



Family
Carers
Ireland

No one should have to care alone

Towards inclusive education

Family Carers Ireland's submission to the Education for
Persons with Special Educational Needs Act 2004
review

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EPSEN Act Review Submission

Family Carers Ireland welcomes the opportunity to contribute to the Department of Education's review of the Education for Persons with Special Educational Needs (EPSEN) Act 2004. This submission is informed by the findings of a focus group of 5 parents of children with special educational needs which took place in February 2023.

Definition of Inclusive Education

Participants were asked what inclusive education looks like to them and if they agreed with the definition provided in the Act of inclusive education which reads:

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 those needs of the child is such that to do so would be inconsistent with—

(a) the best interests of the child as determined in accordance with any assessment carried out under this Act,
or

(b) the effective provision of education for children with whom the child is to be educated.

Parents did not agree with the definition of inclusive education as contained in the Act. Parents felt that the definition discriminates against children with additional educational needs as it identifies them as a 'separate' group. One parent noted the current definition suggests "if a child has additional needs, they can be removed from the classroom" while children who do not have additional educational needs can "act up" but the school does not have the same option to remove the child from the classroom and therefore must find a way to manage their behaviour. Another parent was home-schooling her child due to exclusions and continuous classroom removals. In regards to children being removed from classrooms, parents insisted on statutory guidelines as the current policy gives schools the autonomy to decide at a local level when a student should be excluded or sent home.

The definition in the Act mentions "effective provision of education", however, parents felt that the reality on the ground is very different. One parent gave an example of a special school not providing structured learning but instead took children outside walking around, without an apparent reason or purpose. Another parent described a similar experience in her child's school, where children were routinely taken outside rather than having a focus on 'inclusive education'.

Parents interpreted inclusive education as:

- The full implementation of Article 24 of the UNCRPD.
- Responding to the needs of every child and providing the opportunity to fulfil their potential.

"My idea of special education is where children are wanted, where teachers are properly trained, where supports are available, where therapists are there, and where everybody is on the same page." (Parent 5).

Barriers to Support

Parents were also asked about the support they are availing of in regard to special education and any barriers they have experienced in accessing these supports.

Parents noted that they often avail of private assessments as public assessment are not available, with one parent describing the current model of provision as a "complete system breakdown". They also noted the scarcity and lengthy wait times of some private supports due to the high demand caused by inadequate public services. Parents sometimes found that they struggled to get schools to acknowledge the recommendations of these private assessments or enact recommendations due to lack of resources or dismissal of the assessment.

Parents noted there was a particular emphasis on parents assessing their own child's needs and providing support directly to their child, despite them not feeling qualified to do so. While parents want to have input into their child's support, they don't feel qualified to know or determine what supports their child requires and believe the appropriate, qualified therapist should determine this.

"I've cried and tantrum-ed, and said to all these people, 'I'm a mother, I'm not a therapist', you know?" (Parent 3)

Parents spoke about the need to avail of private supports as public services are not available. The focus group noted that there is a discrepancy between what is being delivered and what is promised. One parent stated that the speech and language therapist role in her county had been vacant for some time. In addition, the occupational therapist was leaving their post and there is currently no Disability Manager assigned to the team. While recruitment is an ongoing issue, parents felt that recruitment seems to be a problem for nearly the last 20 years. Despite a national policy of therapists being reinstated in schools since September 2022, parents stated that this has not happened. One parent gave an account on returning back to Ireland from America: *"The situation [in Ireland] surpassed my worst nightmare"*.

This parent explained that in America it was standard for schools to have speech and language, occupational, physical and behavioural therapists in schools. Schools also provided communication devices if required and held yearly Individual Education Plan meetings. Upon returning to Ireland, her experience has been negative. Despite their child's special school advertising the availability of therapies and recreational activities, this is not the case. She is grateful that her child received early intervention in America as *"no one sees him"* and he is not supported to progress in his current education environment. All parents agreed early intervention is vital to children with additional needs.

The focus group discussed what they felt was working well with Ireland's special education system. The group felt that the current transport system works well as it is legally required and monitored. Summer Provision, when in place, also works well, however parents emphasised the need for the Summer Provision to be mandatory in all schools and should be available for longer than just 4 weeks.

Parents also believed that having specific teachers who have a passion or have dedicated training in special education often results in better outcomes for children. When asked for recommendations for improving Ireland's special education system, parents noted that teachers are often expected to know what to do with limited or no training or resources. The group agreed that special education training should be part of the standardised teaching degree, the expectation and role of teachers should be clear and adequately addressed through sufficient training, resources and supports. One parent noted attitudes of dismissal from certain teachers when it came to their child's education needs believing this could be corrected through education, training and oversight. Parents reiterated the necessity to help and support teachers adequately, stating that a reduction in the student teacher ratio would be a positive step forward.

Transition to Second Level

Parents noted difficulties in relation to the child's transition to secondary school which can often be traumatic for the child and their family. One parent noted that finding an appropriate place *"seems to be a nightmare"*. Parents believe that SENOs are not adequately working with parents in regard to finding a suitable school place, only stepping in the year before their child is due to enrol in second level. Parents believe this is not nearly enough time and there should be more preparation for children transitioning to secondary school to ease valid concerns of parents and their children.

Diagnosis

The policy around diagnosis was discussed at length in the focus group, with parents expressing confusion about the Department of Education policy with regard to diagnosis. While a diagnosis is given by a clinical psychologist in the Department of Education for an ASD unit or mainstream school with an SNA, however, the experience of parents in the group is that the diagnosis is ignored by the Department even though they issued the diagnosis.

“It’s so confusing and so disheartening that the same department that is issuing this is ignoring the help that’s required.” (Parent 1)

Home Tuition

Home tuition was also discussed, with one parent noting that it is impossible to get a teacher to engage and take up home tuition hours. This resonated with other parents who were promised supports they believe their child is entitled to but found these supports were not available or enforced on the ground due to lack of resources including staff and funding. Parents stated that if services are not available, they would prefer to be told.

Conclusion

The parents of children with special educational needs involved in the focus group believe their children do not enjoy equal rights and are discriminated against. They believe an important step towards resolving this is for the full commitments of the EPSEN Act, giving children with special educational needs a statutory entitlement to:

- an educational assessment
- consequent development of a statutory individual educational plan (IEP)
- the delivery of detailed educational services on foot of the IEP
- an independent appeals process

Parents strongly advocated for an oversight body, or enhancing the powers of the National Council for Special Education (NCSE) in order to oversee the Act’s implementation. This oversight body speaks to dominant theme which permeated throughout the focus group of the need for greater accountability, with parents noting that schools must achieve minimum standards with regard to special education provision. Currently, parents feel there is no clarity on the different providers roles and responsibilities allowing for blame to be shifted from one organisation to another while their child’s needs continue to go unmet.

Overall, parents want accountability; they want services to have clearly defined roles and responsibilities when it comes to the education of children with special educational needs. They want these services to be properly resourced, accountable for their assigned responsibilities, and to be monitored by an external agency with the best interests of children at its core.