



INCLUSION IRELAND

National Association for People with an Intellectual Disability

Submission to the National Council for Special Education

**On the review of the Special Needs Assistant
scheme by the National Council for Special
Education (NCSE)**

December 2016

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Introduction

Established in 1961, Inclusion Ireland is a national, rights based advocacy organisation that works to promote the rights of people with an intellectual disability. Our membership is drawn from persons with intellectual disability, parents and family members, providers of services to persons with a disability, academics, policy-makers and others.

Inclusion Ireland uses a human rights-based approach to its work. This recognises persons with an intellectual disability as rights holders with entitlements, and corresponding duty bearers and their obligations. Inclusion Ireland seeks to strengthen the capacities of persons with an intellectual disability to make their claims and of duty bearers to meet their obligations.

The vision of Inclusion Ireland is that of people with an intellectual disability living and participating in the community with equal rights as citizens, to live the life of their choice to their fullest potential. Inclusion Ireland works in partnership with other organisations.

The National Council for Special Education (NCSE) has been asked by the Minister for Education and Skills to lead a comprehensive review of the SNA scheme. This submission addresses the questions as set out by the review process.

Context

At present, there are 12,900 special needs assistants (SNAs) funded at a cost of €425m.¹ This represents about 30% of the budget in special education.

There is a strong commitment to inclusive education for all children in Irish policy. The National Policy Framework for Children and Young People

¹ 14th June 2016 Press Release, Dept. of Education & Skills <https://www.education.ie/en/Press-Events/Press-Releases/2016-Press-Releases/PR16-06-14.html>

commits to ensuring that children with special educational needs receive timely access to educational and therapeutic supports.²

The Education of Persons with Special Education Needs (EPSEN) Act 2004 gives a child access to a statutory assessment of the supports they require in school and an individual education plan to support their needs. Despite being a central pillar of the National Disability Strategy, the EPSEN Act has never been fully commenced. This means that Irish children with a disability cannot access statutory assessments with a right of appeal or individual education plans.

Ireland is a signatory to a number of international conventions that contain provisions on education. The UN Convention on the Rights of the Child, ratified by Ireland in 1992, reaffirms the right of children with disabilities to effective care, education and training supports.³ The government has committed to ratifying the UN Convention on the Rights of Persons with Disabilities (CRPD). Article 24 obliges state parties to ensure inclusive education at all levels.⁴ The Committee on the rights of persons with disabilities further details this obligation in their commentary that states must provide “a consistent framework for the identification, assessment and support required to enable children with disabilities to flourish in inclusive learning environments”.⁵

Application Process – Administration

Schools found out their SNA allocation for the 2016 school year on June 14th.⁶ Parents found out after the school if their child had been granted access to a SNA for the coming year.

² Better Outcomes, Brighter Futures: The National Policy for Children and Young People, 2014-2010. Department of Children and Youth Affairs.

³ UN Convention on the Rights of the Child, Article 23.

⁴ UNCRPD Article 24.

⁵ Pg 17, General Comment No. 4 Article 24 on the Right to Inclusive Education, Committee on the Rights of Persons with Disabilities

⁶ Minister Bruton announces 860 extra special needs assistants by end 2016, June 14th 2016 www.education.ie

All secondary schools are on summer holidays at this point with primary schools almost finished for the summer. School holidays mean that realistically any appeal of a decision not to grant a SNA would be made in September. As a consequence, the school cannot plan their SNA resource fully and families endure the stress of not knowing if their child will be supported in September.

Some parents also report the application process to the NCSE as an administrative nightmare. "Our family had to wait two months for the NCSE to complete their administrative practices before the SNA was approved". Another family noted the huge amount of paperwork that had to be provided and praised the school highly for their assistance with this.

Some schools will only make an offer of enrolment on condition of receiving adequate resources from the NCSE. Inclusion Ireland is aware of offers of places being withdrawn when additional resources such as a SNA were not allocated by the NCSE. In 2016, Inclusion Ireland conducted a survey of parents who had a child on a 'short school day'. Of the 100 responses, 29 people said their child was on a short school day due to insufficient SNA support.⁷ One family noted: "Our Son was forced to stay out of school until the SNA support was put in place."

