



Circular letter M10/94

To: The Management Authorities of Primary and Post-Primary Schools.

Revision of Rule 46 of the "Rules and Programme for Secondary Schools" in relation to exemption from Irish

1. The second-level programme in Irish both current and planned has the capacity to cater for a wide diversity of ability. Nevertheless, provision exists in Rule 46 of the "Rules and Programme for Secondary Schools" for exemption from Irish in limited special circumstances.

The Minister for Education has reviewed the circumstances in which exemption from the study of Irish may be granted and has revised Rule 46 to read as follows:

" Pupils in the following circumstances may be allowed to substitute any other subject from the list of approved subjects for Irish for the purpose of Rule 21 (1) (a) and (b):-

- (a) *Pupils whose primary education up to 11 years of age was received in Northern Ireland or outside Ireland;*
- (b) *Pupils who were previously enrolled as recognised pupils in a primary or second-level school who are being re-enrolled after a period spent abroad, provided that at least three years have elapsed since the previous enrolment in the State and the pupil is at least 11 years of age on re-enrolment;*
- (c) *Pupils*
 - (i) *who function intellectually at average or above average level but have a **Specific Learning Disability** of such a degree of severity that they fail to achieve expected levels of attainment in basic language skills in the mother tongue, or*
 - (ii) *who have been assessed as having a **general learning disability due to serious intellectual impairment [i.e. mental handicap]** and are also failing to attain adequate levels in basic language skills in the mother tongue.*
 - (iii) *who have been assessed as having a **general learning disability due to serious sensory impairment**, and are also failing to attain adequate levels in basic language skills in the mother tongue.*

The evidence of such a disability should be furnished by a qualified psychologist, supported in the case of (iii) by a report from an appropriate medical specialist. In addition, a full report on the pupil should be furnished by the school.

- (d) *Pupils from abroad, who have no understanding of English, when enrolled, would be required to study one language only, Irish or English."*
2. This revision will apply with effect from the beginning of the school year 1993/94. It will apply to students currently enrolled on junior and senior cycle programmes in second-level schools as well as to students who will enroll on these programmes in the future.

Exemption granted to a student will be operative throughout his/her stay at second-level.

3. School managements are hereby authorised to grant exemption under the Rule as revised in accordance with the following prescribed procedures and criteria and subject to regular monitoring by the Department.
4. The following procedures will apply:
 - a written application for exemption will be made by a parent or guardian to the principal of the school. This application will specify the grounds on which the exemption is sought. It will be accompanied by documentary evidence of age and previous schooling as appropriate to the grounds cited.
 - The school authorities will satisfy themselves as to the documentary evidence submitted.
 - The school authorities will prepare a full report on the student in consultation with relevant teachers.
 - Where exemption is being sought under sub-paragraph (c) of Rule 46, the parent or guardian will be required to furnish reports from a qualified psychologist and appropriate medical specialist as appropriate.
 - A decision to grant exemption will be conveyed to the parent or guardian by way of a written certificate, signed by the school principal, that the exemption has been given in accordance with the Rule. The certificate will also cite the name, address and type of school, the student's name and date of birth, the sub-paragraph of the Rule under which the exemption is being granted and the specific grounds for exemption. Where the exemption is being granted under sub-paragraph (c), the name and address of the qualified psychologist and the date of the psychologist's report and the name of the medical specialist and date of report if applicable, will be included.
 - The application, school report, psychologist's report, report of medical specialist, copy of certificate of exemption and other relevant documents will be retained by the school and will be made available for inspection by authorised officers of the Department.
 - Notifying the Department of Education of pupils who are exempted from the study of Irish: Irish Exemptions should be included where possible on the October Returns facility. Only where Exemptions are granted exemptions after the submission of the October Returns for any given year should a copy of the actual certificate be forwarded to Post Primary Administration 4. (please see information note at front of circular)
5. The term Specific Learning Disability does not include disabilities due to poor general intellectual functioning. Account must be taken of the following criteria in determining whether a Specific Learning Disability exists, viz
 - Assessed intellectual functioning at average level or above;
 - Marked failure to achieve expected levels of attainment in basic skills such as reading and writing;
 - A history of such failure not related directly to factors such as poor attendance, poor motivation or problems in social interaction which may affect attainments.
6. The psychologist's report should be of a full psychological assessment carried out by a qualified psychologist not more than two years prior to the application for exemption.

