



The Board of Management in Your Primary School

A Guide for Parents

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The Board of Management in Your Primary School – A Guide for Parents

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Definition of Terms

- a) The **Department of Education and Skills** “provides for education in this country”. This means that they pay the salaries of the teachers and provide for the running costs of the school through a “capitation grant”. The capitation grant is paid per pupil per year and has to cover all bills, such as heating, lighting, insurance etc. The Department may provide grants from time to time for items such as PE equipment, computers etc. The management of the school is operated by the school’s Board of Management. The Department of Education and Skills sets policies which they communicate to schools via circulars. These circulars are available on the Department of Education and Skills website and should also be shared with parents.

- b) The **Patron** is the person or body of persons recognised as such by the Minister for Education and Skills as defined by Section 8 of the Education Act, 1998. The Patron may manage the school personally or may nominate a suitable person or body of persons to act as manager. Subject to the provisions of Section 16 of the Education Act, 1998, the Patron may at any time resume the direct management of the school or may nominate another manager.

- c) The **Trustees** are the persons nominated by the Patron as trustees of the school. They are parties to the lease of the school premises. The Trustees undertake that the buildings shall continue to be used as a national school for the term of the lease and guarantee that the premises and contents are insured against fire and tempest.

The role of trustee does not encroach on the rights and duties of a school’s Patron.

- d) The **Board of Management/Manager** is the body of persons or the person appointed by the Patron and recognised by the Minister as defined by Section 14 of the Education Act, 1998.

- 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.

- f) **Days** as it appears in this document should be taken to mean calendar days as distinct from ‘school’ days.

Introduction

The purpose of this booklet is to inform parents and Parents' Associations of the basic facts about the operation of the Boards of Management. It looks at ways in which parents can make the most constructive contribution to effective school management. The booklet also assists parents in finding additional sources of information and support.

Boards of Management are the backbone of our schools. Consisting of teacher, parent, community and patron representatives. The Board's main function is to manage the school on behalf of the Patron and for the benefit of the children. The needs of a school can vary from community to community so it is important that schools are run by local people who carry out their duties with the best interests of the children as paramount.

Serving on the Board of Management of your child's school is a very important role. You and your Board members will manage the overall running of the school. Being part of the Board of Management means that parents are fully involved in all decisions related to the school.

Research shows and experience tells us that where parents are involved in their school children do better and are happier. What more reason could you want to get involved in the management of your school?

What is the Board of Management?

The Board of Management is the management team set up to manage the school on behalf of the Patron for the benefit of the children in the school and their parents. The Board of Management is made up of representatives of the parents and teachers in the school, representatives of the patron and also community representatives who have a particular interest or expertise.

The Board of Management provides leadership and ensures effective management of the school, within an agreed school budget and a framework of accountability. All eight members of the Board once appointed act together as a unit. Individuals do not act as representatives of various groups within the Board.

Responsibilities of the Board

The Board is responsible for, among other things:

- Ensuring the quality of pupil learning
- Recruitment of staff
- Ensuring the high quality of teaching
- Developing and reviewing the school plan
- Developing and reviewing school policies

(See Appendix 1)

The Board and the individual members of the Board work as a corporate body. All individuals on the Board are indemnified for any claims made against them under Section 14 (7) of the Education Act, 1998.

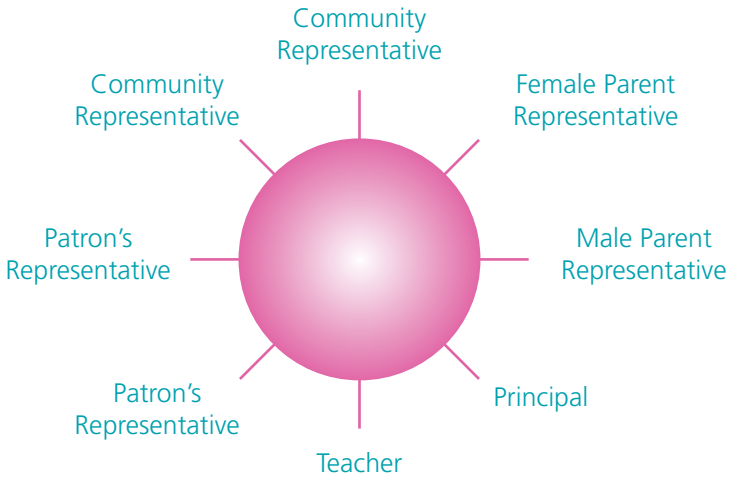
Section 14 (7) Education Act, 1998 states: “Except as provided by this Act, no action shall lie against a member of a Board in respect of anything done by that member in good faith and in pursuance of this Act or any regulations made by the Minister under this Act”

