



INCLUSION IRELAND

National Association for People with an Intellectual Disability

Submission on the use of reduced timetables in schools

**To the Oireachtas Joint
Committee on Education and
Skills**

May 2019

**This document is written in font 12 Verdana in line with Inclusion
Ireland plain English guidelines**

1. About Inclusion Ireland

Established in 1961, Inclusion Ireland is a national, rights based advocacy organisation that works to promote the rights of people with an intellectual disability.

The vision of Inclusion Ireland is that of people with an intellectual disability living and participating in the community with equal rights.

Inclusion Ireland's work is underpinned by the values of dignity, inclusion, social justice, democracy and autonomy and we use the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) to guide our work.

2. Introduction

Inclusion Ireland welcomes the Joint Committee on Education and Skills invitation to make a written submission as part of the Committee's examination on the current use of reduced timetables for school pupils.

Evidence from Inclusion Ireland's advocacy work, outlined below, would suggest that the use of reduced timetables is a relatively common but hidden practice that impacts negatively on the education and wellbeing of children with disabilities as well as on their families.

3. Policy context

The UNCRPD reaffirms the right of children with disabilities to education (Article 24). It places obligations on States parties to ensure that children with disabilities are not excluded from education on the basis of disability and can access education on an equal basis with others.

Ireland is required to ensure that children with disabilities have the supports they need to access education, including reasonable accommodation and individualised support.

When enacted in 2004, the Education of Persons with Special Education Needs (EPSEN) Act 2004 represented a fundamental shift in how the needs of children with special education needs would be met. The Act

provides for educational assessments and independent appeals. However, 15 years later, the sections of the Act that will benefit children in this manner remain not implemented.

While ESPEN was a central component of the National Disability Strategy, its updated version, the National Disability Inclusion Strategy 2017-2021, contains no reference at all to the EPSEN Act.

4. Current practice

4.1 The status of reduced timetables

Excluding a child from any part of the school day as a sanction is a suspension and should be treated as such.¹ One of the significant difficulties with children being suspended in this fashion is that there can be no official, independent appeal until there is a cumulative 20 days of suspension in any school year.²

Most schools are not recording the absence or suspension of a child who experiences a reduced timetable. Once a child presents for school they are marked as being in attendance regardless of how little time they physically spend in the classroom.

There is no data reported on the absence of children from school on reduced timetables. Schools are asked to report on the total number of students who were suspended but in general do not report on children who are suspended via reduced timetables.³

4.2 Evidence of reduced timetables

In 2018, Inclusion Ireland published a discussion paper: 'Shining a light on seclusion and restraint in schools in Ireland'. While this paper did not directly examine reduced timetables, several parents spoke of this practice.

One parent described how her child missed a combined 100 school days in one school year while another parent described how she would have to

¹ Developing a code of behaviour: Guidelines for schools, 2008, NEWB.

² Circular Letter M48/01

³ School Attendance Data from primary and post-primary schools 2015-2016, Analysis and report to the Child and Family Agency, Millar, D.

sit in the school carpark waiting, or how the phone would start ringing to collect her child as early as 9:10am.⁴

To inform a previous policy submission, Inclusion Ireland conducted a survey of parents who had a child on a reduced timetable, in 2015. The online survey attracted 100 responses. All respondents had a child on a reduced timetable.

Almost two thirds of the children were in school for less than 3 hours per day, with a very worrying 12% only receiving 1 hour of school per day or less. A significant majority of the children were on a reduced timetable for more than 12 weeks (59%), including some of the children who were in school for less than one hour per day.⁵

Of those who answered, there was a 50:50 split on whether the parent agreed with a reduced timetable or not. However, several parents disclosed that they were told to agree to the short school day, or the school would begin a process that would result in their child being expelled. Other parents spoke of having to collect their child at the merest hint of an incident as early as 9:10am or being told to wait in the school carpark.⁶

Very few of the parents were aware of any assistance they could avail of when their child was placed on a reduced timetable by the school. Only, 27% could say an Education Welfare Officer was aware that their child was on a reduced timetable.⁷

Suspensions that are acknowledged formally by a school may be appealed once the level of suspension has reached 20 days.⁸ Respondents to Inclusion Irelands survey reported they were unaware of any possibility to appeal their child's reduced timetable in 93% of cases.⁹

Further evidence of reduced timetables has been highlighted by ASIAM. In a recent report, it was noted that 17% of respondents had a child who was experiencing a reduced timetable across all school types (primary, secondary and special).¹⁰

⁴ Shining a light on seclusion and restraint in schools in Ireland: the experience of children with disabilities and their families, 2018, Inclusion Ireland.

⁵ Connect Family Network: Short School Days, 2015, Inclusion Ireland.

⁶ ibid

⁷ ibid

⁸ Education Act 1998, Section 29.

⁹ Connect Family Network: Short School Days, 2015, Inclusion Ireland.

¹⁰ Invisible children – survey on school absence and withdrawal in Ireland's Autism community, 2019, ASIAM.

Reduced timetables have also been identified by the National Council for Special Education (NCSE) as a practice used in schools supporting certain children.¹¹

5. Key issues

Reduced timetables or short school days are undocumented, hidden, illegal suspensions in many instances. A not insignificant number of children were being denied their constitutional right to an education. Parents report no due process, no written notice of suspension, and in some cases a threat of expulsion if they do not agree to the reduced timetable.

