

**The National Council for Special Education**

**REQUEST FOR TENDERS TO CONDUCT A RESEARCH STUDY  
ENTITLED:**

**Measuring Educational Engagement, Progress and Outcomes for Children with  
Special Educational Needs: A Review**

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Issued by  
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## **SECTION 1: Background Information and Invitation to Tender**

### **1.1 The National Council for Special Education**

The National Council for Special Education (NCSE) was set up to improve the delivery of education services to persons with special educational needs with particular emphasis on children.

The NCSE was formally established under the Education for Persons with Special Educational Needs Act 2004 (EPSEN Act) on 1 October 2005. That Act sets out both the general functions of the Council and its specific functions in relation to the provisions of the Act. Full details of the Council may be viewed on its web-site [www.ncse.ie](http://www.ncse.ie).

Undertaking research to provide an evidence base to support this work is a key function of the Council. This research will assist in the development of policy advice on special education matters to the Minister for Education and Science. It will also contribute to identifying and disseminating to schools, parents and other appropriate persons, information relating to best practice concerning the education of children with special education needs.

### **1.2 Background to the Research**

The NCSE wishes to commission a research study entitled *Measuring Educational Engagement, Progress and Outcomes for Children with Special Educational Needs: A Review*.

The purpose of this research study is to explore how best to measure and assess how children with special educational needs are doing in the education system, in order to ensure that the system is adequately serving their needs.

There have been significant increases in investment to support children with special educational needs over the past decade or so, as well as policy and legislative commitments to better services and greater inclusion of these children in the mainstream education system. Despite these changes and supports, there is currently limited evidence relating to the educational engagement, progress or outcomes of these pupils. The NCSE Implementation Report noted the historical basis of this evidence gap, in stating that there had been *'no structured emphasis on outcomes and an almost endemic fascination with inputs, with no means of ascertaining what outcomes are being achieved for children with SEN'* (NCSE 2006:17).

The availability of robust data on formal (e.g. literacy, numeracy, early school leaving) and more informal (e.g. well being, socialisation, independence) educational progress and outcomes is crucial to helping us understand whether children with SEN are engaged with school and achieving relative to their learning needs. It will also contribute to greater transparency and to providing baseline information for children with SEN from which the impact of interventions can be measured.

However, the issue of educational outcomes measurement can be difficult. It raises questions about the fundamental aim of education and the kind of measures that should be used to indicate progress. It is complicated by the fact that learners have a

very wide range of needs, interests, capacities and aptitudes, and by the impact of a range of factors such as social class, gender, culture and school contexts and resources on pupil educational engagement and outcomes.

In Ireland, for example, these difficulties have been articulated in debates about the publication of school level state examination results and a fear that a focus on these kind of results would create 'league tables' in which the most well resourced schools, with the highest levels of academic attainment will appear to be doing best. These type of data fail to capture significant levels of progress and achievement among many pupils with special educational and other needs or aptitudes, as well as the educational achievements of schools which serve greater numbers of these students. Focusing on examination results also aligns school performance with a very narrow understanding of educational engagement and achievement as academic attainment.

Some formal educational outcomes data are recorded nationally on a range of measures and from a number of sources, both within national and international initiatives in Ireland (e.g. standardised test results or national assessments in primary schools<sup>1</sup>, state examination results, PISA<sup>2</sup>). However, there are limitations associated with these data which have implications for what can be learned about educational outcomes for children with SEN. These include the following:

- Available data may not be collected in a way that allows for disaggregation of the outcomes for children with SEN; [PISA 2006 for instance excluded students with additional educational needs].
- The type of available data may not be sufficient to help us understand the progress and achievements of children with special educational needs in the education system because of their narrow focus on academic attainment results and scores; and
- The value of using standardised test or state examination results alone to indicate educational progress and achievement is contested.

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<sup>1</sup> *Standardised tests* in mathematics and English are required to be carried out twice in a pupil's primary school career and are developed by the Educational Research Centre (ERC). *National Assessments*: As part of the ERC's work in monitoring the outcomes of education, national surveys of achievement at primary level have been carried out in association with the Department of Education and Science. The surveys have been conducted in the areas of English (reading), Irish (reading and oral language) and mathematics. It is planned to extend the range of assessments to include other areas of the curriculum in future years. The reports from the assessments draw on assessment data, but also from a range of contextual data, based on school, parent and pupil characteristics collected by questionnaire. (Source: [www.erc.ie](http://www.erc.ie))

<sup>2</sup> The OECD Programme for International Student Assessment (PISA) is an international survey of 15 year olds students that takes place every three years. Students' literacy in science, mathematics and reading is assessed in PISA. PISA produces internationally comparable education 'indicators' and is used by many countries to provide guidance on developing educational policy. In Ireland 165 randomly selected schools took part in PISA 2006, with up to 35 15 year old students randomly selected in each school. Just under 4% of students were excluded due to additional educational needs that precluded participation. (Source: *Ready for Tomorrow's World? The competencies of Irish 15 year olds in PISA 2006 Summary report* at [www.erc.ie](http://www.erc.ie))

- These formal academic attainment measures need to be understood in the context of other demographic and school level information and complemented by data on other measures.

