



An Chomhairle Náisiúnta
um Oideachas Speisialta
National Council
for Special Education

An Inclusive Education for an Inclusive Society

Policy Advice Paper on Special Schools and Classes



JANUARY 2024



An Chomhairle Náisiúnta
um Oideachas Speisialta
National Council
for Special Education

An Inclusive Education for an Inclusive Society

Policy Advice Paper on Special Schools and Classes



JANUARY 2024

A report produced by the NCSE.

2024

© NCSE 2024

National Council for Special Education

1-2 Mill Street

Trim

Co Meath

C15 P2KC

T: 01 603 3200

www.ncse.ie

Contents

Foreword	1
Statement on Language	3
Executive Summary	4
1. Introduction	20
2. The Consultation Process	43
3. The Research Process	63
4. International Developments	81
5. The NCSE's Response to the Terms of Reference	93
6. Towards the Progression Realisation of an Inclusive Education System – Recommendations for Policy	111
References	129
Appendix 1: Terms of Reference	133
Appendix 2: List of Consultations	135

Index of Tables

Table 1: Special classes in mainstream primary schools from 2010-2022	96
Table 2: Special classes in mainstream post-primary school from 2010-2022	97

Acronyms

AIM	Access and Inclusion Model
APP	Altered Provision Project
ASD	Autism Spectrum Disorder
AT	Assistive Technology
BSCs	Behaviour Support Classrooms
CAMHS	Child and Adolescent Mental Health Service
CEUD	Centre for Excellence in Universal Design
CHO 7	Community Healthcare Organisation
CPD	Continuing Professional Development
DEIS	Delivering Equality of Opportunity in Schools
DG REFORM	Directorate General for Structural Reform Support
DLD	Developmental Language Disorder
DoE	Department of Education
DoH	Department of Health
EASNIE	European Agency for Special Needs and Inclusive Education
EBD	Emotional Disturbance/Behavioural Disorders
EPSEN (ACT)	Education for Persons with Special Educational Needs (Act)
ERC	Educational Research Centre
FPA	Focused Policy and Assessment
GLD	General Learning Disability
HSE	Health Service Executive
HEI	Higher Educational Institutions
HH	Deaf/Hard of Hearing
IEP	Individual Education Plan
IQ	Intelligence Quotient
ISL	Irish Sign Language
IT	Information Technology
ITE	Initial Teacher Education
KPI	Key Performance Indicators
LGBTQIA+	Lesbian, Gay, Bisexual, Transgender, Queer or Questioning, Intersex, Asexual

NCCA	National Council for Curriculum and Assessment
NCSE	National Council for Special Education
NDA	National Disability Authority
NEPS	National Educational Psychological Service
NSH	National Health Service
NFQ	National Framework of Qualifications
NPC	National Parents Council
NQT	Newly Qualified Teacher
OT	Occupational Therapy/Therapist
PDST	Professional Development Service for Teachers
QQI	Quality and Qualifications Ireland
SEBD	Severe Emotional Disturbance/Behavioural Disorders
SEN	Special Educational Needs
SENO	Special Educational Needs Organiser
SET	Special Education Teacher
SERC	Special Education Review Committee
SIM	School Inclusion Model
SLD	Specific Learning disability
SLT	Speech and Language Therapy/Therapist
SMART	Specific, Measurable, Achievable, Relevant, Time-bound
SNA	Special Needs Assistant
SSLD	Specific Speech and Language Disorder
TOR	Terms of Reference
TPLP	Teacher Professional Learning
TSI	Technical Support Instrument
UDL	Universal Design for Learning
UN	United Nations
UNCRPD	United Nations Convention on The Rights of Persons with Disabilities
UNESCO	The United Nations Educational, Scientific and Cultural Organization
UNSDG	United Nations Sustainable Development Group
TPL	Teacher Professional Learning

Foreword

The National Council for Special Education (NCSE) has a vision of a world class inclusive education system for Ireland, where children, young people and adults with special educational needs are supported to achieve better outcomes in their education and are enabled to reach their potential. Since 2011, we have provided six policy advice publications to the Minister for Education across a range of areas relevant to the provision of special education. We are pleased to respond to the Minister's request for advice on the role of special schools and classes in our education system.

This policy advice reflects significant and positive changes that have occurred in the provision of supports for students with special education needs. It presents a comprehensive examination of the current state of special education in our schools, and provides a range of recommendations for improving the provision of special education for students.

There are already exceptional inclusive practices occurring in our schools that provide supportive and nurturing learning environments for students. Schools are using innovative approaches to teaching and learning, tailoring interventions to meet students' needs, and accessing specialist support to ensure that all students have access to the curriculum and achieve their full potential. We acknowledge and celebrate these best practices and seek to embed these practices across the education system.

It is important to note that the recommendations outlined in this policy advice will be realised progressively over time, taking into account the specific needs of students in each school in their local context. The implementation of these recommendations will require careful planning, collaboration, and investment. The benefits of improving the provision of education are clear, and with continued commitment, we can create a more inclusive and equitable education system for all students.

We would like to extend our gratitude to all those who have contributed to this policy advice, particularly those who engaged in our consultation meetings and surveys. The Council of the NCSE provided considerable input and feedback over the course of the development and finalisation of this advice. The contribution of the members of the Strategy and Policy committee are commended, led by committee chairperson, Don Mahon. We thank them for their time and commitment. Furthermore, I wish to acknowledge the contribution of three former colleagues and their input to the advice: Ms. Teresa Griffin, former Chief Executive Officer who retired from the NCSE in January 2022; Ms. Paula Prendeville, former Principal Officer, who left the NCSE in April 2023; and former Head of Special Education, Ms. Mary Byrne, our dear colleague who retired in August 2020, and who is sadly no longer with us. Mary's commitment and dedication to enhancing the education of students with special educational needs was obvious in all elements of her work.

While this policy advice was envisaged to be published in 2020, the COVID-19 pandemic and impact on the education system significantly delayed its publication. Following on from the recent announcement of additional funding, the NCSE is engaged in an intensive review and much needed expansion of the organisation to meet the increased need in our education system. We are confident that this advice will serve as a valuable resource for policymakers, educators, and stakeholders across the education sector for years to come. By working together to implement the recommendations outlined in this advice, we can create an inclusive educational system for all learners.

John Kearney

Chief Executive Officer

2024

Statement on Language

The National Council for Special Education (NCSE) acknowledges the variations in language used to describe educational needs and disability¹.

For some individuals, person first language (PFL), for example, “person or individual with disability” is the preferred term. For others, their preference is identity first language (IFL), for example “autistic”². The term “neurodivergent” is emerging as a preferred term to acknowledge individuals in all their diversity³. To embed an inclusive approach to this policy advice, the NCSE use all three terms interchangeably.

“Special educational needs” is applied throughout this document as it is the established term in education and in the legislative context of the Education for Persons with Special Educational Needs Act (EPSEN) (2004)⁴. The NCSE recognises that the use of “special educational needs” as a term is controversial and is currently under consideration in the review of the EPSEN Act, ongoing at the time of publication of this policy advice.

This document also uses gender inclusive language.

1 See Botha, M., Hanlon, J. & Williams, G.L. (2021). Does language matter: Identity – first versus person-first language use in autism research: A response to Vivanti. *Journal of Autism and Developmental Disorders*, DOI:10.1007/s10803-020-04858-w.

2 See Kenny, L., Hattersley, C., Molins, B., Buckley, C., Povey, C., & Pellicano, E. (2016). Which terms should be used to describe autism? Perspectives from the UK autism community. *Autism*, 20 (4), 442-462.

3 See National Disability Authority's *Advice Paper on Disability Language and Terminology* (2022) <https://nda.ie/publications/2017-public-attitudes-to-disability-in-ireland-survey>

4 <https://www.irishstatutebook.ie/eli/2004/act/30/enacted/en/html>

Executive Summary

Introduction

In October 2018, the Minister for Education and Skills requested the NCSE to advise on future educational provision for students in special schools and classes and to make recommendations on the provision required to enable them to achieve better outcomes.

In particular, the Minister asked the NCSE to:

- Examine whether there is evidence that placement in specialist settings improve educational outcomes for students with special educational needs;
- Consider what relevant factors may be impacting on the significant year-on-year increase in special class provision and the reasons why so many students are now being recommended for placement there;
- Review current provision of specialist settings, with a particular focus on their operation in primary and post-primary mainstream schools, including what criteria for admissions are in place;
- Examine the evidence to see if there are any students for whom both specialist and mainstream educational settings are currently not working and consider those factors which might be contributing to this situation;
- Examine whether the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) has any implications for the ongoing establishment of special schools and classes in Ireland.

The NCSE intended to publish its advice paper on special schools and special classes at the end of 2020. However, the completion of this advice paper and its publication was significantly delayed, mainly due to the pressures on the educational system brought about by the COVID-19 pandemic.

Background

The request from the Minister for policy advice on special schools and special classes followed the publication by the NCSE of policy advice papers on the provision of additional resources to support the education of students with special educational needs in mainstream classes⁵. The Minister's request also came at a time of significant year-on-year expansion in the budgetary allocations by the Government on special education services. Despite substantial increases in the allocations of special education

5 "Delivery for Students with Special Educational Needs – a Better and More Equitable Way" (2014) and "A Comprehensive Review of the Special Needs Assistant Scheme" (2018).

teachers and special needs assistants (SNAs) to mainstream schools, the annual demand for the establishment of special classes continues to grow. In the 2020/2021 school year, 948,494 students were enrolled in primary and post-primary mainstream schools and special schools in Ireland. Of this group, 7,899 students were enrolled in special schools (0.83%) and a further 10,436 were enrolled in special classes (1.1%), the latter a number which has increased significantly in recent years. The number of special classes for all categories of special educational needs in primary schools increased from 489 classes in 2010 to 1315 classes in 2020 and to 1,804 special classes in October 2022. Further discussion on the growth of special classes is included below in this Executive Summary and in Chapter 5.

The NCSE took great care to establish a strong evidence basis to inform this policy advice paper. The NCSE arranged extensive consultations and school visits, carried out a multi-strand programme of research, undertook international study visits and examined evidence of how education provision for students with special educational needs is supported in other jurisdictions. In developing its advice, the NCSE was keen to determine if the very significant investment in special classes and special schools is spent in a way which best supports positive outcomes for students with special educational needs.

Over the last decade, there has been significant growth and investment in disability and special education related supports for students in Ireland. In 2023, over 2.6 billion will be invested in special education, corresponding to 27 per cent of the Department of Education's total budget allocation. The future expectation that a continued increase in this investment trend in disability and special education is uncertain given the fiscal and resource constraints that may result from the impact of a potential global economic downturn. Therefore, it is important that, in planning ahead, supports are developed that will enable students with disabilities to transition into adulthood and to participate meaningfully in an inclusive society, making effective use of resources available in schools.

The Review of Research

The research review process identified the relative scarcity of high-quality research studies in many aspects of special and inclusive education in both Irish and international contexts. There are ethical implications for conducting experimental educational research in this area that limits the range of experimental options for this type of research and the findings that can be interpreted from them. Overall, there was insufficient evidence in the reported research to enable the NCSE to reach a definitive conclusion, one way or the other, as to whether the school setting in which a student is placed brings about improved educational outcomes and experiences, relative to their ability, for students with special educational needs. Neither could definitive conclusions be drawn from the

research in relation to outcomes for students with different kinds of needs or categories of disability. However, the research findings provided some support for the proposition that students with special educational needs can achieve good outcomes in inclusive settings and that outcomes for all students need not be negatively affected.

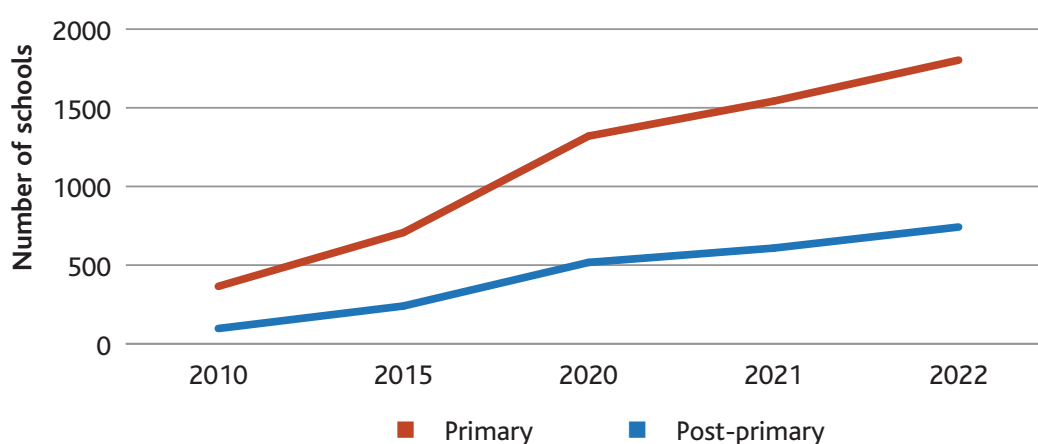
However, other sources of information, such as findings from consultations with stakeholders, reports by the Department’s Inspectorate and from international sources provided the NCSE with firm evidence from an Irish context on which to inform this policy advice.

School Visits

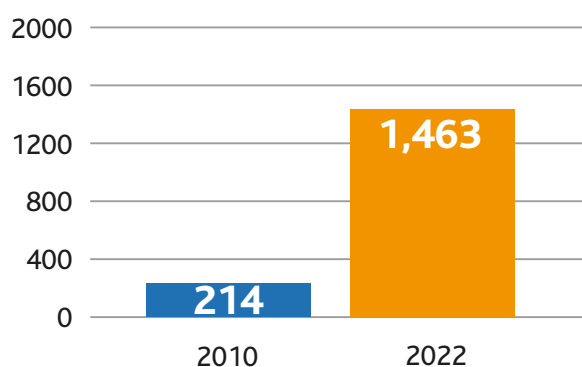
Evidence from school visits conducted by the NCSE suggests that students with special educational needs appear to be well supported in both mainstream and special education settings. Students’ needs were met in schools that provided positive learning environments for students, with staff who demonstrated a good level of understanding of students’ needs. Students in both mainstream and special education settings appeared happy and content in their classrooms. These findings are generally consistent with findings in reports completed by the Department of Education Inspectorate on the quality of educational provision for students in mainstream and special schools.

Growth in Special Classes

There was a significant growth in the number of special classes in primary schools from 2010 (n=356) to 2022 (n=1,807).



Special classes for autism



This growth was overwhelmingly due to the increase in the number of special classes for autism, from a total of 214 in 2010 to 1,463 in 2022 – a 584% increase. The demand for additional special classes shows no sign of decreasing. Funding for a further 287 new primary special classes has been allocated in Budget 2023.

Over this period, there was a reduction in the number of special classes in primary schools for students with mild and borderline/mild general learning disability. In the 2010/2011 school year, a number of classes were closed resulting in a drop of 600 students with special education needs⁶ recorded who obtained their education in a special class. Many classes were re-categorised to support the needs of autistic students around this time. In the 2012/2013 school year, a substantial drop of 7,000 students with a category of special education needs was also recorded. This coincided with the revised arrangements for the provision of supports for students from the Travelling Community⁷. Additional changes also occurred as a result of the introduction, first of the General Allocation Model for teachers in 2005 and, in more recent times, the Special Education Teacher (SET) allocation in 2017 that support more inclusive learning environments for students with special educational needs. Enhanced professional development opportunities for teachers have facilitated greater capacity and confidence of teachers to meet the needs of students with disabilities and to enable students to participate and respond to the teaching and learning in mainstream classrooms.

Relatively small changes occurred from 2010 to 2020 in the number of special classes for most other categories of special educational needs.

There was also a very large growth in the overall number of post-primary special classes from 2010 to 2022 – a 714% increase. The growth of these classes at post-primary level is also accounted for primarily by the establishment of new special classes for autism, from a total of 65 special classes in 2010 increasing to 653 in 2022; a 905% increase over twelve years.

During the consultation process for this policy advice, it was clear that strongly held beliefs among stakeholders serve to underpin the placement of students in special education settings. Many stakeholders supported the continuum of education

6 From <https://data.cso.ie/>

7 Circular 17/2011. Prior to 2011, data on students from the Travelling Community were categorised with along with students who had a special education need. This drop in data corresponds with the associated changes in education provision for, and recording of, students from the Travelling Community.

provision that includes mainstream classes, special classes, and special schools, and expressed the view that special schools and special classes provide a more suitable learning environment for students with more complex special educational needs. Stakeholders indicated their belief that resources available in these settings are better, that teachers have greater knowledge and experience of students' needs, that smaller classes facilitate more individualised attention and better care, and that students achieve better educational outcomes.

While the NCSE's consultations with the education partners seem to provide an explanation for the continued demand for special classes in the Irish education system, the question as to why so many students are now recommended placement in special classes, leading to a steep growth in demand for additional special classes for autism, is much more difficult to answer.

In recent years, there has been a notable increase both nationally and internationally in the number of children diagnosed with autism resulting in a significant demand for the establishment of special classes for autism in Irish schools. Epidemiological studies since the year 2000 indicate that the prevalence of autism has increased⁸. However, it is not at all clear that the increase in autism prevalence should be interpreted as a "real" increase or whether this increase has come about because of greater awareness of autism resulting in higher numbers obtaining a diagnosis or changes in the diagnostic criteria⁹. A Department of Health report¹⁰ in 2018 identified that a diagnosis of autism gives children greater access to specialised health and education services with the result that clinicians are more likely to diagnose a child with autism, even those who are on the borderline of the clinical criteria. In addition, the most recent diagnostic manuals now include sensory sensitivities as a criterion for an autism diagnosis which suggests that individuals who may not have previously met the diagnostic criteria for autism will now obtain a diagnosis¹¹.

The NCSE's consultations with the education partners revealed a strong belief among parents and schools that a special class is the best educational placement for an autistic child. Many parents believe that the special class offers a safe setting where their child will receive appropriate education and care from the teacher and SNAs. Parents also expressed the view that their child will have greater access to therapeutic supports if

8 McConkey R. (2020). *The rise in the numbers of pupils identified by schools with autism spectrum disorder (ASD): a comparison of the four countries in the United Kingdom*. *Support for Learning*, 35, 132-143.

9 See May, T., Brignell, A. & Williams, K. (2020). Autism Spectrum Disorder prevalence in children aged 12-13 years from the longitudinal study of Australian children. *Autism Research*, 13, 821-827.

King, M. & Bearman, P. (2009). Diagnostic change and the increase prevalence of autism. *International Journal of Epidemiology*, 38, 1124-1234.

10 The Department of Health. *Estimating Prevalence of Autism Spectrum Disorders (ASD) in the Irish Population: A Review of Data Sources and Epidemiological Studies*, November 2018.

11 A retrospective study conducted in the California (King & Berman, 2009) documented that elevated prevalence rates coincided with periods when revisions in diagnostic criteria and practices in assessing autism occurred. Between the periods of 1992 to 2005, the authors estimated that a quarter of the increases in autism diagnoses correlated to changing diagnostic criteria meaning that one in four students who were diagnosed with autism in 2009 would not have obtained this diagnosis in the 1990s.

enrolled in a special class. For schools, the extra teacher and SNA resources allocated for a special class enhance the overall resources available in the school, and supplement the additional resources already provided to the school through the SET model¹². The perception among parents and schools that placement in a special class or special school is better has received strong support in public discourse which, in turn, has increased the pressure on the NCSE and the Department of Education to establish more special classes.

Consultations indicated that the growth in demand for placement in special classes will continue into the future. Accordingly, it is likely that pressure for the establishment of additional special classes for autism will continue in parallel with the prevalence growth, while current policies relating to educational provision are in place.

Inclusive or Separate Education Provision?

Ireland's policy framework for the education of students with special educational needs is based on the continuum of educational provision, particularly since the publication of the Report of the Special Education Review Committee (SERC) in 1993. The continuum of educational provision ranges across mainstream classes, special classes and special schools. Placement decisions for students are generally based on the resources available in these settings, and the complexity of a student's needs. The choice for Ireland in coming years will be whether to continue to provide education for some students with special educational needs in special schools and special classes, or to evolve into a revised system which will enable all students to attend their local schools.

The majority of participants that engaged in the NCSE's consultations with stakeholders agreed that, ideally, all students, including students with special educational needs, should be educated together in the same school. Participants recognised the benefits for society from all students learning together in their local schools. Many consultation participants also acknowledged that many mainstream school boards of management, principals, and teachers are already very committed to including students with special educational needs.

However, the majority of stakeholders also indicated their belief that Ireland needs to maintain a continuum of education provision that includes mainstream classes, special classes, and special schools. The expressed need for this continuum was based on the view that only special schools and classes can be equipped to meet the highly complex needs of some students, and this was compounded by fears that mainstream schools do not have the capacity to educate students with complex needs. In addition, some groups expressed the view that separate special schools and classes are better to cater for students' needs, and that it is more cost-effective to cluster students with more complex needs together in one setting.

12 <https://ncse.ie/special-education-teacher-set-model>

A small minority of consultation participants spoke in favour of inclusive education in local schools, and argued that students in special education settings, even when really well educated and cared for, have reduced curriculum access, have limited opportunities to interact with peers who do not have special educational needs and that travelling outside their local areas to attend a special class or special school inhibits their opportunities to make connections within their local communities.

Education Policy and Inclusion

The term “inclusion” in education policy has been defined in a variety of ways over the past half century. Inclusion can be viewed as part of a dynamic process of change to restructure school systems to enable them to increase their capacity to respond to, and accommodate, the diversity of needs of all learners. Inclusion in education is also seen as making an important contribution to the creation of an inclusive society. The Department’s 2007 guidelines for post-primary schools *Inclusion of Students with Special Educational Needs: Post-Primary Guidelines*¹³ indicate that inclusion implies that the diverse needs and learning differences of all students are accommodated and that appropriate structures and arrangements are adopted to enable each student to achieve the maximum benefit from their attendance at school. UNESCO (2009)¹⁴ defines inclusive education as “an on-going process aimed at offering quality education for all while respecting diversity and the different needs and abilities, characteristics and learning expectations of the students and communities, eliminating all forms of discrimination”. The European Agency’s¹⁵ vision for an inclusive education system is for “all learners of any age are provided with meaningful, high-quality educational opportunities in their local community, alongside their friends and peers”. The UN Committee that works with States in relation to the implementation of the UNCPRD points out that progressive realisation of an inclusive education system is inconsistent with maintaining two separate systems – a general education system and a special education system.

Education provision in Ireland for students with special educational needs has advanced substantially and has become more inclusive in recent decades through, for example, developments in education legislation and policy, annual increases in the allocation of resources to schools including special education teachers and SNAs, advances in initial teacher education, and through the provision of supports by bodies such as the NCSE and the National Educational Psychology Service (NEPS). These advances have enabled the inclusion and education in mainstream schools of many more children with special

13 Department of Education and Skills. (2007) *Inclusion of Students with Special Educational Needs: Post-Primary Guidelines*, 2007, p.39.

14 Brussino, O. (2020), “Mapping policy approaches and practices for the inclusion of students with special education needs”, *OECD Education Working Papers*, No. 227, OECD Publishing, Paris, P12.

15 <https://www.european-agency.org/resources/publications/agency-position-inclusive-education-systems-second-edition>

educational needs. At the same time, many students with more complex needs continue to receive their education in special schools, and in recent years there has been a marked increase in demand for special classes for autism.

The NCSE recommends that the Irish education system should continue to progress structures to enable students with special educational needs to attend their local schools. A system of inclusive schools will ultimately enable all students to receive their education in their local school, and to maintain links with their local communities. A system that includes all students with special educational needs in local schools will support a greater understanding of diversity and build respect for those in Irish society who experience exclusion and discrimination. An Irish education system which includes all students in local schools, will foster a greater understanding of difference and perspectives, build greater empathy amongst young people, and help develop a more inclusive society.

The NCSE found that many other countries are grappling with issues related to inclusion and how to facilitate improved experiences and outcomes for students with special educational needs. Most countries currently continue to make some form of separate special school and/or special class provision for students with complex special educational needs. Conversely, the evidence from Portugal and New Brunswick in Canada demonstrates that education systems can, with appropriate resourcing of schools, public support, and careful planning, develop a system where all students are educated in their local schools.

Student Assessment, Placement and Review

The NCSE identified shortcomings in school placement arrangements for students with special educational needs, including the inappropriate placement of some students in special education settings, infrequent review of student placements, and the early placement of students in special education settings before these students had an opportunity to experience an inclusive mainstream school environment among their peers. It identified a number of schools that were operating selective enrolment policies which enabled the admission of some students and the exclusion of others with more significant needs within the same special educational needs category. These practices result in the exclusion of students with more complex special educational needs from special classes that were designated for students within their special education needs category.

Consultation groups concurred that a formal process of assessment should continue to be required for decision-making on student placement in a special school or class. There was also agreement that mainstream schools needed to ensure that all potential options and supports for a student are fully explored, including the student's response

to intervention in their schools, prior to the placement of the student in a special class or school. Students and parents should participate in a shared decision-making process on placement options, have access to all relevant information, and be made aware of the implications of all placement options.

The NCSE noted the findings in the Department of Education Inspectorate's 2019 evaluation of education provision in special classes for autism in primary and post-primary schools. While the Inspectorate reported much positive practice, it also revealed that some students were inappropriately placed, and would have benefitted from fulltime enrolment in mainstream classes. The Inspectorate also found that enrolment policies in half of post-primary and for the majority of primary special classes for autism limited admission to autistic students with mild general learning disabilities or to autistic students who could to be included in mainstream settings for most of the school day. The inappropriate placement of some autistic students in special classes served to deny places to students with greater needs. On the other hand, the NCSE's review of the Department of Education Inspectorate's 2020 evaluation of educational provision in special classes for students with specific speech and language disorder in mainstream schools revealed that enrolment processes for these classes were working smoothly and that students met the criteria for placement in the special class. There were good arrangements for students to be included in mainstream lessons, and inclusive aspects of the schools' culture was judged to be good or very good in most cases.

Consultation groups suggested that detailed transition planning should be undertaken at key points in a student's educational pathway, and particularly in the context of transfer to a special class or special school, and when transferring from primary to post-primary schools. Consultation groups also noted that once placed in a special school or class, it was only on rare occasions that a student returned full-time to a mainstream educational setting. There was strong support for the view that student placements in special schools and classes should be kept under regular review, and formally reviewed at least once per year.

Whole-School Decision Making

The NCSE gathered evidence on current approaches to whole-school decision making in relation to the education and the welfare of students with special educational needs through consultations with stakeholders and via reviews of Department of Education Inspectorate reports. The NCSE's review found that there is much good practice in schools. Areas identified for improvement in some contexts included student assessment for educational planning purposes, use of student support plans, enrolment practices, reviews of student placements, transition planning, and inclusion of students in mainstream classes.

Therapeutic Supports for Students

Therapeutic supports are currently provided for children in special schools and classes by the Health Services Executive (HSE) and HSE funded organisations. Some special schools have dedicated on-site supports while other children receive supports based on their prioritised needs. Consultation groups agreed that therapeutic interventions can have positive benefits for students with special educational needs who require them. However, the consultations also revealed that, in general, there is inadequate access to therapeutic, behavioural, and psychological supports across the school system. The evaluation of the In-school and Early Years Therapy Demonstration Project¹⁶ reported that partnership between teachers and therapists can provide an enhanced learning environment for all students. Further discussion and recommendations on the provision of psychological, therapeutic, and behaviour supports for schools is provided later in this Executive Summary and in Chapter 6 of this report.

Teacher Education and Deployment

Many participants in the consultations conducted for this policy advice report, including teachers and school management representatives, made reference to the ongoing need for high quality continuing professional learning opportunities for teachers and other school staff. This observation was made despite the significant investment that has already been made by the Department of Education in providing continuing professional learning opportunities through the NCSE regional teams, and the higher educational institutions (HEIs). The NCSE also identified the need in some schools for more appropriate deployment of teachers, so that the most skilled teachers are working with students with the highest level of needs.

The United Nations Convention on the Rights of Persons with Disabilities (UNCRPD)

Article 24 of the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) addresses education, and specifically commits States to ensure that persons with disabilities are not excluded from the general education system on the basis of disability, and that they receive the supports required within that system to facilitate their effective education. Ireland signed the UNCRPD in March 2007 and formally ratified it in 2018. The Convention entered into force in Ireland on 19 April 2018. A UN Committee reviews and reports on the implementation of the Convention in countries that have ratified it. It is clear from the UN Committee's reports that its interpretation of Article 24 is that State Parties have a responsibility to ensure that students with special educational needs can be educated in their local schools alongside their peers, and

16 <https://ncse.ie/wp-content/uploads/2020/11/Demo-project-evaluation-final-for-web-upload.pdf>

that the full realisation of Article 24 is not compatible with sustaining a dual system of education: a mainstream education system and a special/segregated education system.

The goal under Article 24 Education is the progressive realisation of a system of inclusive education. Ireland's ratification of the UNCRPD indicates its commitment to develop services in line with the human rights-based aspirations of the Convention, including the progressive realisation of an inclusive education system.

Recommendations

A series of recommendations for the further development of education provision for students with special educational needs, and which aim to bring about improvements in outcomes for students, are outlined in detail in Chapter 6.

These recommendations are made with a view to the phased development of the progressive realisation of an inclusive education system for Ireland and for that system to be informed by, and aligned to, the relevant articles of the UNCRPD. While the progressive realisation of an inclusive education system is the goal, it is recommended that the Department of Education and the NCSE should seek the evolution of an education system that is configured specifically for an Irish educational context. The emerging system should have regard to existing good practices in Ireland and, in this context, should, for example, build on the potential of the continuum of support process, and the current resource allocation models for teachers, SNAs, special transport, specialist equipment, school buildings and so on.

Many of these recommendations are relevant whether or not Department of Education policy continues to operate broadly within the current continuum of provision, or if policy changes to provide for this education in inclusive schools, which all students will attend together.

These recommendations will require a joined up approach that reflects a "shared social commitment"¹⁷ reflected in shared understanding, shared responsibility and shared decision making processes with all partners that include parents/guardians, schools leaders, teachers, SNAs and stakeholders with the voice and needs of the child or young person with special educational needs as a paramount consideration.

The recommendations are set out in seven main groupings in Chapter 6 of this policy advice report. A summary of the recommendations is provided below:

17 UNESCO (2021) *Reimagining our futures together: a new social contract for education*, International Commission on the Futures of Education.

1. The progressive realisation of the inclusive education system for Ireland

The NCSE recommends that Ireland's education system should advance progressively to become a fully inclusive system – a system which will enable all students to access education in their local schools. The NCSE accepts that there will be significant challenges in achieving this goal and in ensuring all stakeholders, including parents, are reassured and confident of the benefits of an inclusive education system.