Responsibilities of the Board to the Patron, the Trustees and the Department of Education and Skills

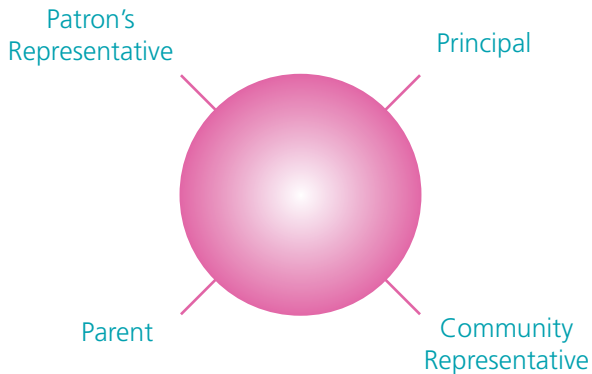
The Board is required to make available to the Patron, the Trustees and when requested the Department of Education and Skills any reports and financial returns they may require.

The composition of the Board of Management

Schools with more than one teacher



One teacher school



The Patron nominates the Chairperson of the Board of Management. The Chairperson then selects the second nominee for the Patron.

The Principal is automatically a member of the Board of Management. The teachers in the school elect a teacher to represent them.

The parents elect two representatives to the Board a mother and a father.

When the six core members of the Board are in place they then select two agreed Community Representatives. Community Representatives are selected to bring a broader external view or expertise to the Board. To ensure the widest possible representation, where practicable, the two selected members from the community should be independent of the other categories of representation on the Board.

Election of Parents' Representatives

Parents' Representatives on the Board of Management are not on the Board to represent parents but are there as representatives of parents. These parents are full members of the Board and their role is to bring the parental perspective on all issues.

Procedures for the nomination/election of a parent(s) for appointment by the Patron as Parent Representative(s) on the Board

The method of election of Parents' Representatives shall be determined in consultation with the Parents' Representatives on the outgoing Board and any Parents' Association in the school.

There is a choice of two procedures, which can apply and are as set out at options 1 and 2.

Note: To ensure the widest possible representation, where practicable, both parents should be from separate families and bear no relationship to any other member of the Board and be elected by the general body of parents of children enrolled in the school.

Option 1

1. The Patron's representative shall arrange for a meeting of parents of children enrolled in the school. At least ten days' notice of such a meeting shall be given in writing to each person entitled to vote at such a meeting. This notification shall
 - (i) indicate that at the meeting nominations will be sought from parents for persons to stand for election as Parents' Representatives on the Board
 - (ii) clarify whether there will be a ballot at the meeting to elect the representatives or whether the ballot will be conducted subsequently as a postal ballot
 - (iii) where it is intended to have a postal ballot, indicate the latest date for return of ballot papers and the date, time and place of the public counting of votes.
2. At the meeting nominations should be invited for both a mothers' panel and a fathers' panel.
3. If there is only one nominee for either panel, the nominee(s) shall be deemed to be elected.
4. If more than one nomination is received for either of the panels, a secret ballot shall be held at the meeting. Two tellers shall be appointed, one of whom is responsible for the returned votes.
5. In the event of a postal ballot, the poll must close and the casting of votes takes place within ten days of the meeting.
6. Each person voting shall have one, non-transferable vote for each panel.
7. The votes shall be counted in public.

8. The election shall be determined on a plurality of votes (i.e. the first past the post system).
9. The result of the ballot shall be notified to the parents and to the Patron's representative.
10. The voting papers from the ballot may be retained for the purposes of co-option in order to fill vacancies occurring during the life of the Board where it is decided having consulted the Parents' Association, not to have a further election.

Option 2

1. The Patron's representative shall arrange to have a list of the names of all the parents of children in the school circulated to each household, seeking from parents and guardians nominations of candidates for election to the Board of Management. This list should associate parent names with the classes attended by their children. It is important that Data Protection Legislation is complied with if this process is followed. (See Appendix 2)
2. Each parent may make one nomination for the fathers' panel and one for the mothers' panel, which shall be forwarded to the Patron's representative in order that a list may be drawn up of the ten persons in receipt of the highest number of nominations for each panel.
3. The invitation to parents to submit nominations shall request parents to establish that the person(s) nominated are willing to stand for election.
4. If there is only one nominee for either panel, the nominee(s) shall be deemed to be elected.