Aside from these national level data on outcomes, a considerable amount of formal and informal assessments of pupil progress and outcomes are undertaken by teachers at school level. These may be more meaningful than national level attainment data. However, it is not clear how frequently these assessments are formally recorded or documented at school level or if data arising from these assessments are sufficiently uniform to be harmonised across schools to indicate trends. The Department of Education and Skills school inspections also play an important role in evaluating teaching and learning in schools, but these are not specifically intended to measure individual pupil engagement, progress or outcomes.

### **1.3 Research Aims**

Taking into account the difficulties associated with generating meaningful educational outcomes data the proposed international literature, policy and practice review has the following general aims:

- To provide an overview of how educational engagement, progress and outcomes (both formal [e.g. numeracy or literacy] and informal [e.g. well being, socialisation and independence] are currently recorded or measured in the Irish education system and the potential of this data for helping us to understand how children with special educational needs are doing in school.
- To review and document how educational engagement, progress and meaningful outcomes (both formal and informal) for children with special educational needs are tracked and measured internationally.
- To identify models of good practice for measuring and tracking educational engagement, progress and outcomes for children with special educational needs that are both appropriate to their learning needs and sensitive to school and national contexts.
- To identify lessons from this review relevant to the Irish education system.

The study should pay particular attention to the broad vision of education enshrined in the EPSEN Act;

*‘that people with special educational needs shall have the same right to avail of and benefit from appropriate education as do their peers to assist children with special educational needs to leave school with the skills necessary to participate, to the level of their capacity, in an inclusive way in the social and economic activities of society and to live independent and fulfilled lives’ (EPSEN Act 2004, Preamble).*

## 1.4 Key Research Questions

The research questions to be addressed by the study include:

- What can be learned from the international literature about frameworks for measuring meaningful educational engagement, progress and outcomes (both formal and informal) for children with SEN?
- How is this done currently in a selected number of countries/jurisdictions?
- What data on educational engagement, progress and outcomes (both formal and informal) for children with SEN are currently collected in Ireland?
- What can be learned about children with SEN from this data?
- What are the gaps and what information do we need to gather in order to establish improved and meaningful data for pupils with SEN?
- Do we need new indicators or additional data?
- How can this data be collected/generated, drawing on the international experience and how can we strengthen current systems or create new systems of data collection?

## 1.5 Key Research Tasks

The research tasks will focus on the following (this is an indicative list of the tasks required to address the aims outlined above - it is not an exhaustive list):

- (i) Define what is meant by *engagement, progress and outcomes*, both formal and informal, for children with special educational needs, with reference to the international literature and the national policy and practice context, and in a way that is compatible with the broad vision of education expressed in the EPSEN Act.
- (ii) Provide an overview of how educational engagement, progress and outcomes (both formal and informal) for children with SEN are currently recorded or measured in the Irish education system and the range of data currently or potentially available that could assist in the documentation of how children with special educational needs are doing in the education system.  
  
Analyse the potential of this data for helping us to understand how children with special educational needs are doing in school, identifying gaps that need to be addressed.
- (iii) Review the international literature on measuring meaningful educational engagement, progress and outcomes for children with SEN
- (iv) Drawing on an initial international review of practices and policies, identify models of good/best practice in a number of other

countries/jurisdictions illustrative of a broad range of issues, and document in detail how engagement, progress and outcomes for children with SEN are measured and documented in these contexts, at national and/or school levels (the selection of countries/jurisdictions and rationale to be decided in agreement with the NCSE);

- (v) Identify lessons and make recommendations from this review that are appropriate and sensitive to the Irish context and outline how current systems of data collection could be strengthened or new systems of data collection could be established.

### **1.6 Expected Outputs**

The key output from this study will be a publishable report which should:

- be accessible to a wide audience
- withstand peer review
- comply with NCSE Report Structure Guidelines.

Progress / interim reports will be expected and these will be scheduled on the basis of a formal work plan agreed with the successful tenderer.

