Dear Chief Executive Officer,

The purpose of the Circular Letter is to provide an outline of the arrangements provided for in the SI 924 Composition of Vocational Education Committee Regulations 2004 and to provide clarification in relation to certain issues of general application. The Circular Letter will be made available on the Department’s website (www.education.ie).

This document should be read in conjunction with SI 924, which provides a breakdown in detail of all aspects of the election process.

1. **Election of Members representing Eligible Parents and Eligible Staff to VECs**

   1.1 The 2001 Act provides for the appointment of members to a VEC as a result of election by the relevant Local Authorities, parents of students, who are under 18 years of age and VEC staff.

   1.2 The 2001 Act also provides that both sexes shall be represented on a VEC in such proportions as are specified in the Regulations and also provides for the establishment of separate male and female panels of candidates.

2. **Returning Officer**

   2.1 For purposes of conducting elections in accordance with Section 7 of the Act, the Minister will appoint a Returning Officer in each VEC. Returning Officers may appoint one or more persons to act as Deputy Returning Officers and may delegate to any such Deputy any of the functions of the Returning Officer that may be specified in the appointment. The Returning Officer may revoke such an appointment, at any time.

   2.2 The Returning Officer for purposes of elections in each VEC will be the Chief Executive Officer for that VEC.

   2.3 The expenses of the Returning Officer will be a matter for the VEC. Such reasonable expenses will be taken into account by the Department for purposes of the VEC’s modified scheme.
2.4 Pursuant to Section 7 of the 2001 Act, a Returning Officer is responsible for the conduct of the elections and his or her decisions on all matters arising are final.

3. **Electoral Process Calendar**

3.1 A calendar of dates for purposes of the conduct of elections is at Appendices 1 & 2 to this Circular Letter.

4. **Members elected by Parents**

4.1 Two (2) VEC members, male and female, shall be elected by parents of any student who has not reached the age of 18 years on 28th September 2012, and who is registered as a student at a recognised school or centre for education (see 6 below) established or maintained by the VEC.

4.2 A parent is as defined in Section 2 of the Education Act 1998 i.e. "parent" includes a foster parent, a guardian appointed under the Guardianship of Children Acts, 1964 to 1997, or other person acting in loco parentis who has a child in his or her care subject to any statutory power or order of a court and, in the case of a child who has been adopted under the Adoption Acts, 1952 to 1998, or, where the child has been adopted outside the State, means the adopter or adopters or the surviving adopter.

4.3 A student is as defined in Section 2 of the Education Act 1998 i.e. “student” in relation to a school, means a person enrolled at the school and in relation to a centre for education means a person registered as a student in that centre.

4.4 A nominee, who need not be a parent, may be placed on a panel of candidates provided their nomination paper has been signed by not less than 5 parents of students registered in accordance with paragraph 4.1 above.

4.5 In accordance with the 2001 VE Act, separate male and female panels of candidates shall be established.

5. **Members elected by VEC Staff**

5.1 Pursuant to Section 7 of the 2001 Act, two (2) VEC members, one (1) male and one (1) female, shall be elected by eligible VEC staff members. An “eligible staff member” is a person who, on the 28th September 2012, is employed as a member of staff by the VEC and whose remuneration in respect of that employment is paid by the VEC.

5.2 For clarification purposes, an eligible staff member applies to:

(a) Staff who are on a contract of service on 28th September 2012. Such categories of staff would include permanent, wholetime and pro-rata part time staff.

(b) Staff who do not have a contract of service on 28th September 2012, but who gave service on that date and for which service remuneration is payable. Such categories of staff would include hourly paid part-time staff.
5.3 A nominee, who need not be a staff member, may be placed on a panel of candidates provided their nomination paper has been signed by not less than 5 staff members registered in accordance with paragraph 5.1 above.

5.4 In accordance with the Act, separate male and female panels of candidates shall be established.

6. **Recognised schools and Centres for Education**

Recognised schools and designated Centres for Education established or maintained by the VEC are as defined in Section 2 of the Education Act, 1998.

In that regard, The Minister for Education and Skills, in exercise of the power conferred on him under section 10(4) of the Education Act 1998 (No. 51 of 1998), has designated the places specified in appendix 5 to this Circular Letter to be Centres for Education for the purposes of the election of staff and parent representatives to the VECs.

7. **Electoral Rolls**

7.1 Provisional electoral constituency rolls comprising of eligible staff member electors and eligible parent member electors, with addresses, shall be prepared for purposes of the staff members and parent members elections.

