ethos school.
- q. Above all government must ensure that there are sufficient school places in highly populated areas and that families do not have to travel long distances to school
- r. These may apply in an urban setting but less likely to impact in rural area.