



(Via Email)

12th July 2022

Minister Norma Foley TD,
Minister for Education,
Department of Education,
Marlborough Street,
North City,
Dublin 1,
D01RC96.

RE: Deferred examinations eligibility criteria

Dear Minister,

I trust this finds you well. I am writing to you regarding the deferred sitting of the Leaving Cert examinations which was introduced this year.

As you know, this is something that Epilepsy Ireland has supported for many years, given the propensity of an epileptic seizure to strike suddenly and the impact a seizure can have on a student performing to the best of their abilities on examination days.

The introduction of deferred examinations is an extremely welcome development not just for students with epilepsy, but for any student who may experience a medical emergency which prevents them from sitting their exam.

However, following the first year of the new system being operational, there are several issues which we believe require urgent attention and clarification ahead of next year's examinations. We have set these out in a series of headings below.

Before VS During

The current policy (circular S34/22) states that a student's eligibility for a deferred sitting of an exam can be assessed if the medical emergency (such as a seizure) takes place ***before*** the examination. It states that deferred sittings "*are not available once a candidate has commenced an examination... If a candidate takes ill after commencing an examination they will not have access to the deferred sitting*". The circular also states (twice) that the eligibility criteria embody the principles of "equity, fairness and integrity".

However, for students with epilepsy, this provision is inherently unfair. The consequences of a seizure occurring at 9:10 on the morning of the exam are likely to be the same as a seizure at 9:40 – yet the responses taken to these incidents would be very different. Under the current policy, one will potentially be eligible for a deferred sitting, and one will not. It is simply not fair or equitable that this would be the case.

This year, at least one exception to this rule was made to allow a student who became unwell (due to appendicitis) during an exam to apply for a deferred sitting. This student was initially told they would not have access to the deferred sitting, as per the stated policy. After public outcry and political pressure, an exception was made. While this was clearly the correct decision in the circumstances, it would appear that the same leeway was not subsequently offered in other similar cases, including at least one student who had a seizure during an exam and who was unable to complete it. The SEC were aware of

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Working to achieve a society where no person's life is limited by epilepsy.



this incident, as this student was allocated a scribe on the day of her exam to help her try and complete it. Yet, at no point was access to a deferred sitting presented as an option to her or after the above decision was made.

It is unknown how many other students were disadvantaged this year because they erroneously concluded from reading the circular (in which the phrase 'strictly applied' appears at least six times) that no exceptions to the rule could be made and/or those who remained unaware that a precedent had already been set via the exemption above.

In public comments, the SEC noted its commitment to dealing with cases in a "*humane and consistent way and with due regard to issues of equity and fairness*". While we don't doubt the SEC's intentions, the unfortunate fact is that this objective has not been achieved this year. Ahead of next year, the scope must be reviewed to include students whose medical issue occurs **during** an exam, and this must be clearly communicated in a timely manner via revised guidelines to students, their families and schools. Failure to do so will only further damage, rather than protect the often-mentioned integrity and reputation of the Leaving Cert examinations.

Requirement to begin application process on the day of the missed examination

The circular states that "*at the very latest the initial application must be made on the day of the missed examination in the main sitting*". As part of this application, the student or their parent/guardian is required to complete a declaration. While we understand the time pressures and logistical challenges involved in organising the deferred sittings, it must also be recognised that there may be circumstances where a medical emergency will prevent this form from being completed on the same day. Greater flexibility on this is needed as well as reassurance in the instructions to schools/students that individual circumstances will be taken into account.

Requirement for Consultants letter

To make an application for a deferred sitting on medical grounds, the criteria states that a consultant's letter must be obtained and uploaded within 4 days of the initial application being created. This is simply an unreasonable demand to put on students, their families, and medical teams. It fails to recognise the pressures that are on understaffed, under-resourced medical services, the workload of consultants, or the possibility that the consultant may be unavailable at such short notice. Greater flexibility is needed in terms of:

- (a)** extending the time period for forwarding medical information, and/or,
- (b)** accepting medical evidence from a wider range of professionals including NCHDs, specialist nurses or GPs.

Provision of timely information

The initial announcement regarding deferred sittings on medical grounds was first made in September 2021. However, Epilepsy Ireland was only invited to contribute to the stakeholder process at the end of April 2022. The Circular was released just days before the first exam took place. Adequate time was not available for schools, students, and other stakeholders to become familiar with the detailed provisions or to address foreseeable problems, such as those outlined above, with the SEC. Students, particularly those living with long-term health conditions, need to know the criteria months in advance to understand their entitlements and to remove undue stress and anxiety.

We would urge you Minister to please ensure that these issues are addressed as part of an updated scheme for 2023.



We had hoped that the announcement of deferred sittings in 2021 would spell the end of this longstanding issue which has faced generations of students with epilepsy. A positive step forward has been made in 2022 but further steps are now required to ensure that a fairer, more equitable and procedurally appropriate system is provided in future.

We would welcome an opportunity to discuss these points with you in person during the summer recess should your diary allow.

Yours sincerely,

A handwritten signature in black ink that reads "Peter Murphy".

Peter Murphy
CEO, Epilepsy Ireland