7.2 Each eligible elector (parent and staff) should be assigned a number when entered on the appropriate roll.

7.3 The provisional electoral rolls should be made available in VEC schools and centres for education, as the Returning Officer considers appropriate, by Tuesday 9th October 2012 (Schedule 1 of SI 924 refers).

7.4 In addition, a notice should be displayed in each VEC school and centre for education, as the Returning Officer considers appropriate, to the effect that any eligible staff member and any eligible parent member who wishes to take part in the forthcoming election and whose name is not included on the provisional electoral roll, should apply in writing to the Returning Officer to have his or her name entered on the electoral roll. Amendments to the rolls should be made in the prescribed forms (Schedule 1 of SI 924 refers) up to 12 noon on Friday 12th October 2012.

7.5 Final registers of parent and staff electors to be made available by the Returning Officer on Monday 15th October 2012.

7.6 An elector may vote only in respect of the candidates nominated in the constituency in which the elector is entered on the Electoral Roll.

8. **Publication of Notice of Elections**

Notice of the elections should be posted in each VEC School and centre for education, as the Returning Officer considers appropriate. This notice should make available to electors details of the electoral process (see Appendix 5 to this Circular Letter).
9. Notice to Eligible Parents and Eligible Staff

Letters should also be made available to eligible parents and eligible staff, see draft outlined at Appendix 4 to this Circular Letter.

10. General provisions regarding agents.

10.1 Each nominee for the election may appoint one or more agents and the name of a person so appointed shall be notified to the Returning Officer in writing by the nominee not less than 5 days before the 19th October 2012, on which date the ruling on the validity of nomination papers shall take place (i.e. 14th October 2012).

10.2 An agent whose appointment is notified in writing to a Returning Officer under paragraph (1) may be present on behalf of the nominee at the ruling on nominations, the sealing of the ballot box or ballot boxes and the counting of votes for the election.

10.3 An agent shall, if so required, produce the written consent of the nominee to his or her appointment as their agent for inspection by the Returning Officer or by any person authorised to act on behalf of a Returning Officer.

11. Nomination of Candidates

The following eligibility criteria apply:

11.1 A person shall not be nominated as a candidate for election or have his or her nomination withdrawn, without his or her written consent.

11.2 Each candidate must be nominated by means of a separate nomination form (Schedules 2 and 3 of SI 924 refer).

11.3 Each candidate’s nomination paper must be signed by not less than 5 eligible electors, whose names are entered on the electoral roll for the constituency for which the candidate is nominated and who have not signed the nomination paper of another nominee.

11.4 The nomination form for each of the parent and staff elections must be completed by the nominee and nominators in the presence of the Returning Officer. The nominee and nominators must produce suitable identification i.e. driving licence etc. The period determined for receipt of nomination papers is, as follows:

   Thursday 18th October 2012: 10am to 9pm. (parent elections only)
   Thursday 18th October 2012: 2pm to 4.30 pm. (staff elections only)
The Returning Officer in a VEC which encompasses a geographically large area should give consideration to designating more than one location for the receipt of nominations. In such cases, a Deputy Returning Officer should be appointed to facilitate the receipt of nominations in any alternative location.

11.5 Candidates may withdraw nominations, in writing, before 12 noon, Wednesday 24th October 2012.

11.6 A nominee shall not be entitled to have his or her name entered on a ballot paper for more than one VEC.

11.7 Each completed nomination form for the parent and staff elections should be recorded by date and time and assigned a unique number, as appropriate, when submitted. This number will determine the order of receipt of nominations.

12. **Ruling on validity of each nomination paper**

12.1 The Returning Officer will rule on the validity of each nomination paper in the following period:

    Friday 19th October 2012: 2pm to 4pm.

12.2 A nominee and the nominee’s agent, if any, shall be entitled to be present at the ruling on the validity of nominations and no other person shall be entitled to attend except with the permission of the Returning Officer.

12.3 Each nomination paper ruled on as valid shall be endorsed sequentially with a unique number by the returning officer and this number shall determine the order of receipt of valid nominations.

12.4 Nominations may be deemed invalid where the Returning Officer determines that the nomination form has not been filled properly in accordance with the rules and procedures e.g. where a nomination has been signed by less than 5 electors.

12.5 A nominee may before 12 noon, Wednesday 24th October 2012 withdraw his or her nomination, by giving to the Returning Officer a written notice of withdrawal, signed by the nominee.