5.1 Over-representation of children with disabilities

In response to Inclusion Irelands survey on reduced timetables, 77% of the children had autism while 35% had Attention Deficit Hyperactivity Disorder. Other children had an intellectual disability or Down Syndrome. Anecdotal reports also indicate that more children with a disability are on reduced timetables than the general school population. Official figures on suspension and expulsion also show an overrepresentation of children who attend special schools.¹²

5.2 Lack of appropriate training

The greatest determinant of educational outcomes is a quality teacher. However, there is much evidence to suggest that many teachers are not equipped to work with children with disabilities. This in turn can lead to children not engaged, behavioural issues and reduced timetables.

Despite children with a disability being overrepresented in suspension and expulsion figures teachers are not being appropriately trained to work with this cohort of children. "There is no mandatory training required for teachers working with students with special educational needs, including ASD".¹³

Most children with disabilities and additional education support needs attend mainstream classes in mainstream schools. At secondary level as

¹¹ The Education of Students with Challenging Behaviour arising from Severe Emotional Disturbance/Behavioural Disorders, 2012, NCSE

¹² School Attendance Data from primary and post-primary schools 2015-2016, Analysis and report to the Child and Family Agency, Millar, D

¹³ Supporting Students with Autism Spectrum Disorder in Schools, 2015, NCSE

little as 5% of mainstream teachers have a special education needs qualification and only 22% have engaged in special education needs training in recent years.¹⁴ This means a large majority of teachers are not appropriately trained to work with children with a disability who attend their classes.

5.3 Access to therapies

Children with a disability often require access to health therapies such as speech and language therapy, occupational therapy, psychology, etc in relation to communication, sensory issues and behavioural issues. This enables the child to better cope in the classroom environment. The NCSE has recommended: "The Government should provide for sufficient ring-fenced resources to ensure the HSE is in a position to provide adequate multidisciplinary supports to students with complex special educational need, including ASD, who require such supports to access education."¹⁵

Therapy services are not available to most children with disabilities in a timely manner. Under the Disability Act 2005, a person can have their health-related needs assessed by the HSE. The assessment must be completed within a 6-month time frame (3 months to begin the assessment and a further 3 months to complete). Official figures show as few as 1.5% of assessments are carried out within legal timeframes depending on where the child lives.¹⁶ In recent times parents have resorted to court action to compel the HSE to assess their child within the specified legal timeframe.¹⁷

Thousands of children are then waiting extended periods for therapy services. At primary care level 808 people were waiting longer than 12 months for speech and language therapy assessments while 704 people were waiting longer than 12 months for speech and language therapy treatment.¹⁸

Timely access to therapy services will assist the child to develop skills and address sensory issues that will allow them to have a better school experience. However, as the figures above note, access takes significant time.

¹⁴ Achieving inclusive schools: the teachers perspective, 2019, ASTI/Red C.

¹⁵ Supporting Students with Autism Spectrum Disorder in Schools, 2015, NCSE

¹⁶ Performance profile July-September 2018, HSE.

¹⁷ Three young siblings allege HSE failed to assess their needs, December 31 2018, Irish Times.

¹⁸ Performance profile July-September 2018, HSE.

At present the NCSE is piloting 'in-school therapy services'.¹⁹ This is a model that will support pupils and teachers. The full roll out of the model will be very welcome. The model will support staff and children in schools and lead to less reduced timetables.

5.4 Key legislation not implemented

2019 marks 15 years since the EPSEN Act 2004 was passed. It is shameful that the parts of the Act that will support children with disabilities in schools remain not commenced. The Act provides a legal basis for a child to have their education needs both assessed and addressed. Having children appropriately supported in schools will undoubtedly lead to a lessening of behaviour that is leading to reduced timetables.

6. Conclusion and Recommendations

Evidence from Inclusion Ireland's work indicates that common reasons for a child being on a reduced timetable include: 'behaviour management', a perceived lack of capacity to participate in a full school day or a lack of resources such as a special needs assistant. However, the practice of placing children on a reduced timetable has no evidence base in policy or in research.

International research in the area of inclusive education has long concluded that, for most children, the first factor for successful inclusive education is the child's actual presence in the classroom, the more often the better.²⁰

Therefore, Inclusion Ireland recommends that the Department of Education and Skills take steps to end the practice of schools placing children with disabilities on reduced timetables. To advance this, the following actions should be taken:

- All children with a disability or learning need must have access to an appropriately trained teacher. Teachers should have access to more

¹⁹ Citation required

²⁰ For example, Farrell, M. (2004). Inclusion at the crossroads: Special education – concepts and values. London: David Fulton; Engevik, L., Næss, K. & Berntsen, L (2018) Quality of Inclusion and Related Predictors: Teachers' Reports of Educational Provisions Offered to Students with Down Syndrome, Scandinavian Journal of Educational Research, 62:1, 34-51

robust undergraduate training in the area of special needs. In addition, teachers who are specialising in the area of special education must hold a post graduate qualification or have significant continuous professional development and experience in the area of special education.

- The HSE must be funded to recruit additional therapists as a matter of urgency.
- Children and schools should be able to access therapy on a universal basis through the NCSE school inclusion model currently being piloted. Upon a successful pilot stage the model should be appropriately resourced and rolled out nationally.
- Schools must be directed to collect data and report on children who are suspended using a reduced timetable as a matter of urgency.
- The Department of Education must examine the regulations underpinning the Education Act 1998 to allow for an appeal relating to reduced timetables before the cumulative 20-day period.
- The Department of Education and Skills must produce a fully costed plan to commence the 15-year old EPSEN Act.

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