The Department will prepare guidelines on the preparation of these reports which will be available to psychologists.
7. The school report should include information on assessments carried out in the school by guidance or remedial teachers. It should include, as well, the results of school or state examinations, reports from relevant teachers, information on the pupil's attendance, application to study and any remedial or other special help while the pupil was at school. Samples of the pupil's unaided written expression should also be attached to the report.
8. The operation of the revised Rule will be monitored regularly by the Department. The delegated authority to grant exemption may be rescinded in the case of individual schools where circumstances so warrant. The operation of the Rule will be formally reviewed at the end of the school year 1995/96.

9. An Exemption Certificate form is attached.
10. Further enquiries in relation to this Circular Letter should be addressed to the Post Primary Administration Section, Post-Primary Branch, Cornamaddy, Athlone, Co. Westmeath, telephone 01 – 8734700 and ask for extension 3692 / 4064 or dial directly on 09064 – 83692 /84064.

Don Thornhill
Secretary

[Download Certificate of Exemption](#)

[Download Guidelines for Psychologists on Assessment and Reporting](#)

[This Information Note should be read in Conjunction with Circular M10/94](#)

[Rule 46 of the "Rules and Programme for Secondary Schools" in relation to exemption from Irish](#)

Revision of Rule 46 "Rules and Programme for Secondary Schools" in relation to exemption from Irish - Circular Letter M10/94

Certificate of exemption

Name & address _____
of school

School number: _____

Type of school Secondary [] Vocational [] Community/Comprehensive []

[Tick as appropriate]

Name of pupil: _____

Pupil no: _____

Date of birth: _____

Name and address of psychologist: _____

Date of report: _____

Name & address of medical specialist: _____

Date of report: _____

I certify that the above-named pupil has been granted an exemption from the study of Irish in second level education in accordance with the terms of Rule 46, section _____, of the Rules and Programme for Secondary Schools.

The exemption has been granted on the following grounds:

Signature: _____
[Manager/Principal]

Date: _____

Guidelines for Psychologists on Assessment and Reporting

Revision of Rule 46 of the "Rules and Programme for Secondary Schools" in relation to exemption from Irish. (Reference: Department of Education Circular Letter M1O/94 to the Management Authorities of Primary and Post-primary Schools)

1. The Circular Letter M1O/94, sets out the circumstances in which exemption from the study of Irish may be granted, following a review by the Minister for Education. Circular Letter M1O/94 states, inter alia, that school managements are authorised to grant exemption under Rule 46 of the "Rules and Programme for Secondary Schools", as revised, in accordance with prescribed procedures and criteria and subject to regular monitoring by the Department.
2. Circular Letter M1O/94 should be read in conjunction with these Guidelines.
3. When exemption from the study of Irish is sought, a written application for exemption will be made by a parent or guardian to the principal of the school. This application will specify the grounds on which the exemption is sought. Where exemption is being sought under sub-paragraphs (c) of Rule 46, the parent or guardian will be required to furnish reports from a qualified psychologist and, in the case of sub-paragraph 1, (c), (iii), from an appropriate medical specialist as well.
4. These guidelines are prepared by the Psychological Service/Department of Education in accordance with the provision in paragraph 6 of the Circular Letter M1O/94. This paragraph states that the psychologist's report should be of a full psychological assessment carried out by a qualified psychologist not more than two years prior to the application for exemption. It is not intended that these **guidelines** be seen as **directions** to reporting psychologists. It is hoped that they will be of assistance in the preparation of psychological reports so that school authorities will have as full information as possible when making decisions on granting exemptions from the study of Irish. It is hoped that the guidelines will help in the interpretation of certain aspects of Circular Letter M1O/94
5. The psychological report should include the following information:
 - (a) Pupil's name, address, date of birth, date of assessment.
 - (b) Name and address of school.
 - (c) Name and qualifications of psychologist.
6. Assessment of intellectual functioning.
 - (i) The test used should be a standardised test of intellectual functioning administered individually. The following tests, administered in full, are examples of suitable tests: the Wechsler Intelligence Scales; the British Ability Scales; the Stanford-Binet Intelligence Scale.
 - (ii) The report should include the derived I.Q. Score(s) and should also give an analysis of subtest scores, pointing out significant discrepancies in the I.Q. profile, e.g. marked discrepancies between scores on verbal subtests and scores on non-verbal subtests or between such scores and age-levels.
 - (iii) General observations on the pupil's test performance should also be included.
7. Assessment of attainment of language skills in the pupil's mother tongue.
 - (i) Evidence of failure to attain adequate levels of language skills in the pupil's mother tongue should include results from the administration of a reliable measure of reading attainment supplemented by results from other measures in areas such as spelling, writing, vocabulary and oral competence. Word recognition tests, on their own, would not be considered sufficient.
 - (ii) Examples of tests in English which are considered appropriate are listed as follows (This is not intended to be an exhaustive list):