12.6 Final listing of candidates will be made available on the afternoon of 24th October 2012.

12.7 The ruling of the Returning Officer to be final in all cases.

13. **Publication of Nominations**
13.1 A listing of candidates should as soon as practicable after ruling on the validity of nomination papers and not later than 25th October 2012, be brought to the attention of electors in each VEC school and centre for education and by other means as the Returning Officer considers appropriate, including school and VEC websites.

13.2 The notice should be made available for each electoral constituency and should contain the name and address of each candidate validly nominated, and the names of the electors who nominated each candidate for the constituency for which the candidate is nominated.

14. Election of Members

14.1 Where in any VEC the number of duly nominated candidates exceeds the number of members to be elected for each constituency and panel, a poll shall be taken by the Returning Officer.

15. Date of Poll

15.1 In the event of a poll, the poll shall be undertaken between 9am and 9pm on 9th November 2012.

16. Polling Stations

16.1 Polling stations will be located in VEC schools.

16.2 Where a school polling station is not within reasonable distance, a polling station may be located in a centre for education, where there are student enrolments of at least 50 students, who have not reached the age of 18 years on 28th September 2012.

17. Polling Cards

17.1 The Returning Officer shall as soon as practicable after the final date for confirmation of nominations in respect of each poll, but not later than 5th November 2012, send by post to every elector at his or her address, or as the Returning Officer considers appropriate, a polling card to include details such as the polling date, the elector’s polling centre and polling number.

17.2 The Returning Officer shall prepare a statement in respect of each constituency electoral poll showing the total number of polling cards sent to electors under paragraph (1) in respect of each electoral constituency.

18. Ballot Papers

18.1 The Returning Officer shall prepare ballot papers for each constituency of electors in which a poll is to be taken (Schedule 4 of SI 924 refers) setting out the names of the candidates alphabetically in the order of their surnames.

19. The official mark
19.1. Every ballot paper shall be marked with an official mark which shall be either embossed or perforated so as to be visible on both sides of the paper.

19.2. The Returning Officer shall ensure that the official mark is kept secret prior to the issue of the ballot papers.

20. Ballot box

20.1. The Returning Officer shall provide a ballot box or ballot boxes for the reception of the ballot papers returned by the electors.

20.2. Electors must produce suitable identification i.e. driving licence etc.

20.3. Every ballot box referred to in paragraph (1) shall be sealed by the Returning Officer at the time fixed for the opening of the poll.

20.4. The returning officer shall after 9pm on polling day seal the ballot box or ballot boxes so that no further papers can be inserted and shall make provision for the safe custody of the box or boxes.

21. Time and place for counting of votes

21.1. The counting of votes shall commence at 9am on Saturday, 10th November 2012.

21.2. Each Returning Officer shall take due precautions for the security of the ballot papers and other documents relating to the polls in any intervening period.

21.3. The Returning Officer shall appoint a place at which the votes will be counted and shall give each candidate notice of the time and place at which he or she will proceed to open the ballot boxes.

21.4. For administrative reasons, it is advised that where possible the Centre used for purposes of the Local Authority election count should be utilised.

22. Attendance at the opening of the ballot box or ballot boxes and the counting of votes

22.1. At the opening of the ballot box or ballot boxes and the counting of votes, no person other than candidates, the Returning Officer, the Returning Officer’s assistants and the candidates’ nominated agents may be present, except with the permission of the Returning Officer.

22.2. The Returning Officer shall give those present all such reasonable facilities for observing the proceedings at the opening of the ballot box or ballot boxes and the counting of votes and all information in that respect, consistent with the orderly conduct of the proceedings and the performance of the Returning Officer’s duties and functions.

23. Conduct of the counting of votes
23.1 A Returning Officer shall for each poll cause the ballot papers to be scrutinised for the purpose of discovering any papers liable to be determined by the Returning Officer as invalid and shall, in accordance with directions, ascertain and record the number of votes given to each candidate.

23.2 In counting the votes for each poll the Returning Officer shall credit the candidates at the election with votes in accordance with directions.

23.3 Candidates or their agents shall not handle ballot papers during the counting of votes.

23.4 Schedule 5 to SI 924 sets out in detail the rules relating to the counting of votes.

24. Return of persons elected.

24.1 The Returning Officer shall, as soon as practicable, give to every candidate elected written notice of his or her election and shall furnish the relevant local authority, as appropriate, and the Vocational Education Committee with a list of the candidates certified by the Returning Officer to have been duly elected for each electoral constituency and panel.

