1990 No. 328

EDUCATION

Secondary Schools (Admissions Criteria) Regulations (Northern Ireland) 1990

Made . . . . . *30th August 1990*

Coming into operation . . . *21st September 1990*

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 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) 1990 and shall come into operation on 21st September 1990.

Interpretation

2. In these regulations—

"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 36(5) of the 1989 Order;

"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 tests" means the tests set and marked by the Department as part of the arrangements for the transfer of children from primary to secondary education.

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;

(**a**) S.I. 1989/2406 (N.I. 20)

(*b*) where a grammar school includes in its criteria the performance of pupils in the transfer procedure tests, a provision that, without regard to the order in which preferences are expressed by the parents of any child, but 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 the tests and which are supported by documentary evidence of a medical or other appropriate nature—

a pupil awarded Grade 1 in the transfer procedure tests shall be admitted in preference to a pupil with any other grade;

a pupil awarded Grade 2 shall be admitted in preference to a pupil awarded Grade 3 or Grade 4.

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 a grammar school or a school which on the day of the coming into operation of these regulations was recognised by the Department as one which selects some of its pupils by reference to ability or aptitude;

(*b*) the performance of any pupil 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.

Boarding pupils in grammar schools

6.—(1) This regulation applies to a grammar school which includes in its criteria the performance of pupils in the transfer procedure tests 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 in selecting pupils by reference to their performance in the transfer procedure tests priority shall be given to pupils who intend to board at the school without regard to the grades which have been awarded in those tests to pupils seeking admission to the school 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 the day on which these regulations come into operation.

Sealed with the Official Seal of the Department of Education on 30th August 1990.

(L.S.) *J. S. Smith*
Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations.)

Article 38 of the Education Reform Order (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.