The provision of supports that will enable mainstream schools to become truly inclusive schools with the wherewithal to educate all students in an inclusive learning community will be challenging. This will require the enhancement and recalibration of existing resources, and a significant increase in psychological and therapeutic supports with effective collaboration between Health and Education to ensure a continuum of services/supports so that students' needs are met to optimal effect.

It will also involve enhancing inclusive leadership practices and professional learning opportunities for school principals and leaders, teachers and school staff. Maximising the expertise that is currently available in mainstream schools, and among the staff in special schools and special classes will be a fundamental element in this process. Higher Educational Institutions and education support services will have an important role in the further development of practice in schools, by contributing to developments in culture change of schools, as needed, to foster an inclusive school environment.

Partnership with stakeholders at all levels of the system will be required in order to set and progressively achieve the objective of a truly inclusive school system. To this end, the NCSE recommends the establishment of a strategic planning group led by the Department of Education, including the Inspectorate and NEPS, and the NCSE to progressively realise a vision of an inclusive school system.

This change process will require time and the development of a detailed multi-year implementation plan. Progressive realisation of this plan will firstly involve a clear statement of intent, followed by phased implementation of the various elements of the plan over a number of years. The plan should address areas such as initial teacher education and ongoing teacher professional learning programmes, funding, transport, school buildings, teacher and SNA allocations, and school and student support services. Engagement and communication with stakeholders will be critical for the successful development and progressive realisation of the plan.

A critical element of the plan will be to devise in-school arrangements and systems whereby students with special educational needs will receive high quality education and care in inclusive school communities. It is recommended that elements of the plan should be piloted in individual schools, clusters of schools or geographical areas, as appropriate. The aim of the pilot programme will be to assist in the development of an inclusive school culture and environment that is customised for students in Ireland, and which will be brought about in a collaborative and progressive manner.

It is envisaged that the implementation plan will specify that there will be no compulsory re-enrolment in mainstream schools of students who are currently enrolled in special schools and special classes. However, the implementation plan would set out a process, aligned with procedures in place in early-years settings, whereby future students would be enrolled in mainstream classes with the deployment of robust support structures in their schools to provide the levels of additional care and support required by each student based on his or her needs. Students currently enrolled in special schools and classes would have the option of availing of inclusive education among their peers in the same way as new entrants to the system.

2. Psychological, Therapeutic, and Behaviour Supports for Schools

The NCSE notes that in the Department of Education's Statement of Strategy 2021-2023 a strategic action under Goal 2 (*Ensure equity of opportunity in education and that all students are supported to fulfil their potential*) is to support the participation and progression of students with special educational needs through the delivery of integrated resources, in particular by advancing towards the roll out of the School Inclusion Model (SIM) and a new SNA allocation model. The expansion of the SIM will require the employment over time of a significant number of speech and language, occupational therapists, behaviour practitioners, and NEPS psychologists. These professionals will complement the nurses in the pilot National Nursing Service for Schools^{18 19}. An important element in the successful incorporation of elements of the SIM into the education system will be the development of a co-professional educational model to provide a coordinated approach and wrap-around supports that will continue to build the capacity of schools, which, in turn, will facilitate strong working relationships between schools and supporting professionals to bring about the best possible outcomes for students.

The NCSE recommends in Chapter 6 the establishment of a strategic planning group to progress the recommendations in this policy advice document. The NCSE recommends that this strategic planning group should plan for the roll out of additional supports in SIM, including the provision of psychological, therapeutic, and behaviour supports for schools, and should take into account evaluation outcomes in this context.

The NCSE also recommends that the NEPS be significantly expanded to ensure that all schools in Ireland have access to a comprehensive educational psychological service to support the inclusion and participation of all students, including those with complex special educational needs.

18 The Comprehensive Review of the Special Needs Assistant (SNA) Scheme published in May 2018, recommended the establishment of a nurse-led service to provide oversight and training where deemed essential.

19 <https://www.gov.ie/en/publication/cf321-national-nursing-pilot-for-children-with-complex-healthcare-needs-pilot-scheme/>

3. Professional Learning and Teacher Education

The NCSE recommends that the strategic planning group should work closely with all relevant organisations, including the NCSE, the Teacher Education Section of the Department of Education, the Teaching Council and other relevant Department sections and agencies to set out and deliver a cohesive programme to enhance teacher knowledge, skills and competencies to support the education of students with special educational needs in an inclusive system. This programme should comprise a continuum of professional learning and education for teachers and SNAs across the span of their careers, to include ITE, ongoing TPL for classroom teachers/subject teachers, special education teachers, school leaders, and ongoing professional development for SNAs.

The process of developing this programme will first of all involve a detailed audit and assessment of the professional learning programmes that are already in place, followed by the drawing up of the necessary range of courses and supports for school leaders, mainstream and specialist teachers and SNAs. The programme should embed Universal Design for Learning (UDL) principles in teacher professional learning and take account of the shift in student demographics from primary to post-primary. Arrangements for the coordinated delivery of this programme should be facilitated by the Department of Education in collaboration with stakeholders, Higher Education Institutions and support services.

The NCSE further recommends that the strategic planning group should engage with the Teaching Council in relation to the determination of standards for the knowledge, skills, and competencies required by all teachers to teach all students, including students with special educational needs, and should ensure that there is a clear learning pathway for teachers, so they can provide an education appropriate to all of their students.

4. Student placement, provision and review

The NCSE recommends that, pending the full realisation of an inclusive school system, the Department of Education, in conjunction with relevant stakeholders, should develop a structured standard framework for the identification of student need, to replace the diagnostic driven framework currently used to inform eligibility for special school and special class placement and admissibility for some other resources and accommodations. Annual reviews of placement and a student's response to intervention over time, as documented in the Student Support Plan, should occur as part of this framework.

Within this group of recommendations, the NCSE also offers advice in relation to:

- school building design to ensure a Universal Design approach;
- the development of a national system to support schools to determine, measure and report on student progress and outcomes; and
- the school transport scheme.

5. Guidance and Advice for Schools

The NSCE recommends that the strategic planning group should work with relevant others to draw up a suite of guidelines for school leaders and teachers on the effective implementation of inclusive practices in schools. It is suggested that guidance materials on inclusive education practice, currently provided for schools, be revised in light of pilot projects and the on-going progressive implementation of inclusive policies and practices in schools.

Following engagement with the strategic planning group, the Department of Education and the NCSE should provide further guidance for:

- school leaders on the management and deployment of the resources available to schools, including teachers and SNAs,
- further guidance for teachers in assessing students' needs, appropriate to their educational context, and the effective use of additional supports, as well as,
- guidance counselling to support students' decision making on their post school options.

6. Curriculum and Assessment

In the context of developing an inclusive education system, the strategic planning group should work with relevant state Departments and agencies to progressively realise a system, whereby all students access appropriate curriculum and assessment programmes in local pre-schools and schools, and where curriculum and assessment frameworks for the pre-school, primary school and post-primary sectors are revised, as necessary, to meet the needs of all students. The NCSE acknowledges the work that is currently underway within the National Council for Curriculum and Assessment (NCCA) towards an inclusive approach. This work includes updating Aistear²⁰ and reviewing L1²¹ and L2²² Learning Programmes for Junior Cycle that includes the extension of these programmes to Senior Cycle. The NCCA has recently launched the new Primary Curriculum Framework²³ which is a curriculum for all students in all learning contexts.

20 Aistear is the curriculum framework for children from birth to 6 years in Ireland.

21 Students undertaking L1LPs are likely to be at an early stage of cognitive development. Consultation involving parents/guardians, schools and other professionals working with the student will determine the suitability of L1LPs for the student. Some students may also have an identification of a learning disability which is identified in the range of low moderate to severe and profound obtained following an assessment from an educational or clinical psychologist.

22 Students undertaking a L2LP have learning disabilities identified in the low mild to high moderate range of abilities. These students will benefit from an L2LP as it purposely focuses on development and learning in such areas as: elementary literacy and numeracy; language and communication; mobility and leisure skills; motor coordination; and social and personal development.

23 www.curriculumonline.ie/Primary/The-Primary-Curriculum-Framework/

The NCSE recommends that the strategic planning group should engage with the NCCA to examine and, if necessary, to review current curriculum, assessment and certification frameworks to ensure that these are sufficiently flexible to meet the learning needs of all students, to enable students to develop skills for life, and to provide schools with the autonomy to adjust curriculum programmes to address the individual needs of students as they arise.

7. Implementation of an Inclusive Education Reform Programme

The NCSE recommends that in order to bring about the comprehensive range of reforms across the primary and post-primary school sectors that are recommended in this policy advice report, the Department should examine the possibility of seeking expert, external assistance through the European Commission's Technical Support Instrument (TSI) which is managed and administered by the European Commission's Directorate General for Structural Reform Support (DG REFORM).

1. Introduction

1.1 Background and Terms of Reference

In October 2018, the Minister for Education and Skills, Mr Joe McHugh, requested the NCSE to advise on future educational provision for students in special schools and classes and to make recommendations on the system changes required to enable students to achieve better outcomes. The NCSE intended to publish its advice paper on special schools and special classes at the end of 2020. However, the completion of this advice paper and its publication was significantly delayed, mainly due to the pressures on the educational system brought about by the COVID-19 pandemic.

The request from the Minister for policy advice on special schools and special classes followed the publication by the NCSE of policy advice on the allocation of teaching resources for students with special educational needs in mainstream schools²⁴. The Minister's request came at a time of significant year-on-year expansion in the budgetary allocations by the Government on special education services. Despite substantial increases in the allocations of special education teachers and SNAs to mainstream schools, the annual demand for the establishment of special classes continues to grow at an exponential rate.

The Minister provided the NCSE with the following terms of reference for this work:

1. Examine whether there is local or international evidence that placement in specialist settings brings about improved educational outcomes and experiences, relative to their ability, for students with special educational needs. If so, what is the nature of the support provided to these students?

Examine whether this evidence is the same for students with different kinds of needs/ disabilities.

Review the current provision of specialist settings, with a particular focus on their operation in Irish primary and post-primary mainstream schools including what criteria for admissions are in place.

2. Examine what are the relevant factors that may be impacting on the significant year-on-year increase in special class provision. In particular, to analyse the reasons why professionals are recommending specialist class placements for so many students with special educational needs.

24 "Delivery for Students with Special Educational Needs – a Better and More Equitable Way" (2014) and "A Comprehensive Review of the Special Needs Assistant Scheme" (2018).

3. Examine current approaches to whole school decision making in relation to the provision of the education and the welfare of students with special educational needs.
4. Review research findings on models for providing therapeutic supports for students with special educational needs who require them, including any emerging findings from the evaluation of the In-school Demonstration Project with reference to the impact on:
 - Teachers' practices and confidence in responding to the needs of students with significant needs;
 - Students' learning and participation;
 - And, whether the availability of therapeutic supports for students play a role in school enrolment decisions.
5. Examine, in the Irish context, evidence of whether there are any students for whom both specialist and mainstream educational settings are currently not working and consider those factors which might be contributing to this situation.
6. Consider and advise on the development and implementation of an evidence-based evaluation framework together with relevant Key Performance Indicators (KPIs) for special educational needs student supports suitable for the Irish context.
7. Examine whether the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) has any implications for the ongoing establishment of special schools and classes in Ireland.
8. Provide advice on the future role of special class and special school placements with regard to the continuum of education provision for students with special education needs.
9. Make recommendations on the provision required to enable students in special schools and classes achieve better outcomes.

1.2 The Development of Education Services for Students with Special Educational Needs in Ireland

The development of education provision for students with special educational needs in Ireland is summarised in this section. Reference is made to key milestones in policy and provision which have led to the gradual inclusion in mainstream education of many children with special educational needs.

Over the past century, Irish society has witnessed changes and ongoing development in the provision of education and other services for people with disabilities. These changes include a gradual progression from the provision of separate segregated care and health services, sometimes in residential settings, to more inclusive, community-based services. The provision of education to children with special educational needs has in many respects reflected societal progression towards inclusion. However, in spite of the progress which has taken place, approximately 2% of the school-going population in 2022 are still educated separately in special classes or special schools.

From the mid-19th century onwards, and in line with beliefs of the time, voluntary organisations established separate services and settings to address the needs of people with a range of disabilities. These services were characterised as places of safety, of care, and of security for those who were perceived to have high levels of need. In a similar way, where education services were provided for students with disabilities, these services were usually provided in separate settings. Particularly from the mid-20th century onwards, special schools and special classes in mainstream schools were established. Many of the special schools were set up through the efforts of parents' groups and voluntary organisations. Special classes in mainstream schools were formed, often in places where a suitable special school was not available. The number of special classes grew in the 1970s and 1980s.

The Special Education Review Committee (SERC) report was published in 1993, and its recommendations set a clear programme for the further development of special education provision. The SERC report recommended that, other than in exceptional circumstances, education for all students with special educational needs should be provided in mainstream schools. The SERC report recommended the adoption of a continuum of educational provision, ranging from fulltime education in mainstream classes with additional supports as necessary, to fulltime education in special schools.

Following the SERC report, legislative and service provision expanded. The Education Act 1998²⁵ established a statutory context for educational provision of all students, and explicitly referenced students with special educational needs. The Act also provided a definition of special educational needs. In 2004, the Education for Persons with Special

25 <https://www.irishstatutebook.ie/eli/1998/act/51/enacted/en/html>

Educational Needs (EPSEN) Act²⁶ stipulated that students with special educational needs should be educated in inclusive environments with students who do not have such needs, except in exceptional circumstances. A series of court cases around this time also helped to define the right to education, and concepts relating to an appropriate education for children with special educational needs.

In 1998, the Government announced the automatic response to applications for additional teaching and care resources from mainstream schools to facilitate the education of students with special educational needs. The provision of an automatic entitlement to teaching and care resources in mainstream schools was a very significant milestone in the evolution of education services for children with special educational needs and for their inclusion in mainstream schools. At this time, a planning group was established to advise the then Minister for Education and Science on the establishment of a national psychological service in schools. Following the publication of the Planning Group Report, NEPS was established in September 1999. From the outset, the NEPS Model of Service aimed to deliver a needs-based continuum of services ranging from facilitating systemic change and building schools capability to providing more intensive individualised support for students with the greatest levels of need. Subsequently, the Department of Education and Science established a series of other services and agencies, including the NCSE, the Special Education Support Service, and the National Behaviour Support Service²⁷. Recent years have witnessed substantial investment and further significant expansion of resources and provision for students and schools, including changes in how additional teacher posts are allocated to support students with special educational and other learning needs with the introduction of the General Allocation Model²⁸ in 2005, and the Special Education Teaching Allocation²⁹ in 2017. This growth has served to consolidate the focus on inclusion, and also the maintenance of the continuum of education provision across mainstream schools, special classes, and special schools.

It was within the context of these significant developments in the education landscape that the NCSE was asked to review education provision for students in special schools and special classes, and to make recommendations about how better outcomes could be achieved. In carrying out its remit, the focus of the NCSE has been on identifying what has worked well, what the key challenges are, and what needs to change.

26 <https://www.irishstatutebook.ie/eli/2004/act/30/enacted/en/html>

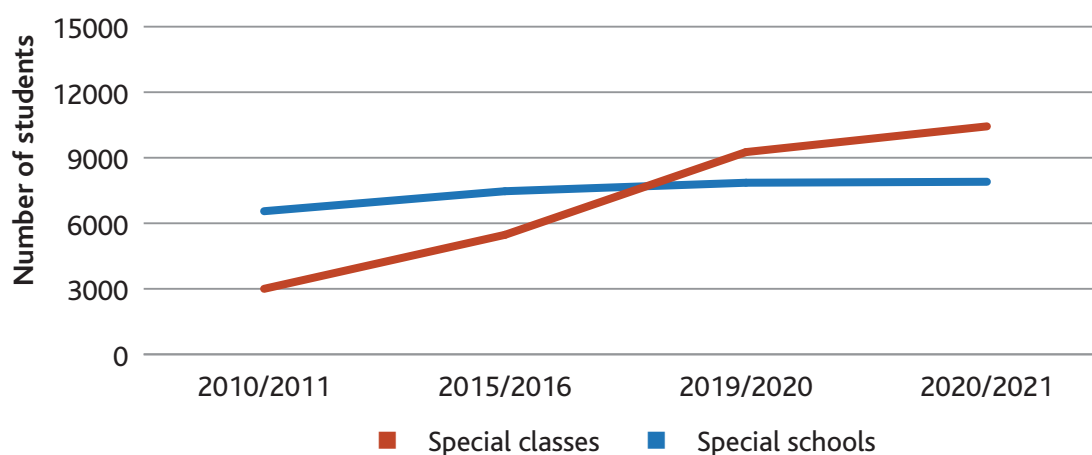
27 The Special Education Support Service and the National Behaviour Support Service were amalgamated into the NCSE in 2017, along with the Visiting Teacher Service for Children who are Deaf/Hard of Hearing and Children who are Blind/Visually Impaired.

28 <https://circulars.gov.ie/pdf/circular/education/2017/13.pdf>

29 <https://circulars.gov.ie/pdf/circular/education/2019/08.pdf>

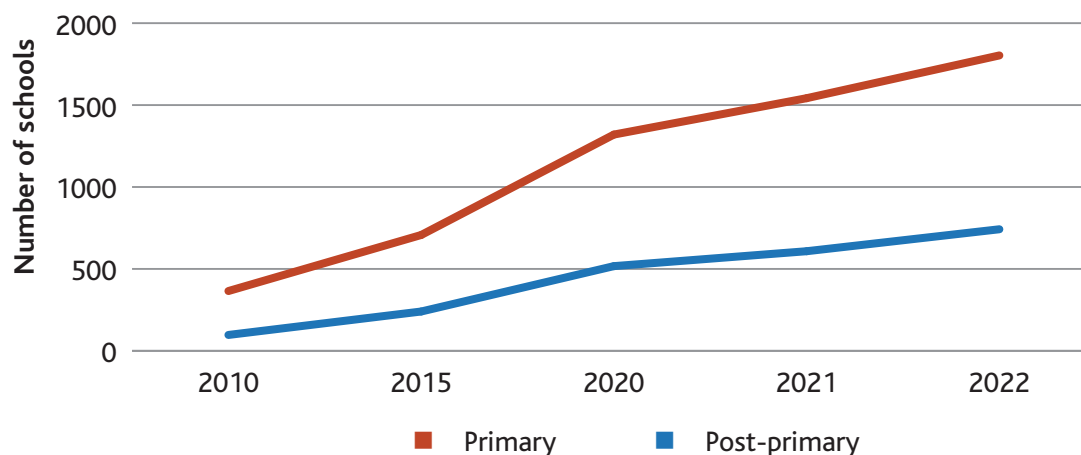
In the 2020/2021 school year, 948,494 students were enrolled in primary and post-primary mainstream schools and special schools. Of this group, 7,900 students were enrolled in NCSE supported special schools (0.83%) 508 students were enrolled in centres such as Youth Encounter Projects, Hospital Schools, etc. not supported by the NCSE (0.05%), and a further 10,436 were enrolled in special classes (1.1%), the latter number having increased significantly in recent years³⁰.

Figure 1. Number of students in special classes and special schools in Ireland, 2010-2021

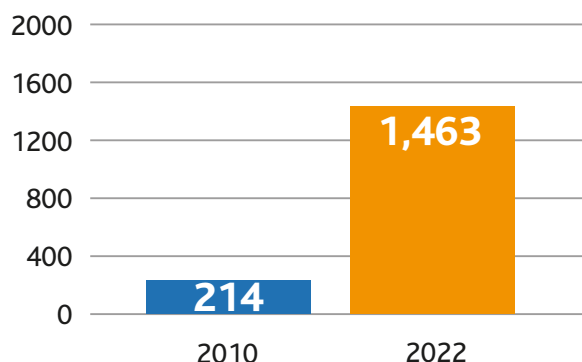


There was a significant growth in the number of special classes in primary schools from 2010 (n=356) to 2022 (n=1,807). See Figure 2.

Figure 2. Number of special classes in primary and post-primary schools in Ireland, 2010-2022



³⁰ Data sourced from the Primary Online Database (POD) of the Department of Education for the 2020/2021 school year.

Figure 3. Number of special classes for autism, 2010-2022

This growth was overwhelmingly due to the increase in the number of special classes for autism, from a total of 214 in 2010 to 1,463 in 2022 – a 584% increase. The demand for additional special classes shows no sign of decreasing. Funding for a further 287 new primary special classes has been allocated in Budget 2023.

Parents, teachers, school principals, SNAs, management boards, community groups, voluntary and statutory organisations continue to provide a huge commitment to achieving the best possible outcomes for this group of students. The Government continues to make significant investment in the area of special educational needs. Since 2011, spending has increased by 66%, with approximately €2 billion spent in 2021. Among the supports available for schools are NEPS psychologists and the enhanced NCSE Regional Support Teams.

The NEPS psychologists provide both a school-based individual student casework service and a school staff support and development service. The NEPS casework service involves the provision of a psychological service for a student, with the psychologist working with a student and/or with their teachers, parents/guardians and other professionals, if appropriate, to facilitate a common understanding of a student’s strengths and needs and agreement on a plan to support this student. The NEPS Support and Development service builds school staff capability to support the wellbeing, academic, social and emotional needs of all students including those who are experiencing barriers to learning and participation. The NEPS currently provides a service to all mainstream schools and approximately 80% of special schools, with a plan to extend service to all special schools in the near future.

The NCSE’s Regional Support Teams work collaboratively to build teacher capacity to embed supports in schools to address the education and care needs of all students, across the continuum of support, through teacher professional learning opportunities.

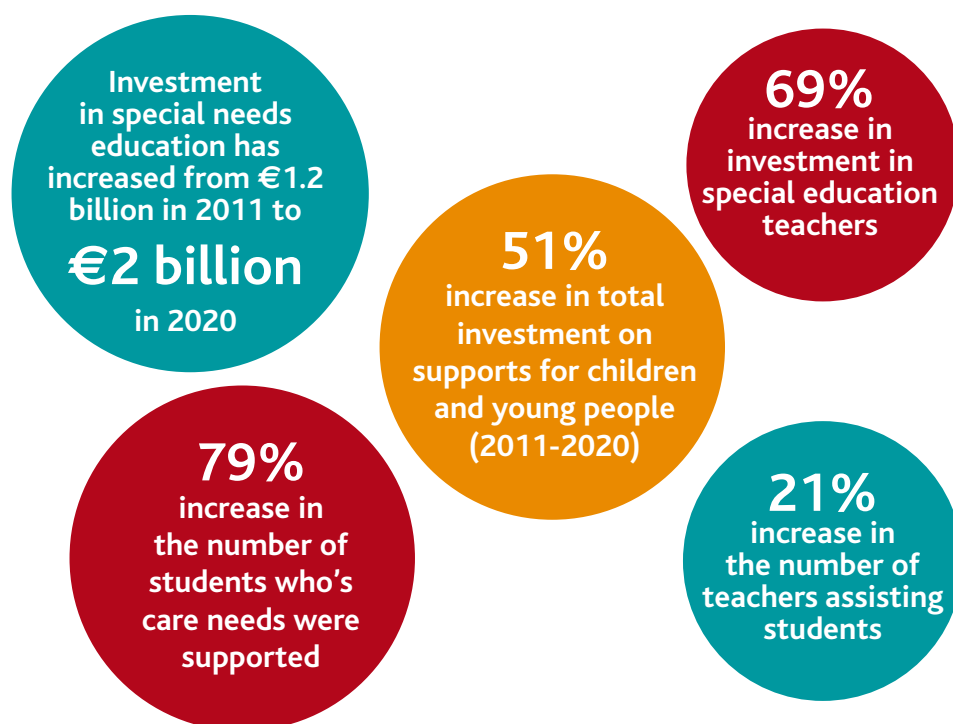
The aims of the NCSE’s Enhanced Regional Support Teams include:

- To develop schools capacity to identify and support students’ needs through the continuum of support framework;
- To support teachers to enhance their confidence and skills to identify educational needs, to interpret professional report recommendations and to implement evidence informed interventions and supports within the educational setting to meet students’ needs;

- To develop an inclusive educational system that reduces barriers and facilitates active engagement and meaningful participation in school life for all students;
- To increase the participation of students with additional needs in the education system; and
- To foster environments that support schools to build their capacity so that students can continue to progress towards achieving better educational and life outcomes.

1.3 State Investment in Supports for Students with Special Educational Needs

A key aim of the Government and of the Department of Education, in the Programme for Government, is to *'ensure that each child with a special educational need has an appropriate school place, in line with their constitutional right'*.



There is a trend towards an increasing identification of students with disabilities in schools internationally. The population of individuals with disabilities is expected to grow up to 2032 in Ireland with projected forecasts that the number of adults with a disability will grow by around 17 per cent over the period of 2018-2032³¹. The Department of Health has highlighted that the continued demand for services to support some adults

31 Department of Health (2021) *Disability Capacity Review to 2032 – A Review of Disability Social Care Demand and Capacity Requirements up to 2032*

with disabilities is greater than service capacity and, with the increase in demographic growth and unmet service need, this shows no sign of decreasing. Meeting the anticipated needs of adults with disabilities into the future is significant. It is important that Ireland's education system should advance progressively to become a fully inclusive system, a system that supports children and young people with disabilities to develop the skills to participate meaningfully to a greater extent in their local communities.

Over the last decade, there has been significant growth and investment in disability and special education related supports for students in Ireland. In particular, investment in special needs education has increased from €1.2 billion in 2011 to €2 billion in 2020. Over the period 2011 to 2020, total investment on disability and special education related supports for children and young people increased by €2.4 billion or 51 per cent. The number of students with significant care needs, who are supported by SNAs in schools, increased from 2.7 per cent to 4.2 per cent of the student population accessing additional supports. The corresponding investment in special education teachers increased by 69 per cent from 721 million in 2011 to over 1.2 billion in 2020, corresponding to an increase of 21 per cent in the number of teachers assisting students who require access to additional supports in schools. The Department of Education's expenditure on SNAs increased by 75 per cent, from 350 million in 2011 to 614 million in 2020 corresponding to a growth of 79 per cent in the number of students whose care needs were supported in schools during this time period³². Similar increases in government investment in the school transport scheme, which enables students with special educational needs to avail of education in special classes or special schools, also occurred. In Budget 2023, over 2.6 billion will be invested in special education, corresponding to 27 per cent of the Department of Education's total budget allocation.

In 2022, the NCSE examined their data validating research which reported a prevalence rate of autism of 3.38% in Ireland, which is a significant change to the previous reported rate of 1.55% in 2018. The impact of this changing demographic of autistic students in Irish schools is clearly demonstrated by the year on year substantial increase in the demand for special classes. Drivers of growth in special education needs provision can be attributed to the underlying change in the school age population³³, changes in policy and diagnostic criteria, the increasing proportion of students who can avail of SNA and special educational supports, as well as an increase in autism diagnoses. Recent years have seen the introduction of a number of positive changes in the provision of supports to meet the needs of students in schools including changes in resource allocation and the removal of the requirement for students to have a diagnosis of a disability in order to access additional supports. To implement Government policy to progressively realise

32 Data accessed from Daly, L. (2021). *Spending Review 2021 – Disability and Special Education Expenditure: Lifecycle of Supports*. Irish Government Economic and Evaluation Service.

33 The Census in 2016 recorded a measureable increase in the prevalence of certain forms of childhood disability, compared to five years earlier.

a fully inclusive education system that ensures every student accesses their education in their local school, and to provide an appropriate education for all children in accordance with their constitutional right, should reduce longer term costs of supporting adults with disabilities in the future. Supporting children and young people with special education needs to develop skills that will focus on their greater independence and better access to their local communities among their peers will give them a sense of belonging, communicate to them that they are valued and celebrate their diversity.

The future expectation that a continued increase in this investment trend in disability and special education is uncertain given the fiscal and resource constraints that may result from the impact of a potential global economic downturn. It is important that, in planning ahead, supports are developed that will enable students with disabilities to transition into adulthood and to participate meaningfully in an inclusive society. Therefore, it is important that resources available in schools, to support students, are used effectively. This will require a joined up approach that reflects a "shared social commitment" requiring shared understanding, shared responsibility and shared decision making processes with all partners that include parents/guardians, schools leaders, teachers, SNAs and stakeholders with the voice and needs of the child or young person with special educational needs as a paramount consideration. There is a projected growth in student leavers with disabilities over the next decade. Becoming a fully inclusive system will promote students as active participants in school life among their peers. This will enable them to develop their skills for life, support them to have more post school options thus easing their transition into adulthood, and facilitating better outcomes for them by enabling them to live their lives to the fullest in an inclusive society.

1.4 The Continuum of Provision for Students with Special Educational Needs

The continuum of education provision for students with special educational needs includes mainstream classes in mainstream schools, special classes in mainstream schools, and special schools. Students may receive their education in any one of these settings at different periods during their school years depending on their levels of need.

The EPSEN Act 2004 sets the legislative context for the operation of the continuum of education provision. Some sections of the Act have not yet been commenced. Section 2 of the Act has been commenced, and stipulates that a child with special educational needs shall be educated in an inclusive environment with children who do not have such needs, unless the nature or degree of these needs is such that to do so would be inconsistent with the best interests of the child, or the effective provision of education for children with whom the child is to be educated.

Mainstream classes

The Department of Education Circular 13/2017 for primary schools and Circular 14/2017 for post-primary schools indicate that the classroom teacher has primary responsibility for the progress and care of all students in their classroom, including students with special educational needs. Both Circulars outline that it is the responsibility of the classroom teacher to ensure that each student is taught in a stimulating and supportive classroom environment where all students feel equal and valued. Students with special educational needs, who are enrolled in mainstream classes, may access additional support from a special education teacher. This includes small group support or individualised teaching. Students with additional care and safety needs may also access support from an SNA, as required.

Special classes

Special classes are small group classes with enrolment ranging from six to eleven students, established with the approval of the NCSE. The number of students in a special class varies in accordance with the category of disability. Enrolment of a student in a special class follows an application by their parent(s)/guardian(s). The application must be supported by a professional report which identifies a student's disability and special educational needs. The professional report usually contains a recommendation as to the type of setting required to meet those needs. Placement in a special class usually follows a process of consultation between the student, their parent(s)/guardian(s), their existing school, the school with the special class, and other professionals who provide support to the student. Special needs assistants are allocated to special classes in accordance with the designation of that class as required.

Special schools

The enrolment procedures for special schools are similar to the processes for special classes. Special schools have the same student-teacher and student-SNA ratios as special classes. Special needs assistants are appointed to support students' care and safety needs. Many special schools have both primary and post-primary students on roll. In the 2021/22 school year, there were 126 special schools supporting students with special educational needs.