25. Powers of Returning Officer.

25.1 Any question arising with regard to the eligibility of an elector or candidate, the validity of a nomination or ballot paper, or otherwise in connection with the election, shall be determined by the Returning Officer.

25.2 All voting papers received by the Returning Officer shall be retained by him or her for not less than 12 months after the completion of the election.

26. Circulation

26.1 This Circular Letter should be circulated in the normal way.

27. Queries

27.1 Any queries regarding the implementation of this Circular Letter should be addressed to the undersigned, Martin O’Brien. (Tel: 090 6484232, Martin_OBrien@education.gov.ie) or Mike Power. (Tel: 090 6484233, Michael_Power@education.gov.ie).

Matthew Ryan
Principal Officer.
September 2012
### Appendix 1: Calendar of dates - Election of parent representatives to VECs 2012

#### Nominations

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
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<tbody>
<tr>
<td>Saturday, 10th November</td>
<td>Counting of votes (9am- )</td>
</tr>
<tr>
<td>Friday 9th November</td>
<td>Casting of votes (9am to 9pm)</td>
</tr>
<tr>
<td>Wednesday 24th October</td>
<td>List of candidates available</td>
</tr>
<tr>
<td>Wednesday 24th October</td>
<td>Candidates may withdraw up to 12 noon</td>
</tr>
<tr>
<td>Friday 19th October: 2pm to 4pm</td>
<td>Ruling on nominations</td>
</tr>
<tr>
<td>Thursday 18th October: 10am to 9pm</td>
<td>Receipt of nominations</td>
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</tbody>
</table>

#### Register of electors

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
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<tbody>
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<td>Monday 15th October</td>
<td>Final register of electors available</td>
</tr>
<tr>
<td>Friday 12th October</td>
<td>Amendments to register of electors to be submitted by 12 noon.</td>
</tr>
<tr>
<td>Tuesday 9th October</td>
<td>Draft register of electors available</td>
</tr>
<tr>
<td>Friday 28th September</td>
<td>Parents (as defined in Education Act, 1998) of students who on this date have not reached 18 years and are registered at recognised schools or centres for education established and maintained by the VEC, are entitled to vote in election</td>
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### Appendix 2: Calendar of dates - Election of staff representatives to VECs 2012

#### Nominations

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</tr>
<tr>
<td>Tuesday 9th October</td>
<td>Draft register of electors available</td>
</tr>
<tr>
<td>Friday 28th September</td>
<td>Staff employed by VEC on this date entitled to vote in election.</td>
</tr>
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Appendix 3

In addition to the notice of election, the returning officer may take whatever steps he or she considers necessary to make the following information available to electors:

(a) the eligibility requirements for candidates;

(b) the electoral constituencies;

(c) the number of candidates who may be elected to each VEC for each constituency in which a poll is to be taken;

(d) the place at which nomination papers may be obtained and delivered;

(e) the period during which the returning officer will attend to receive and rule on the validity of nomination papers,

In the event that the number of candidates is greater than the number of members to be elected to the VEC

(f) give notice of the taking of the poll, the date thereof, the place and times for the counting of votes and any other particulars that he or she considers appropriate, and

(g) cause to be published a notice to this effect in schools and centres of education maintained by the vocational education committee, and any other place that the returning officer considers appropriate, including school and VEC websites.

(h) any other information which a Returning Officer may deem necessary for the conduct of the election.
Appendix 4

Letter to Parents:  *Guideline only: subject to amendment by local VEC management where applicable.*

Date.

To: All the Parents and Guardians of Students in VEC schools and Centres for Education, who are under the age of 18 years on 28th September 2012.

Dear Parent/Guardian,

I wish to bring to your attention that the Vocational Education (Amendment) Act 2001 provides for arrangements for the composition of Vocational Education Committees to include representation for VEC staff, including teachers and for parents, who on 28th September 2012 have students under the age of 18 years who are attending a VEC school, community college or VEC centre for education.

As you are aware, parents have long argued for the principle of recognition to be extended to the VEC sector. The Act gives a statutory voice to parents and presents an opportunity for parents and guardians to participate in the election of members to VECs.

For purposes of conducting the elections, the Minister has appointed the undersigned as Returning Officer. I am charged with the responsibility of ensuring the completion of a valid election process for the selection of parents’ representatives to fill a vacancy on the vocational education committee for Co. __________ from amongst the valid electors of the parent constituency. The Committee will serve until 2014.