Parents are also concerned with the lack of independence in the NCSE appeals process. Appeals in the first instance go to a senior Special Education Needs Organiser (SENO). An appeal may then proceed to the Appeals Advisory Committee. The independent Appeals Advisory Committee can only examine process and not the grounds for the actual appeal in the first place.⁸

Parents have reported great frustration on 'assessing the need for a SNA'. A psychologist or other therapist who assessed the child may state the child requires a SNA to access school. A SENO then looks at the application and conducts a very short visit to the child in pre-school and

⁷ Inclusion Ireland discussion paper on short school days, due for publication in 2017.

⁸ National Council for Special Education Appeal Policy.

can overturn the professional opinion. In the absence of the commencement of the EPSEN Act 2004 there is no statutory right to an independent assessment of the educational support needs of the child.

Recommendations

- Bring forward the date of allocating SNA resources to schools (March/April) so any possible appeal is heard and decided upon before the summer break.
- Introduce an independent element to the appeal process.
- All schools are resourced in the same manner. The Department of Education and Skills must put an end to school places not being offered or children being put on short school days due to a perceived lack of SNA or other supports by the school.
- Streamline the NCSE application process and ensure that no child is at home while the school awaits a decision on resources.
- Commence the EPSEN Act 2004 to ensure an independent, statutory assessment of the support needs of children with a disability.

What works well with the SNA scheme

Research indicates that more children with an intellectual disability are in mainstream settings than ever. This is in part due to additional resources including SNAs.⁹ This is coupled with the finding in the Value for Money Review of the SNA scheme that the SNA scheme has enabled more children with disabilities to access mainstream education.

“The SNA Scheme has assisted in enabling as many students as possible to be included in mainstream schools.¹⁰”

SNAs are a dedicated staff and look after their own continuing professional development training needs as many training schemes are

⁹McConkey R, Kelly C, Craig S & Shevlin M, A decade of change in mainstream education for children with intellectual disabilities in the Republic of Ireland, *European Journal of Special Education*, 2015.

¹⁰ A value for money review of expenditure on the special needs assistant scheme, Department of Education and Skills, 2011.

aimed at teachers only.¹¹ This is despite calls from the Task Force on Autism to ensure SNAs are adequately trained. When the SNA has a good training base and experience, parents report a very positive experience for their child. "The SNA was very knowledgeable about autism and does not get enough credit for the job she does. We have had a very positive experience".

Parents report that when the SNA is involved in their child's individual education plan this is positive.

The provision of two SNA staff in many special classes in theory should enable an element of mainstreaming for children. Where it occurs, this works very well for the child but depends greatly on the teacher.

Research indicates that the mainstreaming element of special classes should be promoted more.

".....across many special class settings, students stay together for most if not all of the school day, and a considerable proportion remain together as a group across school years. Allocation to a special class appears to be a relatively permanent arrangement".¹²

Recommended Improvements

- SNAs are a valuable resource in schools but there are a number of improvements that can be made to maximise their effectiveness.
- The Programme for Partnership Government notes that 350 speech and language therapists are to be recruited specifically to work in schools. This is a very welcome commitment. However, this is not enough therapists to work with children 1:1 on a regular basis. Therapists could give the SNA exercises to carry out with the child under the supervision of the class teacher. SNAs are not therapists and this should not be their sole reason for being in position but

¹¹ Report on the role of the special needs assistant, Houses of the Oireachtas, Joint Committee on Education and Social Protection, 2016.

¹² McCoy S, Banks J, Frawley D, Watson D, Shevlin M & Smyth F, Understanding special class provision in Ireland, ESRI & NCSE, 2014.

research indicates that speech therapy is highly effective when given by parents or others as directed by the speech therapist.

- SNAs should be used more to facilitate children in special classes to access mainstream classes during their school day. Where resources are an issue, the NCSE should consider temporary SNA allocations to facilitate mainstreaming.
- At present the minimum qualification to become a SNA is three passes in the Junior Certificate. At the same time there are many graduates working as SNA staff in schools.¹³ Parents often comment that the minimum requirement to become a SNA is set very low and should be increased to ensure a skilled workforce. One parent noted “the least qualified person in the class is often left supporting the neediest child in the class”. The Department of Education needs to review and increase the qualifications required to become a SNA.
- SNAs can be asked to work up to 12 additional days in any school year. These days should be used primarily for continuing professional development with such bodies as the Middletown Centre for Autism or the Special Education Support Service or other.