In the 2020/2021 school year, there were 114 NCSE supported Special Schools. A further 20 Special Schools were supported directly by the Department of Education and provide for a range of educational centres, such as Youth Encounter Projects, Hospital Schools, High Support Units and CAMHS schools. The number of NCSE supported Special Schools is expected to rise to 118 by the end of the 2022/2023 school year with the development of additional schools in areas where current Special Schools cannot meet the demand for places.

Special Schools were originally established under a particular designation of student need, but have diversified and respond to a broader range of students' needs from within their respective catchment areas. Responsibility for staffing the majority of special schools was given to the NCSE in 2010³⁴. The following year, the Department of Education³⁵ provided for staffing in special schools to be based on the category of disability of enrolled students as opposed to the original designation of the school.

Inclusive or Separate Education

The choice for Ireland in coming years will be whether to continue to provide education for some students with special educational needs in special schools and special classes, or to evolve an inclusive system that will enable all students to attend their local schools.

The term "inclusion" in education policy has been defined in a variety of ways over the past half century. Inclusion can be viewed as part of a dynamic process of change to restructure school systems so as to increase their capacity to respond to and accommodate the diversity of needs of all learners. Inclusion in education is also seen as making an important contribution to the creation of an inclusive society³⁶. The Department's 2007 guidelines for post-primary schools *Inclusion of Students with Special Educational Needs: Post-Primary Guidelines*³⁷ indicates that inclusion implies that the diverse needs and learning differences of all students are accommodated and that appropriate structures and arrangements are adopted to enable each student to achieve the maximum benefit from their attendance at school. UNESCO (2009)³⁸ defines inclusive education as "an on-going process aimed at offering quality education for all while respecting diversity and the different needs and abilities, characteristics and learning expectations of the students and communities, eliminating all forms of discrimination". The UN Committee that works with states in relation to the implementation of the UNCRC points out that progressive realisation of an inclusive education system is inconsistent with maintaining two separate systems – a general education system and a special education system.

Education provision in Ireland for students with special educational needs has advanced substantially in recent decades through, for example, developments in education legislation and policy, annual increases in the allocation of resources to schools including special education teachers and SNAs, advances in teacher education, and through the provision of services by bodies such as the NCSE and NEPS. These advances have enabled the inclusion and education in mainstream schools of many more children

34 Under the Department of Education Circular 38/10.

35 Under Department of Education Circular 42/11.

36 www.european-agency.org/resources/publications/agency-position-inclusive-education-systems-second-edition

37 Department of Education and Skills. (2007) *Inclusion of Students with Special Educational Needs: Post-Primary Guidelines*, p.39.

38 Brussino, O. (2020), "Mapping policy approaches and practices for the inclusion of students with special education needs", *OECD Education Working Papers*, No. 227, OECD Publishing, Paris, p.12.

with special educational needs. At the same time, many students with more complex special educational needs continue to receive their education in special schools, and in recent years there has been a marked increase in demand for special classes for autism.

The NCSE recommends in this policy advice paper that the Irish education system should continue to progressively put in place structures to enable children with special educational needs to attend their local schools. This inclusive vision pictures all students receiving their education in their local schools and within their local communities. A system of inclusive schools will enable all students to maintain links with their local communities. A system that could include all students with special educational needs in local schools would help to create a greater understanding and build respect for all in Irish society who experience exclusion and discrimination. An Irish education system which includes all students in local schools, would foster a greater understanding of difference and perspective, build greater empathy amongst young people, and help develop a more inclusive society.

1.5 The NCSE's 2011 Policy Advice on Special Schools and Classes

In February 2011, the NCSE provided policy advice on the future role of special schools and special classes to the then Minister for Education and Skills, Ms Mary Coughlan. The policy advice offered a number of recommendations that included the following:

- Special classes should continue to be established in local schools. It was also recommended that these classes be designated by the needs of students in the local community, within the context of local demographics and the feasibility of maintaining the class.
- Future special schools should be co-located with mainstream schools where it is in the best interests of students in both settings.
- There should be greater collaboration between special and mainstream schools.

Since that policy advice paper was published in 2011, there have been substantial changes and significant additional investment in educational provision for students with special educational needs. For example:³⁹

- Since 2011, State expenditure on special education has increased by 66% to €2.0 billion in 2022. In 2022, €2 billion, or over 25%, of the Department's budget will be spent on providing a wide range of schemes and supports for students with special educational needs.

39 <https://debatesarchive.oireachtas.ie/debates%20authoring/debateswebpack.nsf/takes/dail2020073000131#WRHH01600>. The special class figure is for 2020/21 school year.

- The number of special education teaching posts in mainstream schools has increased by 40% to 13,620. Since 2017, these allocations are made using a more equitable model based on school profile rather than on an individual's requirement to have a diagnosis of a disability.
- Provision of SNA posts in the school system has increased to 18,004. Budget 2022 provided funding for an additional 1,165 SNAs.
- There are currently 2,151 special classes, with 1,543 at primary level and 608 at post-primary level.
- In the 2021/2022 school year, the number of special schools for students with special educational needs has increased to 126.
- The development of the NCSE enhanced regional support team for students, families, and schools, and which encompasses special educational needs organisers (SENOs), advisors and visiting teachers.
- Legislative change to permit the Minister for Education, if required, to compel schools to make provision for special classes.
- The introduction by the National Council for Curriculum and Assessment (NCCA) of new post-primary programmes at Levels 1 and 2 of the National Framework of Qualifications for students in mainstream and special schools.
- Piloting a Demonstration Project and School Inclusion Model (SIM) to provide additional therapeutic supports in schools to build their capacity to meet the needs of students with disabilities.

Demonstration Project and In-School Therapy Project

The "Demonstration Project"⁴⁰, with a focus on In-School and Early Years Therapy Support, commenced in 2018/19 and was a unique collaboration between the Departments of Health, Education, and Children along with the HSE and the NCSE. This project aimed to build capacity in 75 schools and 75 early years' settings by providing therapeutic supports under a new model of provision. This project involved the design and implementation of a speech and language and occupational therapeutic support model for mainstream schools, special schools and early years' settings. As part of this project, the NCSE provided in-school support and advice to teachers and early year practitioners to build their school's capacity to support students, as well as provide access to external professional development opportunities for schools. In March 2019, the government approved the integration of the Demonstration Project with the SIM⁴¹ as a wrap-around, joined-up approach to supporting the needs of students with special educational needs. In this phase, the Demonstration Project provided supports and

40 <https://ncse.ie/wp-content/uploads/2020/11/Demo-project-evaluation-final-for-web-upload.pdf>

41 Further details on the School Inclusion Model are outlined on page 33.

capacity building to 74 mainstream and special schools and 66 early-years settings in parts of Dublin, Kildare and Wicklow. The Demonstration Project was paused in March 2020 due to the need for therapists to be redeployed temporarily to support testing for COVID-19. An evaluation of Year 1 of the Demonstration Project yielded positive outcomes for students.

The Demonstration Project was re-established as the In-School Therapy Project in October 2021 following the direct recruitment of therapists to the education sector. This now has in place a set of services for students and teachers in those schools, including speech and language therapy, occupational therapy, and behavioural supports who work with school personnel to build the capacity of their schools to address the needs of students. There is also psychological support available from NEPS, professional learning for teachers and SNAs, and in-school advice and guidance.

School Inclusion Model

Following the publication of a Comprehensive Review of the Special Needs Assistant (SNA) Scheme⁴² by the NCSE, the Government decided in early 2019 to establish a pilot of a new initiative, the School Inclusion Model (SIM), to support students with special educational and additional care needs. The SIM is piloting a support model for schools that provides for a range of additional assistance, such as behavioural support, added psychological and therapy services. These supports assist schools to build teacher capacity, augment SNA resources and assist schools in building an inclusive school culture.

Key elements of the model include the following:

- The further development of the Demonstration Project located in-school and early years therapy support. By the end of 2021, this project involved 75 schools in the HSE community healthcare region of southwest Dublin, Kildare and west Wicklow (CHO 7).
- The enhancement of two NCSE regional teams with SLTs, OTs and behaviour practitioners, all working to build regional team and school capacity to support students.
- A new frontloading allocation model for SNAs. A profiling system for special education teaching was used to allocate resources in advance thus eliminating the need for students to have a diagnosis of disability to access SNA support.
- The provision of additional resources to NEPS to provide an enhanced NEPS Service to schools to support teachers and engage in more complex and sustained casework. SNAs have been offered a new national training programme⁴³ designed

42 <https://ncse.ie/wp-content/uploads/2018/05/NCSE-PAP6-Comprehensive-Review-SNA-Scheme.pdf>

43 Cohort 1 consisting of 493 students successfully completed this programme in December 2021. Cohort 2 consisting of 941 students commenced the course in late August and are scheduled to finish mid-June 2022. Cohort 3 is scheduled to commence in September 2022 with approximately 1,000 students. This course is available to all SNAs across the country, not just SNAs

in collaboration with the School of Education in University College Dublin to equip them with the skills and knowledge to support students with additional care needs arising from significant medical, physical, emotional, behavioural, sensory, communication and other significant difficulties that can pose a barrier to participating fully in school life. This training emphasises supporting students with disabilities to develop independence and resilience.

- A national nursing pilot scheme for children with complex healthcare needs to attend school was launched in October 2022⁴⁴. This Government pilot scheme will complement current provision provided through community-based services by extending the care hours delivered by Paediatric Home Care Packages into the school settings for students with complex healthcare needs.
- Consultation with schools, teachers and parents is key to the development of this model.

Arrangements put in place for an independent evaluation of the School Inclusion Model were paused due to the delays in the project arising out of COVID-19. The evaluation will seek to determine the SIM's impact on students, SNAs, parents and the schools involved, including outcomes attained.

Department of Education Statement of Strategy 2021-2023

A strategic action in the Department of Education's Statement of Strategy 2021-2023⁴⁵ is to support the participation and progression of students with special educational needs through the delivery of integrated resources, in particular by advancing towards the roll-out of the SIM. As part of enhancing inclusion over the term of this strategy statement, the Department of Education has also committed to investing and building on the existing supports for special education in all schools. This includes an expansion of special class places, further investment in CPD in special education and supporting SETs and SNAs, and enhancing special schools.

The strategic vision in the Statement of Strategy commits the Department to delivering an education system that is of the highest quality, and where every child and young person feels valued and is nurtured to reach their full potential.

Through this policy advice paper, the NCSE aims to set out a comprehensive range of recommendations to assist decision-making by the Minister and the Department on on-going investment in educational resources and services to further advance the participation and progression of students with special educational needs.

working in schools in this pilot programme.

44 <https://www.gov.ie/en/publication/cf321-national-nursing-pilot-for-children-with-complex-healthcare-needs-pilot-scheme/>

45 <https://www.gov.ie/pdf/?file=https://assets.gov.ie/136245/Of16238d-ce2e-4da9-8511-a871327b4e2d.pdf#page=null>

1.6 International Agreements

1.6.1 Ratification by Ireland of the United Nations Convention on the Rights of Persons with Disabilities and its Implications for the Education of Children with Special Educational Needs

Ireland ratified the UNCRPD in March 2018. This was a significant event for people with disabilities in Ireland. The Convention reaffirms the human rights of persons with disabilities in all aspects of their lives, and commits ratifying States to improve the lives of people with disabilities across a broad range of areas, including education (Article 24). Article 24 of the Convention recognises the right of persons with a disability to an inclusive education, and to lifelong learning opportunities to enable them to achieve to their fullest potential. The Convention sets out a vision of an education system which recognises the right of persons with disabilities to education, and stipulates that with a view to realising this right without discrimination, and on the basis of equal opportunity, State Parties shall ensure an inclusive education system at all levels.

A UN Committee reviews and advises States on their implementation of the Convention. In its previous reports on State systems, the UN Committee has repeatedly stated that the exclusion of students with disabilities from regular or ordinary learning environments is not in line with the vision of education set out in the Convention. Most significantly, the UN Committee has stated that the full realisation of Article 24 of the Convention is not compatible with sustaining two systems of education: a mainstream education system and a separate or parallel special education system. The UN Committee advises State Parties to move progressively to full realisation of Article 24 as expeditiously and effectively as possible. The implications arising from Ireland's ratification of the UNCRPD for education provision for students with special educational needs are considered further in Chapter 4.

1.6.2 Recent United Nations (UN) Documents on Disability and Inclusive Education

In September 2017, the United Nations (UN) Agenda for Sustainable Development Goals (UNSDG) outlined a framework to guide the achievement of a disability inclusive environment. Goal 4 of the UNSDG is focussed on ensuring inclusive and equitable quality education for all persons with disabilities. Inclusive education is defined as a process of strengthening the capacity of an education system to reach out to all learners. The central message for inclusion and equity in education policy is that "every child matters and matters equally". The essence of this thinking is to embrace differences as an opportunity to enrich learning experiences for all students. This builds on a common understanding that more inclusive and equitable education systems have the potential to reduce inequality, to develop and build teacher and system capacities, and to nurture and encourage supportive learning environments. These developments will, in turn, contribute to overall improvements in educational quality and societal wellbeing.

In 2018, the UN published its Disability Inclusion Strategy, which provides the foundation for progress on disability inclusion to enable member states to strengthen accessibility for disabled individuals. The UN defined the term “disability inclusion” as the meaningful participation of individuals with disabilities in all their diversity, and the promotion of their rights. This UN Disability Inclusion Strategy seeks to promote the rights of individuals to ensure that they are valued, that their dignity and rights are respected, and that individuals with disabilities are enabled to participate on an equal basis with others.

1.7 The Experiences of People with Disabilities in Ireland

One of the main functions of education is to prepare students for life, to engage as citizens and be active and valued members of society. Yet, evidence from the EU and Irish contexts has identified that people with disabilities still face life challenges across a number of areas⁴⁶:

- Thirty-eight per cent of people with disabilities in Ireland are at risk of poverty and social exclusion⁴⁷.
- The employment rate of people with disabilities continues to be lower than people without disabilities.
- People with disabilities who do work are likely to work part-time.
- People with disabilities experience high levels of consistent poverty.
- People with disabilities have lower levels of educational attainment.
- Among the age cohort 15 to 50 13.7 per cent of people with disabilities had no higher than primary level education, compared with 4.2 per cent of the general population.
- People with disabilities are less likely to complete third level education.
- People with disabilities experience discrimination in accessing public and private services and in the labour market.
- Lower levels of educational attainment have knock-on effects on post-school opportunities and quality of life.

46 Eurofound (2018). The social and employment situation of people with disabilities, Publications Office of the European Union, Luxembourg. Available at https://www.eurofound.europa.eu/sites/default/files/ef_publication/field_ef_document/ef18023en.pdf; Banks *et al.* (2018) *Disability and Discrimination in Ireland*. Dublin: Irish Human Rights and Equality Commission. Available at <https://www.ihrec.ie/app/uploads/2018/09/Disability-and-Discrimination.pdf>; National Disability Inclusion Strategy 2017-21; Census 2016 Profile 9 – Health, Disability and Carers.

47 This is one of the highest rates in the EU. See European Disability Forum (2020) *Poverty and Social Exclusion of Persons with Disabilities*. *European Human Rights Report no.4*. Accessible at https://mcusercontent.com/865a5bba1086c57a41cc876d/files/ad60807b-a923-4a7e-ac84-559c4a5212a8/EDF_HR_Report_final_tagged_interactive_v2_accessible.pdf

The National Disability and Inclusion Strategy (2017-2021) for Ireland is underpinned by “a vision of an Irish society in which people with disabilities enjoy equal rights and opportunities to participate in social and cultural life... and can reach their full potential”. In collaboration with other government departments, this policy identifies the role of the Department of Education in supporting students with disabilities to include:

- transition supports into, within, and out of education;
- implementation of the Access and Inclusion Model to ensure that each child can meaningfully participate in early years settings;
- continuation in enhancing teachers skills to enrich learning opportunities for students with disabilities; and
- embedding a UDL⁴⁸ approach in all new school designs, and the retrofitting of existing buildings, where possible.

In 2016, the Government introduced the Access and Inclusion Model (AIM) in early-years education to embed inclusive early childhood education and care experiences for young children with disabilities. The aim of the project is to enable every child to participate meaningfully and to avail of all the benefits that are gained from participation in quality early years education and care in inclusive settings. A recent evaluation of the AIM highlighted a range of positive findings that shows that the project is enabling the full inclusion and meaningful participation of most of the children it supports, has influenced practice, and increased capacities for inclusive practice in the workforce. The take-up and engagement have been positive with clear evidence that these supports were implemented effectively to support children, with consequent positive impacts on their inclusion.

1.8 Developing the policy advice

Based on the Terms of Reference provided by the Department of Education, the NCSE’s starting point for this policy advice report was to identify if, and how, better outcomes and experiences could be achieved for students who are currently educated in special schools and special classes. In developing its advice, the NCSE was determined to ensure that the State’s significant investment in special education services and supports continues to be deployed in a way which achieves the most advantageous outcomes for these students and their families. The NCSE also sought to consider how the existing good practices in the Irish education system could be incorporated and further developed in the design of an inclusive education system, for example, existing elements such as the continuum of support process, and the resource allocation models for teachers, SNAs, special transport, specialist equipment, school buildings and so on.

48 Universal Design for Learning is a set of principles for curriculum development that gives all individuals equal opportunities to learn, including students with special educational needs. The three principles of UDL are engagement, representation, and action and expression. UDL aims to improve the educational experience of all students by introducing more flexible methods of teaching, assessment and service provision to cater for the diversity of learners in our classrooms.

In preparation for this policy advice paper, the NCSE undertook extensive consultation and research processes. The development of the paper was further informed by legal analysis, visits to Irish schools, as well as study visits to countries which address the educational needs of students with special educational needs in different ways. The NCSE also considered the implications for Ireland's education system of Article 24 of the UNCRPD.

Consultations

The NCSE held 40 consultation sessions with different stakeholders including parents, students, SNAs, teacher representatives, principals of mainstream and special schools, school management, voluntary bodies, advocacy groups, HSE professionals, the NCSE Consultative Forum, Department of Education officials, and other relevant Government departments and agencies such as the Teaching Council and the National Disability Authority. A selection of staff from the NCSE that included SENOs, visiting teachers for the Deaf/Hard of Hearing and Blind/Vision Impaired, advisors, specialist leads and managers, was also consulted. Most of the consultation sessions were conducted prior to the publication in October 2019 of the Progress Report. Some further consultations with the education partners were held in late 2019 and 2020. The full list of consultations for the policy advice is contained in Appendix 1.

In December 2019, the NCSE launched a survey to seek the perspectives of members of the public on the provision of education for students with special educational needs. The survey received over 5,000 responses by the time it closed in January 2020. Separately, submissions were received from a range of different organisations, individuals, and learners. The NCSE also obtained expert inputs from a number of individuals and organisations. These are listed in Appendix 2.

Research

A number of research strands underpinned a broad and robust evidence base for this review. This work was undertaken by the NCSE, unless stated otherwise in the report. The strands were:

- A review of published research evidence on a range of questions relating to the education of students with special educational needs in mainstream and special education settings, and their peers without special educational needs. Key findings from this review are summarised in Chapter 3 and a detailed report on the review will be published separately with this report.

- A review by the Department of Education Inspectorate of special class provision for students with Autism Spectrum Disorder (ASD)⁴⁹, and for students with Specific Speech and Language Disorder (SSLD)⁵⁰.
- An analysis of a selection of published Inspectorate reports on special schools.
- A survey of school principals on SET allocations to create special class-type groupings.
- A paper by the National Disability Authority (NDA) on the development and adoption of a UDL approach for school buildings.
- A review of evidence arising from the independent evaluation of the in-school therapy support demonstration project undertaken by University College Cork and Mary Immaculate College, Limerick⁵¹.

Legal review and analysis

The NCSE commissioned legal advice on the implications of Ireland's ratification of the UNCRPD and its future ratification of the Optional Protocol. The NCSE also examined the Concluding Observation reports published by the UN Committee on the experiences of a sample of State Parties regarding their educational provision for students with special educational needs.

Visits to Irish schools

Members of the NCSE Council visited 13 schools, seven of which were special schools. The remaining six were mainstream schools, some of which had special classes for students with special education needs. Members of the NCSE Executive also visited other Irish schools as part of the evidence-gathering process.

International visits

Representatives of the NCSE visited three jurisdictions that educate students with special educational needs in different ways:

- In November 2018, a visit was made to New Brunswick, Canada – a jurisdiction which has developed an education system where all students, regardless of disability or need, are educated in local schools.

49 <https://www.gov.ie/en/publication/c466e-education-provision-for-learners-with-autism-spectrum-disorder-in-special-classes-attached-to-mainstream-schools-in-ireland/>

50 <https://www.gov.ie/en/publication/d62ab5-an-evaluation-of-special-classes-for-pupils-with-specific-speech-and/>

51 <https://ncse.ie/wp-content/uploads/2020/11/Demo-project-evaluation-final-for-web-upload.pdf>

- In October 2019, a delegation visited schools in Portugal – a country that is currently implementing rapid reforms to move to a single inclusive education system.
- In February 2020, a group visited schools in England – a country that is maintaining a continuum of educational provision for students with special education needs consisting of mainstream schools, special classes, and special schools.

1.9 Publication of Progress Report 2019

To support the development of this final policy advice report, the NCSE published in October 2019 a progress report entitled *Policy Advice on Special Schools and Classes: An Inclusive Education for an Inclusive Society*⁵². This progress report presented the NCSE's findings up to that point, and set out the processes to be followed in the preparation of this final report. The progress report documented many positive features of the current education system for students with special educational needs. These included:

- The significant expansion in the availability of additional teaching supports and the State's investment in other resources is developing an educational system whereby students with special educational needs are generally well supported in mainstream schools and in special education settings.
- Many teachers have undertaken Teacher Professional Learning (TPL) to equip themselves with the requisite skills to support students.
- Many schools are committed to including students with special educational needs and have established teams to support students' education in school.

While the progress report noted some good practice, the findings also illustrated a number of challenges for the education system as it is currently constituted, and for wider society. These include that:

- The current system of special schools and classes results in separation, albeit of a relatively small percentage of the student population, rather than inclusion of all students.
- The current system sets in motion a process of selection, separation, and exclusion of some students with special educational needs, often when they are very young, and this exclusion often continues across a student's life course impacting on them and limiting their opportunities for full participation and inclusion in society.

The progress report also identified a number of issues which indicate that the education system is not currently working at the optimum level.

52 <https://ncse.ie/wp-content/uploads/2019/11/Progress-Report-Policy-Advice-on-Special-Schools-Classes-website-upload.pdf>

- Some very young children with special educational needs begin their formal education in a special school or special class and never get the opportunity to experience mainstream education alongside their neurotypical peers.
- Some teachers reported that they do not have the requisite knowledge, skills, and competencies to teach students with more complex special educational needs.
- Some special school buildings are in poor condition. The impact of this on the capacity of schools to meet students' individual needs was raised in consultations as a cause of concern.
- The basis for recommending placement in a special school or special class setting is not always clearly specified in professional reports. Furthermore placements of students in special classes and special schools appear to be rarely, if ever, reviewed. At the same time other students with greater needs may have great difficulty accessing a special education placement because of pressure on the places available.
- The selection for special class placement of students of particular ability and the exclusion of certain others with lower levels of ability seems to occur in some schools, despite the reality that schools can be resourced to educate all students.

Some students spend lengthy periods travelling outside their local area to attend a special school/special class. As well as the obvious implications for students' readiness to engage in learning when they arrive at school, this practice also isolates students from participating to a greater degree in their local communities.

The progress report also noted that:

- There was a lack of high-quality international research on most of the literature review questions asked.
- Students with special educational needs appeared to be well supported in all schools visited that included both mainstream and special settings. They appeared happy with their educational placement regardless of setting.
- Many of the groups consulted during this phase thought that ideally all students could, and perhaps should, be educated together in mainstream schools. Yet, most found it extremely difficult to imagine how the two per cent of students, who are currently educated in special schools or special classes, could ever be included in mainstream classes, given their levels of need and the complexities arising from their disabilities. These groups also reflected the view that specialised provision would always be required for students with the most complex needs.
- Mixed views were expressed in the consultations about whether all students being educated together in their local schools is even desirable. Consultation participants indicated that some schools currently experience challenges in meeting students' needs, and that school buildings would need redesigning or

upgrading to accommodate students with complex needs. Other groups expressed concern that the inclusion of all students, irrespective of complexity of need, would have a negative impact on the education of their peers without disabilities.

- Many consultation groups were concerned that educating a student in a separate special education setting can have life-long negative consequences.
- Most consultation groups considered that all children being educated together in local schools, while achievable, would require a fundamental change of school culture and mind-set.
- Other consultation groups argued strongly that special schools and classes should be retained as it was considered more economical and practical to cluster students with more complex needs into one setting.
- The consensus view, across virtually all groups, was that, however desirable the outcome, the educational system as currently constituted was not ready yet to educate all students together.

1.10 Structure of this policy advice report

This Introduction is followed by five chapters:

Chapter 2 outlines the consultation process and the range of views received from meetings held, submissions received, and the findings of the public consultation survey.

Chapter 3 presents the findings and analysis from the extensive multi-strand research processes which were undertaken to inform the development of this advice, as well as evidence from visits to schools in Ireland.

Chapter 4 presents findings from the international element of this report that includes a review of provision in a selection of other administrations. Findings also include evidence from study visits conducted in England, New Brunswick in Canada, and in Portugal. This chapter also provides an analysis of Article 24 of the UNCRPD and of its implications for the provision of education for children with special needs in Ireland.

Chapter 5 specifically links the NCSE's findings to the Terms of Reference outlined by the Minister for Education to inform the development of this advice.

Chapter 6 presents the policy advice recommendations that were formulated following engagement with the data outlined in the above chapters.

2. The Consultation Process

2.1 Introduction

A key element of the development of policy advice by the NCSE is the consultation process. The NCSE recognises that the views of the stakeholders involved in the education of students with special educational needs are a vital source of information, knowledge, and evidence to inform policy advice and decision-making on the further development of the education system.

The progress report published by the NCSE in October 2019 set out the findings arising from the extensive consultations undertaken with different stakeholder groups during the preceding twelve months. In the Progress Report, the NCSE committed to engaging in further consultations, to determine the best approaches for the education of students with special educational needs, and specifically to examine the future role of special schools and special classes.

The second round of consultations included an online survey which opened in December 2019 for almost two months and was completed by over 5,000 respondents⁵³. Also during the second round of consultations, a large consultation session was held with a cross-section of stakeholders, which included representatives from parent groups, mainstream and special school principals, teachers, other education stakeholders and partners, union bodies, state agencies and voluntary organisations. A small number of additional consultation sessions with advocacy groups and with principals of schools with special classes was also organised.

In total, data arising from 40 different consultation sessions, along with the public consultation survey as well as a number of direct submissions, were analysed for the development of this policy advice paper. The key findings from these different sources are presented in this chapter.

Members of the NCSE Council visited schools in May 2019 to observe schools in operation at first hand and to meet with staff and students. In addition, members of the NCSE executive made additional school visits during the course of the review. The findings arising from these visits are reported in Section 2.9 below.

⁵³ As participation in the survey was self-selecting, the sample is not fully representative of the range of individuals and groups with a role in special and inclusive education.

2.2 Areas explored during the consultation process

The NCSE sought to address with the stakeholders the broad range of issues prompted by the Terms of Reference, and to hear stakeholder views on the development of education provision for students with special educational needs, including the future role of special schools and special classes.

The questions asked and themes addressed, during the first phase of consultations, were as follows:

- If in the future there were no special schools or classes, how would mainstream schools have to be reconfigured to include children who have the most complex needs?
- What arrangements should be in place (and documented) in a school before a student is placed in a special setting?
- Should a diagnosis of disability be required for a student to join a special school/class?
- Should fixed-term placements be applicable to all special classes and should there be a mandatory review of all placements at specified points in the placement?
- Schools report an increasing number of students who, because of significant behaviours of concern, are being excluded; or on shortened school days; or require 1:1 teaching/SNA support in order to be included:
 - What are the reasons for these increases?
 - What needs to be put in place in schools for these students to be included?
 - What should happen when a placement in a special school/class breaks down?
- Does the lack of availability of therapy supports impact on the rate of enrolment in special schools and/or classes?
- Do clinicians (e.g. speech and language therapists, psychologists, psychiatrists, occupational therapists) have a good understanding of what happens on a daily basis in mainstream and special schools?
- What planning should be in place for the establishment of special schools/classes?

The first phase of consultations revealed strong supportive views among stakeholders regarding the importance of special schools and special classes as placement options for students with special educational needs. The publication of the progress report created some welcome debate about the issues raised, as well as raising concerns among some stakeholders about the future of special schools and special classes. There was some negative commentary on the progress report, and its purpose. Some stakeholders

were suspicious that the progress report was, in fact, the final report, and expressed a fear that the progress report was recommending the closure of all special schools and classes. However, this was not the NCSE's intention. Rather, the NCSE wished to set out in the progress report the emerging issues, including the concerns of stakeholders, and a consideration as to how these issues might be addressed. The NCSE also stated its intention to consult further with stakeholders prior to setting out its recommendations in this final policy advice report.

During the second round of consultations, and via an open consultation survey, a range of questions was asked. These questions were developed to follow on from the first round of consultations and were also informed by findings from the research programme which was undertaken by NCSE. The questions were as follows:

- Are there benefits to society for all students being educated together in their local school?
- What would need to be in place to have an appropriately supportive environment where all students are educated together?
- If an appropriately supportive environment was in place in schools, what are the advantages and disadvantages to educating all students together in their local school?
- What is the best way forward for students who are currently educated in special schools and classes?
- Are there any other points the NCSE should consider?

The public consultation survey was launched with a view to building on the evidence already gathered during the first round of consultations. The volume of over 5,000 responses to the public survey indicated a high degree of interest in the education of students with special educational needs and yielded a range of respondents' views – some of which were strongly expressed, some less so. While the outcomes of the survey cannot be interpreted as fully representative of the views of all parents, teachers, principals, SNAs, therapists, and others, they nevertheless provided an additional valuable source of stakeholder views about the current and future education of children with special educational needs. Findings from the two rounds of consultations and from the public consultation survey are set out thematically below.

2.3 Consultation findings regarding special schools and special classes

The consultation process revealed a broad range of views about positives in the current system and the areas that require improvement. A number of common themes emerged across the two phases of consultations and from data that was gathered from the public survey.

