

The National Council for Special Education

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

**The Special Class Model in Ireland: How is it working for pupils with special
educational needs in mainstream schools?**

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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.

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, *The Special Class Model in Ireland: How is it working for pupils with special educational needs in mainstream schools?*

This research will examine and evaluate the operation of the special class¹ model for students with special educational needs in mainstream education and the extent to which this model is meeting the needs of students placed in these classes, particularly in the context of the commitment to an inclusive education enshrined in the EPSEN Act. This examination will be located in the context of a review of the international literature, evidence, policies and practices.

The EPSEN Act (2004) provides a commitment to inclusive education for children with special educational needs (SEN) in Ireland stating that ‘a child with special educational needs shall be educated in an inclusive environment with children who do not have such needs’ [section 2].

The Act specifies two exceptions to this as follows ‘...unless the nature or degree of those needs of the child [with special educational needs] 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’ [section 2]. The Act also states that one of the functions of the NCSE is ‘to ensure that a continuum of

¹ It should be noted that special classes in Ireland operate in different ways; some may be very separate and distinct from mainstream provision, while others are more integrated with the mainstream provision; others operate on a full or part-time basis. Some special classes may also be called something other than a special class, such as a special unit or centre.

special educational provision is available as required in relation to each type of disability' [section 20 (1) (g)].

There has been an increase in the use of the special class model in mainstream schools over the last decade in Ireland, in particular for children on the autistic spectrum (Parsons and Guldberg 2009). In addition, recent changes to the operation of special classes have raised a number of questions and concerns (see Ware et al, 2009; Stevens and O'Moore 2009). Given the importance of evidence based policy making, particularly in the context of contracting resources, it is important that the ongoing evolution of the special class model for children with SEN in the Irish education system is informed by robust empirical evidence about its effectiveness.

In 2009, the NCSE published its Review of Special Schools and Classes (Ware et al 2009). Part of the research for this report included a survey of schools to determine the extent and distribution of special classes for children with special educational needs in the education system and an engagement with stakeholders about their perceptions and experiences of this model. The Review found that it was difficult to access a definitive list of schools with special class provision at post primary level. The study also found that there was a perception among stakeholders that special classes were an important part of the continuum of provision for pupils with special educational needs.

Advantages identified by the research participants included, the facilitation of inclusion in a mainstream class, the provision of a 'safe haven' for some pupils, a favourable pupil/teacher ratio, enabling students to be educated near home and enabling flexibility in the organisation of teaching and curriculum provision. The study established from the schools survey that for almost half of the special classes it was reported that pupils were remaining in class for the entire day. This raised concerns that schools may not be taking full advantage of the situation of the special class to promote inclusion. In addition, concern was expressed among stakeholders about the lack of continuity between primary and post-primary schools in the provision of special classes.

1.3 Research Aims

This research study is being commissioned to build on the initial work undertaken for the Review of Special Schools and Classes through an empirical investigation of the operation and effectiveness of the special class model.

It is envisaged that this study will help assess the extent to which stakeholder perceptions of the value of the special class model and/or concerns about its operation, are supported by empirical evidence. More importantly, it is intended that this study will generate further empirical evidence about the impact of the special class model on student inclusion, educational engagement, progress and outcomes, paying particular attention to the principles of inclusive education enshrined in the EPSEN Act 2004.

The first step in undertaking this study is to conduct a comprehensive literature and policy review in order to inform the methodology for the study and to locate the study in the broader context of what is already known about special classes in Ireland and

internationally. However, some illustrative references are noted at the end of this RFT in order to contextualise this invitation to tender and to highlight relevant issues.

1.4 Key Research Questions

Among the key questions which this study should address are:

- What does the international literature, evidence and policy tell us about the operation or effectiveness of the special class model for children with SEN?
- How did the system of special classes in Ireland evolve over time and what factors have driven the development and use of this model?
- How is the model currently operating in the Irish system (e.g, how many special classes are there at primary and post primary levels, and what are their designations, how are children placed in special classes, where have children progressed to from special classes, what teaching and other resources are deployed to support children in special classes, etc).
- How effective is the current model in terms of serving children's educational needs and their entitlement's under the EPSSEN Act?
- What lessons can be identified to inform the use of the special class model into the future?