5. If more than one nomination is received for either of the panels, a secret ballot shall be held and parents may vote for those nominees who have confirmed their willingness to become members of the Board.
6. Those accepting nomination should be encouraged to furnish a short personal profile for inclusion on the ballot paper which may include an address and telephone number. However, the requirements of the Data Protection Act 1988 require that the Board must seek permission for the circulation of such personal information from those accepting nomination.
7. Separate ballot papers should be used for the election of one mother and one father. Each person voting shall have one, non-transferable vote for each panel. Arrangements should be made to distribute and collect the ballot papers from those eligible to vote and to nominate a person of standing who will be responsible for the returned votes. The notification of the ballot should also indicate the date, time and place for the counting of the ballot.
8. The votes shall be counted in public.
9. The election shall be determined on a plurality of votes (i.e. the first past the post system) and the result of the ballot shall be notified to the parents and to the Patron's representative.
10. The voting papers from the ballot may be retained for the purposes of co-option in order to fill vacancies occurring during the life of the Board where it is decided, having consulted the Parents' Association, not to have a further election.

Declaration of the Chairperson

Following the election of the Parents' Representatives and after the first meeting of the new Board, the Patron's nominee (Chairperson) has to forward the names of all of the Board members and in the case of parent nominees to declare which election option was used and fully adhered to in line with the above rules.

The following is the section of the declaration which the Chairperson must return to the Patron outlining which election process was used.

Part C

I confirm that the election of the parent nominees to the Board of Management was conducted in accordance with **Appendix B** of the Constitution of Boards and Rules of Procedure 2011 using (please tick relevant box):

Option 1 of Appendix B

Option 2 of Appendix B

The Role of the Parents' Association in the election of the Parents' Representatives

It is important there is interest in the positions of Parents' Representatives on the Board of Management. The Parents' Association should encourage interest in the election of the Parent Representatives by:

- Giving information to parents about the role of the Board
- Highlighting the opportunity for parents to have a real say in the running of their school through electing good representatives

- The Parents' Association should encourage motivated parents to come forward for election
- The Parents' Association may wish to nominate candidates who have shown a willingness to work on behalf of the school and who are committed to a real sharing of responsibility and to good communications between parents and the Board.
- Availing of any support / training from the National Parents Council Primary

It is important to remember however that the Parents' Representatives do not have to be members of the Parents' Association or have any involvement with the association up to this point.

The Parents' Representatives shouldn't be left to chance. It is up to parents and Parents' Associations to make sure that the Parents' Representatives are the people who will do the best possible job for the children, for the school and for the parents.

Vacancies among Parents' Representatives

When a vacancy occurs among Parents' Representatives, the Board of Management having consulted with the Parents' Association may recommend to the Patron either

- (i) The co-option as a replacement, the person with the next highest number of votes from among those not elected to the Board initially or
- (ii) The Board of Management may recommend a further election to replace the Parent Representative.

Officers of the Board

Whilst all members of the Board have equal responsibilities and decision making authority it is necessary, to ensure the smooth running of meetings and some practical functions, that there be particular roles of responsibility. These are referred to as Officers.

There are three Officers of the Board:

- Chairperson
- Treasurer
- Recording Secretary

Chairperson

The Chairperson is appointed by the Patron and is the person who corresponds with the Department of Education and Skills. The Chairperson may however nominate the Principal teacher to act as correspondent in his/her absence where necessary.

The Chairperson is responsible for ensuring that the school is managed well and that the aims and objectives of the school plan are achieved. The Chairperson leads the meetings and ensures that all committee members are given a fair hearing.

Secretary

On most Boards the Secretary will normally be the Principal teacher. The Secretary will keep accurate records of the meetings and will make them available when required, to representatives of the Patron, the trustees and the Department of Education and Skills. S/he will also set the agenda for meetings in conjunction with the Chairperson. S/he will also record in the minutes decisions reached at meetings including the numbers of those voting for or against a motion.

Treasurer

The Board shall elect a Treasurer from amongst its members. The Principal or the teacher nominee to the Board shall not be the Treasurer. The Treasurer shall be fully familiar with the requirements of Section 18 of the Education Act, 1998,

The above roles are comprehensively covered in the Department of Education and Skills document “The Board of Management of National Schools Constitution of Boards and Rules of Procedure” updated 2011.