Special schools are generally regarded as a good placement option for students with special educational needs. The NCSE was informed across the consultations about the positive work that takes place in special schools. Consultation participants stated that students' differences are celebrated, and that students feel more included and have more positive experiences than when placed in mainstream schools. Teachers in special schools indicated that they are more able than mainstream teachers to meet the complex needs of their students. Some principals of special schools, parents and teachers stated that if students in special schools were educated in mainstream classes as currently configured, their needs would not be met due to inadequate resourcing and lack of staff expertise to meet the students' needs. This group concluded that students would thus be worse off, and that they would be "victims of token inclusion".

Special schools were characterised by some consultation participants as an alternative to mainstream schools, especially when a mainstream school found that it could no longer meet the needs and/or manage behaviours of concern of individual students. When student placement in a mainstream school broke down, the option of a student transferring to a special school was possible. Notably, in the case of students presenting with behaviours of concern, special schools reported that they were also experiencing situations where student placements broke down. When this occurred, special schools had to find solutions and in some extreme cases resulting in the placement of a student on a reduced school day⁵⁴.

Placement in special schools and special classes can be beneficial but can also result in long-term limitations for students

Consultation groups agreed that the decision to place a student in a special school or class is a critical choice for each individual student. Groups indicated that the perceived benefits for a student of smaller class numbers, along with additional teaching and care support, could be offset by a reduction in curriculum options, which might in turn limit post-school opportunities for a student. Some groups also expressed concern that very young children may start their school lives in special schools or special classes, and remain indefinitely in these settings without ever experiencing education with children who do not have special educational needs.

54 Placement of a student on a shortened school day is now governed by Department of Education Circular 0047/2021.

Continuum of Support

There was general agreement among consultation groups that all potential options under the Department of Education's continuum of provision should be investigated before placement in a special education setting is considered for a student. Consultation groups agreed that mainstream schools needed to ensure that all appropriate interventions, including support from a special education teacher and SNA support, are provided to the student prior to a decision to transfer the student to a special class or special school. Interventions provided as part of this process needed to be evidence-informed, supported by data from the student support file, and include records of the student's responses to earlier interventions. Consultation participants agreed that students and parents should participate in a shared decision-making process around placement, have access to all relevant information, and be made aware of the full implications of any potential decisions.

Assessment

All groups concurred that a formal process of assessment should be required for placement in a special school or class. Many consultation participants strongly expressed the view that a student should not be placed in a special educational setting without a diagnosis of disability from an appropriately qualified professional. Others expressed the view that students, sometimes those with significant levels of need, do not always fit neatly into a disability category due to the diversity of their needs, and that the requirement for a specific diagnosis militates against access for these students to appropriate placements and supports. A general consensus emerged across consultation groups that placement decisions should be based on identified student needs, assessed through a formal process, and by appropriately qualified professionals.

Most consultation groups were concerned that clinicians, who do not work directly in schools and were often responsible for making recommendations about educational placements and/or supports, but did not fully understand the experience of students in schools, or how schools work on a day-to-day basis.

Transition planning

Consultation groups pointed out that if a decision is taken to educate a student in a special school or class, a detailed transition plan should be developed in collaboration with the student, their family, and the student's school or early years setting. All involved should engage in a process that identifies the roles and responsibilities of the key personnel involved. The process should also include relevant staff of the "destination" school. Transition planning should also be a feature of the process to support student progression from primary to post-primary special classes. The transition planning process should include the monitoring of student placement and progress during the first year of post-primary education.

Placement reviews

Consultation groups were clear that placing a student in a special school or special class setting is a critical decision for a student, given the potential long-term impact on them – both the potential benefits and potential limitations that might ensue from the placement. Concern was expressed that once a student is placed in a special school or special class, only on very rare occasions does this student transfer to mainstream education. It was clear from the consultations that a review of a student's *placement* (as opposed to a review of a student's *progress*) in a special school or class rarely, if ever, happens. This, it was viewed, contributes to most students permanently remaining in a special setting once they have been placed there. There was strong support for student placements in special schools and classes to be kept under regular review, and formally reviewed at least once each year.

There was no clarity in the consultations about who should be responsible for initiating an annual review and/or for recommending a change in placement where a review notes such change is appropriate for a student. HSE staff stated, even if they had the time to do so, that they were not qualified to recommend such a change. Teachers reported that they were not qualified to counter a previous recommendation from a clinician, they believed that any change would have to be recommended by the same type of clinician.

Fixed-term placements

Students with a specific learning disability (SLD) or specific speech and language disorder (SSLD)⁵⁵ may spend up to two years in special schools or classes before returning to their mainstream school. Consultation participants indicated that time-bound provision, such as for special classes for students with SSLD could work, but a plan needs to be in place for a return to a student's mainstream class. While there was general consensus that such fixed-term arrangements work well for students with SSLD, there was no agreement that fixed term placements should be extended to all special classes. Consultation participants agreed that students with more severe and complex needs may need the flexibility to stay longer in special educational settings to access supports, with their placements regularly reviewed.

Special settings for specific learning disability and for specific speech and language disorder

Notwithstanding the increased allocation of special education teachers to mainstream schools, many groups were of the view that, given the connection between speech and language development and cognition, special classes for specific speech and language

⁵⁵ The term *Specific Speech and Language Disorder (SSLD)* may be revised as *Developmental Language Disorder (DLN)* in line with international best practice.

disorder are still needed. However, some groups expressed the view that there may not be a continuing need for special schools and classes for students with specific learning disability, and that mainstream teachers and special education teachers could be upskilled to support these students.

Principals of special schools for SLD defended the role of these schools, noting the numbers of students who arrive in their schools with low literacy levels and who make good progress during their placements. The absence of national or international data on the achievement of these students in special settings compared to those in mainstream settings was acknowledged.

Establishment of Special Classes

Consultation groups were asked about how the establishment of special classes should be planned to ensure consistency and equity of access for students who require special educational provision. Groups strongly advised that special classes should be located across all schools to ensure that all schools take responsibility for educating students with special educational needs.

Consultation groups suggested that a school's reluctance to establish a special class is sometimes based on a lack of knowledge about students with special educational needs and/or a fear that required supports will not be in place after the special class is established and when students are enrolled. Consultation groups advised that principals need to be confident that the necessary supports will be provided as soon as students are enrolled, and that schools will not be left on their own to manage when challenges arise, and particularly when students' educational placements break down.

There was agreement among consultation groups that the Education (Admission to Schools) Act 2018 is insufficient on its own to address the issues relating to the establishment of special classes. On balance, groups were in favour of all schools enrolling all students within their local catchment areas, and that the establishment of special classes should be based on need in a catchment area, and also involve agencies such as the HSE. Parental preference should also be taken into account. Consultation groups indicated that when deciding which school should open a special class, SENOs should consider a range of factors including the following: that the school is a student's local school; available space; balance of special classes across schools in the locality; teachers with additional qualifications or experience in special education; trained SNAs; a balance in representation of students in all their diversity including students with special educational needs in the school; inspection reports; and travel time for prospective students.

2.4 Consultation findings regarding therapeutic supports

The need for a range of clinical and therapeutic supports in mainstream and special schools was noted across consultation groups. Consultation groups identified in particular, the need for SLT, OT and behavioural support, along with psychological support and other forms of support, as required.

When asked what was necessary to establish an appropriately supportive environment for all learners, one-fifth of consultation survey respondents identified the need for therapeutic supports. SLT and OT were the most commonly forms of supports identified, but responses also mentioned personnel such as nurses, psychologists, behavioural therapists, and physiotherapists.

A key point raised by many of the consultation survey respondents was that therapeutic and other supports should be provided in-school by the education sector, a point which was also reiterated by some consultation groups.

Therapeutic supports for students presenting with behaviours of concern

Consultation groups commented that the incidence of behaviours of concern among students was increasing across all schools. All groups agreed that the level of these behaviours was increasing in both severity, frequency and duration, particularly in special schools. Special school principals reported that teachers experience considerable difficulties in addressing certain behaviours of concern that arise in their schools – some of which can be very serious to the point of staff members being assaulted. School principals highlighted the need to have the right balance of supports in place for both students and teachers following serious incidents.

Both mainstream and special schools reported that, due to their experiences in addressing the significant needs of students presenting with extreme behaviours of concern, an increasing number of students require 1:1 teaching and SNA support, or are on reduced school days, with some students experiencing exclusion from school. Schools agreed that partial or full-time exclusion can make it difficult for a student to ultimately re-engage and transition to school on a fulltime basis, and that this situation can be exacerbated if the appropriate therapeutic supports are not available.

There was a strong perception amongst some consultation groups, particularly mainstream school staff, that special schools have greater access to therapeutic supports than mainstream schools. These staff suggested that this is one of the main reasons why parents place their children in special schools or special classes. However, special school principals and teachers indicated that many special schools have no access to behaviour supports or other therapies such as SLT or OT, so these schools rely on SNA support (SNAs who may, or may not, have received appropriate training to deliver support), and

which, on its own, is not always the most appropriate intervention. Special school staff also pointed out that accessing emergency SNA support triggers a whole school review of supports, which can act as a barrier to seeking the support in the first place.

Many special schools reported that their therapy supports were being diluted (or cut back), in part because of the introduction of Progressing Disability Services for Children and Young People ⁵⁶ by the Health Service Executive. There was, however, agreement that therapy supports should be available to students regardless of their educational setting – as set out in the policy on Progressing Disability Services. Consultation groups considered it extremely important that therapy support is provided on an in-school basis, where teachers and therapists can work together for the benefit of students. Many groups were strongly of the view that therapy support should be funded and provided through the Department of Education. There was a general welcome for the In-School Demonstration Project, which was in operation on a pilot basis at the same time that the consultations were taking place. This project was considered to have great potential for supporting students if and when it was introduced on a national basis.

2.5 Consultation findings regarding the role and needs of the teaching profession

All consultation groups emphasised the importance for teachers to have the relevant professional knowledge and experience to teach students with special educational needs. Consultation groups agreed that teachers need appropriate professional learning opportunities to enable them to meet the diversity of students' needs in both mainstream and special education settings. There was general acknowledgement that students with special educational needs are well cared for in all types of schools and that some students make good progress in special schools and classes.

Some mainstream class teachers indicated that they did not think they should be teaching students with more complex needs, due to their lack of knowledge, skills, or competencies to support students with such needs. School leadership was viewed as an essential aspect, with principals seen as responsible for setting the culture of the school, developing a shared responsibility, and a whole-school approach. All consultation groups noted the requirement to meet the diverse needs of students in the classroom. Appropriate initial teacher education and professional learning opportunities were identified as key requisites for schools to meet the full range of students' needs.

56 <https://www.hse.ie/eng/services/list/4/disability/progressing-disability/pds-programme/documents/>

Initial Teacher Education and Teacher Professional Learning

Consultation participants expressed concern about the extent to which current initial teacher education (ITE) programmes are equipping newly-qualified teachers (NQTs) with the knowledge, skills, and competencies to meet the learning needs of all their students, and, in particular, students with complex learning needs. A lack of teacher awareness about particular disabilities, and relatively low numbers of teachers reportedly participating in professional learning opportunities in special and inclusive education were noted in particular.

Consultation participants identified the need for regular and sustained professional learning opportunities for teachers. This included content on a range of topics such as understanding and managing behaviours of concern, differentiating the curriculum, using assistive technology and planning and implementing student support plans. They also spoke about the need to expand ITE content to include specific modules on special education and inclusion, and make a special education-focussed placement mandatory for student teachers engaging in ITE programmes. The NCSE notes that that Teaching Council has made it compulsory for student teachers to pursue an inclusion module in ITE.

The NCSE is aware through its commissioned research that there are challenges for student teachers and NQTs in preparing for, and implementing inclusive teaching pedagogies in their classrooms⁵⁷. These challenges include student teachers securing special education placements whilst engaging in ITE programmes and challenges for NQTs in applying course learning in the classroom. The ways in which schools approach inclusive teaching, create opportunities for collaborative planning and team teaching, and provide formal and informal support to NQTs were viewed as very important for the development of these teachers' attitudes, knowledge and skills, and for their confidence and professional identity as inclusive teachers.

Placement of newly-qualified teachers in special classes

Consultation groups advised that students with the most complex needs should be taught by the most experienced teachers. However, many teachers indicated that they did not have sufficient opportunity to access professional learning, particularly in order to develop the skills required to teach students with complex needs effectively. The withdrawal in 2012 of allowances for the attainment of postgraduate qualifications in special education was also viewed as a negative development in this regard.

57 https://ncse.ie/wp-content/uploads/2020/01/04611_NCSE-Initial-Teacher-Education-RR27.pdf

Consultation groups expressed concerns about the allocation of newly-qualified teachers (NQTs) to special classes, while at the same time indicating that students needed the most experienced teachers who are competent to support students with additional needs. The Teaching Council advises that only in exceptional circumstances should NQTs be placed in special education settings. The Teaching Council indicates that the focus should be on ensuring that all professional learning opportunities in the system are aligned to the learning needs of students to ensure all receive an appropriate education.

In its *Guidelines for Setting Up and Organising Special Classes (2016)*, the NCSE advised that schools should first of all recognise that students in special classes have complex learning needs, and as a consequence, the NCSE recommends the appointment of teachers who are knowledgeable and experienced in working with students with special educational needs. These guidelines also indicate that additional professional learning opportunities are provided where required.

2.6 Consultation findings regarding school buildings

Consultation participants indicated that matters relating to the suitability of school buildings need to be addressed. Some special schools are located in buildings which are inadequate to meet the complex learning and care needs of their students, with small classrooms that are unsuitable for teaching students with a diverse range of special educational needs.

Some consultation groups and consultation survey respondents also noted that, in identifying what was necessary to put in place an appropriately supportive environment for all learners, schools would need to be redesigned and upgraded, as necessary, with appropriate facilities in place to meet the variety of student needs, including their access to the curriculum. Of the 23% of consultation survey respondents who identified appropriate school buildings and equipment as necessary for the provision of a supportive environment for all learners, the most mentioned need in this context was the inclusion of additional rooms where students could access clinical supports. Bigger classrooms and new schools were also suggested in the responses.

2.7 Other areas needing improvement

When asked what else would be necessary to establish an appropriately supportive environment for all learners, consultation groups and consultation survey respondents identified a range of other factors that would be required to develop a single education system that includes all learners with their peers in an inclusive setting.

Most prominent amongst consultation survey respondents was an improvement in staffing with 56% of respondents noting it as necessary. Many comments in the survey simply referred to needing more teachers or SNAs, but some comments were specifically linked to more staff required to reduce class size. The issue of class size arose amongst consultation groups also. Large class sizes were believed to curtail the opportunity for differentiated instruction to support the diverse needs of students.

Consultation participants and consultation survey respondents also identified a range of other necessary steps towards the establishment of a single inclusive education system, including:

- Quicker access to needs assessment processes;
- Provision of materials and resources to teachers and students, such as specialised books or equipment for learning;
- After-school support;
- Oversight of school enrolment to ensure that all schools accept children with special educational needs;
- A detailed, multi-year plan to guide the change process towards a fully inclusive system, resourced with necessary supports for all students;
- Leadership at the political and school levels;
- Maintenance of existing special schools and classes until the system is ready to educate all students together;
- Improved links between special schools and classes and mainstream classes in the meantime; and
- Changes to curriculum, timetabling, assessment and certification.

Consultation groups also indicated that many of these improvements are required whether or not a single education system is put in place.

2.8 An inclusive school system: imagining the potential for educating all students in their local school

Consultation participants and respondents to the NCSE consultation survey were asked to comment on the potential for educating all children in a fully inclusive school system. An inclusive school system would enable all students, including students with complex needs, to access education in their local schools. All supports for the education of children with special educational needs would be provided in local schools. This would mean that the education system would no longer require special schools or special classes to support the needs of students. All students' needs would be met in their local school.

There were differences across consultation groups and consultation survey respondents about the potential for educating all children in an inclusive school system. Some participants across the consultation groups and consultation survey respondents could envisage progressive change towards an inclusive school system over time. However, a sizable proportion of both groups saw no benefits in moving to the suggested inclusive system approach, or did not engage with the question at all. Many consultation groups expressed the view that the best way forward was to have a flexible system which best met the needs of a student. The consultation survey data revealed a strong preference for the maintenance of special schools and classes over other options, and to continue with the system as it is currently organised. Many groups expressed the belief that students with special educational needs do better in special schools and classes, and that students who attend there receive better tuition and support, and are better cared for by more qualified staff than they would be in their local school.

The majority of consultation groups found it extremely difficult to imagine how two percent of the student body who make up the special school and special class population, given the level and complexity of their needs, could ever be included in mainstream classes. Many consultation participants considered that special schools and special classes would always be required for students with the most complex medical, intellectual and behavioural needs. Special schools and special classes were seen as more appropriate placements for these students, in particular because of their lower student-teacher ratios. This view was held despite the perception, often held at the same time, that special schools and classes are under-resourced in other ways, and inadequately equipped to fully meet the needs of their students.

The responses by many principals and teachers revealed a strong belief that the current system meets the needs of students with special educational needs. Principals and teachers were more likely than other respondents to indicate that the maintenance of the current system is the best way forward for the education of students who are currently in special schools and classes.

The views of the consultation participants were mixed in relation to the desirability of all children attending the same school. The majority of consultation groups believed there would always be a need for special schools and classes.

Some 10% of consultation survey respondents simply noted a desire to maintain special schools and classes, without any further rationale. A further 18% reported that a single education system for all students would have no benefits, mainly because of the unsuitability of mainstream schools to meet the needs of students with complex needs.

When asked if an appropriately supportive environment was in place, would there be any disadvantages for students being educated together, survey respondents were more likely to note disadvantages (39%) than advantages (31%). An additional 23% simply expressed a desire to maintain special schools and classes.

Many consultation groups characterised mainstream schools as currently being unable to respond to the needs of some students with special educational needs. These consultation participants expressed the view that schools and parents were not ready for the changes necessary to bring about fully inclusive schools, and that it would take many years before the necessary changes could be introduced. Schools, particularly post-primary schools, would need to have great flexibility in relation to time-tabling and subject choice, and also in relation to teacher professional learning opportunities and therapeutic supports.

The NCSE was told that students in special schools felt that they belong there, and that mainstream was an isolating and stressful place for them. Students themselves spoke positively about their schools and their experiences there, irrespective of the setting they were in. The NCSE was also told that it was of concern that students had to have failed in mainstream school to be eligible to go to a special school, and that the current continuum of provision requires this. The NCSE was informed that students in special schools had the view that they belong there, and that the mainstream was an isolating and stressful place for them. The students themselves spoke positively about their schools and their experiences there, irrespective of the setting that they were in. The NCSE was also told that it was of concern that students had to have failed in mainstream school to be eligible to go to a special school, and that the current continuum of provision requires this.

When prompted, the majority of consultation groups could envisage that all students could be educated together in inclusive schools. However, the belief that this would not happen was also a strongly held one. Many consultation groups believed theoretically that, given sufficient and appropriate supports, all schools could educate all students. However respondents did not believe that an adequate level of resources/support would ever be provided.

The possible advantages of an inclusive education system whereby all students, including all students with special educational needs, would attend the same school as indicated by some of the consultation participants (including some teachers, parents and school management bodies) included:

- the removal of a great source of stress for students arising from long journeys to and from either special schools or special classes and their homes; journeys which often leave them overwrought and not ready to learn when they eventually arrive at school;
- allowing for the possibility of siblings of children with special educational needs and neighbouring children to attend school together would provide neurotypical students opportunities to have a greater understanding of neurodiverse students more generally;
- providing for a student's right to be educated in an inclusive setting alongside their peers would have dividends for all students in all their diversity;
- enabling all children to attend local schools together would be a more accurate reflection of society, embracing the full spectrum of abilities and needs;
- providing benefits for wider society, by creating a greater understanding of neurodiversity and eliminating discrimination experienced by people with disabilities and enabling them to participate to their fullest potential. An inclusive school system was characterised by some consultation participants as an enabler to the achievement of other rights for people with disabilities, such as independent living and the right to work.

In the consultation survey, 56% of respondents noted there were benefits to all students being educated in mainstream schools, with the benefits cited being the same as those outlined above. Despite this, when the respondents were asked directly what the best way forward for students would be – 42% indicated that they wished to maintain special schools and classes; 19% indicated a preference for partial inclusion; 7% suggested whatever would be appropriate for the child; 7% indicated full inclusion; while 25% did not specify a preferred educational setting. Examples were given of schools that successfully met the educational needs of all students in their locality in Ireland were cited, arising from the absence of special schools in generally remote localities in which these schools were situated.

One group noted the findings from a 2017 NDA-commissioned survey on public attitudes to disability in Ireland⁵⁸. Specifically, the survey findings revealed that, while there was an increase in the percentage of respondents supporting the attendance of all students in schools, including students with disabilities at the same schools (generally, and for particular types of disability), a sizeable proportion of respondents still disagreed with this proposition. Further details from this survey are outlined below.

Results from the NDA study (2017)

Twenty-eight per cent of respondents to an NDA survey in 2017 disagreed or strongly disagreed that students with autism should be educated in the same schools as students without disabilities. In these survey findings, the same proportion (28%) disagreed, or strongly disagreed, that students with intellectual disability should be educated in the same schools, along with students without disabilities. Lower scores were reported in relation to students with vision and hearing disabilities (24%) and physical disabilities (14%) being educated in schools with their peers. Thirty-one per cent reported that students with mental health difficulties should not be educated in the same school as students with disabilities. A number of reasons were cited by respondents who were uncomfortable with students with disabilities being educated in the same class as their child, including special needs considerations and insufficient support for, and safety of, students. Participants from this survey also expressed the view that the progress of students without disabilities would be hindered by the presence of peers with disabilities in their child's class.

2.9 Evidence from Irish school visits

In May 2019, Council members visited thirteen schools to inform the development of the policy advice. These schools were located in rural and urban settings and included:

- mainstream primary and post-primary schools – with and without special classes;
- special schools designated for students with physical and multiple disabilities, mild general learning disability (GLD), and for moderate GLD;
- special classes for mild GLD, and classes for students with SSLD.

In addition, members of the NCSE executive undertook separate school visits during the course of the review. School visits generally comprised meetings with the principal, teachers and students and classroom visits. The visits to classrooms provided NCSE Council members with the opportunity to observe students engaged in many different learning activities including cookery lessons, a live music session, art, and woodwork

58 <https://nda.ie/publications/2017-public-attitudes-to-disability-in-ireland-survey>

along with literacy and numeracy activities. Seven of the thirteen schools visited were special schools which accounts for a greater level of observations below centred on these settings. Of the remaining six schools, three were primary schools and three were post-primary schools.

Main Points Noted During Visits

Council members reported that students with special educational needs appeared to be supported well in all schools visited. A number of members commented on how happy and content students appeared to be in their special and mainstream settings.

The students expressed great pride in their work and their achievements, and spoke enthusiastically about their experiences in school. The majority of special schools reported that they have moved to enrol students in their catchment areas with additional complex or multiple needs even though the school's original designation may have specified provision of education for students with a disability in one area.

The main reasons cited by special schools regarding the rationale for why students attended there as an alternative to mainstream schools included that the latter schools were not in a position to cope with the level of students' medical and/or care needs; or students who had previously attended mainstream schools did not progress there and reported feeling very isolated. There were considerable differences in the levels of qualification and experience among teachers in special settings ranging from NQTs to teachers with extensive experience in these settings and included some staff with Masters level qualifications in special educational needs. One visiting group noted the importance of good leadership where principals are committed to inclusion. In most cases, special school staff expressed a strongly-held commitment to maintaining special schools as part of a continuum of education provision. Many of the special schools visited have a long history and are held in high regard in their communities.

On the other hand, many of the mainstream schools visited emphasised that they viewed their school as the local school for the local community, and that all children belonged there, regardless of ability or special educational needs. Diversity appeared to be the new norm in a number of the mainstream schools visited. As an example, in one rural primary school, forty percent of the school's population had significant English language needs.

Across all school type, principals and teachers reported their main challenges to be, as follows:

- All types of schools reported they had insufficient access to health supports such as speech and language, occupational therapy and mental health supports. Several special schools explained that their service had been diluted or cut back in recent times as Progressing Disability Services teams were reconfigured in their areas.
- Increased instances of serious and significant behaviours of concern, particularly in some special schools and a lack of teacher professional learning opportunities and appropriate therapy supports to address this need.
- Supporting students' well-being, and in consideration of higher levels of mental health difficulties among students of post-primary age and those within certain disability categories e.g. students who are Deaf/Hard of Hearing (HH) or students with autism.
- Inadequate space to accommodate and provide special schools and/or special classes. Special schools were particularly concerned about the inadequacy of certain buildings which in some cases were not fit for purpose with insufficient suitable space to accommodate the complex needs of students (sensory, physical and behavioural) and insufficient storage for equipment associated with their physical needs (wheel-chairs, hoists, beds, mobility aids etc.).

Specifically across special schools, principals and teachers reported their main challenges to be:

- Insufficient funding for special schools. Principals cited examples of fund-raising for essential equipment such as ceiling hoists, for sensory rooms and activities such as music therapy and play therapy which greatly enhance the educational experience of their students with complex intellectual and sensory needs.
- Increasing costs of insurance.
- Increased demand for admission to special school resulting in some schools having long waiting lists.
- Lack of places in the post-primary part of their school to accommodate students transferring from primary autism special classes.
- Students arriving very tired and overwrought to school because they have travelled very long distances from their homes. Equally students are exhausted when they arrive home in the evening time after travelling from school. This frustration and tiredness can lead to students acting out in both home and school settings.

- Very high levels of challenging and significant behaviours of concern experienced in special school settings resulting in serious injuries to staff members and less frequently to other students.
- Achieving a balance between students' very complex medical and care needs and establishing and meeting their learning and curricular objectives.
- Principals reported that there is insufficient SNA support and that the ratio of SNAs to students should be increased. There was a perception in some schools that they have to "fight" for supports.
- Managing the curriculum in special classes and special schools where there is a wide range of student age and ability.
- Supporting staff members who do not have full competence in use of Irish Sign Language (ISL)⁵⁹.

Specifically across post-primary schools, principals and teachers reported their main challenges to be:

- Lack of supports for students with mental health difficulties and lack of access to counselling services – psychotherapist, psychologist;
- Providing sufficient timetabling flexibility to accommodate students with more complex needs and/or to enable the school to deal with crisis incidents, should they arise;
- Including students transferring from primary autism special classes, with a recommendation for a placement in a special class, but who have other co-occurring disabilities as well.

Specifically across primary schools, principals and teachers reported their main challenges to be:

- Supporting students with more complex needs – schools cited a number of cases where despite a high level of support being provided, the school was unable to include the student.
- Lack of sufficient SNA support, and concerns about their SNA allocation being reduced in the future.

59 In March 2022, the Government of Ireland announced the establishment of a scheme to provide ISL Support for children whose primary language is ISL and who are attending recognised schools. This new scheme will involve two key strands of support that includes a programme of intensive in-school support for individual students and a programme of training and support to build capacity among the school community.

2.10 Summary

The findings from the NCSE's consultation process show areas of agreement and difference regarding current and future provision for students educated in special schools and classes:

- There are differing views on how **to further develop and support the system**: a significant majority want to maintain the system as it is, or to maintain it with adjustments. A minority want to move towards a system where all students are educated in their local schools.
- The consultations revealed that **participants could consider the idea of all students being educated together in inclusive schools**. The identified potential benefits from this process included the removal of a great source of stress for students arising from long journeys to and from either special schools or special classes. Respondents also recognised that inclusion in a mainstream school offers students and families the opportunity to engage in their own communities and allows for siblings and neighbouring children to attend school together.
- Irrespective of their views on the future, consultation participants referred to and acknowledged **the commitment of staff currently working in special schools and classes** to educate and care for students.
- The findings from the consultations and consultation survey also revealed a relatively consistent pattern in the **issues facing the current education system**. These issues include the placement of students in special classes and special schools, assessment, the need for therapeutic supports, improvements in school buildings, and additional teacher professional learning opportunities. The NCSE has noted similar issues in previous policy advice papers, and in the progress report published in 2019 in advance of this final policy advice paper. These issues are prevalent across mainstream and special schools and need to be addressed, irrespective of the future path taken.

3. The Research Process

3.1 Introduction

Research evidence plays a central part in the development of NCSE's policy advice. This policy advice report is informed by findings from a number of different research strands. Each of these strands has direct relevance to the education of students who are currently educated in special classes or special schools.

The research strands were as follows:

- A literature review on the impact of specialist settings and/or inclusion on students with and without special educational needs, and related issues. A separate report for the literature review will be published with this advice paper – what is presented here are summary overviews.
- A survey on the use of special education teacher (SET) allocations to create special class-type groups⁶⁰.
- A review of a sample of Inspectorate reports on special schools in Ireland undertaken between 2016 and 2018.
- An evaluation of special classes for students with autism and for students with SSLD.
- A review of the potential to adopt a UDL approach to Irish school buildings.
- Findings from the independent evaluation of the In-School Therapy Demonstration Project.

3.2 Findings

3.2.1 Literature review on the impact of specialist settings and/or inclusion on students with and without special educational needs, and related issues

A series of research questions were developed based on the terms of reference for the policy advice and knowledge of aspects of educational provision in Ireland for students with special educational needs. Literature published in academic journals between January 2000 and December 2021 was reviewed in relation to the following questions:

- Is there evidence that students in specialist settings receive a good quality education?

⁶⁰ For the purpose of the survey, such groups were identified as those comprising five or more students who were being educated together for most of the school day for every day of the school week.

- Is there evidence that students with special educational needs achieve better or worse outcomes in specialist settings than if they were in mainstream settings?
 - What factors impact on bringing about these outcomes?
 - Are the outcomes achieved comparable across students with different types of disability/need?
- Is there evidence that some students cannot be educated in mainstream schools?
- Is there evidence that providing specially equipped sensory rooms in educational settings meets students' underlying sensory needs or conditions?
- Is there evidence about where special settings should be located to facilitate best educational outcomes? Does this evidence differ by type of disability?
- Is there evidence on the impact of travel time to an educational setting on the ability of a student with special educational needs to learn?
- Is there evidence for the impact of special schools and special classes on outcomes for students with SSLD or SLD? Does this evidence suggest anything about the impact of the length of time spent in these settings on student outcomes?
- What is the evidence for the impact of placement in specialist settings on the school experiences of students with and without special educational needs?
- Is there evidence for the impact of inclusion on outcomes for students who do not present with special educational needs?
- Is there evidence for the impact of inclusion on the experiences of students without special educational needs?

