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STATUTORY RULES OF NORTHERN IRELAND

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**2010 No. 135**

**EDUCATION**

**The Education (Levels of Progression for Key Stages 1,  
2 and 3) (Transitional) Order (Northern Ireland) 2010**

*Made* - - - - *30th March 2010*  
*Coming into operation* *30th April 2010*

The Department of Education, in exercise of the powers conferred by Articles 8(3), 9(2) and (3), 10(2) and 43(5) of the Education (Northern Ireland) Order 2006(1) makes the following Order:

**Citation and commencement**

1. This Order may be cited as The Education (Levels of Progression for Key Stages 1, 2 and 3) (Transitional) Order (Northern Ireland) 2010 and shall come into operation on 30th April 2010.

**Interpretation**

2. In this Order—

“level” and “level of progression” mean—

- (a) in relation to the cross-curricular skill of communication, the appropriate level from the levels set out in the Assessment Document in relation to English or Irish; and
- (b) in relation to the cross-curricular skill of using mathematics, the appropriate level from the levels set out in the Assessment Document in relation to Mathematics;

“the 2006 Order” means the Education (Northern Ireland) Order 2006;

“the Assessment Document” means the approved document which—

- (a) in relation to pupils in the final years of key stages 1 and 2, is entitled “Assessment Arrangements (Transitional) in relation to Pupils in the Final Years of Key Stages 1 and 2”; and
- (b) in relation to pupils in the final year of key stage 3, is entitled “Assessment Arrangements (Transitional) in relation to Pupils in the Final Year of Key Stage 3”.

### **Application and Exemptions**

3.—(1) Subject to paragraphs (2) and (3), this Order shall apply in relation to pupils in the final year of key stages 1, 2 and 3 in all grant-aided schools.

(2) This Order shall not have effect in relation to a pupil in respect of whom a board is maintaining a statement of special educational needs under Article 16 of The Education (Northern Ireland) Order 1996(2), and who, on the making of an assessment of his special educational needs, has been assessed by that board under Article 15 of that Order as having severe learning difficulties.

(3) Where a pupil has been exempted from any of the requirements of Articles 5 to 9 of the 2006 Order by Article 14 (Development work and experiments), 15 (Exceptions by regulations), 16 (Pupils with statements of special educational needs) or 17 (Temporary exemptions for individual pupils) of the 2006 Order, the provisions of this Order shall not apply in respect of the requirements from which the pupil is exempt and that pupil shall be assessed only in relation to those parts of the curriculum from which they are not exempt.

### **General duties of the principal**

4. It shall be the duty of the principal of the school to make arrangements for:
- (a) an assessment of the level of progression achieved by each pupil who is in the final year of key stage 1, 2 or 3 in relation to the cross-curricular skills of communication and using mathematics to be carried out in accordance with the provisions of the Assessment Document;
  - (b) in the case of each pupil who is in the final year of key stage 1, 2 or 3, the results of the assessment at paragraph (a) to be reported to:
    - (i) NICCEA in accordance with regulation 5(3) of The Education (Assessment Arrangements) (Foundation to Key Stage 3) Order (Northern Ireland) 2007(3); and
    - (ii) parents in accordance with regulation 7 of The Education (Pupil Reporting) Regulations (Northern Ireland) 2009(4).

Sealed with the Official Seal of the Department of Education on 30th March 2010.



*Katrina Godfrey*  
A senior officer of the  
Department of Education

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(2) S.I. 1996/274 (N.I. 1)  
(3) S.R. 2007 No. 45  
(4) S.R. 2009 No. 231

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order, made under Articles 8(3), 9(2) and (3), 10(2) and 43(5) of the Education (Northern Ireland) Order 2006, comes into operation on 30th April 2010.

The Order specifies the levels of progression to be used for assessing pupils in the final years of key stages 1, 2 and 3 in the cross-curricular skills of communication and using mathematics, and associated assessment arrangements. The levels of progression and the assessment arrangements are to be set out in an Assessment Document prepared by the Northern Ireland Council for the Curriculum, Examinations and Assessment (NICCEA), approved by the Department of Education and published by the Council. There is to be an Assessment Document in relation to pupils in key stages 1 and 2 and a separate Assessment Document in relation to pupils in key stage 3.

Article 3 provides that the Order shall apply in relation to pupils in the final year of key stages 1, 2 and 3 in all grant-aided schools and for the exemption of pupils from the assessment arrangements in certain specified cases.

Article 4 requires the principal of a school to make arrangements for pupils who are in the final year of key stage 1, 2 or 3 to be assessed and for the provision of assessment results for these pupils to be reported to NICCEA and to parents.