Board meetings

Frequency of meetings

The Board should have regular meetings throughout the year, at least one per term and not less than **five** over the course of the year.

The number of people required to hold meetings (Quorum)

In a one teacher school, there must be at least three members present and in all other schools there must be at least five members present in order for the decisions of the meeting to be valid.

Notice of meetings

Usually seven days notice should be given of meetings. Members should be told the time and place of the meeting and they should be given an agenda in advance. (See Appendix 3 for more details on meetings)

Minutes

Minutes are recorded by the Recording Secretary and once agreed by all of the committee are signed and dated by the Chairperson and one other member of the Board. The minutes are the property of the Board.

Term of office

Boards of Management are appointed for a 4-year term.

Communication with the School Community

The Board of Management and the Parents' Association

It is in the best interest of the children, the parents and the school that positive and effective communication exists between the Parents' Association and the Board of Management. This is essential if parents are to be full partners in the education of their children. This has been recognised by the Department of Education and Skills and is legislated for in the Education Act. The Act states "A Parents' Association shall promote the interests of the students in a school in co-operation with the Board, Principal, teachers and students of the school". The act continues that the Parents' Association may "advise the Principal or the Board on any matter relating to the school and the Principal or Board as the case may be, shall have regard to any such advice. (Education Act 1998, section 26 - (2) (a)).

The Act further states the importance of effective communication:

"The Board shall promote contact between the school, parents of students in the school and the community and shall facilitate and give all reasonable assistance to parents who wish to establish a Parents' Association and to a Parents' Association when it is established." (Section 26 (3))

It has been shown that where Boards of Management, Parents' Associations and teachers work together to promote the interest of students in a school the children benefit. The Parents' Representatives on the Board have a crucial role to play in this.

Areas of collaboration between the Board of Management and the Parents' Association

The school plan

Every school in the country must prepare a plan, which outlines its overall vision of what it wants to achieve for all the children in its care. The Board of Management is required by law to ensure that the school plan is prepared, reviewed and regularly updated.

“A Board shall, as soon as may be after its appointment, make arrangements for the preparation of a plan (in this section referred to as the “school plan”) and shall ensure that the plan is regularly reviewed and updated” (Education Act 1998, section 21 - (1))

While the Board has overall responsibility for this; staff, parents and pupils are also involved. In practice the Principal leads the planning process and he or she will consult with all the partners including parents' in setting objectives for the school and in monitoring the achievement of those objectives. Parents have a very valuable role to play in this process. They know their children best and can give suggestions, which will benefit the pupils of the school for many years.

Fundraising

Whilst the primary function of a Parents' Association is to be a partner in education, some Parents' Associations may choose to raise funds for the benefit of the school. A Parents' Association is entitled to raise funds for the administration and activities of the association. Full accounts must be maintained and presented at the Parents' Association Annual General Meeting, in accordance with the rules of the association.

The Parents' Association must consult with the Board about fundraising for the school or school projects. The approval of the Board is needed prior to these funds being raised. The expenditure of these funds is by the Board of Management, in consultation with the Parents' Association.

Any funds raised must be used for the purpose/s for which the money was collected. If, in exceptional circumstances, it becomes unnecessary for the Board to use all the funds collected for the purpose specified, the Board will communicate this to the Parents' Association and where appropriate the local community. In any event the funds must be used for the school. The Board in consultation with the Parents' Association committee will decide the change of purpose for which the funds are used.

There are many other areas of collaboration between the Board of Management and the Parents' Association.

Parents' Representatives and the Parents' Association

The Parents' Representatives on the Board of Management are entitled to be members of the committee of the Parents' Association; however, NPC strongly recommends that they should not hold officer positions on the Parents' Association committee. This is to avoid any possible conflict of interest with their role as Board members. Their primary obligation is as a member of the management team of the school and as such their role does not include representing the Parents' Association or individual parents.

At the closure of each Board meeting, the Board members shall agree a report to be given to the Parents' Association and the school community. Issues, which must remain confidential to Board members, should be clearly identified.

Help for Parents' Representatives

The Department of Education and Skills will provide training for all board Member's to ensure the best possible team is available to manage the school.

National Parents Council Primary will provide training at local level for the Parents' Representatives on the Board. The helpline of the National Parents Council Primary is also available to all parents. Contact details are provided below.

NPC Information/Helpline Tel: 01 8874477 email: helpline@npc.ie

Frequently Asked Questions by Parents' Representatives on the Board of Management

Question

Am I personally liable if there is a complaint against the Board of Management?