The search process identified 12,141 citations for the research questions. When these were reviewed, 434 were identified for further screening, with an eventual total of 43 that met the criteria included in the final review. The remainder were excluded for a number of reasons related to methodological aspects including evidence which was insufficient to demonstrate impact, sample size, population under consideration or relevance to the research question. The methodological approach for the review is included in the full literature review report, which is published separately to support this policy advice paper.

The NCSE appreciates that there are challenges in undertaking experimental, quasi-experimental and/or longitudinal research in special and inclusive education. While studies selected here sought to match students on diagnosis and professional assessment or account for such characteristics, it is challenging to match students on the level of need they experience. It is also important to consider that, while students may have been matched or have similar needs in these studies, it does not follow that such needs would be the same as those experienced in the Irish context. Education systems can define needs differently.

It should be noted that many of the studies that were included had additional limitations. Some, for example, did not specify in detail the types of special educational needs that students had, the teaching approaches used, the additional supports or resources available or aspects of the particular context of the study. This limits what can be learned or extrapolated from even this relatively small body of research.

In relation to two of the research questions, limited but strong evidence was found with some convergence on common findings. These related to evidence from other countries on outcomes for students with special educational needs in specialist settings compared to those in mainstream settings; and the impact of inclusion on outcomes for students without special educational needs.

The review found particularly strong evidence from three international studies, one based in Toronto and two in Norway, that students with special educational needs in mainstream classes, when compared with students with similar special educational needs in special classes, were more likely to achieve higher second level school qualifications. Students in special classes were more likely to receive lower second level qualifications in comparison.

- A Norwegian study, with a sample of 1,240 students, tracked student placement over a five year period and examined its role on end-of-school student qualification outcomes. The students in this study were described as having general and complex learning difficulties, and psychosocial and emotional problems. When accounting for a number of individual characteristics including disability, previous grades and family circumstances, the study found that students with special educational needs in mainstream classes were more likely to achieve higher second level school qualifications than those in special classes.
- A second Norwegian study tracked 494 students over a six year period. These students were described as having general learning difficulties with a slightly below average IQ, difficulties with reading, writing and maths, psychosocial problems and care and drug problems. The study found that when comparing

students matched along functional levels⁶¹, students with special educational needs in mainstream classes were more likely to achieve higher second level school qualifications than those in special classes. It also found that where students' attainment decreased in line with their functional levels, qualification achievement was still higher for those in mainstream classes than in special classes.

- A study from Ontario with a sample of 13,272 students who had unspecified special educational needs, and which matched students for achievement levels at the outset of the study, found that placement in a special class (for 50% of their time) affected a student's future academic opportunities: they were more likely to take non-academic routes in secondary school.

FINDING 1: Based on these three studies, there is some, but limited international evidence, that second level school qualification outcomes for some students with special educational needs in mainstream classes are better than those achieved by students with similar needs in special classes.

The review also revealed six high quality studies⁶² from Europe and the US where evidence showed that the inclusion of students with special educational needs in mainstream primary classes had no significant negative effect on the academic outcomes of their typically developing peers.

- Two of these studies occurred in the Netherlands and had very large sample sizes of 27,745 and 471,002. These studies examined literacy and numeracy of students at primary level and found that there was no impact on outcomes for students without disabilities when placed in inclusive classrooms when compared with matched students in a non-inclusive setting. Both studies assessed for impact by certain types of disability⁶³ also and found no effect. The study with the smaller sample also examined the impact of different numbers of students with special educational needs, and of differences in intelligence in students without special educational needs, and found no difference in the results⁶⁴.

61 Functional level here comprises 13 indicators of a psychological, somatic or social nature, e.g. extent of general learning difficulties, degree to which IQ was below average level, extent of psychosocial problems, demonstrating challenging behaviours, extent of problem with reading, writing and arithmetic.

62 These studies involved students in inclusive and non-inclusive settings. They were matched and/or their characteristics highly controlled for in the methodology.

63 The smaller sample study included students with the following categories of disability: dyslexia, developmental delays; speech, language and communication needs; autism; behavioural issues; externalising behaviours; externalising behaviours. The larger sample included students with visual problems, hearing problems, physical and intellectual disabilities, and behavioural problems.

64 It should be noted that students with special educational needs in the Netherlands receive approximately twice the funding as a student without special educational needs.

- One study from Switzerland, with a matched sample size of 404, found that there was no difference in academic progress of students without special educational needs in inclusive classrooms compared to those in non-inclusive settings. Students with special educational needs in this study had either a mild or moderate intellectual disability, with one student with such needs placed in each inclusive classroom.
- Two studies in the United States – one from Utah and one a national study – had sample sizes of 559 and 8,000 respectively and compared reading and maths outcomes of students in inclusive classrooms and non-inclusive mainstream classrooms at primary level. In the smaller study, one student with developmental disabilities was included in each classroom. After their inclusion, no differences were found in reading, language and maths scores of students without special educational needs. The larger study included students with a range of disabilities, including SLD, intellectual disability, autism, emotional disabilities, physical disabilities and speech problems. There was an average of three students⁶⁵ included in each classroom. This study also found no differences in students' academic scores between those educated in inclusive and non-inclusive classrooms. It also noted that these differences were the same when the impact of the type of disability students had in the classroom was examined.
- One study from Austria with a sample size of 73,655 found a slightly negative effect in the maths scores of students without special educational needs educated in inclusive classrooms, after accounting for a range of student characteristics such as age, gender, socio-economic background, culture and ethnicity. However, the researchers concluded the effect was so small as to make no real difference. 98% of students without special educational needs in the study were in classes with between one and five students with special educational needs.

FINDING 2: Based on these six studies, there is some, but limited international evidence that the inclusion of students with special educational needs in mainstream primary classes has a neutral effect on academic outcomes for students who do not have special educational needs.

The search process identified no literature which met the inclusion criteria for five of the questions relating to: students who cannot be educated in mainstream schools; multisensory rooms; location of specialist settings; travel time; and the impact of placement in special schools and special classes on outcomes for students with SSLD or SLD. While the questions relating to these areas were very specific, the search process also identified the relative paucity of high quality research studies in many aspects of special and inclusive education.

65 Rounded here from 2.7.

In relation to the three other research questions, the search process identified a small number of studies which met the inclusion criteria, but which did not yield an evidence base sufficiently strong to answer any of them. These questions were: whether students received a good quality education in specialist settings; the impact of specialist settings on the experiences of students with and without special educational needs; and the impact of inclusion on the experiences of students without special educational needs.

3.2.2 A survey on the use of special education teacher (SET) allocations to create special class-type groups

The NCSE conducted a school survey on the use of SET allocations by schools to form special class-type groupings. Department of Education and Skills Circulars 0013 and 0014/2017 note that SETs are not allocated to schools for the purpose of establishing special class-type groupings for the long-term educational placement of students, although schools are permitted to bring together small groups for specific, short-term interventions or support to students. Previous NCSE-commissioned⁶⁶ research highlighted that some schools used their SET allocation to bring together students in long-term special class-type groupings. These students were reported to spend most of their time in these groups. This suggests that some principals determined that such groupings are required for some students.

The NCSE was interested to learn whether such practices were still occurring in schools and, if so for what reasons and what the expected outcomes were from such arrangements. For this purpose, the NCSE developed a three-item survey⁶⁷ asking school principals for the 2018/19 school year whether:

- They used their SET allocations in the way described above;
- If so, the reasons for doing it; and
- The outcomes they expected students to achieve because of it.

66 NCSE-commissioned research (Banks and McCoy, 2016).

67 NCSE engaged with the Irish Primary Principals Network (IPPN) and the National Association of Principals and Deputies (NAPD) to administer the survey to all principals to establish the extent of this practice. Across both groups of principals, a total of 474 responses were received (334 primary, 140 post-primary), giving an 11.6% response rate from combined NAPD/IPPN membership of approximately 4,100.

The vast majority of survey respondents (92.2%, n=437) indicated that they did not use their SET allocation to establish special class-type groups (identified as a group of five or more students who are being educated together for most of the school day for every day of the school week). The remainder (7.8%, n=37, n=21 primary, n=16 post-primary) indicated that they used their SET allocation to establish special class-type groups. When these respondents were asked why they formed such groups, thirty⁶⁸ principals responded as follows:

- To provide a form of additional targeted intervention (n=8)
- To meet the needs of students with particular disabilities or needs (n=7)
- To meet the challenges of having multi-grade classrooms (n=5)
- To support students with numeracy, literacy and/or Irish difficulties (n=3⁶⁹)
- To relieve pressure of the classroom teacher with large classes (n=2)
- Other singular answers (n=5 in total).

When asked how they knew that this type of intervention produced better outcomes for students in the group, 31 principals responded as follows:

- Better results through assessments/exam results (n=14)
- Better student engagement (n=6)
- Better teaching (n=2)
- It does not produce better results/unsure (n=2)
- Other singular answers (n=7 in total).

The overall response rate of 11.6%, is very low, and possibly relates to the sensitive nature of the focus of the survey. Given this response rate, the findings from this survey should be treated with great caution. The findings here note that a small number of principals use SET allocations as a form of additional support for students or to address classroom characteristics, and most of these principals perceive that this form of intervention produces better outcomes for students. It is worth emphasising again that the use of SET allocations by a school to create special class-type groups in the sense meant here is in direct conflict with Department of Education's circulars.

68 Note the n values do not always match here. Some respondents chose to answer some but not all questions.

69 It appears unusual to establish a special class-type group for most of the day, every day to support students with learning numeracy, literacy and/or Irish. However, these were the answers provided.

FINDING 3: There was a very low response rate (11.6%) to the NCSE survey seeking data from school principals on the deployment SETs in their respective schools. The vast majority of principals (92.2%, n=437) indicated that they use their SET allocation to support students with special education needs enrolled in mainstream classes, and only a small percentage reported using SETs to form special class type groups⁷⁰.

3.2.3 A review of a sample of Inspectorate reports of special schools in Ireland

Each year, the Department of Education's Inspectorate undertakes evaluations of a range of educational settings, including special schools. One type of evaluation used is a Whole School Evaluation where inspectors visit a school and evaluate provision across a number of areas: quality of teaching; pupil learning/pupil achievement; support for students; and leadership and management. The Inspectorate assesses and reports findings against its five-point quality continuum: very good; good; satisfactory; fair; and weak⁷¹.

A sample of 16 inspection reports on special schools educating students with a broad spectrum of special educational needs published in 2017 and 2018 was reviewed for the purposes of informing this paper. There were over 900 students enrolled in these schools. While the sample accounts for approximately 15% of all special schools specifically for students with special educational needs, and approximately 12.5% of all students in those special schools, the findings are limited here by the time-bound nature of the sample (2017-2018).

The quality of teaching in the inspection reports was found to be very good or good in all cases except one, which was described as fair. Evidence was found for a range of positive practices, such as high-quality lesson planning, strong curricular focus, and use of a wide variety of teaching methodologies and approaches. The reports noted the need for greater use of assessment mechanisms and SMART (specific, measurable, achievable, realistic, and time-bound) targets in Individual Educational Plans, and a greater emphasis on particular areas of curriculum development in some schools.

The quality of pupil learning or pupil achievement was found to be very good or good in all cases except one, which was described as fair. Evidence was found for a number of positive practices, including strong emphasis on personal and life-skills engagement, achievement of specific learning objectives and good use of community activities to learn. A number of singular areas for improvement were noted, including the need to introduce a wider range of activities for students, and extending opportunities for peers to interact in unstructured contexts.

70 In accordance with Circulars 13/2017 and 14/2017.

71 The full descriptions of the points on the Inspectorate's quality continuum are available in the appendix of individual inspection reports.

The quality of support for pupil wellbeing in the inspection reports was found to be very good or good in all cases. A wide variety of positive aspects was noted in the reports, including strong awareness of the needs of students and the high quality of care provided, engagement with agencies and organisations in the community (e.g. SLT services, voluntary groups, mainstream schools), and good pupil voice mechanisms. A small number of areas for improvement were noted in few cases, including the need to audit CPD across the school and enhance skills as required, and enhance opportunities to experience inclusive learning environments.

The quality of leadership and management in the inspection reports was found to be very good or good in the vast majority of reports, fair in one and no judgement was made in two cases. Evidence was found for a range of positive leadership and management practices, including regular meetings of boards of management, clear communication and strong collaboration across school staff, and good in-school management structures. A number of singular areas for improvement was noted, including the need for leadership professional development opportunities and enhanced parental participation mechanisms.

FINDING 4: Reports by the Inspectorate of the Department of Education indicate that special schools are generally well managed and provide good or very good teaching and learning environments for their students. There is a high level of understanding of students' needs, which results in positive student wellbeing in the schools.

FINDING 5: Inspectorate reports indicate that there are areas for improvement for some special schools, including the need for better assessment, target settings and enhanced opportunities for students to experience inclusive learning environments.

3.2.4 Evaluation of special classes for students with Autism

In 2019, the Inspectorate undertook a review of educational provision for learners with autism in special classes in mainstream schools. In total, inspectors visited 65 special classes in primary schools and 20 special classes in post-primary schools for the review. This amounted to 8.7% and 6.2% of all Autism special classes in primary and post-primary schools respectively. The report noted some limitations, including the disparity of classes in primary and post-primary settings, the smaller sample size of post-primary classes examined, and the inability of the anonymous parental survey instrument to specifically isolate the views of parents of students in primary special classes.

Department of Education Inspectors judged that a small number of primary school students were inappropriately placed, and would have benefitted from being enrolled fulltime in mainstream classes. Some students in two-thirds of post-primary special classes were judged to be inappropriately placed in the special class when they should

have been attending mainstream classes on a fulltime basis, as their needs were not very complex. Enrolment policies at half of post-primary and the majority of primary special classes contained clauses which restricted entry to those with mild learning difficulties or who were able to integrate into the mainstream for most of the school day. This served to deny places in these special classes to students with more pronounced needs who were instead directed to special schools or home tuition. Placements were not reviewed regularly, and very few children moved back into mainstream classes from special classes once placed there⁷².

Some students in all special classes had the opportunity to experience mainstream education. In post-primary special classes, this occurred for some students who may have been more suitably placed in mainstream settings to begin with. Other post-primary special class students also had the opportunity to experience mainstream education, but did not receive adequate support to sustain it.

Autism-specific assessments to identify students' needs and to track their progress were used in over half of primary special classes, but in less than one-third of post-primary special classes. There was also divergence in relation to subject and pedagogical knowledge and skills among teachers. In primary special classes, almost all teachers had the requisite knowledge and skills to teach autistic students. However, fewer than half of the teachers in post-primary special classes demonstrated the range of autism-specific knowledge and skills required for these settings.

The Inspectorate reported that student behaviours were managed effectively in the majority of settings. Transitions of students, both across the day, and between settings were managed effectively in primary schools. In post-primary schools, transitions within the school day were managed effectively in less than half of cases, but transitions into the school and on to other settings were prepared effectively in the majority of cases. Some students in post-primary special classes required additional support to self-regulate.

Most students in special classes across both primary and post-primary schools enjoyed learning, were motivated and expected to achieve as learners. This was particularly the case where teachers had high expectations of, and for, them which was more prevalent amongst primary special class teachers.

Student achievement for their term and year was rated good or very good in the majority of primary special classes. Student ability to demonstrate knowledge, skills and understanding required by the curriculum was good or very good in the majority

72 NCSE-commissioned research (Banks and McCoy, 2016) also noted that there was little movement of students in autism special classes and little expectation that they would ever transition to a mainstream setting.

of classes as well. This situation was less positive at post-primary level, with post-primary students' achievement of learning objectives reported as good or very in only 35% of cases. Students' ability to demonstrate knowledge, skills and understanding required by the curriculum at post-primary level was also less positive with only 35% of cases reported as good or very good. It was notable that at post-primary level, the use of autism-specific teaching approaches was found in 45% of the classes observed.

FINDING 6: Department of Education's Inspectors reported that some students are inappropriately placed in special classes. This is particularly the case in post-primary schools, but also happens in primary school contexts.

FINDING 7: Department of Education's inspectors judged that a significant minority of students in special classes, particularly those attending post-primary schools, are not achieving at an appropriate level. Many teachers in special classes do not use autism-specific teaching approaches. This was particularly the case at post-primary level.

3.2.5 Evaluation of special classes for students with SSLD

In early 2020, the Inspectorate completed a review of educational provision for learners with SSLD in special classes in mainstream schools. Special classes for SSLD are for students who meet a number of criteria relating to general ability and language proficiency⁷³. A full-time teacher is assigned to each class, and these classes operate with a reduced pupil-teacher ratio of 7:1. The HSE funds the provision of speech and language therapy services for the children attending these classes. The original commitment of SLT provision to the class was 20 hours per week.

In total, inspectors visited 21 of the 65 special classes, amounting to approximately one-third of all these classes nationally. A small number of limitations were noted in the report, including the inability of the anonymous parental survey instrument to specifically isolate the views of parents of students who attend special classes in primary schools. Department of Education's Inspectors judged that, generally, enrolment processes operated smoothly. However, it was noted that the divergence between the existing SSLD definitions and the need for a psychologist to establish a student's IQ level to enrol in the class, and the broader Development Language Disorder (DLD) used by SLTs since 2017 was causing confusion. The inspectors noted that the disparity between diagnostic and enrolment criteria requires addressing as a matter of urgency so that pupils most in need will continue to be prioritised for enrolment.

73 See Circular 38/2007 for more details.

The inspectors reported that students met the criteria for placement in the special class. There were good arrangements for students to integrate into mainstream lessons, and inclusive aspects of the schools' culture was judged to be good or very good in most cases. They noted that most pupils had to move school to access the class, with a small number having to travel up to 45km to their new school, which can have implications for their inclusion and welfare.

The quality of teaching observed was determined to be good or very good in most cases. Class planning by teachers was judged to be effective, with appropriate teaching approaches used. Individualised plans were developed and reviewed regularly in most cases. The quality of pupils' learning was very favourable in almost all classes.

The inspectors found evidence of effective sharing of professional knowledge by SLTs with teachers, and very effective collaboration, such as joint classroom practice, target setting and planning. There was a small number of cases, however, where SLTs and teachers operated separately.

The inspectors found that an SLT's availability on the school site varied across the sample, from two days to five days. In most schools, an SLT was present for at least three partial days. The report notes that such levels of availability represented a marked decrease in HSE SLT supports since 2005 and has fallen substantially short of the original intention of providing SLT supports to the classes for a minimum of four hours per day, twenty hours per week.

The report noted the inability of the inspectors to draw any conclusions about the long-term impact of the classes on student outcomes after students returned to mainstream education given the design of the review.

FINDING 8: Department of Education's inspectors reported that students in SSLD classes are appropriately placed and generally well educated. They noted, however, that some students are required to travel significant distances to access this form of support. They also noted that there has been a significant reduction in the level of SLT support provided to these classes by the HSE.

3.2.6 School buildings

There has been significant investment by the Department of Education in new school buildings in recent years. During the school visits conducted by the NCSE, as part of the evidence gathering to inform this advice paper, it was noted that many school buildings were old and although some adaptations had been made, it was still challenging to include students with additional needs as a result of the poor quality of some buildings.

As part of the development of this policy advice, the NCSE requested the Centre for Excellence in Universal Design (CEUD) at the NDA to explore what might be required to make Irish school buildings fully accessible and inclusive.

The NDA advised that a number of measures could enhance the physical environment and make it more suitable to include all students. These included:

- Varied signage to suit all needs (e.g. pictures, colour coding, other visual cues);
- Natural lighting where possible, with artificial light evenly distributed, and task lighting at areas such as ramps or steps;
- Use of sound insulation and creation of acoustic environments;
- Furniture which is flexible, suitable for all and adjustable;
- Toilet fittings such as grab rails; Selection of colours and materials to achieve a calm and balanced sensory environment.

FINDING 9: A UDL approach needs to be considered to ensure that current school buildings are better prepared to include students with additional needs.

3.2.7 Evidence from the In-School Therapy Demonstration Pilot Project

In 2017, an inter-sectoral, multi-disciplinary demonstration project was established which focused on providing an in-school SLT, and OT service in a number of primary, post-primary and special schools, and early years settings, on a pilot basis.

This NCSE managed project – led by an experienced special education teacher – resulted in 31 therapists, along with NCSE clinical leads and HSE clinical managers, working in partnership with teachers and early years' educators across 150 sites in the school year 2018/19 to build capacity in order to support child and student learning and engagement.

This project developed and implemented a multi-tiered model of support that includes a universal or whole school level, targeted support at the group or class level, and intensive, individualised support for students.

The evaluation report documented a number of successes in the project's first year, despite the relatively short time it had to be fully implemented. Educators noted some of the following successes of the project:

- Increased educator ability to differentiate instruction;
- Increased educator ability to identify and distinguish between children who have needs and those who do not;
- Young children and students acquired increased confidence and improved listening skills;
- The creation of more positive academic engagement for young children and students;
- The creation of more positive interactions between educator and students/children and more positive social interactions between students/children.

Across the sampled sites in the evaluation, parents reported a number of benefits from the project, including its potential to overcome waiting lists for therapy in the community, the need to take children out of school for appointments, and the need to travel to a clinic-based service. Principals and teachers noted that the project provided a clear understanding of the benefits and rationale of its tiered approach, and that working with the therapist convinced them of its merits.

The report also noted a number of challenges to implementing the project at the school level, particularly at post-primary level. In the sample schools in the study, principals spoke of resistance to change amongst some teachers, an adherence to practice and an unwillingness to take on additional responsibilities. They also spoke about the need to change the attitudes of the general teaching staff and systematically change how teaching was delivered and students valued.

FINDING 10: Based on the preliminary findings from the evaluation report, a capacity-building model of in-school, therapeutic supports, managed by the education sector in the Irish context can contribute to more inclusive environments for students.

3.3 NCSE analysis of findings from the research process

The findings from the suite of research outlined above need to be interpreted with caution given the limitations of each particular strand. It must also be noted that educational systems and supports, along with how needs and diagnoses are defined vary from country to country and can differ to Ireland. Nevertheless, there are relevant findings which inform our thinking regarding future educational provision for students with special educational needs.

The literature review found a small number (six) of high quality international studies⁷⁴ which indicated that including students with special educational needs in mainstream classes, had neither a positive nor negative effect on academic attainment of students without special educational needs. It also found some evidence from three international studies that students with special educational needs can achieve higher second level school qualifications when educated in mainstream classes compared to similar peers educated in special classes, which has implications for their post-school lives.

These findings are significant in the context of what is already known about life after school for students with special educational needs. Research commissioned in 2017⁷⁵ found that students with special educational needs were not adequately prepared for life after school when they finished school. This view was common among employers and day service staff interviewed, and present among staff of further and higher education institutions also. Many participants across these sectors expressed the view that students did not have the ability to fully work independently, participate in higher or further education, or socially interact with peers or colleagues. Young people reported that school support for the attainment of some life skills, such as independent travel, would have been helpful. The study depicted the current education system as not working optimally to prepare students with disabilities for their post-school life.

The literature review⁷⁶ for this work showed that clearly no published material met the inclusion criteria for half the research questions underpinning the review. In relation to a number of the remaining questions, while material was found, the findings were mixed and the research designs were not particularly robust. There continues to be a dearth of high quality studies on many aspects of special education research, both in the Irish context and internationally.

Additional specialist supports are necessary to help some students at certain times, but these do not have to be provided in separate, segregated special settings. The Inspectorate review noted that for many students, placement in an autism special class was appropriate, with some integration and inclusion of students with autism in the mainstream settings. There were, however, cases where students were inappropriately placed in special classes when it was determined that they should have been accessing their education in a mainstream class on a fulltime basis. For other students, their experiences of mainstream education could have been sustained to a far greater degree than observed.

74 Including students with a range of disabilities, including dyslexia, developmental delays; speech, language and communication needs; autism; behavioural concerns; visual concerns, hearing concerns, physical and intellectual disabilities.

75 RSM PACEC (2017) A Study of how well Young People with Disabilities are prepared for Life after School. Dublin & Trim: NDA/NCSE.

76 There is a relatively limited body of research on special and inclusive education which can demonstrate impact to some extent.

The Inspectorate review also noted that some students were being placed in special classes based on enrolment criteria which served to effectively exclude students with more complex needs from the mainstream school completely. This suggests that there are students in special schools who may be more suitably placed in a mainstream school, but are prevented from doing so because of enrolment policies which identify a relatively low level of need as an entry requirement for a special class place.

The evidence here and in other NCSE research points to the need for greater clarity around how students access places in special classes and greater emphasis on a regular and robust process of student placement, review of student placement, and review of students' needs on an ongoing basis, in special classes. Currently, access to special classes is diagnosis-based. There is no policy on matching this type of resource to student learning need, as opposed to diagnosis. Beyond diagnosis, there is no clear national policy on how students enter and subsequently leave special classes. In this sense, the special class can be viewed as a placement setting, rather than an educational intervention.

In addition, students placed in special classes rarely if ever transfer to mainstream classrooms. Increasing numbers of young children are not being given the opportunity to experience mainstream education; instead they transition from early intervention autism classes to primary school autism classes. The current review process requires reform to ensure students are appropriately placed so their needs can be met and then given the opportunity to be included with their peers in mainstream as much as possible.

Evidence from the in-school therapy demonstration project points to the potential benefit of a wider range of supports provided at the right time to support students. In the demonstration project, teachers and therapists worked in partnership, combining their respective skills and expertise, thereby creating an enhanced differentiated learning environment, and enabled students to experience more positive social and academic interactions within the classroom. However, it also pointed to the challenges of implementing new practices in schools, with resistance even to additional supports being a factor among some school staff. The School Inclusion Model is a welcomed opportunity to support students by learning from, as well as cementing, the gains made in the demonstration project.

3.4 Summary

The following findings were identified following the research process to inform this policy advice:

FINDING 1: There is some, but limited international evidence, that second level school qualification outcomes for some students with special educational needs in mainstream classes are better than those achieved by students with similar needs in special classes.

FINDING 2: There is some, but limited international evidence that the inclusion of students with special educational needs in mainstream primary classes has a neutral effect on academic outcomes for students who do not have special educational needs.

FINDING 3: There was a very low response rate to the NCSE survey seeking data from school principals on the deployment SETs in their respective schools. The vast majority of principals indicated that they use their SET allocation to support students with special education needs enrolled in mainstream classes.

FINDING 4: Reports by the Inspectorate of the Department of Education indicate that special schools are generally well managed and provide good or very good teaching and learning environments for their students. There is a high level of understanding of students' needs, which results in positive student wellbeing in the schools.

FINDING 5: Inspectorate reports indicate that there are areas for improvement for some special schools, including the need for better assessment, target settings and enhanced opportunities for students to experience inclusive learning environments.

FINDING 6: Department of Education's Inspectors reported that some students are inappropriately placed in special classes. This is particularly the case in post-primary schools, but also happens in primary school contexts.

FINDING 7: Department of Education's inspectors judged that a significant minority of students in special classes, particularly those attending post-primary schools, are not achieving at an appropriate level. Many teachers in special classes do not use autism-specific teaching approaches. This was particularly the case at post-primary level.

FINDING 8: Department of Education’s inspectors reported that students in SSLD classes are appropriately placed and generally well taught. They noted, however, that some students are required to travel significant distances to access this form of support. They also noted that there has been a significant reduction in the level of SLT support provided to these classes by the HSE.

FINDING 9: A UDL approach needs to be considered to ensure that current school buildings are better prepared to include students with additional needs.

FINDING 10: Based on the preliminary findings from the evaluation report, a capacity-building in-school therapeutic supports managed by the education sector in the Irish context can contribute to more inclusive environments for students.

4. International Developments

4.1 Introduction

In fulfilling its remit for this policy advice, the NCSE was keen to establish what Ireland could learn from how students with special educational needs are educated in other jurisdictions.

The NCSE was aware that some jurisdictions continue to maintain special schools and classes, while others have developed, or are developing, a single education system where all students are educated in mainstream schools. With a view to closer examination of these systems, NCSE representatives undertook study visits to England, Portugal and to the province of New Brunswick in Canada. In addition, the NCSE developed a survey which it administered to forty two international administrations. Responses were received from twelve of the administrations surveyed. A full report on the findings from this review are published separately with this paper.

The NCSE was also aware of the context of Ireland's ratification of the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) in 2018, and that Article 24 of the Convention places an obligation on State Parties to develop an inclusive education system. In relation to this, the NCSE carried out a review of the UNCRPD and UN Committee reports on provision in other countries, as well as commissioning legal advice on the Convention and its potential implications for Ireland.

4.2 An international survey of special schools and special classes for students with special educational needs

The NCSE was keen to examine the role, if any, special schools and classes played in other jurisdictions and the impact the UNCRPD was having on models of provision. Data was returned by twelve of the forty two administrations in the survey⁷⁷. The returned data varied in quality and detail, in part due to the responsibility for education matters being at municipality or at local district level in specific regions of jurisdictions. This created challenges for respondents to present a comprehensive national picture of provision in their respective jurisdictions. It should therefore be noted that directly comparing provision in different countries and jurisdictions is challenging due to differences in education systems and administrative contexts. Nevertheless, the survey provided some insight into how the education of students with special educational needs is supported in other countries.

⁷⁷ A total of 42 administrations had been surveyed, with 12 responding: Sweden, Italy, Estonia, Malta, Finland, Germany, Slovakia, France, England, Scotland, Wales and Northern Ireland.

Of the twelve administrations that responded to the survey, all indicated that special schools and/or special classes were used to support the education of certain students with special educational needs. Although special schools and special classes formed part of a continuum of education provision, there were differences across jurisdictions. For example, in Italy, special schools are delineated for students who have long-term medical needs rather than special educational needs. Malta reported not having special classes at all, but caters for students with special education needs in a small number of special schools.

Data from the European Agency for Special Needs and Inclusive Education (EASNIE) revealed that between 0.1%-2.9% of school populations in the survey administrations were enrolled in special classes while 0.02%-2.3% of the school population were enrolled in special schools. In Ireland, the equivalent figures for the same period are 0.6% and 0.8% respectively.

Ongoing research⁷⁸ by the European Agency for Special Needs and Inclusive Education (EASNIE) outlines the varied role for 'specialist provision' across European countries: as provision for individual learners, sometimes in the classroom, sometimes outside it; as collaborative teaching between mainstream and special education teachers; as a form of external provision to support students, teachers and schools, and in some cases, parents (a resource support).

The international survey carried out by the NCSE for this policy advice paper revealed that the processes of assessment and formal diagnosis were used in the placement of students in special schools. These processes were carried out in some cases by teams attached to educational authorities and/or by professionals attached to the schools. In some jurisdictions, access to a special class was based on a professionally assessed diagnosis, while in other jurisdictions there was more local discretion in relation to placement of students with disabilities in a special class setting.