### **1.7 Expected Timelines and Budget**

The estimated budget for this work is €50,000 (excluding VAT). It is envisaged that the study will commence in January 2011 and a final report will be submitted by the end of September 2011

### **1.8 Checklist for Tenderers**

The format for tenders is outlined in detail in the next section. However tenderers are advised to ensure that submitted proposals contain **all the relevant information required** and are reminded that;

- The NCSE application form must be used to submit a proposal and all the required information should be provided **in the correct format by the tender deadline**.
- Joint tenders are welcome, however, the Principal Investigator must be clearly identified and lines of responsibility and roles between collaborating bodies and personnel must be clearly outlined.
- Relevant knowledge, expertise, skills and qualifications among the proposed researchers must be clearly identified as required.
- Proposals should clearly outline how the tenderer understands the aims of the research, its policy, research and or legislative contexts, how the research questions will be addressed and how the key tasks will be undertaken.
- Proposals should include a clear description of the proposed methodology, which should be both robust and transparent.

- Any ethical implications arising should be clearly identified, and an outline of how these issues will be addressed should be included as required in the application form.
- Detailed costings are required on a per diem basis for each of the personnel involved in the study and detail should also be provided on the number of days each member of the research team will contribute to the study.
- Administrative or overhead costs should be also itemised and outlined separately. If a per diem rate for any of the personnel includes an overhead cost, this should be indicated.
- The estimated budget for this project excludes VAT. Costings provided should exclude VAT - though VAT costs can be indicated separately.

## **SECTION 2: Format and Submission of Tenders**

### **2.1 Format of Tender Proposal**

To make the selection, the capability and suitability of tenderers will be assessed. Tenderers should include sufficient information to permit the awarding authority to evaluate the competency of the service provider. This information should be provided as required, and within the word counts indicated, in the tender application form.

The awarding authority reserves the right to seek additional information and / or interview tenderers in connection with its assessment of their tenders, but will not be held liable for any costs incurred in this regard by tenderers.

### **2.2 Submission of Tender Proposals**

All those wishing to tender are required to submit

- four (4) hard copies of the required tender proposal (on the NCSE application form) together with
- four (4) hard copy CVs each for the principal investigator and individual research team members (**please note that individual CVs should not exceed 3 A4 pages in length**).

Tenders should be submitted in a sealed envelope clearly marked: “*Measuring Outcomes Study*”. The name and address of the tenderer should also be clearly marked in the top left corner of the envelope. Tender proposals should be sent to:

**Dr Clare Farrell,  
Research Officer  
National Council for Special Education,  
1 – 2 Mill Street,  
Trim,  
Co. Meath.  
Ireland.**

**Tenders should arrive not later than 16.00 hours GMT on Monday November 29th 2010**

Tenders which are received late will not be considered. Please note that once tenders have been submitted, no individual negotiations will take place and the awarding authority's decision will be final.

### **SECTION 3: Further Information and Queries**

#### **3.1 Further Information and Query Handling**

Every effort has been made to ensure that this documentation contains all the necessary information for completion of tenders. However, in the interests of equity, requests for additional information, clarification on the content of this document and all other queries of substance (other than in relation to purely factual or procedural matters) must be made in writing or by email.

Any additional information elicited will be made available to all potential tenderers who have obtained a copy of this document from the NCSE.

Any queries should be submitted by **email or in writing only**, not later than **16.00 hours on Monday November 22nd** and addressed to:

<p><b>Dr Clare Farrell, Research Officer, National Council for Special Education, 1 – 2 Mill Street, Trim, Co. Meath. Ireland. Email: <a href="mailto:clare.farrell@ncse.ie">clare.farrell@ncse.ie</a></b></p>
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### **SECTION 4: Qualification Criteria and Award of Contract**

#### **4.1 Qualification Criteria**

Tenders will be examined initially with reference to the following:

- (a) Completeness of proposals and tender documentation as specified in this tender invitation.
- (b) Stated ability of the tenderer to meet all the requirements specified in this tender invitation
- (c) Statement that none of the circumstances listed in paragraphs 1 and 2 of Article 45 of EU Directive 2004/18/EC apply to the tenderer (*Appendix A*)
- (d) Technical capacity and financial standing as evidenced by the information in this tender invitation

Only those tenders which satisfy conditions in relation to the above will be eligible for inclusion in the award process.

