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TO BOARDS OF MANAGEMENT, PRINCIPAL TEACHERS AND ALL TEACHING STAFF IN PRIMARY SCHOOLS

The National Council for Special Education (NCSE)

1. Purpose of this Circular

The purpose of this circular is to advise the authorities of schools of the establishment of and the transfer of certain functions to the National Council for Special Education (NCSE).

2. Background

The level of resources allocated to schools in recent years to meet the special educational needs of children with disabilities has grown very significantly. Notwithstanding this development, the Department has been concerned for some time at its lack of capacity to deliver the required level of service to schools, parents/guardians and pupils under current structures. An internal review highlighted the over-centralised structure of the Department and its lack of any locally-based capacity for service delivery and co-ordination as key deficiencies in the system. As a result of findings of the review, the Government approved the establishment of a National Council for Special Education, hereafter referred to as the NCSE.

3. Functions of the NCSE

The NCSE has been established as an independent statutory body with responsibilities as set out in the National Council for Special Education (Establishment) Order, 2003. This Order, made pursuant to the Education Act, 1998, gives the Council the authority to:

- a) carry out research and provide expert advice to the Minister for Education & Science on the educational needs of children with disabilities and the provision of related services,
- b) provide for a range of services at local and national level in order that the educational needs of children with disabilities are identified and provided for, and
- c) co-ordinate, with health authorities, schools and other relevant bodies, the provision of education and related support services to children with disabilities.

A detailed list of functions as specified in the Order is at [Appendix 1](#). Once the Education for Persons with Special Educational Needs Act, 2004 is commenced, the functions of the NCSE as set out in the Order will be superseded by the functions of the NCSE as set out in the Act. These functions are set out at [Appendix 2](#).

4. Special Educational Needs Organisers

The local service delivery aspect of the Council's operation will be the responsibility of Special Educational Needs Organisers (SENOs). Approximately 70 SENOs have been employed, all of whom have a qualification and previous work experience relating to service delivery to children with disabilities. The SENOs will be responsible for co-ordinating and facilitating delivery of educational services to children with disabilities at local level. In particular, the SENOs will be a focal point of contact for parents/guardians and schools, and will process applications for resources for children with disabilities who have special educational needs. This will also involve regular and detailed engagement with organisations such as health authorities, the Department, including administrative divisions, the Inspectorate and the National Educational Psychological Service (NEPS).

5. Transfer of Functions

The transfer of functions from the Department of Education & Science to NCSE is effective from 1 January, 2005.

6. Processing of Applications for Resources

With effect from 1 January 2005 the NCSE, through the local SENO, is processing resource applications for children with disabilities who have special educational needs. In doing so, the Council is required to observe Departmental policy. The following functions are the responsibility of the NCSE with effect from 1 January 2005:

- a) processing applications for resource teacher support in respect of children with low incidence disabilities and deciding on the level of support appropriate to the school (please see [Appendix 3](#) for information on low incidence disabilities);
- b) processing applications for special needs assistant support for children with disabilities and deciding on the level of support appropriate to the school;
- c) examining applications for special equipment/assistive technology;
- d) examining applications for transport arrangements for children with disabilities and making recommendations to the Department of Education & Science;
- e) identifying appropriate educational settings for individual children with special educational needs.

Applications in relation to any of the above should be submitted to the local SENO. In relation to a) and b) above, following consideration of the application, including consultations with schools and parents/guardians

as necessary, the SENO will decide on any adjustments necessary to the existing level of teaching or special needs assistant support currently available to the school. The decision will be confirmed, by the SENO, in writing to the school and will not be subject to further Departmental ratification. Please see Section 9 and Appendices 4 & 5 of this circular for information in relation to the filling of posts.

In the case of applications relating to c), d) and e) above, the SENO will process these applications in conjunction with the Department.

7. Circular SP ED 09/04

The Minister for Education & Science has decided to review the proposed new system of allocation of resource teaching support to primary schools for pupils with high incidence disabilities. The review will involve consultation with representative interests and the NCSE before it is implemented in the coming school year. A further communication will issue to schools in this regard.

8. Contacting the NCSE and SENOs

A notice has issued from the NCSE to schools giving contact details for the SENO attached to each school. If for any reason your school has not received this information notice, contact may be made with the NCSE at 1-2 Mill Street, Trim, Co. Meath. Telephone: 046 9486400.

A separate information and guidelines notice from the NCSE, setting out its role and initial operations, is being issued in conjunction with this Circular.

9. Filling Posts

The Board of Management has responsibility for the recruitment and appointment of all school staff in compliance with the appointment procedures referred to in Appendices 4 & 5.

10. Dissemination

Management authorities are requested to provide a copy of this circular to the parents' representatives on the Board of Management. The circular may be accessed on the Department of Education & Science website at www.education.ie under Children with Special Needs.

Paul Kennedy
Principal Officer

January, 2005.