Student transition from special school to mainstream school was noted as possible by many respondents, but a challenge to realise in practice. In Germany and Sweden, students can enrol in a special school and participate in a mainstream setting for part of the time or for certain lessons. Similarly, in Italy, students in special settings can access education in a local school if their health permits. In Malta, students access special schools on a part-time basis when all options in mainstream settings are exhausted. Student transition from special education settings to mainstream schools was reported to occur as part of a fluid process.

78 European Agency for Special Needs and Inclusive Education (2019) *Changing Role of Specialist Provision in Supporting Inclusive Education: Mapping Specialist Provision Approaches in European Countries*. Odense: EASNIE.

In half of the administrations that responded to the survey, teachers were required to hold a specific qualification or competency to teach in special schools and special classes. For the remainder of respondents, a specific qualification or competency was not a requirement, but professional learning opportunities for teachers were available.

Regarding the implications of Article 24 of the UNCRPD and educational provision, the responses from all jurisdictions noted its importance. However, the responses also stated the need to respond in the short term to students' immediate needs. Many jurisdictions were doing so by maintaining special classes and special schools, and in some cases expanding their provision.

None of the respondents to the international survey provided any evidence of student outcomes in either special classes or special schools. This was despite being asked to provide such evidence if available.

4.3 Evidence from international study visits

A delegation from the NCSE undertook study visits to New Brunswick, Canada in November 2018, to Portugal in October 2019, and to England in 2020 to examine their education systems. The rationale for selecting these settings was to enable the NCSE to obtain an overview as to how the education of students with special educational needs was organised in each jurisdiction. Portugal and New Brunswick were chosen for examination as both administrations had established inclusive education systems, while England is a near neighbour to Ireland with, in many respects, similar language and social composition.

Evidence from the NCSE's study visits to Portugal and New Brunswick provide an insight into how students with complex special educational needs can be educated in inclusive school settings with their peers who do not have special educational needs.

Portugal

Portugal introduced legislation in 2018⁷⁹ to change to a single system of education provision, and to cease enrolment in special schools. A previous attempt to introduce such a system was compromised by inadequate supports, problems with resource deployment, and curriculum modifications for students with special educational needs when placed in mainstream classes. Difficulties were also experienced in changing attitudes in schools.

79 Decree-Law no. 54/2018

Decree-Law no. 54/2018 established the statutory basis for equitable education within the Portuguese educational system that serves all learners. It provides the right for every student to an inclusive education. The law abandons categorisation systems for learners, including the “category” of special educational needs. As such, it aims to remove segregation and discrimination based on diagnosis or clinical labels, and to eliminate special legislation frameworks for learners with special needs from the educational system.

During the study visit to Portugal, the NCSE representatives observed the following system characteristics:

- The provision of support to all students is decided, provided, and managed at the local school level, in conjunction with multidisciplinary teams.
- Local multidisciplinary teams⁸⁰ determine the level and nature of the support to be provided, and whether it occurs in the class or whether a student is withdrawn for specialist intervention.
- Special school staff experience and expertise are transformed into a resource for mainstream schools to support students and teachers.
- School principals have responsibility for driving inclusion at the school level, and have a certain level of autonomy over the curriculum taught in their schools.
- School principals have responsibility for a cluster of schools that includes primary and post-primary schools, thereby giving them a useful oversight of different levels of the system, and providing consistency of practice across the different levels.
- School principals manage multi-disciplinary teams of professionals who are tasked with making inclusion work through distinct and complementary roles – teachers, psychologists, and therapists.
- Teachers receive mandatory annual professional learning and receive credits for it. Teachers cannot progress in their careers unless they accumulate a certain number of credits. Teacher professional learning requirements are under further development by the Directorate General of Education.
- It is recognised that transforming the system will take time.

The NCSE representatives noted that challenges remain in the Portuguese system. Schools seek more funding. Some parents still wish to enrol their child in a special school, but mostly parents’ first choice is now mainstream education.

⁸⁰ These teams are made up of teachers and a psychologist, who are permanent members, and other temporary members dependent on the needs of the student (e.g. professionals belonging to the resource centres such as OTs and/or SLTs).

New Brunswick, Canada

The province of New Brunswick, Canada, began the process of developing its inclusive education system in the 1980s, but it was not until 2013 that it fully realised its new education policy. The NCSE representatives noted the following system characteristics:

- Education in local schools for all students, including students with disabilities, is viewed as a right and the right thing to do for all children and society.
- All students attend their local schools; there are no special schools or special classes.
- Students are taught in a common learning environment, but can be withdrawn at certain times for specific support if required. This includes students taking higher level subjects, as well as those requiring additional support. Provision of necessary support is determined at a local level in a tiered manner with a clearly documented process for return to the classroom.
- School principals are the leaders of inclusion in their schools.
- Teachers work in teams to support the needs of all students. Teachers report confidence in knowing how to include students with special educational needs and more generally in their professional abilities.
- Teachers are highly qualified and receive ongoing teacher professional learning (TPL) in a range of special education areas. Initial teacher education takes place over five years. Resource and guidance teachers must have a relevant Master's degree.
- Learning and class work is planned in a student-centred manner. Students work individually and in groups.

In a 2019 report for the UN General Assembly, the UN Special Rapporteur on the rights of persons with disabilities welcomed the progress in inclusive education achieved in New Brunswick. She described the system there as one of the best in the world, and recommended that it should be taken as a role model for other countries⁸¹.

The NCSE representatives noted that the New Brunswick system, like that in Portugal, is also not without its critics. Schools also call for more funding. There are staff gaps in some of the support teams for schools due to the scarcity of educational psychologists. School placements still break down, but it is the responsibility of schools and support teams to find a solution. A small number of parents still want special classes for their children. Despite these difficulties, there is a determination among parents and schools to make inclusion work.

81 Special Rapporteur on the Rights of Persons with Disabilities (2019) Report of Visit to Canada. Human Rights Council: General Assembly. Available at <https://undocs.org/en/A/HRC/43/41/Add.2>

The NCSE is aware that Nova Scotia, another province in Canada, is moving to put in place an inclusive education system. Nova Scotia's inclusive education plan was put in place in September 2020, with a goal of making all students feel that they belong and are "accepted, safe, and valued" in their school so they can learn and succeed. The policy broadens from a focus on those with disabilities to supports the intersectional needs of other groups including African Nova Scotian and Indigenous students, students living in poverty, and LGBTQIA+ students. The policy is based on a multi-tiered approach to supporting all students within a common learning environment where classroom teachers are responsible for teaching all students. Classroom teachers are supported by learning-support teachers and school-based teaching-support teams. Regional centres for education comprise a range of professionals who provide support to individual students and work in partnership with teachers to enhance the learning experience of students in schools and classrooms.

England

In contrast to Portugal and New Brunswick, England has chosen to maintain its special school and special class structure, and to increase the number of special schools in coming years, in spite of the critical view of the UN Committee of its policies and provision.

Representatives of the NCSE visited a post-primary academy in London which has an enrolment of approximately 900 students. The following findings were noted:

- The school building was well structured, with good IT facilities.
- The school had a specialist resource centre, which had a small number of students, along with a teacher and educational assistants. These students were placed in mainstream classes as much as possible.
- The school accessed educational psychology support one day per week, and part funded OT and SLT support for a half a day per week.
- School staff were of the view that some students with moderate general learning disability or with autism and a general learning disability can be supported at the school. However, the NCSE representatives were also told that the Trust operating the school had recently tendered to open a special school. This appeared to reduce the likelihood of the students with moderate general learning disabilities or with autism and a general learning disability attending their local school.

The NCSE representatives also visited a special school in London. This special school had an enrolment of over 250 students aged between two and 19 years. The profile of students with special educational needs included autism, autism and intellectual disability, physical disability and co-occurring health conditions. The following observations were noted:

- The school building was very well structured, with plenty of equipment and space. It also had a small swimming pool and therapy rooms.
- There were 42 teachers, 108 teaching assistants, a fulltime nurse, and an SLT who supports every class.
- The local NHS therapy team provided a service to the school and the rest of the community, and was located in the same building as the school.
- Strong emphasis was placed on daily staff CPD, lesson planning, observation, recording and reflection. This is in addition to five days statutory professional development for teachers (which was considered insufficient by the school).
- The majority of students travelled to the school via funded transport, and transport drivers were trained and/or supported by health care assistants or escorts.
- Student transitions to mainstream settings did not occur very frequently, and sometimes were not supported by families. These transitions required detailed and lengthy planning by the school.

In a meeting with advocacy groups, concern was voiced by some participants regarding the direction of policy, particularly in the context of reduced funding to local authorities for education. Advocacy groups indicated the need for a focus on local leadership, the provision of good quality education for all, and a public declaration that every child is valued. They also mentioned the need for a greater range of certification options for students.

4.4 The United Nations Convention on the Rights of Persons with Disabilities

Ireland signed the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) in March 2007. Following a resolution of the Dáil in March 2018, Ireland's instrument of ratification was lodged with the UN on 20th March of that year. The Convention commits ratifying States to improve the lives of people with disabilities in a number of areas, including education. A UN committee monitors implementation in states which have ratified the Convention. Ireland provided its first state report under the UNCRPD in 2021.⁸²

82 Government of Ireland 2021, (November). Initial Report on the Rights of Persons with Disabilities. Submitted to the Committee

Article 24 of the UNCRPD addresses education. It specifically commits states to ensure that persons with disabilities are not excluded from the general education system on the basis of disability, and that they receive the supports required within that system to facilitate their effective education.

It is stipulated in Article 24 that in realising this right, States Parties shall ensure that:

- a) *Persons with disabilities are not excluded from the general education system on the basis of disability, and that children with disabilities are not excluded from free and compulsory primary education, or from secondary education, on the basis of disability;*
- b) *Persons with disabilities can access an inclusive, quality and free primary education and secondary education on an equal basis with others in the communities in which they live;*
- c) *Reasonable accommodation of the individual's requirements is provided;*
- d) *Persons with disabilities receive the support required, within the general education system, to facilitate their effective education;*
- e) *Effective individualised support measures are provided in environments that maximise academic and social development, consistent with the goal of full inclusion*⁸³.

The Convention, in setting out the rights of persons and the obligations of ratifying States, requires that "each State Party undertakes to take measures to the maximum of its available resources and, where needed, within the framework of international cooperation, with a view to achieving progressively the full realisation of these rights".

A UN Committee reviews the implementation of the Convention in countries that have ratified it. The Committee has stated that the full realisation of Article 24 of the Convention is not compatible with sustaining two systems of education: a mainstream education system and a special/segregated education system.

The Committee has stated that progressive realisation means that States Parties have a specific and continuing obligation "to move as expeditiously and effectively as possible" towards the full realisation of Article 24⁸⁴.

on the Rights of Persons with Disabilities

83 Convention on the Rights of Persons with Disabilities (CRPD) Article 24 – Education, Section 2.

84 UN Committee (2016) General Comment no.4, para 34, Section 39.

The NCSE examined the Concluding Observations reports for a number of countries⁸⁵. An analysis of these reports identified key features that are required to promote the inclusion of students with special educational needs:

- **Legislation:** the need to develop and resource policies, strategies and plans in line with the Convention, or where they already exist to fully implement them and assess their effectiveness;
- **Accessibility and inclusion adaptations:** the need for measures to include all students in a school, including making the learning environments more accessible through physical adaptation, greater use of assistive technology, use of universal design, and provision of accessible education materials;
- **Professional learning opportunities for staff:** TPL in inclusive education pedagogies, curriculum adaptation and best practices, as well as professional development in sign language and the use of Braille;
- **Transition pathways for students:** supports to facilitate movement between levels of education for students with special educational needs and a greater focus on lifelong learning;
- Issues specific to **students who are deaf/hard of hearing:** the need to ensure that students who sign are fully included through the development of sign language learning environments⁸⁶;
- **Data management:** the need to develop systems to generate data on student outcomes and experiences.

Ireland's 2021 report on the UNCRPD to the UN sets out the legal framework that exists in Ireland regarding the provision of education for children with special educational needs⁸⁷. The following excerpts from Ireland's report set out the legal framework underpinning access to education for children with disabilities in Ireland including their access to education in a mainstream school.

"288. People with disabilities in Ireland have equal rights of access to education. The Equality Acts prohibit discrimination against people with disabilities in admission, access, participation, and expulsion and sanction. Anti-discrimination legislation protects teachers and other education staff with disabilities.

85 Australia; Austria; Belgium; Canada; Greece; Italy; Malta; New Zealand; Poland; Portugal; Slovenia; Spain; Sweden; and the United Kingdom. This selection focussed on European states which had responded to an NCSE survey undertaken to inform this policy advice (see chapter 3), and on English-speaking non-European states with a range of PISA scores and known positions on inclusion and educational provision. Eight of the reports were published after the adoption of General Comment No.4 on Inclusive Education in August 2016, the remainder published beforehand.

86 Article 24 (3) (C) requires State Parties to provide accommodations for students with sensory disabilities to create inclusive environments where they can maximise personal, academic and social development. These may include resources, assisted technology, and provision of orientation and mobility skills. See also UN Committee (2016) General Comment no.4, para 34.

87 Initial Report of Ireland under the Convention on the Rights of Persons with Disabilities, 2021, p.42.

289. *The Education (Admission to Schools) Act 2018 requires schools to state in their admission policy that they will not discriminate against an applicant on a number of grounds, including disability. The provisions of the Act also seek to ensure that 'soft barriers' do not exclude children, including by prohibiting schools in their enrolment processes from taking into account a student's academic ability, skills, or aptitude.*

290. *The Education Act 1998 makes provision for the education of every person in the state, including people with disabilities, or other SEN, and provides generally for primary, post primary, adult and continuing education, and vocational education and training.*

291. *The Education for Persons with Special Education Needs Act 2004 (EPSEN) provides that a child with SEN should be educated in an inclusive environment with children who do not have SEN, unless it is not in the best interests of the child with SEN, or if it is inconsistent with the effective provision of education for the children with whom the child is to be educated."*

The NCSE sought legal advice on Ireland's obligations under the UNCRPD. The legal opinion that was provided noted the following:

- Although Ireland ratified the UNCRPD in 2018, Ireland has not subsequently incorporated the UNCRPD into Irish law. Therefore, while the obligation on Ireland, as a matter of international law, is to adhere to the provisions of the UNCRPD, this only operates at an international level between States.
- The Optional Protocol provides for the ability of persons – individually or collectively – to bring complaints of breaches of the UNCRPD to the UNCRPD Committee for consideration. Ireland has not ratified the Optional Protocol, but has indicated its intention to do so. The obligations on Ireland, if it ratifies the Optional Protocol, will be to engage with the UNCRPD Committee, if the Committee requested Ireland to do so, to provide a written reply to written submissions on any complaint made to the Committee, and to have regard to the ultimate suggestions and recommendations made by the Committee on foot of its findings⁸⁸.
- The UNCRPD does not contain any provisions for the Committee to issue legally binding findings. It only issues suggestions and recommendations to State parties.

88 Ireland has ratified the Convention, which imposes (non-binding) obligations on Ireland. These obligations include making a report to the UN every two years on progress in implementing the Convention in Ireland. Following this report, Ireland works with the UN committee which visits to assess the progress made and to advise on progressive realisation of the Convention. Ireland has not ratified the Optional Protocol but has stated its intention to do so soon. Ratification of the Protocol will allow for complaints to be made directly to the UN committee by people in Ireland if they believe their rights under the Convention have not been upheld. When it is possible for complaints to be made to the UN committee, the committee will investigate and will issue a determination. However, there still will be no basis for a claim under the Convention for damages, because the Convention has not been incorporated into Irish law.

- As the provisions of the Protocol, in the same manner as the Convention itself, will not form part of domestic law, no claim can arise for legitimate expectation being breached in the context of any alleged breaches of UNCPRD.
- The goal under Article 24 is *progressive realisation* of a system of inclusive education, and States must adopt a strategy which provides for targeted progress towards this goal.
- There is an obligation to have a fully inclusive education system as per Article 24 of the UNCPRD, subject to limited exceptions.
- Only limited exceptions are allowed for the provision of segregated education, that is for students with sensory and vision disabilities, and for students who cannot access education even with the provision of reasonable accommodation.

Ireland's ratification of the UNCPRD is a significant development for people with disabilities and their families in Ireland, and provides an important context for the future development of education provision for children with special educational needs. The UNCPRD – including Article 24 on Education – provides a vision of a future for children and adults with disabilities in an inclusive society. The goal under Article 24 is the progressive realisation of a system of inclusive education. States are expected to adopt a strategy which provides for targeted progress towards this goal. The concept of progressive realisation does not imply an immediate change. On the contrary, “progressive realisation” acknowledges that the realisation of the objectives set out in Article 24 will require a clearly articulated multi-year implementation plan, with adequate resourcing and time-bound milestones, political will, a dedicated focus, and a coalition of stakeholders across the education system and other sectors, such as healthcare, to drive the process to implementation.

4.5 Summary of international developments

- Evidence from the NCSE's international survey and elsewhere reveals the **different ways in which countries provide additional supports for the education of children with special educational needs**. This support can mean separate provision in special classes and special schools. However, it can also take the form of additional in-school support, often provided by specialist teachers who support the student's inclusion in mainstream classrooms.
- Ongoing research by the European Agency for Special Needs and Inclusive Education (EASNIE) outlines **the varied role for 'specialist provision' across European countries**: as provision for individual learners, sometimes in the classroom, sometimes outside it; as collaborative teaching between mainstream and special education teachers; as a form of external provision to support students, teachers and schools, and in some cases, parents (a resource support).

- **The NCSE’s international survey of education provision for students with special educational needs yielded data from twelve administrations.** The results identified that education provision for students with special education needs in their respective administrations included special schools and/or special classes.
- **The NCSE representatives’ study visits to England, Portugal and Canada revealed varying findings.** Specifically, in England, the education system will maintain its current provision of special schools and special classes, despite criticism from the UN Committee. On the contrary, evidence from Portugal and the province of New Brunswick in Canada demonstrates that inclusive education systems are taking shape, whereby all students are included in common classrooms along with the allocation of additional supports as necessary. In New Brunswick, an inclusive educational system took over 30 years to realise. In Portugal, the development of an inclusive system was specified by law in 2018. These systems both appear to demonstrate that inclusive education can be achieved, what can work, and points to the potential of a wider range of supports delivered at the right time to support students to facilitate their learning in their local school.
- **Ireland’s ratification of the UNCRPD provides an important context for the future development of education for children with special educational needs.** While the goal under Article 24 specifies a progressive realisation of a system of inclusive education, key decisions will require further consideration by government as to whether to continue to provide education in special schools and classes, or to make a policy shift towards the progressive realisation of a fully inclusive education system. This issue is considered further in the concluding chapters of this policy advice report.

5. The NCSE's Response to the Terms of Reference

The key findings from the consultations with stakeholders and arising from the review of research and other relevant documentation, carried out by the NCSE in preparation for this policy advice paper, are reported in this chapter under each of the terms of reference (TOR) for this policy advice paper that were provided by the Department of Education.

TOR 1: Examine whether there is local or international evidence that placement in specialist settings brings about improved educational outcomes and experiences, relative to their ability, for students with special educational needs. If so, what is the nature of the support provided to these students?

Examine whether this evidence is the same for students with different kinds of needs/disabilities.

Review the current provision of specialist settings, with a particular focus on their operation in Irish primary and post-primary mainstream schools including what criteria for admissions are in place.

The NCSE carried out an extensive review of national and international research literature to determine if placement of students with special education needs in specialist settings brings about improved educational outcomes and experiences for them, relative to their ability. Ultimately, while many studies have been concluded, most of reported research is not sufficiently robust from which to draw generalised conclusions. While the studies that were examined sought to match students on diagnosis and professional assessment or to account for such characteristics, it was challenging to match students on the level of their educational needs due to the diversity of special educational needs. The NCSE also notes that, while students may have been matched or have similar needs in these studies, it does not follow that such needs would be the same as those experienced in the Irish context. Education systems can define needs differently.

The NCSE also recognises the challenges for researchers, not least the ethical challenges, in carrying out experimental research on students in special and inclusive educational settings – for example the ethical questions which would arise if students were divided into matched groups and then provided with different educational “treatments” over an extended period of time in an attempt to find out which treatment produced better outcomes. Ethical educators and researchers must always support a system within which decisions on educational provision for individual students are based first and foremost on the needs of the student, and where the student is placed in a setting where they can access an education that is most likely to enable them to achieve best outcomes, and have the opportunity to develop skills for life.

Nevertheless, despite these limitations, the NCSE identified a number of key findings across the multi-strand research phase of this work:

- There is some, but limited international evidence, that second level school qualification outcomes for some students with special educational needs in mainstream classes are better than those achieved by students with similar needs in special classes.
- There is some, but limited international evidence that the inclusion of students with special educational needs in mainstream primary classes has a neutral effect on academic outcomes for students without special educational needs.
- Inclusive early education settings can have a positive impact on a child's development compared to special early education settings. Research indicated that children diagnosed as developmentally delayed made significantly greater progress in their social and emotional development in an inclusive early education setting than children who attended self-contained settings. Another study found that children in inclusive early education settings, on average, demonstrated significantly more gains in their cognitive development, social/emotional development and adaptive behaviour scores than children in mixed disability or autism-only early education settings.
- No research evidence could be found to support the idea that students with special educational needs placed in special classes or special schools have better outcomes than those who are educated in their local school.

The research review process conducted by the NCSE identified no literature which met the inclusion criteria for five of the research questions relating to: students who could not be educated in mainstream schools; benefits of multisensory rooms; location of specialist settings; travel time; and outcomes of special schools and special classes for students with SSLD or SLD. While the questions relating to these areas were very specific, the search process also identified the relative paucity of high quality research studies in many aspects of special and inclusive education.

In Ireland, the admission of a student into a special school or special class is always based on a report by an appropriate professional. This report must identify a student's disability and/or special educational needs, for example, a general learning disability or autism. Reports often contain a recommendation that a student should be placed in a special school or class. Parental/guardian agreement on an application for, and placement of, a student in a special class or special school, is always required.

Evidence from school visits conducted by the NCSE suggests that students with special educational needs appear to be well supported in both mainstream and special education settings. Schools were providing positive environments and staff had a good level of understanding of students' needs. Students in both mainstream and special education settings appeared happy and content in their educational environments. This is consistent with the findings from the report by the Department's Inspectorate on educational provision for students in special classes for autism.

Many consultation participants considered that specialised provision would always be required for students with the most complex medical, intellectual, and behavioural needs, and found it extremely difficult to imagine how the two per cent of the student body, who make up the special school and special class population, could ever be included in mainstream classes, given the level and complexity of their needs.

The NCSE found that many other countries are grappling with the same issues around how best to improve outcomes for students with special educational needs. Most countries currently continue to make some form of separate special school and/or special class provision for students with complex special educational needs. On the other hand, the evidence from New Brunswick in Canada and Portugal demonstrates that education systems can, with time, appropriate resourcing of schools and careful planning, develop a system where all students are educated in their local schools.

There was insufficient evidence in the research to enable the NCSE to reach a definitive conclusion, one way or the other, as to whether the school setting in which a student is placed brings about improved educational outcomes and experiences, relative to their ability, for students with special educational needs. Neither could definitive conclusions be drawn from the research in relation to outcomes for students with disabilities who present with diverse needs.

The NCSE's findings regarding current provision in special schools and special classes including the criteria for admissions to these settings is summarised under TOR 3 below.

Policy advice on ways to improve educational outcomes for students with special educational needs is set out in Chapter 6. Improvements in relation to student assessment, school admission, placement and review, and teacher professional learning are recommended as well as the enhanced provision of therapeutic and other "health" supports. The query as to whether provision for students with special educational needs should be made in a fully inclusive school system is also explored.

TOR 2. Examine what are the relevant factors that may be impacting on the significant year-on-year increase in special class provision. In particular analyse the reasons why so many students are now being recommended by professionals for placement in special classes.

Table 1 illustrates the number of special classes in primary schools at five yearly intervals from 2010 to 2020. The fourth and fifth columns show the number of special classes in 2021 and 2022 respectively. The data was provided by the NCSE's Special Education Administration System. Schools require NCSE approval for staffing to operate a special class and this information is retained by the NCSE. The data shows a significant increase in the number of special classes from 2010 to 2022, a trend that shows no sign of reduction.

Table 1: Special classes in mainstream primary schools from 2010-2022

Primary Schools	Number of Special Classes by Year				
Class Type	2010	2015	2020	2021	2022
<i>Autism Early Intervention</i>	21	71	135	133	151
<i>Autism/Autistic Spectrum Disorders</i>	214	482	1000	1217	1463
<i>Emotional Disturbance</i>	1	4	7	6	5
<i>Hearing Impairment</i>	7	9	13	14	17
<i>HI Early Intervention</i>	0	1	1	1	1
<i>Mild General Learning Disability</i>	28	35	39	39	37
<i>Moderate General Learning Disability</i>	7	11	23	25	24
<i>Multiple Disabilities</i>	8	13	19	23	24
<i>Severe/Profound General Learning Disability</i>	5	7	9	9	8
<i>Specific Learning Disability</i>	13	13	13	13	13
<i>Specific Speech and Language Disorder</i>	52	59	63	64	64
Total	356	705	1322	1544	1807

Table 1 shows a percentage growth of 408% from 2010 (n=356) to 2022 (n=1,807) in the number of special classes in primary schools.

The growth in the overall number of special classes is accounted for overwhelmingly by the growth in special classes for autism, from a figure of 214 in 2010 to 1,463 in 2022 – an increase of 584%⁸⁹.

There are relatively small changes that occurred from 2010 to 2022 in the number of special classes for most other categories of special educational needs.

Table 2: Special classes in mainstream post-primary school from 2010-2022

Post Primary	Number of Special Classes by Year				
Class Type	2010	2015	2020	2021	2022
<i>Autism/Autistic Spectrum Disorders</i>	65	189	435	524	653
<i>Emotional Disturbance</i>	2	2	3	3	3
<i>Hearing Impairment</i>	2	5	5	5	7
<i>Mild General Learning Disability</i>	9	11	14	14	14
<i>Moderate General Learning Disability</i>	11	25	45	46	49
<i>Multiple Disabilities</i>	3	5	12	13	13
<i>Severe/Profound General Learning Disability</i>	0	0	1	1	1
<i>Visual Impairment</i>	0	0	2	2	2
Total	92	237	517	608	742

The statistics for post-primary special classes are outlined in table 2 above and are drawn from the NCSE database. This data identifies the number of classes entered that were established through SENOs each year.

These figures reveal a very large growth in the overall number of post-primary special classes from 2010 to 2022 – a 714% increase. This growth is accounted for overwhelmingly by the establishment of new special classes for autism, from a total of 65 special classes in 2010 increasing to 653 in 2022 – a 905% increase over twelve years.

During the consultation process for this policy advice, the NCSE explored the reasons for the significant year-on-year increase in demand for special classes, particularly for special classes for students with autism. It became very clear to the NCSE that there are widely and strongly held beliefs among stakeholders regarding the education of students with special educational needs.

89 See Executive Summary page 6 that provides some rationale for this exponential increase.

These beliefs serve to underpin the placement of students in special education settings and include the following:

- Many stakeholders shared the view that Ireland needs a continuum of education provision that includes mainstream classes, special classes, and special schools. The perceived need for this continuum appears to be based to a large extent on the view that only special schools and classes can be equipped to meet the very complex needs of some students. In addition, this perception is exacerbated by fears that mainstream schools do not have the capacity to educate students with complex needs, and that some mainstream schools continue to hold negative attitudes towards the enrolment of students with special educational needs.
- Many parents and school staff expressed the view that students with special educational needs are better minded/cared for in special school and special class settings and that they achieve better outcomes there. Their understanding is that because of smaller class sizes, students receive more individualised attention in special schools. In addition, consultation participants expressed the view that in special schools the whole school is dedicated to, and organised around, meeting the complex needs of its students.
- Some consultation participants indicated that teachers in special schools and classes are more able to teach students with complex needs because they have more experience and are better skilled than their mainstream colleagues. There also appears to be a generally accepted belief that teachers in special settings have received additional training and/or hold additional qualifications. This belief was shared among parents and teachers, including teachers in both mainstream and special education settings. The NCSE notes that many teachers in special education settings have taken TPL courses leading to additional qualifications, as have many teachers in mainstream schools.
- Many parents and teachers were of the view that students with special educational needs are happier when they are educated together in special school or special class settings. This seems to be based on a belief that these students will not perceive themselves as different when they are with other students who also have disabilities.
- During visits to mainstream classes, special classes and special schools, representatives of the NCSE spoke to many students with special educational needs. All students reported that they were very happy in their respective settings and representatives expressed the view that students were making good progress there. The NCSE representatives did not meet any student who wished to be placed in a different setting, although a small number of students spoke of having difficult experiences in mainstream settings before being transferred to a special education setting.

During the consultations, the NCSE noted a very commonly held belief among parents and some mainstream teachers that children in special schools and special classes receive better health supports, and have greater access to therapy services. The belief is that special schools and classes have access to a range of therapeutic supports and post-school services, which are not available to students in mainstream schools. Special school principals voiced their concerns that they are still being asked to enrol students that mainstream schools cannot manage (even in special classes) but they do not necessarily have any greater resources or supports to support these students.

While the NCSE's consultations with the education partners seem to provide an explanation for the continued need for special classes in the Irish education system, the question as to why so many students are now being recommended for placement in special classes for autism, leading in recent years to a steep growth in demand for additional special classes for autism is much more difficult to answer.

There has been a notable increase in recent years in the number of children who are diagnosed with autism, which in turn has driven the demand for the establishment of additional special classes for autism. Epidemiological studies since the year 2000, indicate that the prevalence of autism has increased⁹⁰. However, it is not at all clear that the increase in autism prevalence should be interpreted as a "real" increase or whether the prevalence increase has come about because of greater awareness of autism resulting in higher numbers obtaining a diagnosis or changes in the diagnostic criteria⁹¹. A Department of Health report⁹² in 2018 identified that a diagnosis of autism gives children greater access to specialised health and education services with the result that clinicians are more likely to diagnose a child with autism, even those who are on the borderline of the clinical criteria. In addition, the most recent diagnostic manuals now include sensory sensitivities as a criterion for an autism diagnosis which suggests that individuals who may not have previously met the diagnostic criteria for autism will now obtain a diagnosis.⁹³

90 McConkey R. (2020). *The rise in the numbers of pupils identified by schools with autism spectrum disorder (ASD): a comparison of the four countries in the United Kingdom*. *Support for Learning*, 35, 132-143.

91 See May, T., Brignell, A. & Williams, K. (2020). Autism Spectrum Disorder prevalence in children aged 12-13 years from the longitudinal study of Australian children. *Autism Research*, 13, 821-827.