Answer

No, the Board is collectively responsible for all decisions (See Responsibilities of the Board page 5).

Question

Am I responsible for solving parents' problems?

Answer

The Board as a group has a responsibility to address any issue raised by parents; you have no more responsibility in this regard than any other member of the Board. The Board must respond to all queries or complaints.

Question

Am I supposed to pass on information to the Parents' Association?

Answer

Yes, at the end of each meeting the Board will agree a report that the Parents' Representatives will bring to the Parents' Association and what information (if any) is to be kept confidential.

Question

Does my position on the Board equate with all other members?

Answer

Yes. The Chairperson has the casting vote in the event of a tie but in all other ways you are all equal members of the Board.

Question

What should I do if I don't understand what is being said at a meeting?

Answer

As you have the same responsibility as all other members of the Board you should ask for clarification on anything you don't understand.

Question

What do I do if I have not been given all the information?

Answer

In order to play a full active role on the Board you are entitled to all relevant information. Therefore it is your duty to insist on it.

Question

What do I do if I am personally involved in an issue raised at a Board of Management meeting?

Answer

If you are personally involved in an issue raised at a Board of Management meeting, for example in the case of a bullying incident that may have involved your child, to avoid a conflict of interest, you should absent yourself from that section of the meeting. However you are entitled to be present for all other agenda items.

Appendix 1: Responsibilities of the Board

The duties of the Board of Management are clearly defined in law and the parents' role in this is fully acknowledged.

Section 15 of the Education Act 1998 states:

- (1) It shall be duty of the Board to manage the school on behalf of the Patron and for the benefit of the students and their parents and to provide or cause to be provided an appropriate education for each student at the school for which that Board has responsibility.
- (2) A Board shall perform the functions conferred on it and on a school by this Act and in carrying out its function the Board shall
 - (a) Do so in accordance with the policies determined by the Minister from time to time and
 - (b) uphold, and be accountable to the Patron for so upholding the characteristic spirit of the school as determined by the cultural, educational, moral, religious, social, linguistic and spiritual values and traditions which inform and are characteristic of the objectives and conduct of the school, and at all times act in accordance with any Act of the Oireachtas or instrument made thereunder, deed, charter, articles of management or other such instrument relating to the establishment or operation of the school,
 - (c) Consult with and keep the Patron informed of decisions and proposals of the board,

- (d) Publish, in such manner as the Board with the agreement of the Patron considers appropriate, the policy of the school concerning admission to and participation in the school, including the policy of the school relating to the expulsion and suspension of students and admission to and participation by students with disabilities or who have other special education needs, and ensure that as regards that policy principles of equality and the right of parents to send their children to a school of the parents' choice are respected and such directions as may be made from time to time by the Minister, having regard to the characteristic spirit of the school and the constitutional rights of all persons concerns, are complied with,
 - (e) Have regard to the principles and requirements of a democratic society and have respect and promote respect for the diversity of values, beliefs, traditions, languages and ways of life in society,
 - (f) Have regard to the efficient use of resources (and, in particular, the efficient use of grants provided under section 12), the public interest in the affairs of the school and accountability to students, their parents, the Patron, staff and the community served by the school, and
 - (g) Use the resources provided to the school from monies provided by the Oireachtas to make reasonable provision and accommodation for students with a disability or other special educational needs, including, where necessary, alteration of buildings and provision of appropriate equipment.
- (3) For the avoidance of doubt, nothing in this Act shall confer or be deemed to confer on the Board any right over or interest in the land and buildings of the school for which the Board is responsible.

Appendix 2: Data Protection Legislation

When circulating details of nominees put forward for appointment of Parents' Representatives on a Board, Boards of Management should exercise vigilance and be aware of their obligations arising from the Data Protection Act, 1988 and 2003 and the need to ensure full compliance with the Act in relation to the collection, use and disclosure of any processed personal data. As the responsibility for interpreting and observing the Act rests with each individual school, institution or education body, these bodies should familiarise themselves fully with the provisions of the Act.

The Act is designed to protect the privacy of individuals with regard to automated personal data and to give effect in this country to the Council of Europe Convention of the Protection of Individuals with regard to the Automatic Processing of Personal Data (1981).