#### **4.2 Criteria for Award of Contract**

The contract will be awarded to the **most economically advantageous tender** of those meeting the specifications set out in this tender invitation, and not otherwise validly excluded, on the basis of the following award criteria [*scored from 100 marks weighted as indicated*]:

- Quality of proposals for providing the services outlined in this tender invitation (*40 marks*). Quality will be assessed on the basis of:
  - clarity and understanding of the research aims
  - knowledge of the subject area
  - outline and rationale for the proposed methodology
  - appropriate ethical standards.
  
- Expertise, skills and experience of assigned personnel in providing the type of services described in the tender document (*35 marks*) *including*:
  - demonstrated and extensive research, data analysis and report writing skills
  - demonstrated experience of managing projects of this scale within expected timeframes and budgets
  - knowledge and understanding of special education issues.
  
- Proposed cost/value for money (*15 marks*)
  
- Timescale and evidence of a planned approach to the management of the phases and tasks involved and the efficient completion of the project (*10 marks*)

During the evaluation period clarification may be sought in writing from tenderers. Responses to requests for clarification may not materially change any of the elements of the tenders submitted. No unsolicited communications from tenderers will be entertained during the evaluation period. A number of the most competitive tenderers may be invited to make presentations on their proposals for the purpose of elaboration, clarification and / or aiding mutual understanding. Any proposed subcontractors may be required to participate in the presentation.

#### **4.3 Award of Contract**

Before a contract is awarded, the successful tenderer will be required to produce, within ten working days, a Tax Clearance Certificate, or, in the case of a non-resident supplier, a statement of suitability on tax grounds from the Irish Revenue Commissioners (Tax Clearance Section, Office of the Collector-General, Sarsfield House, Limerick). Application for the Certificate should be made on a standard form, which will be supplied by the Revenue Commissioners. Where a Tax Clearance Certificate expires within the course of the contract the awarding authority reserves the right to seek a renewed Certificate. All payments under the contract will be conditional on the contractor(s) being in possession of a valid Certificate at all times.

There will be an appropriate interval after the award decision is notified before a formal contract is put in place with the successful tenderer.

In addition, contractors must retain records of tax reference numbers for any sub-contractors where payments exceed €34.87 (including VAT).

The following conditions will apply:-

- i. Any conflicts of interest involving a contractor must be fully disclosed to the awarding authority, particularly where there is a conflict of interest in relation to any recommendations or proposals put forward by the tenderer.
- ii. Payment for the delivery and implementation work will be on foot of appropriate invoices. Invoicing arrangements will be agreed with the successful contractor, following the award of contract.
- iii. The successful contractor will be paid in accordance with the provisions of the Prompt Payment of Accounts Act, 1997 and is obliged to pay subcontractors in accordance with the provisions of that Act.
- iv. In accordance with Government requirements, payments for professional services will be subject to withholding tax as laid down by the Revenue Commissioners.
- v. Prices and rates quoted should be in euro and be exclusive of VAT. The VAT rate(s) applicable should be indicated separately.

## **SECTION 5: Terms and Conditions**

### **5.1 Terms and Conditions**

The supply of this request for tender and the overall process of evaluation and selection are subject to the following conditions;

- i. That only tenders submitted in the English or Irish language will be accepted.
- ii. That the awarding authority will not be liable in respect of any costs incurred by tenderers in the preparation of tenders, or any associated work effort.
- iii. That all information provided by the awarding authority will be treated in strict confidence by the tenderer.
- iv. That the awarding authority will treat as confidential all information provided by the tenderer, subject to its obligations under the Freedom of Information Act, which became effective on 21 April 1998. If the tenderer considers that certain information supplied should not be disclosed for reasons of commercial or other sensitivity, this should be identified and reasons for it being deemed sensitive given. The awarding authority will subsequently engage in consultations with the tenderer about such sensitive information before making a decision in relation to any request received under the Freedom of Information

Act. If no information is identified as sensitive, with supporting reasons, then it is liable to be released in response to such a request.

- v. That the awarding authority reserves the right to update or alter any information contained within this briefing document at any time. Participating tenderers will be so informed.
- vi. That the information supplied in response to this request for tender will be regarded as forming part of any future contract entered into.
- vii. All outputs arising from this research including, but not limited to data, reports, information etc. will remain the sole property of the awarding authority, irrespective of whether or not the contract is terminated prior to its completion.
- viii. Progress and final reports will be completed within Council templates.
- ix. Final payment will only be issued to the successful tenderer once the quality of the work is reviewed under the Council's evaluation framework and signed off by Council.
- x. The awarding body will grant a license to the successful tender to use the material generated in the research for academic, teaching and research purposes three months after the final research report has been signed off. Any publication of material or findings in advance of this may only be done so with the explicit permission of the awarding body.