King, M. & Bearman, P. (2009). Diagnostic change and the increase prevalence of autism. *International Journal of Epidemiology*, 38, 1124-1234.

92 The Department of Health. *Estimating Prevalence of Autism Spectrum Disorders (ASD) in the Irish Population: A Review of Data Sources and Epidemiological Studies*, November 2018.

93 A retrospective study conducted in the California (King & Berman, 2009) documented that elevated prevalence rates coincided with periods when revisions in diagnostic criteria and practices in assessing autism occurred. Between the periods of 1992 to 2005, the authors estimated that a quarter of the increases in autism diagnoses correlated to changing diagnostic criteria meaning that one in four students who were diagnosed with autism in 2009 would not have obtained this diagnosis in the 1990s.

The NCSE's consultations with the education partners revealed a strong belief among parents and schools that following a diagnosis of autism, a special class offers the best educational placement for a child. Many parents believe that the special class offers a safe setting where their child will receive appropriate education and care from the teacher and SNAs. Parents also seem to believe that their child will have greater access to therapeutic supports if enrolled in a special class. For schools, the extra teacher and SNA resources that can be drawn down for a special class enhance the overall resources available in the school, and supplement the additional resources already provided to the school through the SET model. The perception among parents and schools that placement in a special class of special school is better has received strong support from politicians and from the media, which in turn has increased the pressure on the education system to increase special education provision.

There was little indication in the consultations that the growth in demand for placement in special classes will not continue into the future. Accordingly, it is likely that pressure for the establishment of additional special classes for autism will continue in parallel with the prevalence growth, while current policies relating to educational provision are in place. The NCSE accepts that there will be significant challenges in achieving this goal and in ensuring all stakeholders, including parents and guardians, are convinced of the benefits of an inclusive education system. The NCSE believes that it is only when parents and guardians believe that the full range of provision in mainstream schools is at least equal to what they can expect for their children in special education settings that they will be willing to enrol their children with complex special educational needs, including autism, in mainstream schools.

Recommendations in relation to the placement and education of students in special classes are provided in Chapter 6 of this provides advice report.

3. Examine current approaches to whole school decision making in relation to the education and the welfare of students with special educational needs.

In relation to the placement of students in special schools and classes, and decision making in relation to their education and welfare, the following points emerged through the consultation process:

- All groups concurred that a formal process of assessment should be required for decision-making on placement in a special school or class. Concern was expressed that referring clinicians, who do not work directly in schools, may not fully understand the experience of students in schools, or how schools work on a day-to-day basis.
- Consultation groups agreed that the decision to place a student in a special school or class is a critical choice for each individual student, and expressed concern that the perceived benefits of receiving education in the special school or special class could be offset by a reduction in curriculum options and, as a result, limitations in post-school opportunities.
- Consultation groups agreed that mainstream schools needed to ensure that all potential options and supports under the Department of Education Continuum of Support are fully explored, including a student's response to intervention, prior to placement of a student in a special class or school. Groups agreed that students and parents/guardians should participate in a shared decision-making process around placement options, have access to all relevant information, and be made aware of the full implications of all potential options in making this decision.
- Consultation groups pointed out that detailed transition planning should be undertaken at key points in a student's educational pathway, and particularly in the context of a transfer to a special class or special school, and when transferring from primary to post-primary schools.
- Consultation groups noted that once placed in a special school or class, it is only on rare occasions that a student returns full-time to a mainstream educational setting. There was strong support for student placements in special schools and classes to be kept under regular review, and formally reviewed at least once per year.

The NCSE reviewed the Department of Education Inspectorate's 2019 evaluation of education provision in special classes for autism in primary and post-primary schools. This report indicated that while most students in special classes across both primary and post-primary school enjoyed learning, were motivated, and expected to achieve as learners, it also referenced some challenges in respect of whole-school decision making on behalf of these students. This report revealed the following:

- A small number of primary school students were inappropriately placed, and would have benefitted from fulltime enrolment in mainstream classes. Placements in these classes were not reviewed regularly, and very few students moved back to mainstream classes from special classes once placed there. Some students in two-thirds of post-primary special classes were deemed to be inappropriately placed in the special class when they should have been attending mainstream classes on a fulltime basis. This has potential implications for some students with regard to subject choice and their options post school life including access to the workforce.
- Autism-specific assessment processes to identify students' learning needs and track progress were used in over half of primary special classes, but in less than one-third of post-primary special classes.
- While transitions, both across the day and between settings, were managed effectively in primary schools, transitions in post-primary schools during the school day were managed effectively in less than half of cases.
- Some students in primary special classes had the opportunity to experience mainstream education. In post-primary special classes, this occurred for some students who may have been more suitably placed in mainstream to begin with. Other post-primary special class students also had the opportunity to experience mainstream education, but did not receive adequate support to sustain it.
- Enrolment policies for half of post-primary and for the majority of primary special classes contained clauses which restricted admission to students with mild general learning disabilities or students who were able to be included in mainstream settings for most of the school day. This served to deny places to students with more pronounced needs.

Further information on the NCSE's review of the Inspectorate report on special classes for autism is available in Chapter 3 of this policy advice report.

The NCSE also reviewed the Department of Education Inspectorate's 2020 evaluation of educational provision in special classes for students with specific speech and language disorder in mainstream schools. Findings revealed the following:

- The inspectors found that enrolment processes worked smoothly and that the students met the criteria for placement in the special class. There were good arrangements for students to be included in mainstream lessons, and inclusive aspects of the schools' culture was judged to be good or very good in most cases.
- The quality of teaching, class planning, teaching approaches, IEPs and the quality of student's learning was judged to be good or very good in most cases.
- The inspectors found evidence of effective sharing of professional knowledge by SLTs with teachers, and very effective collaboration, such as joint classroom practice, target setting, and planning.
- The report noted a marked decrease in HSE SLT supports since 2005.

Further information on the NCSE's review of Inspectorate reports in special classes for students with specific speech and language disorder is outlined in Chapter 3 of this policy advice report.

The NCSE gathered evidence on current approaches to whole-school decision making in relation to the education and the welfare of students with special educational needs through consultations with stakeholders and through reviews of Department of Education Inspectorate reports. The NCSE's review found that there is much good practice in schools. Areas identified for improvement included student assessment for educational planning purposes, use of IEPs and student support plans, enrolment practices, reviews of student placements, transition planning, and part-time inclusion of students in mainstream classes. Policy advice in relation to these matters are outlined in detail in the Recommendations in Chapter 6.

4. Review recent research findings on models for providing therapeutic supports for students with special educational needs who require them, including any emerging findings from the evaluation of the In-school Demonstration Project with reference to the impact on:

- **Teachers' practices and confidence in responding to the needs of students with significant needs;**
- **Students' learning and participation;**
- **And whether the availability of therapeutic supports plays a role in school enrolment decisions.**

The evaluation of the In-school and Early Years Therapy Demonstration Project highlighted that where teachers and therapists worked in partnership, combining their respective skills and expertise, an enhanced differentiated learning environment was created enabling students to experience more positive social and academic interactions within the classroom. However, the findings also noted the challenges of trying to implement new practices in schools.

In its evaluation of special classes for specific speech and language disorder, Department of Education inspectors found evidence of effective sharing of professional knowledge by SLTs with teachers, and very effective collaboration, such as joint classroom practice, target setting and planning.

The view was expressed by many consultation participants that in general, behaviours of concern were increasing among students. While the issue is acute in special schools, these schools were considered to be no more equipped than mainstream schools to respond to the needs of students who present with behaviours of concern.

The NCSE learned from its consultations with education partners that there is inadequate access to therapeutic, behavioural, and psychological supports in all schools. Parents in the consultations seemed to expect that enrolment of their child in a special school or special class would provide their child with a better chance of accessing therapeutic supports.

The NCSE found that the provision of therapeutic supports for students with special education needs who require them has positive benefits for students. The NCSE's recommendations in relation to the provision of therapeutic supports for students are set out in the Recommendations section in Chapter 6.

5. Examine, in the Irish context, evidence of whether there are any students for whom both specialist and mainstream educational settings are currently not working and consider those factors which might be contributing to this situation?

Many consultation participants shared their concerns about aspects of the current system as follows:

- Students can be inappropriately placed in special provision based on recommendations from professional reports, and these placements are then rarely, if ever, reviewed. Some students are starting school in such settings without having the opportunity to experience a mainstream school environment.

- Some schools continue to operate enrolment policies for special classes which enable them to select and admit certain students and exclude others on the basis of their assessed abilities. The end result of these policies is that some students with more complex special educational needs are unable to gain admittance to special classes that are designated for students within their special education needs category.
- There are significant challenges in establishing special classes in some areas of the country.
- There is a need in some schools for teachers to have better skills to teach students with special educational needs.
- There is a need in some schools for more appropriate deployment of teachers, so that the most skilled teachers are supporting those students with the most complex needs. In other words, that students with the greatest level of need access the highest level of support.

Similar to what was reported by consultation participants, a review of Inspectorate reports revealed that restrictive enrolment policies in some primary and post-primary schools resulted in an inability for students with autism and more complex special educational needs to gain admittance to certain special classes. In addition, some students who demonstrated the ability to attend mainstream classes on a full-time basis were still enrolled in these special classes.

The Inspectorate's evaluation of special classes for students with autism found that some students were inappropriately placed in special education classes, especially in post-primary schools, where the mechanisms for accessing class places (including enrolment policies) were unsatisfactory, and placements are rarely reviewed.

Inspectors identified the need for more successful use of autism-specific teaching approaches particularly in post-primary special classes. While almost all teachers in primary special classes for autism had the requisite pedagogical knowledge and skills, less than half of the teachers in post-primary special classes demonstrated the requisite range of autism-specific knowledge and skills.

It is recommended that the strategic planning group should specify that reviews of student placement progress and outcomes should occur on an annual basis. It is also recommended that the strategic planning group should engage with a range of stakeholders in the development of a structured standard framework, based on student need, for a shared decision making process that focuses on student placements in special schools and classes.

The NCSE did not gather evidence in relation to children who are not in attendance in regular schools for this policy advice report. However, the NCSE is cognisant that there are children with special educational needs among the children. The NCSE recommends in Chapter 6 that the strategic planning group should consider the needs of children with special educational needs who because of individual circumstances are in an alternative educational setting and do not or cannot attend a local school. These include children and young people who are in Child and Adolescent Mental Health Service (CAMHS) Units, hospital schools, detention centres, special care units and high support units, children and young people with very significant needs in 'one off' provision; and those for whom home tuition grants are being provided, or in situations where school placement has broken down – for whatever reason, children and young people who are accessing education on iScoil, and those who are home-schooled and are registered with Tusla.

6. Consider and advise on the development and implementation of an evidence-based evaluation framework together with relevant KPIs for special educational needs student supports suitable for the Irish context.

It is the recommendation of the NCSE that a working group is established by the Department of Education to examine the recommendations in this policy advice report. This will include the development of relevant and appropriate assessment processes to identify students' strengths and needs. It is advised that this is developed by evidence informed data gathering and decision making processes to support students. This includes identifying measurable outcome statements that will enable students to participate to their fullest potential in teaching and learning in schools. It is envisaged that these actions will enhance students' active participation in school, home, and community to support the development of their skills for life, to meet their learning needs and to celebrate their abilities. Appendix 3 outlines a proposed outcomes-focussed evaluation framework to support this process.

7. Examine whether the UNCRPD has any implications for the ongoing establishment of special schools and classes in Ireland.

Ireland signed the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) in March 2007. The Government formally ratified the Convention in 2018 and it entered into force on 19 April 2018. Ireland's ratification of the UNCRPD indicates its commitment to develop services in line with the human rights-based aspirations of the Convention.

Article 24 of the UNCRPD addresses education, and specifically commits States to ensure that persons with disabilities are not excluded from the general education system on the basis of disability, and that they receive the supports required within that system to facilitate their effective education.

A UN Committee reviews and reports on the implementation of the Convention in countries that have ratified it. It is clear from the Committee's reports that its interpretation of Article 24 is that State Parties have a responsibility to ensure that students with special educational needs can be educated in their local school alongside their peers without special educational needs, and that the full realisation of Article 24 is not compatible with sustaining a dual system of education: a mainstream education system and a special/segregated education system.

The NCSE's legal advice on Ireland's obligations under the UNCRPD reveals that although Ireland ratified the UNCRPD in 2018, Ireland has not subsequently incorporated the UNCRPD into Irish law. Nevertheless, the ratification of the UNCRPD is a significant development for people with disabilities and their families in Ireland and provides an important context for the future development of education for children with special educational needs. The goal under Article 24 Education is the progressive realisation of a system of inclusive education. Ratification of the UNCRPD implies a commitment by a State that it will adopt strategies that provide for the progressive realisation of the goals of the Convention. The realisation of the objectives set out in Article 24 will require a clearly articulated multi-year implementation plan with adequate resourcing and time-bound milestones, political will, a dedicated focus, and a coalition of stakeholders across the education system and other sectors, such as healthcare, to drive the process.

The NCSE's recommendations arising from Ireland's ratification of the UNCRPD are set out in Chapter 6 of this policy advice report.

Ireland's ratification of the UNCRPD indicates its commitment to develop services in line with the human rights-based aspirations of the Convention, including the progressive realisation of an inclusive education system. In making recommendations for the development of an inclusive education system, the NCSE considered how existing policies such as the continuum of support process, and the resource allocation models for teachers, SNAs, special transport, specialist equipment, and school buildings could be incorporated and further developed within the progressive realisation of an inclusive system.

8. Provide advice on the future role of special class and special school placements in the continuum of education provision for students with special education needs.

Ireland's policy framework for the education of students with special educational needs has been based on the continuum of educational provision for many years, and particularly since the publication of the Report of the Special Education Review Committee in 1993. The decision for the Department following receipt of this policy advice report will be whether to continue to base special education policy on the continuum or the progressive realisation and development of a fully inclusive system.

Policy development regarding the future role of special classes and special schools, in the context of the continuum of education provision, will be aligned to Ireland's response in implementing the UNCRPD. Specifically, the choice for Ireland will be to continue to provide special schools and special classes or to evolve a revised system, reflecting a progressive realisation of an inclusive system that enables all students to attend their local schools. The progressive realisation of this system is one which will respond to students' needs in their local community and will continue to build on the investment that has taken place in education. It is envisaged that the educational system will continue to evolve and to be meaningful and applicable to meet the learning needs of all students in an Irish educational context.

The NCSE notes the reports by the UN Committee on countries that have ratified the Convention and the Committee's recommendations to these countries to put in place inclusive education systems. The NCSE also notes that the twelve countries that responded to the NCSE international review stated their intention to continue to provide special schools and special classes. The NCSE also observes the move to implement fully inclusive systems of education in Portugal and in the provinces of New Brunswick and Nova Scotia in Canada.

The majority of consultation participants accepted that, ideally, all students should be educated together in the same school and could see benefits to society from all students learning together. However, many consultation participants struggled to visualise how the new system would operate, and there were different views among consultation participants as to whether such a scenario was desirable.

The NCSE's conclusions and advice on the future role of special schools and classes is set out in the discussion and recommendations in Chapter 6. The NCSE recommends the progressive realisation of an inclusive education system where all local schools have the resources to educate all children in line with their strengths and abilities.

However, the NCSE recognises that much work will need required to bring this about. As is outlined elsewhere in this policy advice report, enhanced provision will be required in such areas as therapeutic and other professional supports for schools, school buildings, initial teacher education and continuing professional learning for school staff, and possibly some legislative changes. The NCSE believes that it is only when parents and guardians believe that the full range of provision in mainstream schools is at least equal to what they can expect for their children in special education settings that they will be willing to send their children with complex special educational needs to mainstream schools. The NCSE accepts that there will be significant challenges in achieving this goal and in ensuring all stakeholders, including parents and guardians, are convinced of the benefits of an inclusive education system.

9. Make recommendations on the provision required to enable students in special schools and classes achieve better outcomes.

The NCSE's recommendations for the further development of education services for students with special educational needs, which aim to bring about improvements in outcomes for students, are outlined in Chapter 6. Many of the recommendations will apply whether Department policy is to continue to provide for the education for students with special educational needs broadly within the current continuum of provision or if Department policy changes to provide for this education in inclusive schools over time, which all students will attend together.

The range of recommendations cover the following areas:

- The **progressive realisation of an inclusive school system**;
- **Greater availability of therapeutic and psychological supports**, including the expansion nationally of the School Inclusion Model (SIM) to ensure that all schools in the country have access to an in-school therapy service;
- **Expansion of the National Educational Psychological Service** to ensure that all schools in Ireland have access to a comprehensive educational psychological service to support the inclusion and participation of all students, including those with complex special educational needs;
- **Enhanced teacher professional learning, particularly for teachers in special settings**, and in collaboration with the Teaching Council to identify standards for the knowledge, skills and competencies required by all teachers to teach all students, and additional professional learning opportunities for school leaders and teachers so they can provide an education appropriate to all of their students;
- **Improvements to schools buildings to ensure they embed a Universal Design for Learning** and are fit for purpose for the accommodation and education of students with complex needs;
- **Curriculum change and greater certification options for students with special educational needs**;
- Resolution of problems around placement and review decisions for special schools and classes, to include **a structured standard framework based on student need for decisions around future placements**, and annual reviews of placement, progress, and attainment;
- **Resolution of the issues experienced by students having to travel long distances** from their homes to attend special education schools or classes;

- In conjunction with agencies such as the NCSE and NCCA, the development and implementation of **a national system for schools to determine, measure, and report on student progress and outcomes;**
- The provision of **further guidance to school leaders on the utilisation and deployment of school staff** in small, medium and large schools, in order to support the management and deployment of the range of supports available to schools;
- **Enhancement of guidance to schools** to ensure that teachers are competent and supported in assessing students' needs, identifying any additional supports required, and accessing and utilising those supports. **This includes inclusive guidance to support students' decision making on post school options;**
- The development of **an assessment framework to support identifying the needs of students** who will continue to require highly specialised supports and provision. It is recommended that the Department engage with a range of stakeholders to develop this framework.

6. Towards the Progression Realisation of an Inclusive Education System – Recommendations for Policy

6.1 Towards a Better Education System

With a view to drawing up a comprehensive response to the Department's Terms of Reference, the NCSE engaged in a broad range of processes to identify areas of strength and areas that require further development in the provision of education for children with special educational needs in Ireland. These processes included a review of relevant research, consultations with students, parents, guardians and other education partners, and study visits to schools in Ireland and abroad. The NCSE also considered the potential obligations for Ireland's education system resulting from Ireland's ratification of the UN Convention on the Rights of People with Disabilities.

The various processes undertaken by the NCSE and the outcomes and findings are set out in previous chapters of this report. These findings, including areas for development of the system, are summarised in Chapter 5 under the each of the Terms of Reference. The findings present a picture where many elements of current provision are viewed as working well:

- Students with special educational needs are generally well supported in mainstream classes, special classes and in special schools. Significant investments have been made by Government to support students with special educational needs in our schools, including increased capital investments and teacher and SNA supports.
- Students in all school settings appear to be enjoying school life and are motivated to learn.
- Many mainstream school boards of management, principals, and teachers are very committed to including students with special educational needs and have established special education teams in their schools to support their students.
- Special schools are well managed, and provide very good teaching and learning environments for students. Special school staff are very committed and have a high level of understanding of their students' needs.
- Many of those consulted shared the view that mainstream schools currently cannot provide an equivalent education for students in special schools and special classes and that, therefore, students should not be placed in mainstream classes due to the complexity of their needs.

- Consultation participants placed a high value on special schools and classes. Many parents and teachers indicated their belief that student outcomes are better in special schools because of their makeup, students' access to more individualised supports, smaller class sizes and experienced teachers.
- Special school teachers indicated to the NCSE that they are best equipped to meet the needs of students with special education needs in their schools.

The findings also revealed areas that require further development in order to improve the education experiences and outcomes for students with special educational needs. They include the following:

- Enhancement of the processes relating to student placement in special schools and special classes, and the regular review of these placements are required. Students are often placed in special schools and special classes at a very young age and these placements are then rarely, if ever, reviewed. The concern of the NCSE is that once placed in a special education setting, students nearly always remain there throughout their time in education and consequently do not get the opportunity to experience mainstream education, to interact in school with their neurotypical peers, to learn from each other, and to develop empathy for and understanding of each other.
- When selecting students for placement in their special classes, some mainstream schools continue to differentiate among students within the same category of disability (for example autism) on the basis of their abilities, resulting in the exclusion from these classes of some students with more complex needs. Furthermore, the evidence from the Department Inspectorate's review of special classes for autism also revealed that some of the students enrolled in post-primary special classes for autism would be more suitably placed full-time in mainstream classes.
- There is requirement to improve transition planning for students with special educational needs at critical transition points in their education, and particularly to plan for life after school.
- There is a requirement for far greater availability of external support services to mainstream and special schools, including speech and language therapists and occupational therapists, to support the education of students with special educational needs.
- There is need for further continuing professional education for school managements, principals and teachers regarding best practice for the education of students with special educational needs, including, as required, specialist modules relating to the education and care of students with disabilities.

- There is need for curriculum change, greater certification options and pathways to post school life for students with special educational needs.
- The issue for students having to travel long distances from their homes to attend special schools or special classes needs to be resolved.
- There is requirement to improve to some mainstream and special school buildings, including the provision of sufficient space to accommodate students with complex special educational needs. This includes the replacement of some older buildings that are no longer suitable and to embed a UDL approach to inform this planning.

Ireland's ratification of the UNCRPD places an obligation on Ireland to progressively realise the objectives set out in the Convention, including the provision of access to education in inclusive schools for children and young people with special educational needs. The UN committee has stated that "*progressive realisation*" of the Convention means that States parties have a specific and continuing obligation "*to move as expeditiously and effectively as possible*" towards the full realisation of Article 24.12.⁹⁴

The NCSE proposes a rationale in Recommendation 1 below for Ireland's education system to advance progressively over time to becoming a fully inclusive education system, a system within which all students are enabled to receive their education in their local schools. An inclusive education system would see all students, regardless of their abilities or needs, attending a local school along with their peers.

At the same time, the NCSE recognises the positive features in the current system and understands that many stakeholders are very committed to, and supportive of, the current system. The NCSE accepts that there will be significant challenges in putting the necessary structures in place to ensure that children receive an equivalent education in local schools and to ensure that all stakeholders, including parents and guardians, are convinced of the benefits of an inclusive education system.

Therefore, while bringing about a context whereby all children and young people attend their local school is the ultimate goal of this policy advice, the NCSE advises that this should be brought about in a progressive manner over time. Meeting the needs of each individual student and placing the child or young person at the centre of decision making must remain of paramount consideration as the system develops. The challenge for the system will be to put in place the supports that will enable local schools to become truly inclusive schools with the wherewithal to educate all students. The objective will be to build competence and confidence within the system over time that will ensure that students with special educational needs receive the necessary specialist interventions and supports in their local schools informed by a UDL approach.

94 UN Committee on the Rights of Persons with Disabilities General Comment No. 4 (2016) par 39.

Progressive realisation of an inclusive system will require further leadership and professional learning opportunities for school principals and teachers to embed an inclusive culture in schools. Drawing on and incorporating the expertise that is currently available among the staff in special schools and special classes will be a fundamental feature of this process. It will also require the provision of enhanced supports within schools and a significant ramping up of the range and quality of school support services including psychological and therapeutic supports. It will also involve careful consideration how the existing good policies and practices in the Irish education system such as the continuum of support process, and the resource allocation models for teachers, SNAs, special transport, specialist equipment, and school buildings can be incorporated and further developed within the progressive realisation of an inclusive system that best meets the needs of students in Ireland.

Partnership with parents and guardians and within all levels of the system will be required in order to set out and achieve the objective of a truly inclusive education system. As well as detailed and regular engagement with all stakeholders, it will also require multi-year resource planning by the Department of Education in conjunction with the NCSE.

The pathway towards the progressive achievement of an inclusive system is set out in the following recommendations:

6.2 Recommendations for Policy

Based on evidence from the broad range of processes engaged in by the NCSE to inform this policy advice including a consultation process, a multi-strand research process, and through an examination of developments in other countries, the NCSE now sets out its rationale and recommendations on future educational provision for students in special schools and special classes in Ireland.

These recommendations contain the proposition that it is now time to progressively bring about an education system in which all schools are resourced and equipped to educate all children in their local community, including children with special educational needs.

The NCSE recognises that these recommendations constitute a substantial systemic reform programme for Irish education and will impact on diverse dimensions of education policy and practice including school governance arrangements, curriculum and assessment, staffing allocations, school buildings and facilities, specialist equipment, as well as professional standards for teachers and other professionals who work with children and young people in schools. The realisation of this reform programme will involve agreement by the Government to adopt a strategic multi-year plan to be

progressively realised over a number of years with multi-annual budget provision, together with tailored guidance for each school to assist and promote school competence and cultural change, as necessary.

6.2.1 A progressive vision for the Irish education system

Recommendation 1.1. The NCSE recommends the progressive realisation of the Irish inclusive education system where all local schools are enabled to educate all students in their community in line with students' strengths and abilities.

In previous policy advice the NCSE recommended that students with special educational needs should be educated in inclusive environments, if at all possible, in line with the provisions set out in Section 2 of the EPSEN Act. The NCSE now sets out an inclusive vision of education for children with special educational needs, and recommends its progressive realisation in the coming years.

This inclusive vision pictures all students receiving their education in their local schools and within their local communities. Rather than in some instances having to travel long distances to access education in a special class or special school, a system of inclusive schools would enable all students to attend their local schools and maintain links with their communities. A system that includes all students with special educational needs in local schools would help to create a greater understanding and build respect for all in Irish society who experience exclusion and discrimination. An Irish education system which includes all students in local schools, would foster a greater understanding of difference and perspective, build greater empathy amongst young people, and help develop a more inclusive society.

In Chapter 5 of this report, the NCSE outlines the progress that has been made in recent decades in relation to the inclusion in mainstream schools of students with mild general learning disability, students who are Deaf and hard of hearing, students who are blind or visually impaired and students with Down Syndrome, and the consequent reduction in the enrolment in special schools and special classes for students presenting with these categories of disability. The inclusion in mainstream schools for this cohort of students has occurred over years in a gradual, progressive way, and has been made possible by the allocation of additional resources to schools, particularly special education teachers, SNAs, specialist equipment, and other targeted supports. While these students are fully enrolled in mainstream classes, they can also receive additional support from SETs and SNAs, as required. It is anticipated that within the progressive realisation of an inclusive system, the current models for supporting students with special education needs would be further developed to enable the successful inclusion of students with more complex needs.

The NCSE is very aware of the concerns of stakeholders and of the risks inherent in moving towards an inclusive system. Therefore, the NCSE recommends that an inclusive education system should be realised in a collaborative and progressive manner and with regular consultations with stakeholders, including the voices of students and those with lived experience, along the way. The evolution of a system, whereby all students are educated in a local schools, will require the availability of a broad range of supports within local schools, and parents and guardians will need to be reassured that the education available in their local school is at least equivalent to that available in a special education setting. In addition, parents and guardians will need to see the other benefits of education in an inclusive school for their child with special educational needs, for example the social benefits of attending school with their siblings, with children from their locality, and not requiring to travel a long distance to their special school or special class.

Recommendation 1.2. The NCSE recommends the establishment of a strategic planning group under the leadership of the Department of Education and the NCSE to further develop the Irish education system through the progressive realisation of the vision of an inclusive school system.

The NCSE recommends the establishment of a strategic planning group to lead the development of an inclusive education system for Ireland. Evidence from consultations and from knowledge of change processes in other education systems indicates that bringing about an inclusive education system in Ireland will not be a straightforward or short-term process.

The change management process to an inclusive system for Ireland will require leadership and progressive planning by the Department of Education and the NCSE. It will require partnership and collaboration within and across the education sector, as well as across the health and early years' sectors, to ensure that a comprehensive suite of support services are aligned to meet students' needs. The United Nations' concept of progressive realisation will be central to the establishment of the new system. This change process will require the development of a detailed multi-year implementation plan. Progressive realisation of the plan will firstly involve a clear statement of intent, followed by phased implementation of the various elements of the plan over a number of years.

In the context of drawing up a framework for inclusive education, it will be important for the strategic planning group to consider also the needs of children who, because of individual circumstances, are in an alternative educational setting and do not, or cannot, attend a local school. Among this group may be children or young people with special educational needs. For example, the Department of Education currently supports alternative educational settings such as:

- Child and Adolescent Mental Health Service (CAMHS) Units, which support children or young people who, for significant mental health reasons, are unable to attend their regular school. These placements can last for a number of years and, in some cases, may lead to other special provision as an alternative to returning to their local school;
- Hospital schools, which provide education for children and young people who are ill and require medical treatment over a significant period of time;
- Schools in detention centres, which provide education for children or young people who are detained by the Courts;
- Schools at special care units and high support units for children or young people who are at significant risk;
- Children or young people with very significant needs in 'one off' provision; and
- Children or young people for whom home tuition grants are being provided, or those whose school placement has broken down – for whatever reason, or children or young people who are accessing education on iScoil, or those who are home-schooled and are registered with Tusla.

In addition, the strategic planning group will need to consider the reasons behind the current momentum for increases in special education provision, particularly for students with autism, and how the circumstances that are giving rise to this momentum can be addressed. This momentum appears to be driven by increased diagnosis of autism and the concerns, anxieties and beliefs which are held by parents/guardians, school leaders and teachers that more special class placements are required to meet the needs of autistic students. This, in turn, is driving increased demand for special placements and resources. However, before work can commence on changing hearts and minds in the direction of fully inclusive schools, it is important that trust is established across the system. This will happen best in a well-resourced system, where rights, values and evidence-informed practice underpin a collaborative whole-of-system response to include the Departments of Health, Education and Children working together to implement a "shared social commitment"⁹⁵ and vision for inclusion.

The NCSE recognises that the rapid increase in recent years in the number of special classes in mainstream schools has had the effect of adding further capacity to the school system as a whole. These special classes have acted as building blocks for embedding more knowledge in schools and within the system, and in many respects have provided the impetus for more schools to develop expertise in supporting the needs of students with special educational needs in schools. The experience and knowledge already present

95 UNESCO (2021) *Reimagining our futures together: a new social contract for education*, International Commission on the Futures of Education.

within schools will be critical in the evolution of an inclusive system. Schools are already using their special education teacher resources in creative and flexible ways in responding to students' needs. The progressive realisation of an inclusive system will likely see the innovative, creative and flexible use of schools' resources and of classroom spaces. This will require the implementation of a universal design for learning approach to planning in effectively, and optimally utilising resources and spaces in schools, informed by a shared understanding, shared responsibility and shared decision making to support the inclusive and neurodiverse needs of all students.