**Election of Parent Representatives to Co. __________ VEC**

The Vocational Education (Amendment) Act 2001 provides for the election to the vocational education committee of two (2) Members, one male and one female, elected by parents of students who on the 28th September 2012 have not reached the age of 18 years and who are registered as students at VEC recognised schools or centres for education.

A vacancy exists in this VEC for a male/female (delete as appropriate) parent representative and a panel of male/female (delete as appropriate) candidates will be established.

**Eligible Parents**

A parent is as defined in Section 2 of the Education Act 1998 i.e. "parent" includes a foster parent, a guardian appointed under the Guardianship of Children Acts, 1964 to 1997, or other person acting in loco parentis who has a child in his or her care subject to any statutory power or order of a court and, in the case of a child who has been adopted under the Adoption Acts, 1952 to 1998, or, where the child has been adopted outside the State, means the adopter or adopters or the surviving adopter.

All eligible parents are entitled to vote and to stand for election.

**Electoral Roll**
A provisional electoral roll of eligible parents is being compiled and will be available for inspection from 11:00am Tuesday, 9th October 2012 until 12 noon on Monday, 15th October 2012 at (name of school / centre for education). If your name is not on the provisional electoral roll and you believe you are eligible for inclusion you must apply to the Returning Officer at (name and address of VEC) on the prescribed application form which is available from the (name) school / centre. The closing date for the receipt of applications is 12 noon on Friday, 12th October 2012. The Returning Officer shall examine all such applications to establish the eligibility of the applicants and if found to be eligible the name of the parent will be included on the provisional electoral roll. The final register of parent electors will be available at each designated school from Monday 15th October 2012.

Nomination of Candidates

Should you wish to be nominated as a candidate you must complete the prescribed nomination form entitled “Nomination Paper for Election of Parents Representatives as Members to _______ Vocational Education Committees” (copy may be obtained from your school / centre of education).

The nomination form must be signed by five (5) eligible parent electors whose names are entered on the parent electoral roll for the constituency for which the candidate is nominated. Electors may only sign the nomination papers for one candidate.

The nomination form for each of the Parent and Staff elections must be completed by the nominee and the 5 nominators, in person, in the presence of the Returning Officer (or his/her nominated agent) at ______________ VEC during the following periods:

Thursday, 18th October, 2012 10 am to 9pm

You may be required to satisfy the returning officer or his / her elected agent of the identity of the nominators.

No nominations will be accepted after 9pm, Thursday, 18th October, 2012.

Each nominee and the nominees’ election agent, if any, will be entitled to attend by prior arrangement with the Returning Officer in the period from Friday, 19th October, 2012 while the validity of the nomination paper is being ruled on by the Returning Officer.

A candidate may withdraw his / her nomination up to 12 noon on Wednesday, 24th October 2012 by giving to the returning officer, a written notice of withdrawal which must be signed by the candidate.

A full list of candidates will be displayed at the school / centre from Thursday, 25th October 2012.

Where the number of duly nominated candidates exceeds the number of members to be elected for each constituency and panel, a poll shall be taken by the returning officer.

Date of Poll: In the event of a poll, the poll shall be undertaken between 9am and 9pm on 9th November 2012.
Polling Stations: Polling stations will be located in VEC schools

Polling Cards: Polling cards will be supplied to you by post, which will provide you with details such as polling dates and centres prior to the Polling Date.

Counting of Ballot Papers: The ballot paper count will take place on the 10th November 2012 (commencing at 9am). The candidate via the PR process receiving the most votes on the male and the female panel will be deemed elected to the VEC. Any Parent or Guardian is welcome to attend the count.

Any queries may be addressed to the VEC Office (Tel

Yours sincerely
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<tr>
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| East Cork Further Ed & Youthreach | Bantry Youthreach |
| Colaiste Eoin | Lahadane |
| Golf Links Road | Bantry |
| Youghal | Co. Cork |
| Co. Cork | |

| Bandon Youthreach | Youthreach |
| Station Road | Adult Education & Training Centre |
| Bandon | Gort a Choirce |
| Co. Cork | Letterkenny |
| Co. Cork | Co. Donegal |

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<td>New Ross</td>
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<tr>
<td>Youthreach Centre</td>
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<tr>
<td>Sunbeam House</td>
<td>1 A Wexford Road</td>
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<tr>
<td>Vevay Road</td>
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<td>Bray</td>
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<td>The Murrough</td>
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