Appendix 3: Board Meetings

Boards of Management of National Schools Constitution of Boards and Rules of Procedure 2011

13. Procedure for Board meetings

(b) First meeting

- (i) Every member of the Board shall, at or before the first meeting of the said Board, sign a declaration of acceptance of membership of the Board and an undertaking that he/she will adhere to the rules pertaining to his/her duties as per the 'Constitution of Boards and Rules of Procedure 2011' and all other relevant rules, regulations, legislation and Departmental circulars relating to the membership and operation of Boards and, until such declaration is completed he/she shall not be entitled to act as a member of the Board.

- (ii) In circumstances where the Principal teacher does not opt to take up the allowance payable for acting as Secretary to a Board of Management, the Board shall elect a Recording Secretary from amongst its members. The Board shall also elect a Treasurer from amongst its members.

(c) Ordinary meetings

- (i) The Chairperson may at any time call a meeting of the Board.
- (ii) At least seven clear days before each ordinary meeting, a notice of the time and place of the intended meeting, together with an agenda for the meeting, shall be sent to every member of the Board. It should be clear that all members of the Board are entitled to be notified of all meetings – including meetings where issues may concern an individual member directly and he/she may be required to subsequently withdraw or decide not to attend if the meeting is solely for that purpose. Where exceptional circumstances warrant it, a meeting of the Board may be convened at less than seven days' notice and this fact should be recorded in the minutes.
- (iii) The quorum of the Board shall be three members in the case of one teacher schools and five members in the case of all other schools.
- (iv) The meeting shall be quorate throughout the entire course of the meeting.

(d) Requested meetings

- (i) On receipt of a requisition signed by not less than one quarter of the members of the Board plus one, or on the requisition of the Patron, such requisition stating the business to be transacted, the Chairperson shall convene a special meeting of the Board within seven days and no business other than that specified in the notice shall be dealt with at such a special meeting.
- (ii) In the event where a Chairperson fails to convene a meeting within seven days, either the Patron or one of the members requesting the meeting shall call such a meeting.

(e) Emergency meetings

- (i) The Principal with the approval of the Chairperson shall have power to convene an emergency special meeting of the Board of Management should the need arise.
- (ii) This meeting shall be held as soon as possible after notification of such meeting has been conveyed to all available members.
- (iii) The usual quorum shall be required.

Relevant Documents and Legislation

- Boards of Management of National Schools Constitution of Boards and Rules of Procedure 2011
- Child Protection Guidelines in Schools
- Children's First Guidance 2011
- Education Act 1998
- Education Welfare Act 2000
- Children's Act 2001
- Disability Act 2005
- Education for Persons with Special Needs Act 2004
- Employment Information Act 1994
- Equality Act 2004
- Health and Safety Act 2005
- Data Protection Act 1988 and 2003
- Protection of Employees (Part-time Work) Act, 2001
- Protection of Employees (Fixed-Term Work) Act, 2003

Useful contacts

In your school - the Board, the Principal, the Parents' Association.

In your local area - the Patron of the school, the Inspectorate, the County Branch of the NPC, the local Library.

National Parents Council Primary, 12 Marlborough Court, Dublin 1

Tel: 01 8874034 Email: info@npc.ie Website: www.npc.ie

Information/Helpline Tel: 01 887 4477 Email: helpline@npc.ie

Department of Education and Skills, Marlborough Street, Dublin 1

Tel: 01 889 6400 Email: info@education.gov.ie Website: www.education.ie

Catholic Primary School Managers Association (CPSMA), St. Patrick's College
Maynooth Co. Kildare

Tel: 1850-407200 Email: info@cpsma.ie Website: www.cpsma.ie

Church of Ireland Board of Education, Church of Ireland House Dublin, Church
Avenue, Rathmines, Dublin 6 Tel: 01 4978 422

Educate Together, H8a Centrepoint, Oak Drive, Dublin 12

Tel: 01 429 2500 Email: info@educatetogether.ie Website: www.educatetogether.ie

Gaelscoileanna Teo, Halla Naomh Pádraig, Institúid Oideachais Marino, Ascaill Uí
Ghríofa, Baile Átha Cliath 9.

Guthán: 01 8535195 Email: oifig@gaelscoileanna.ie Website: www.gaelscoileanna.ie

National Association of Boards of Management in Special Education Schools, (NABMSE), Kildare Education Centre, Friary Road, Kildare Town.
Tel: 045-533753 Email: info@nabmse.org

Islamic Foundation of Ireland, 163 South Circular Road, Dublin 8.
Tel: 01 453 3242 or 01 473 8276 Fax: 01 453 2785
Website: www.islaminireland.com



National Parents Council Primary

12 Marlborough Court, Dublin 1

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