1.5 Key Research Tasks

The research will focus on the following tasks (this is an indicative list and not an exhaustive list of the range of tasks which are required to address the research aims and questions):

- (i) A review of the international literature, evidence, policy and practices on the use of the special class model and its effectiveness for children with SEN, drawing particular attention to any studies which compare the experiences of children with SEN in special classes to the experiences of children with SEN in mainstream classes.
- (ii) An outline of the development of the special class model in Ireland and a comprehensive review of existing administrative data on the extent and nature of special classes in primary and post primary schools.
- (iii) A national census of schools to establish further baseline information about the operation and key features of special classes in primary and post primary schools.

These exercises should determine:

- the nature, use and distribution of special classes in the education system; the criteria and processes by which children are placed in these classes and or reintegrated into mainstream classes;
- the duration and nature (full time/ part time/graduated) of placement in special classes;

- the number of children progressing from special classes and the progression routes followed by these children;
- the teaching personnel, teaching strategies and assessment practices being deployed in special classes;
- curricular issues and certification options in special classes;
- other resources deployed in special classes;
- the role of other professionals in special classes (e.g. special needs assistants, psychologists, speech and language therapists etc);
- the designation of special classes and the needs of children being placed in these classes;
- and any other features of special classes relevant to addressing the study aims.

- (iv) A more focused longitudinal study (over two academic years) of a nationally representative selection of special classes in circa 40 post primary and 60 primary schools. This study will track the experiences, progress and outcomes for the cohort of students in these classes (following any students who move back to mainstream over the period) and evaluate the operation of these classes over the period of two years.

A creative approach to the use of a variety of research methodologies to collect and analyse data will be required in order to generate robust evidence which can best address the research aims and questions.

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 study is approximately €200,000 (excluding VAT). It is envisaged that the study will commence in January 2011 and that a final report will be submitted in 2013.

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: “*Special Class 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 Wednesday December 15th 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 December 6th** and addressed to:

**Dr Clare Farrell,
Research Officer,
National Council for Special Education,
1 – 2 Mill Street,
Trim,
Co. Meath.
Ireland.
Email: clare.farrell@ncse.ie**

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 subcontractors where payments exceed €634.87 (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 tenderer 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 ²;
- (b) corruption, as defined in Article 3 of the Council Act of 26 May 1997 ³ and Article 3(1) of Council Joint Action 98/742/JHA ⁴ respectively;
- (c) fraud within the meaning of Article 1 of the Convention relating to the protection of the financial interests of the European Communities ⁵;
- (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 ⁶.

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:

² OJ L 351, 29.12.1998, p. 1.

³ OJ C 195, 25.6.1997, p. 1.

⁴ OJ L 358, 31.12.1998, p.2.

⁵ OJ C 316, 27.11.1995, p. 48.

⁶ 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.

Illustrative References

Department of Education and Science [DES] (2005) *An Evaluation of Special Classes for Pupils with Specific Speech and Language Disorder: A National Report by the Inspectorate of the Department of Education and Science*. Dublin : The Stationery Office

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Mykelbust, J.O. (2006) ‘Class placement and competence attainment among students with special educational needs’ in the *British Journal of Special Education*, 33 (2).

Parsons, S., K. Guldborg, A. MacLeod with A. Prunty and T. Balfe (2009) *International Review of the Literature of Evidence of Best Practice Provision in the Education of Persons with Autistic Spectrum Disorders*, NCSE Research Reports No. 2 (www.ncse.ie)

Stevens, and M. O’Moore (2009) *Inclusion or Illusion: Educational Provision for Primary School Children with Mild General Learning Disabilities*. Dublin: Blackhall Publishing.

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