The NCSE considers that the process to bring about an inclusive school system will involve the following steps:

- **Step 1.** The establishment of the strategic planning group by the Department of Education under the leadership of the Department and the NCSE and including stakeholder representation.
- **Step 2.** The setting out by the strategic planning group of the key phases for the progressive realisation of an inclusive school system. This will involve working up a model of inclusive education that takes fully into account the Irish context, reflects the vision set out in the UNCRPD, and which builds on best practice in Ireland and internationally. The draft plan should include a timescale for implementation. The draft plan will also need to include projections for the redeployment of resources already in schools, and, where necessary, the requirement for additional teachers, SNAs, school transport, school buildings, and support services. Consultation with stakeholders will be a key feature for the plan's development.
- **Step 3.** A detailed implementation plan to be devised and realised in a systematic way over time. Before moving on to formal implementation, the concepts underpinning the plan should be reviewed and tested, before moving to formal piloting. Following a positive review, the plan would then move to a formal pilot stage.

In relation to the process of implementation, the strategic planning group should consider the following stages and features.

Implementation Stage 1, Pilot

Piloting of elements of the implementation plan in individual schools, clusters of schools or geographical areas, as appropriate, will assist in the development of a plan for an inclusive system that is evidence-informed and customised for Irish schools and students. The pilot should involve consultations with all relevant stakeholders, the development of case studies, and evaluations of participation, experiences, and outcomes for students. It should also include the preparation of guidance documents for the

assistance of the various education partners including parents, guardians, school leaders, teachers, SNAs and support services, as well as information for the system relating to the resources required to further develop an inclusive educational system.

Implementation Stage 2: Formal Implementation

The NCSE recommends that the planning group should consider a staged approach to creating inclusive schools, starting with schools of particular size, or schools located close to special schools.

Guidance documents and advice will be needed for all schools. This phase will require leadership by the Department and the NCSE, and the support and partnership of the Higher Education Institutions with responsibility for Initial Teacher Education and Teacher Professional Learning.

A suite of structured whole-school and targeted professional learning initiatives for school leaders and school staff will be required to develop capacity and expertise at school systems' level. Particular supports will be required for Irish-medium schools and for schools supporting students who use ISL and braille.

The utilisation of the expertise of staff who are currently working in special schools and special classes will provide essential support to embed inclusive practices in mainstream schools.

Schools will require assistance in relation to monitoring, measuring and recording student progress and outcomes.

The involvement of students, parents and guardians and the careful noting of their voices will help to build confidence of stakeholders, and will provide essential information for policy makers.

Appropriate funding for schools, including enhanced capitation grants will be required.

The particular resourcing needs of small rural schools, and the place of these schools within the overall framework of inclusive schools, will need to be considered particularly in the context of providing appropriate education and care for students with complex medical or other special needs.

It is critical that buy-in for the revised system is achieved from parents, guardians, teachers and school managements. In addition, teachers and school management will need to be confident that the necessary resources and supports are in place to enable them to meet each student's needs.

The implementation plan would set out a process whereby future students would be enrolled in local schools with the deployment of robust support services to meet their needs. It is envisaged that students who are currently enrolled in special schools and classes would have the option of availing of inclusive education in the same way as new entrants to the system. However these students could remain in special provision, and there would be no compulsory re-enrolment in mainstream schools of students who are currently enrolled in special schools and special classes.

6.2.2 Therapeutic, Psychological and Behavioural Supports for Schools

The NCSE has previously highlighted the importance of therapeutic and behaviour support services to assist schools in the education of students with special educational needs. It was clear from NCSE's consultations with stakeholders that shortcomings relating to therapy services and behaviour supports, to address the needs of students, still prevail in schools.

The NCSE notes that in the Department of Education's Statement of Strategy 2021-2023 a strategic action under Goal 2 (*Ensure equity of opportunity in education and that all students are supported to fulfil their potential*) is to support the participation and progression of students with special educational needs through the delivery of integrated resources, in particular by advancing towards the roll out of the School Inclusion Model and a new SNA allocation model.

Recommendation 2.1. The School Inclusion Model (SIM) should be expanded nationally to ensure that all schools in the country have access to therapeutic supports.

The NCSE supports the roll-out nationally of the School Inclusion Model (SIM) to ensure that all schools in the country have appropriate access to an in-school therapy service and the other supports and resources that are included in the SIM. The expansion of the SIM will require the employment of a significant number of speech and language, occupational therapists, behaviour practitioners, and NEPS psychologists over time. These professionals will complement the nurses in the pilot National Nursing Service for Schools⁹⁶. An important element in the successful incorporation of the elements of the SIM into the education system will be the development of a co-professional educational model to provide the joined up thinking and wrap around supports that will continue to build the capacity of schools, which in turn, will facilitate strong working relationships between schools and supporting professionals to bring about the best possible outcomes for students.

96 <https://www.gov.ie/en/publication/cf321-national-nursing-pilot-for-children-with-complex-healthcare-needs-pilot-scheme/>

Recommendation 2.2. The NCSE recommends that the strategic planning group should seek ways to promote the development of a co-professional model that supports professionals using a values based approach.

A co-professional education model will assist in the progressive development of an inclusive system over time, and contribute to the achievement of the best possible outcomes for students as a joined-up thinking, wrap-around approach to meeting the needs of all students in Irish schools.

Recommendation 2.3. The strategic planning group should also work with the Department of Education and the Department of Further and Higher Education, Research, Innovation and Science to ensure a sufficient number of training places for therapists and psychologists arising from the expansion of the school support services in these areas.

In bringing forward proposals for the provision of enhanced therapeutic and behaviour supports for schools, the strategic planning group should consider:

- Outcomes of the evaluations of the School Inclusion Model and the possibility of national implementation of features of the School Inclusion Model to provide therapeutic and behaviour supports for schools;
- The structures under which therapeutic and behaviour supports will be provided for schools, if these support professionals will be employed within the NCSE Regional Support Teams or under a different State Department or Agency;
- The provision of nursing supports for schools to provide for the care of students with the most complex healthcare needs;

Recommendation 2.4. The National Educational Psychological Service should be significantly expanded to ensure that all schools in Ireland have access to a comprehensive educational psychology service to support the inclusion and participation of all students.

6.2.3 Professional Development and Teacher Education

The NCSE recommends that the strategic planning group should work closely with all relevant organisations, including the NCSE, the Teacher Education Section of the Department of Education, the Teaching Council, HEIs and other relevant Department sections and agencies to set out and deliver a cohesive programme to enhance teacher knowledge, skills and competencies to support the education of students with special educational needs in an inclusive system. The programme should comprise a continuum of professional learning and education for teachers and SNAs across the span of their careers, to include ITE, ongoing TPL for classroom teachers/subject teachers, special

education teachers, school leaders, and ongoing professional development for SNAs. Arrangements for the coordinated delivery of this programme should be facilitated by the Department of Education in collaboration with stakeholders, HEIs and support services.

The process of developing the programme will first of all involve a detailed audit and review of established professional learning programmes, including special and inclusive education modules in ITE programmes and post-graduate courses. This process can be followed by the drawing up of the necessary range of courses and supports for school leaders, mainstream and specialist teachers and SNAs that is responsive to the needs of an inclusive education system and provides consistency across the system. Consultation with stakeholders and with existing support services and providers will be important in developing an appropriate model of transformative professional learning. The objective will be for courses to be aligned to ensure that all providers deliver consistent messages. Therefore, it will be helpful to map professional development programmes currently available, to identify content that is delivered and develop a programme that avoids (in so far as possible) duplication and overlap, and aligns with the overall vision for a progressive realisation of an inclusive education system.

Recommendation 3.1. The strategic planning group should request the Teaching Council to determine and explicitly set out standards for the knowledge, skills, and competencies for all teachers to teach all students, including students with special educational needs. The strategic planning group should work with the Teaching Council and other relevant bodies to ensure that there is a clear learning pathway for teachers, so they can provide an education appropriate to all of their students.

Recommendation 3.2. The strategic planning group should work with Teacher Education Section, the NCSE and other organisations and services that provide professional learning programmes for teachers (such as Oide, the new Integrated Support Services, Education Centres, Middletown Centre for Autism, and HEIs)

- to develop a co-ordinated whole-school professional development programme for all teachers and school staff in inclusion, UDL and disability awareness;
- to work with and provide funding in a coordinated manner to NCSE and the other organisations and services that provide TPL and to make available and deliver a programme of professional learning opportunities for school staff based on school need that includes:
 - Professional learning for school leaders in developing, leading and managing inclusive schools, informed by UDL;
 - Continuous TPL in inclusion and UDL to enhance the capacity of teachers to teach all students;

- Specialist modules on the education of students with complex special educational needs, combined with a range of other targeted supports as needed to ensure that the pedagogical requirements for teachers are met, and that individual schools are given support based on the needs that the school identifies;
- Teacher professional learning on inclusive assessment processes to identify the learning strengths and needs of students based on the continuum of support and informed by a student's response to intervention, and to effectively use this data to inform decision making in reviews of students' placements and also to assist in transition planning when required.

6.2.4 Student placement, provision and review

The recommendations in this section address current challenges and issues relating to placement, provision, and review of student learning and progress in special schools and special classes. While special schools and special classes continue to be part of the provision for students with special educational needs, schools will require support to ensure that students are appropriately placed, that such places are based on student need, and with student placements reviewed on a regular basis.

Recommendation 4.1. The strategic planning group should work to develop a structured standard framework to support a shared decision making process on student placement and review. The structured standard framework should include student placement, review of a student's learning and progress and transition supports required to support their move to a new school. These processes should be based primarily on each student's strengths and needs, and not only on the student's identified disability. This framework should also take account of methods for engaging student voice to support a shared decision-making process. Annual reviews of placements and a student's progress, including the development of their independence and skills for life, should be an integral part of the framework.

Recommendation 4.2. The strategic planning group should engage with Department of Education's Planning and Building Unit⁹⁷ and the Centre for Excellence in Universal Design at the NDA to support the implementation of the Department of Education's building design and construction guidance for universal design standards. The purpose of this engagement would be to support the development and innovative use of inclusive education spaces where all schools utilise their space in inclusive, creative and flexible ways to educate all students based on their needs and in line with their strengths and abilities.

97 <https://www.gov.ie/en/collection/ddc58-school-building-and-design/>

Recommendation 4.3. The strategic planning group should engage with the Department of Education, the NCSE and schools on the development of a national system to support schools to determine, measure and report on student progress and outcomes. This development process should include appropriate sections of the Department, along with agencies such as the NCSE, NEPS, NCCA, and schools. It is recommended that a working group be established to examine the recommendations in this report with a view to developing relevant assessment and other data gathering processes appropriate to an Irish educational context to support the education of students with special educational needs, to identify measureable outcomes that enable students to develop skills for life, and to promote students' active participation in school, home, and community life. Appendix 3 outlines a proposed outcomes-focussed evaluation framework to support this process.

6.2.5 Guidance and Advice for Schools

The NSCE recommends that the strategic planning group should work with relevant others to draw up guidelines for school leaders and teachers on the effective implementation of inclusive practices in schools. It is suggested that the guidance materials on inclusive education practice that are currently provided for schools be revised in light of pilot projects and on-going progressive implementation of inclusive policies and practices in schools.

Recommendation 5.1. Following engagement with the strategic planning group, the Department of Education and the NCSE should provide further guidance to school leaders on the utilisation and deployment of school staff in small, medium, and large schools, in order to support the management and deployment of the range of supports available to schools to meet the inclusive educational needs of all students, including those with special educational needs. This guidance should identify exemplars of good deployment practice for each school size.

Recommendation 5.2. In adopting any new system, the Department of Education and the NCSE should enhance guidance to schools to ensure that teachers are competent and supported in assessing students' strengths and needs, implementing appropriate education programmes to support the development of students skills for life and effective transition to adulthood. This includes inclusive guidance to support students' decision making on post-school options in collaboration with a student, their parents, guardians and the school. An accompanying programme of teacher professional learning should be developed to support this.

6.2.6 Curriculum and Assessment

In the context of developing an inclusive education system, the strategic planning group should work with relevant state Departments and agencies to progressively realise a system, whereby all students engage in appropriate curriculum and assessment programmes in local pre-schools and schools, and where curriculum and assessment frameworks for the pre-school, primary school and post-primary sectors are revised, as necessary, to meet the needs of all students across their lifespan in education. The NCSE notes the work that is currently underway within the NCCA in reviewing L1 and L2 programmes⁹⁸, and extending these programmes to senior cycle.

Recommendation 6.1. The strategic planning group should work with the Department of Education, the NCSE, the NCCA and other relevant stakeholders to bring about the development of an inclusive assessment framework to support the identification of the learning needs of students who require highly specialised supports and provision.

Within this framework an increased emphasis on formative assessment (Assessment for Learning), which captures students' strengths and their learning journey with a skills for life focus, will support better planning and improved lifelong outcomes for students and support teacher confidence in meeting the needs of all.

Recommendation 6.2. The strategic planning group should request the NCCA to examine and, if necessary, review curriculum frameworks and content at pre-school, primary, and post-primary levels to ensure that curriculums at all three levels are underpinned by a UDL approach⁹⁹; that the curriculums are sufficiently flexible to support the learning needs of all students, including students with special educational needs enabling them to develop skills for life; and that schools have the autonomy to adjust programmes to address the individual needs of their students at all school levels.

6.2.7 Implementation of an Inclusive Education Reform Programme

The implementation of the policy advice in this document will require a comprehensive range of reforms across the primary and post-primary school sectors. While the terms of reference for the policy advice do not make reference to early education, the NCSE believes that addressing the issues raised will give rise to close examination of provision in the preschool sector also.

98 <https://ncca.ie/en/junior-cycle/level-one-and-level-two-programmes/>

99 UDL is referenced in the draft Primary Curriculum Framework which at time of writing was open for consultation.

When considering the possibility of implementing the policy advice, the NCSE recommends that the Department should ascertain the extent of available assistance and support for that process, both here in Ireland and elsewhere.

Recommendation 6.3. The NCSE recommends that the Department of Education should explore the possibility of making an application for assistance through the European Commission’s Technical Support Instrument (TSI). The TSI is managed and administered by the European Commission’s Directorate General for Structural Reform Support (DG REFORM). Through the TSI the Commission provides support to Member States to design and implement reforms to enhance their resilience against crises, speed up recovery and sustainable growth for improving citizens’ life and business activities¹⁰⁰. The support for projects under the TSI¹⁰¹ is demand driven and does not require co-financing from Member States. Support through the TSI programme will assist the strategic planning group to set out timelines for the progressive realisation of an inclusive system, to learn from the experience of other jurisdictions, and to plan the implementation of an inclusive system that is configured to suit the educational context in Ireland.

6.3 Summary of policy recommendations towards the progressive realisation of an inclusive education system

- The NCSE recommends **the progressive realisation of the Irish inclusive education system over time where all local schools are enabled to educate all students in their community in line with students’ strengths and abilities.**
- The NCSE recommends **the establishment of a strategic planning group** led by the Department of Education and the NCSE **to further develop the Irish education system** through the progressive realisation of the vision of an inclusive school system.
- **The School Inclusion Model (SIM) should be expanded nationally** to ensure that all schools in the country have access to an in-school therapy service.

¹⁰⁰ The TSI programme replaces an earlier EU support programme called Structural Reform Support Service (SRSS). Through the SRSS, the EU is assisting a number of European countries that are working towards the adoption of a more inclusive education policy framework. The following link outlines the type of support currently offered to Poland <https://www.european-agency.org/news/online-regional-meetings-improve-quality-inclusive-education-poland>. In most instances, countries that receive assistance in the area of education via the SRSS programme are supported by the European Agency for Special Needs and Inclusive Education (EASNIE). Through the SRSS, the EASNIE is also supporting education reform processes in Malta, Cyprus, Czech Republic, Greece and Poland.

¹⁰¹ Further information on the TSI is available on the website of DG REFORM https://ec.europa.eu/info/departments/structural-reform-support_en and on the website of the EASNIE <https://www.european-agency.org/news/new-tsi-website>.

- **A Planning Group should be established** by the Department of Education and the Department of Further and Higher Education, Research, Innovation and Science **to examine the implications of expanding the education sector workforce** resulting from the recommendations to additional in-school therapeutic and psychological supports as part of the School Inclusion Model (SIM).
- **The National Educational Psychological Service should be significantly expanded to ensure that all schools in Ireland have access to a comprehensive educational psychology service** to support the inclusion and participation of all students, including those with complex special educational needs.
- **The Teaching Council should set out standards for the knowledge, skills, and competencies required by all teachers to teach all students**, including students with special educational needs so they can provide an education appropriate to all of their students.
- Teacher Education Section should work with the NCSE and other organisations and services that **provide professional learning programmes for teachers to develop a co-ordinated national professional development programme** in inclusion, UDL and disability awareness.
- The Department of Education and stakeholders should **develop a framework to support decision making on student placement and review** of student placement based primarily on student need.
- To support the implementation of the Department of Education’s building design and construction guidance, the strategic group should **develop guidance on inclusive education spaces focusing on creative, flexible and innovative use of space in schools to support all students, informed by universal design.**
- The Department of Education should lead the development of **a national system to support schools to determine, measure and report on student progress** that identifies measureable outcomes to enable students to develop skills for life, transition to adulthood, and to promote students’ active participation in school, home, and community life.
- The Department’s School Transport Section **to draw up and put into effect necessary changes to the School Transport Scheme to support students with disabilities to attend their local schools.**

- Providing further **guidance to school leaders** on the utilisation and deployment of school staff in small, medium, and large schools, **in order to support the management and deployment of the range of supports available to schools to meet the inclusive educational needs of all students**, including those with special educational needs.
- The Department of Education **should enhance guidance to schools to ensure that teachers are competent and supported in assessing students' strengths and needs**, identifying any additional supports required, and accessing and utilising those supports in an effective way based on student needs.
- The Department of Education should lead **the development of an inclusive assessment framework to support the identification of the learning strengths and needs of students who will continue to require highly specialised supports** and provision.
- The Department of Education and the NCCA should **further review curricula to ensure that a UDL approach underpins its development**, to ensure it is sufficiently flexible, and that schools have the autonomy to adjust programmes to meet needs of their students at all levels.
- The NCSE recommends that the Department of Education **access assistance and support from the European Commission's Technical Support Instrument** managed and administered by the European Commission's Directorate General for Structural Reform Support.

References

- Banks, J., Donnelly-Cox, G., & Morrissey, M. (2018). Disability and discrimination in Ireland. Dublin: Irish Human Rights and Equality Commission. Retrieved from <https://www.ihrec.ie/app/uploads/2018/09/Disability-and-Discrimination.pdf>
- Banks, J., McCoy, S., Frawley, D., Kingston, G., Shevlin, M., & Smyth, F. (2015). Special Classes in Irish Schools Phase 2: A Qualitative Study, RESEARCH REPORT NO. 24. National Council for Special Education. <https://ncse.ie/wp-content/uploads/2016/08/NCSE-Special-Classes-in-Irish-Schools-RR24.pdf>
- Botha, M., Hanlon, J. & Williams, G.L. (2021). Does language matter: Identity- first versus person-first language use in autism research: A response to Vivanti. *Journal of Autism and Developmental Disorders*, DOI:10.1007/s10803-020-04858-w
- Brussino, O. (2020). Mapping policy approaches and practices for the inclusion of students with special education needs. OECD Education Working Papers, No. 227. OECD Publishing, Paris, 12.
- Circular to the Management Authorities of all Mainstream Primary Schools Special Education Teaching Allocation, Circular No 0013/2017. (2017). Department of Education and Skills. Retrieved from <https://circulars.gov.ie/pdf/circular/education/2017/13.pdf>
- Circular to the Management Authorities of all Post Primary Schools: Secondary, Community and Comprehensive Schools and the Chief Executive Officers of the Education and Training Boards. (2019). Special Education Teaching Allocation, Circular No 008/2019. Department of Education and Skills. Retrieved from <https://circulars.gov.ie/pdf/circular/education/2019/08.pdf>
- Convention on the Rights of Persons with Disabilities (CRPD). (n.d.). Article 24 – Education. United Nations. <https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities/convention-on-the-rights-of-persons-with-disabilities-2.html>
- Department of Health. (2021). Disability Capacity Review to 2032- A Review of Disability Social Care Demand and Capacity Requirements up to 2032. Retrieved from <https://www.gov.ie/en/publication/d3b2c-disability-capacity-review-to-2032-a-review-of-social-care-demand-and-capacity-requirements-to-2032/>
- Daly, L. (2021). Spending Review 2021- Disability and Special Education Expenditure: Lifecycle of Supports. Irish Government Economic and Evaluation Service.

Decree-Law n.º 54/2018, of 6 July, 2018

Department of Education. (2022). National Nursing Pilot for Children with Complex Healthcare Needs Pilot Scheme. <https://www.gov.ie/en/publication/cf321-national-nursing-pilot-for-children-with-complex-healthcare-needs-pilot-scheme/>

Department of Education. (n.d.). National Nursing Pilot for Children with Complex Healthcare Needs Pilot Scheme. Retrieved from <https://www.gov.ie/en/publication/cf321-national-nursing-pilot-for-children-with-complex-healthcare-needs-pilot-scheme/>

Department of Education and Skills. (2011). Circular 17/2011: Circular to the Management Authorities of National Schools, Secondary, Community and Comprehensive Schools and the Chief Executive Officers of Vocational Education Committees on Revised Arrangements for the Provision of Teaching Supports to Traveller Students. Retrieved from <http://circulars.gov.ie/pdf/circular/education/2011/17.pdf>

Department of Education and Skills. (2007). Inclusion of Students with Special Educational Needs: Post-Primary Guidelines. Retrieved from <https://assets.gov.ie/25363/349bfbcd483d45938209257cd9816bc5.pdf>

Department of Health. (2018). Estimating prevalence of autism spectrum disorders (ASD) in the Irish population: A review of data sources and epidemiological studies. <https://assets.gov.ie/19164/9f0c6a4f1d0e4b5b9a1c7d8e6f2a5c3e.pdf>

Education for Persons with Special Educational Needs Act 2004. (2004). Retrieved from <https://www.irishstatutebook.ie/eli/2004/act/30/enacted/en/html>

Eurofound. (2018). The social and employment situation of people with disabilities. Publications Office of the European Union. Luxembourg. Retrieved from https://www.eurofound.europa.eu/sites/default/files/ef_publication/field_ef_document/ef18023en.pdf

European Agency for Special Needs and Inclusive Education. (2019). Changing Role of Specialist Provision in Supporting Inclusive Education: Mapping Specialist Provision Approaches in European Countries. Odense: EASNIE. <https://www.european-agency.org/resources/publications/CROSP-synthesis>

European Disability Forum. (2020). Poverty and Social Exclusion of Persons with Disabilities. European Human Rights Report No.4. Retrieved from https://mcusercontent.com/865a5bbea1086c57a41cc876d/files/ad60807b-a923-4a7e-ac84-559c4a5212a8/EDF_HR_Report_final_tagged_interactive_v2_accessible.pdf

Initial Report of Ireland under the Convention on the Rights of Persons with Disabilities. (2021). P.42. <https://assets.gov.ie/99830/c15d2ebb-6f3f-4d0f-bd97-4aeb0dc69148.pdf>

Kenny, L., Hattersley, C., Molins, B., Buckley, C., Povey, C., & Pellicano, E. (2016). Which terms should be used to describe autism? Perspectives from the UK autism community. *Autism*, 20 (4), 442–462.

King, M., & Bearman, P. (2009). Diagnostic change and the increase prevalence of autism. *International Journal of Epidemiology*, 38(5), 1124–1234. <https://doi.org/10.1093/ije/dyp261>

Lynch, H., Ring, E., Boyle, B., Moore, A., O’Toole, C., O’Sullivan, L., Brophy, T., Frizelle, P., Horgan, D., & O’Sullivan, D. (2020). Evaluation of In-School and Early Years Therapy Support Demonstration Project. (Research Report No. 28). Retrieved from <https://ncse.ie/wp-content/uploads/2020/11/Demo-project-evaluation-final-for-web-upload.pdf>

May, T., Brignell, A., & Williams, K. (2020). Autism Spectrum Disorder prevalence in children aged 12–13 years from the longitudinal study of Australian children. *Autism Research*, 13, 821–827.

McConkey, R. (2020). The rise in the numbers of pupils identified by schools with autism spectrum disorder (ASD): a comparison of the four countries in the United Kingdom. *Support for Learning*, 35, 132–143.

National Council for Curriculum and Assessment. (n.d.). Level One and Level Two Programmes. Retrieved from <https://ncca.ie/en/junior-cycle/level-one-and-level-two-programmes/>

NCSE. (2018). A Comprehensive Review of the Special Needs Assistant Scheme. Retrieved from <https://ncse.ie/wp-content/uploads/2018/05/NCSE-PAP6-Comprehensive-Review-SNA-Scheme.pdf>

NCSE. (2016). Guidelines for Setting Up and Organising Special Classes. Retrieved from <http://ncse.ie/wp-content/uploads/2016/08/NCSE-Guides-Special-Classes.pdf>

NCSE. (2014). Delivery for Students with Special Educational Needs – a Better and More Equitable Way. Retrieved from https://ncse.ie/wp-content/uploads/2014/09/NCSE_Booklet_webFINAL_10_06_14.pdf

National Disability Authority. (2022). Advice Paper on Disability Language and Terminology. Retrieved from <https://nda.ie/news-and-events/news/nda-advice-paper-on-disability-language-and-terminology.html>

National Disability Inclusion Strategy 2017-21; Census 2016 Profile 9 – Health, Disability and Carers. (n.d.). Central Statistics Office. Retrieved from <https://www.cso.ie/en/csolatestnews/presspages/2017/census2016profile9-healthdisabilityandcarers/>

RSM PACEC. (2017). A Study of how well Young People with Disabilities are prepared for Life after School. Dublin & Trim: NDA/NCSE. <https://ncse.ie/wp-content/uploads/2018/05/NDA-NCSE-Young-People-with-Disabilities-Preparedness-Report-v-final-publication-20180528.pdf>.

Special Rapporteur on the Rights of Persons with Disabilities. (2019). Report of Visit to Canada. Human Rights Council: General Assembly. <https://undocs.org/en/A/HRC/43/41/Add.2>

United Nations Committee on the Rights of Persons with Disabilities. (2016). General comment No. 4 (2016) on the right to inclusive education. <https://www.refworld.org/docid/57c977e34.html>

UN Committee on the Rights of Persons with Disabilities. (2016). General comment no. 4: Article 24: Right to inclusive education. United Nations. <https://www.refworld.org/docid/5835d9f14.html>

UNESCO. (2021). Reimagining our futures together: A new social contract for education. International Commission on the Futures of Education.

Appendix 1: Terms of Reference

1. Examine whether there is local or international evidence that placement in specialist settings brings about improved educational outcomes and experiences, relative to their ability, for students with special educational needs. If so, what is the nature of the support provided to these students?

Examine whether this evidence is the same for students with different kinds of needs/disabilities.

Review the current provision of specialist settings, with a particular focus on their operation in Irish primary and post-primary mainstream schools including what criteria for admissions are in place.

2. Examine what are the relevant factors that may be impacting on the significant year-on-year increase in special class provision. In particular analyse the reasons why so many students are now being recommended by professionals for placement in special classes.
3. Examine current approaches to whole school decision making in relation to the provision of the education and the welfare of students with special educational needs.
4. Review recent research findings on models for providing therapeutic supports for students with special educational needs who require them, including any emerging findings from the evaluation of the In-school Demonstration Project with reference to the impact on:
 - Teachers' practices and confidence in responding to the needs of students with significant needs.
 - Students' learning and participation.

And whether the availability of therapeutic supports plays a role in school enrolment decisions.

5. Examine, in the Irish context, evidence of whether there are any students for whom both specialist and mainstream educational settings are currently not working and consider those factors which might be contributing to this situation?
6. Consider and advise on the development and implementation of an evidence based evaluation framework together with relevant KPIs for special educational needs student supports suitable for the Irish context.
7. Examine whether the UNCRPD has any implications for the ongoing establishment of special schools and classes in Ireland.

8. Provide advice on the future role of special class and special school placements in the continuum of education provision for students with special education needs.
9. Make recommendations on the provision required to enable students in special schools and classes achieve better outcomes.

Appendix 2: List of Consultations

Date	Name of Group
1st October 2028	Session 1: School Principals Session 2: Voluntary Bodies Session 3: Teaching Union Officials
11th October	DES Sections: Session 1: Special Education Section Session 2: Teacher Education Section Session 3: Teacher Allocations
15th Oct	Session 1: School Management Bodies Session 2: Advocacy Groups
17th Oct	DES Section: Early Years
18th Oct 2018	Meeting with special school principals
23rd Oct 2018	NCSE Consultative Forum
30th Oct 2018	Session 1: SNA Union Officials (Forsa) Session 2: Teachers Session 3: Parent representatives Session 4: Advocacy groups x2
9th Nov 2018	Session 1: Meeting with Gaelscoileanna Session 2: DES Sections: <ul style="list-style-type: none"> • Inspectorate • National Educational Psychological Service (NEPS)
19th Nov 2018	Session 1: School Patron Bodies Session 2: Officials from Government Departments/Agencies <ul style="list-style-type: none"> • Department of Children and Youth Affairs (DCYA) & Better Start • Department of Health/HSE Session 3: National Disability Authority
26th-30th Nov 2018	New Brunswick Visit
3rd Dec 2018	HSE Professionals
5th Dec 2018	NCSE Regional Managers
17th Dec 2018	Education Stakeholders
24th Jan 2018	Visit Gaelscoil Bailebrigín
28th Jan 2019	NCSE Staff (SENOs; visiting teachers; advisers)
4th Feb 2019	Consultation with NCSE Specialist Leads

Date	Name of Group
6th Feb 2019	Principals of Special Schools and Classes (approximately 100 participants)
12th Feb 2019	St Michael's House Officials
5th Mar 2019	Principals of 3 special schools for Specific Learning Disability
11th Mar 2019	IPPN
12th Mar 2019	Visit to Beara CS, Co. Cork
26th Mar 2019	Students – Newtownpark Comprehensive School
29th Mar 2019	Visit to St. Michael House Dublin special schools
4th April 2019	Students – Carmona Special Schools
10th April 2019	Students – St. Roses Special School Tallaght
13th/14th May	Council school visits
16th May 2019	Teaching Council



**An Chomhairle Náisiúnta
um Oideachas Speisialta**
National Council
for Special Education