Micra- T; Drumcondra Attainment Tests; Neale Analysis of Reading Ability; Young Cloze Test, Wide Range Achievement Test; Widespan; Gap; Daniels and Diack Test; Schonell Graded Word Spelling Test; Blackwell Spelling Test. Many of the tests, which are in use in this country, have not been standardised on an Irish population. However, circumstances may indicate the use of some of these tests (e.g. when a number of areas of language skill needs to be assessed) and bearing in mind that

their use will supplement the observation of the psychologist and the assessments of teachers in a school report.

- (iii) The criterion for marked failure is taken as a test score at, or below, the 10th percentile, or at or below the equivalent level in terms of standard score or other deviation score. When the pupil's score lies just above the criterion the provision of supplementary evidence in areas such as writing, spelling, oral competence is important.
 - (iv) The psychologist's report should specify the tests used and should include the test results (raw and derived scores) together with a general description of the pupil's oral language skills.
 - (v) A history of marked failure in the attainment of language skills, not related directly to factors such as poor attendance, poor motivation or problems in social interaction, is an important part of the overall evidence.
8. Where exemption from the study of Irish is recommended, the grounds on which such a recommendation is made should be stated and should be supported by appropriate detail from the intellectual and language skills assessments.
9. With regard to 8 above, it should be noted that, in accordance with Circular Letter M10/94, apart from circumstances relating to residence, a school may grant an exemption from the study of Irish only to pupils,
- (i) who function intellectually at average or above average level but have a Specific Learning Disability of such a degree of severity that they fail to achieve expected levels of attainment in basic language skills in the mother tongue, or
 - (ii) who have been assessed as having a general learning disability due to serious intellectual impairment (i.e. mental handicap) and are also failing to attain adequate levels in basic language skills in the mother tongue, or
 - (iii) who have been assessed as having a general learning disability due to serious sensory impairment, and are also failing to attain adequate levels in basic language skills in the mother tongue.
10. In the case of Specific Learning Disability, exemptions from the study of Irish may not be granted on the grounds of disabilities due to poor general intellectual functioning alone. Account should be taken of the following criteria in determining whether a Specific Learning Disability exists for the purposes of granting an exemption:
- Assessed intellectual functioning at average level or above;
 - Marked failure to achieve expected levels of attainment in basic skills such as reading and writing (please refer to paragraph 7 above)
 - A history-of such failure not related directly to factors such as poor attendance, poor motivation or problems in social interaction which may affect attainments
11. The term general learning disability, as used in 9 (ii) above, should be taken to refer to those who, in the professional opinion of the reporting psychologist, fall within the ranges of intellectual functioning indicating the presence of a Mental Handicap, in so far as an Intelligence Quotient may be used as an indication of mental disability. Pupils who, in the professional opinion of the reporting psychologist, are considered as functioning intellectually above the ranges indicating the presence of Mental Handicap are not considered as eligible for the granting of an exemption from the study of Irish on the grounds of a general learning disability alone.
12. With reference to para 9 (iii) above, pupils who are reported by an appropriate medical specialist as being profoundly deaf should be regarded as eligible for exemption from the study of Irish without any further psychological assessment or reporting. Similarly, pupils who have been diagnosed as severely hearing impaired, but who function at the profoundly deaf level, should also be regarded as eligible for exemption as if they are profoundly deaf. In the case of other serious sensory impairment reported by appropriate medical specialists, exemptions from the study of Irish may be granted if the reporting psychologist considers that the pupils concerned are functioning intellectually in the borderline range of Mild Mental

Handicap, or below, and are also failing to attain adequate levels in basic language skills in the mother tongue.