## **APPENDIX A**

### **ARTICLE 45 OF EU DIRECTIVE 2004/18/EC**

Personal situation of the candidate or tenderer

1. Any candidate or tenderer who has been the subject of a conviction by definitive judgment of which the contracting authority is aware for one or more of the reasons listed below shall be excluded from participation in a public contract:

- (a) participation in a criminal organisation, as defined in Article 2(1) of Council Joint Action 98/733/JHA<sup>3</sup>;
- (b) corruption, as defined in Article 3 of the Council Act of 26 May 1997<sup>4</sup> and Article 3(1) of Council Joint Action 98/742/JHA<sup>5</sup> respectively;
- (c) fraud within the meaning of Article 1 of the Convention relating to the protection of the financial interests of the European Communities<sup>6</sup>;
- (d) money laundering, as defined in Article 1 of Council Directive 91/308/EEC of 10 June 1991 on prevention of the use of the financial system for the purpose of money laundering<sup>7</sup>.

Member States shall specify, in accordance with their national law and having regard for Community law, the implementing conditions for this paragraph.

They may provide for a derogation from the requirement referred to in the first subparagraph for overriding requirements in the general interest.

For the purposes of this paragraph, the contracting authorities shall, where appropriate, ask candidates or tenderers to supply the documents referred to in paragraph 3 and may, where they have doubts concerning the personal situation of such candidates or tenderers, also apply to the competent authorities to obtain any information they consider necessary on the personal situation of the candidates or tenderers concerned. Where the information concerns a candidate or tenderer established in a State other than that of the contracting authority, the contracting authority may seek the cooperation of the competent authorities. Having regard for the national laws of the Member State where the candidates or tenderers are established, such requests shall relate to legal and/or natural persons, including, if appropriate, company directors and any person having powers of representation, decision or control in respect of the candidate or tenderer.

2. Any economic operator may be excluded from participation in a contract who:

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<sup>3</sup> OJ L 351, 29.12.1998, p. 1.

<sup>4</sup> OJ C 195, 25.6.1997, p. 1.

<sup>5</sup> OJ L 358, 31.12.1998, p.2.

<sup>6</sup> OJ C 316, 27.11.1995, p. 48.

<sup>7</sup> OJ L 166, 28.6.1991, p. 77. Directive as amended by Directive 2001/97/EC of the European Parliament and of the Council of 4 December 2001 (OJ L 344, 28.12.2001, p. 76).

- (a) is bankrupt or is being wound up, whose affairs are being administered by the court, who has entered into an arrangement with creditors, who has suspended business activities or who is in any analogous situation arising from a similar procedure under national laws and regulations;
- (b) is the subject of proceedings for a declaration of bankruptcy, for an order for compulsory winding up or administration by the court or of an arrangement with creditors or of any other similar proceedings under national laws and regulations;
- (c) has been convicted by a judgment which has the force of *res judicata* in accordance with the legal provisions of the country of any offence concerning his professional conduct;
- (d) has been guilty of grave professional misconduct proven by any means which the contracting authorities can demonstrate;
- (e) has not fulfilled obligations relating to the payment of social security contributions in accordance with the legal provisions of the country in which he is established or with those of the country of the contracting authority;
- (f) has not fulfilled obligations relating to the payment of taxes in accordance with the legal provisions of the country in which he is established or with those of the country of the contracting authority;
- (g) is guilty of serious misrepresentation in supplying the information required under this Section or has not supplied such information.

Member States shall specify, in accordance with their national law and having regard for Community law, the implementing conditions for this paragraph.

3. Contracting authorities shall accept the following as sufficient evidence that none of the cases specified in paragraphs 1 or 2(a), (b), (c), (e) or (f) applies to the economic operator:

- (a) as regards paragraphs 1 and 2(a), (b) and (c), the production of an extract from the "judicial record" or, failing that, of an equivalent document issued by a competent judicial or administrative authority in the country of origin or the country whence that person comes showing that these requirements have been met;
- (b) as regards paragraph 2(e) and (f), a certificate issued by the competent authority in the Member State concerned.

Where the country in question does not issue such documents or certificates, or where these do not cover all the cases specified in paragraphs 1 and 2(a), (b) and (c), they may be replaced by a declaration on oath or, in Member States where there is no provision for declarations on oath, by a solemn declaration made by the person concerned before a competent judicial or administrative authority, a notary or a

competent professional or trade body, in the country of origin or in the country whence that person comes.

4. Member States shall designate the authorities and bodies competent to issue the documents, certificates or declarations referred to in paragraph 3 and shall inform the Commission thereof. Such notification shall be without prejudice to data protection law.