When a care need is too much for a teacher to manage alone

It is a difficult task to draw a line where a teacher can and cannot cope with the additional care that presents in their class regardless of any child having a disability or not.

We know that almost a quarter of children in primary schools are educated in super-sized classes of more than 30 pupils. We also know that almost a quarter of children have a ‘special education need’ and significantly more children are being diagnosed with low incidence

¹³ Report on the role of the special needs assistant, Houses of the Oireachtas, Joint Committee on Education and Social Protection, 2016.

disabilities.¹⁴ Many children with autism and intellectual disabilities are attending mainstream classes.

In super-sized mainstream classes, with this diversity of need, teachers will require assistance of some form in the class.

In special classes or schools, teachers will experience children with higher care and education support needs than in mainstream schools. While class sizes are smaller, each child has significant support and care needs. SNA support is essential. Where a child is mainstreaming or presents with exceptional needs an additional allocation should be possible to support this need.

Recommendations

- Ensure that no child is in a class of more than 30 pupils.
- SNAs should be utilised for greater mainstream inclusion from special classes or schools.
- Where a short term additional SNA resource is required to facilitate a child mainstreaming this should be sanctioned by the NCSE.

Is the scheme fit for purpose?

As previously noted, the SNA scheme has enabled more children to attend mainstream school than ever before. "The provision of SNA support has contributed significantly to the enhancement of students' experiences in schools."¹⁵ This is an indication that SNA support is supporting government policy on inclusive education. There is also room for improvements as noted above.

SNAs and children would benefit greatly from raising the standard of education of SNAs at entry level and in continuing professional development. There should be a mandatory training course for SNA staff.

¹⁴ Special education in post primary – the last ten years, Presentation at NCSE Research Conference, 2016, Mary Byrne.

¹⁵ A value for money review of expenditure on the special needs assistant scheme, Department of Education and Skills, 2011.

While care needs are paramount, it would also be a great benefit for children if SNAs were able to carry out therapy exercises and reinforce learning at the direction of the teacher and with therapeutic input. This should be a secondary task and not the sole reason for the SNA being in place.

SNAs should never be used for deficiencies in administrative and facilities staff in schools.

There are anecdotal reports of children with a disability being 'bunched' together in class and SNAs teaching them. This is also referred to in the Oireachtas Report on the role of the SNA. Parents note that this means the children with the most support needs are being sidelined by the teacher. It is inappropriate for a SNA to teach children.

Is there a better model?

The Department of Education and Skills and the NCSE should pilot a number of initiatives and robustly evaluate their effectiveness. The efficacy of current schemes must also be tested.

There are a number of schools in Ireland that have a 'behaviour analyst' on staff to advise and draw up programmes for teachers and SNA staff.

There is no research on the learning in special classes. Regardless of the effectiveness or not of these classes they are rolled out in ever increasing numbers.

Another possible model to evaluate is whole time team teaching with a teacher and 'special education' teaching professional.

Summary of recommendations

- Commence the EPSEN Act 2004 to ensure an independent, robust assessment of the support needs of children with a disability.

- Bring forward the date of allocating SNA resources to schools (March/April) so any possible appeal is heard and decided upon before the summer break.
- No child should be on a short school day due to a perceived lack of SNA resource. The Department of Education and Skills must issue a circular in this regard.
- SNAs should be used more to facilitate more children when accessing mainstream classes from the special class setting. The NCSE needs to provide temporary additional resources where this is required.
- Under the direction of a therapist the SNA should be able to carry out certain exercises with a child.
- The minimum educational requirement to be a SNA must be raised considerably. There must be compulsory continuing professional development for SNAs.
- There must be resources invested to ensure no child in an Irish school is in a super-sized class of more than 30 pupils.
- The Department of Education and Skills must put an end to the inappropriate use of SNA staff to carry out teaching, administrative and facilities work.
- The NCSE should research, pilot and evaluate the effectiveness of a number of models of supporting children with a disability in various classroom settings.