13. The operation of the Rule governing exemptions from the study of Irish will be reviewed formally at the end of the school year 1995/96. A review of these guidelines will be carried out at that time as well.
14. Copies of these guidelines, together with copies of Circular Letter M1O/94, may be obtained from Post-Primary Branch, Department of Education, Cornamaddy, Athlone, Co. Westmeath.

Sean MacGleannáin
Chief Inspector
20 April, 1995

The Principal, Secretary and relevant Teaching Staff (Irish, Career Guidance, Resource Teachers etc) at Post Primary Schools.

Information Note to Circular M10/94 - Revision of Rule 46 of the “Rules and Programme for Secondary Schools” in relation to exemption from Irish

I refer to the above Circular. Where Exemptions from Irish are granted by a school within the terms of the Circular, there is no longer a requirement for a school to submit a copy of the Certificate for Exemption from Irish to the Department, **where such information has already been submitted to the Department (i.e. Database Section) via the October Returns facility.**

Before the submission of the October Returns at the start of a school year, schools should, where possible, enter Exemptions from Irish (which have been processed by the school at that stage), on the school's facility/data-set. **This information will then be submitted to the Department through the October Returns facility.**

Where an Exemption from Irish is granted following the submission of the October Returns, **only** then should a copy of the Certificate be sent to the Department. This information is then added to the schools database information retrospect to their October Returns which would already have been submitted. It is **essential** that the date of birth and Personal Public Service (PPS) Number, where possible, or the Pupil Number be supplied on the Certificate as well as the date of assessment and where applicable, the name and address of the Psychologist who carried out the assessment.

A copy of the Certificate and supporting documentation must be retained by the school and be available for inspection by authorised officers of the Department. **A copy must also be given to the parent or guardian of the pupil being exempted.**

Circular M10/94 relating to exemptions from the study of Irish may be accessed and downloaded from the Departments website at www.education.ie by entering “Circular M10/94” into the search facility at the top of the homepage. The actual Certificate of Exemption and the “Guidelines for Psychologists on Assessment and Reporting” are available as links at the end of Circular M10/94.

If there are any queries, please contact the undersigned at (01) 873 4700 ext 3692 /4064 or 3990 or directly on 09064-8 - 3692 /4064 or 3990.

Post Primary Administration 4
September 2008

(C) -EXEMPTION FROM THE STUDY OF IRISH

46. Pupils in the following circumstances may be allowed to substitute any other subject from the list of approved subjects for Irish for the purpose of Rule 21(1)(a) and (b):-

- (a) Pupils whose primary education up to 11 years of age was received in Northern Ireland or outside Ireland;
- (b) Pupils who were previously enrolled as recognised pupils in a primary or second-level school who are being re-enrolled after a period spent abroad, provided that at least three years have elapsed since the previous enrolment in the State and the pupil is at least U years of age on re-enrolment;
- (c) Pupils
 - (i) who function intellectually at average or above average level but have a Specific Learning Disability of such a degree of severity that they fail to achieve expected levels of attainment in basic language skills in the mother tongue, or
 - (ii) who have been assessed as having a general learning disability due to serious intellectual impairment [i.e. mental handicap] and are also failing to attain adequate levels in basic language skills in the mother tongue.

(ill) who have been assessed as having a general learning disability due to serious sensory impairment, and are also failing to attain adequate levels in basic language skills in the mother tongue.

The evidence of such a disability should be furnished by a qualified psychologist, supported in the case of (ill) by a report from an appropriate medical specialist. In addition, a full report on the pupil should be furnished by the school.

(d) Pupils from abroad, who have no understanding of English, when enrolled, would be required to study one language only, Irish or English.

When a child to whom this rule applies is admitted to a school the management authority may grant the exemption in accordance with the procedures and criteria set out in Circular Letter M10/94 (see Appendix 7).