**Functions of the National Council for Special Education as set out in the
National Council for Special Education (Establishment) Order, 2003**

- a) Conduct and commission research on matters relevant to its functions and, as it considers appropriate, to publish in such form and manner as it thinks fit the findings arising out of such research,
- b) Advise the Minister for Education & Science in relation to any matter relating to the education of children and others with disabilities on being requested by the Minister to do so,
- c) Make available to the parents of children with disabilities information in relation to the provision for their children regarding education,
- d) Consult with schools, health boards and other relevant bodies in relation to the provision of education and support services to children with disabilities,
- e) From time to time carry out general assessment and review of the provision of education and related support services to children with disabilities,
- f) Monitor the educational progress of children with disabilities and ensure that it is reviewed at regular intervals,
- g) Disseminate to schools and to parents information relating to best practice, nationally and internationally, concerning the education of children with disabilities and
- h) In carrying out these functions, the Council and its employees shall act in accordance with any policy direction issued by the Minister.

**Functions of the National Council for Special Education
as set out in the
Education for Persons with Special Educational Needs Act, 2004 (to be commenced)**

- (a) to disseminate to schools, parents and such other persons as the Council considers appropriate information relating to best practice, nationally and internationally, concerning the education of children with special educational needs;
- (b) in consultation with schools, health boards and such other persons as the Council considers appropriate to plan and co-ordinate the provision of education and support services to children with special educational needs;
- (c) in consultation with schools and with such persons as the Council considers appropriate to plan for the integration of education for students with special educational needs with education for students generally;
- (d) to make available to the parents of children with special educational needs information in relation to their entitlements and the entitlements of their children;
- (e) to ensure that the progress of students with special educational needs is monitored and that it is reviewed at regular intervals;
- (f) to assess and review the resources required in relation to educational provision for children with special educational needs;
- (g) to ensure that a continuum of special educational provision is available as required in relation to each type of disability;
- (h) to review generally the provision made for adults with disabilities to avail of higher education and adult and continuing education, rehabilitation and training and to publish reports on the results of such reviews (which reviews may include recommendations as to the manner in which such provision could be improved);
- (i) to advise all educational institutions concerning best practice in respect of the education of adults who have disabilities;
- (j) to advise the Minister in relation to any matter relating to the education of children and others with disabilities;
- (k) to consult with such voluntary bodies as the Council considers appropriate, (being bodies whose objects relate to the promotion of the interests of, or the provision of support services to, persons with disabilities) for the purposes of ensuring that their knowledge and expertise can inform the development of policy by the Council and the planning and provision of support services, and
- (l) to conduct and commission research on matters relevant to the functions of the Council and, as it considers appropriate, to publish in such form and manner as the Council thinks fit the findings arising out of such research.

This Appendix is broken into three Sections, A, B and C:

Section A sets out, in tabular format, the various categories of low incidence disabilities and the level of resource teaching support available to schools in respect of each category.

Section B is an Information Note for professionals in relation to the various low incidence disability categories.

Section C sets out the various professional reports that are required in respect of each category of low incidence disability.

Section A

Low Incidence Disabilities	Hours of Resource Teaching Support Available to School per week
Physical Disability	3
Hearing Impairment	4
Visual Impairment	3.5
Emotional Disturbance	3.5
Severe Emotional Disturbance	5
Moderate General Learning Disability	3.5
Severe/Profound General Learning Disability	5
Autism/Autistic Spectrum Disorders	5
Specific Speech and Language Disorder	4
Assessed Syndrome in conjunction with one of the above low incidence disabilities	3 to 5, taking into account the child's special educational needs including level of general learning disability
Multiple Disabilities	5

Section B

Information Note for Professionals in relation to Low Incidence Disability Categories.

The purpose of the following note is to assist psychologists and other professionals in the interpretation of [Circular 08/02](#), which replaces certain procedural elements of [Circular 8/99](#), and to provide clarification on areas where difficulties have arisen over the past few years. It is hoped that this clarification will bring about consistency in approach and equity in the allocation of resources.

The following sections are supplementary to, and should be read in conjunction with Appendix II to [Circular 08/02](#).

Provision for pupils with special educational needs in mainstream schools

Pupils with special educational needs include all those whose disabilities and/or circumstances prevent or hinder them from benefiting adequately from the education which is normally provided for pupils of the same age. Such pupils have special educational needs arising from their disabilities and/or circumstances and will require special educational provision to be made for them.

In this information note, it is pupils who have learning difficulties and special educational needs arising from disabilities who are the focus of concern. Many of these pupils attend mainstream schools and it is important that they are identified as early as possible and that the schools arrange for the assessment and diagnosis of their special educational needs and take appropriate steps in providing for those needs. While some pupils with special educational needs will be referred to special schools, it is pupils in mainstream schools and whose parents wish for them to be supported there that this note is concerned.

Some of these pupils can have their special educational needs met by the class teacher and/or the learning support teacher, using carefully differentiated teaching and appropriate education plans. Other pupils may need, in addition, certain accommodations such as hearing aids, braille machines, computers and/or other assistive technology. A small number may require support from a special needs assistant. Certain others may need the support of a resource teacher in addition to the help they receive from their mainstream class teachers, or full- or part-time placement in a special class. **Only those pupils who have learning difficulties arising from their disabilities and whose special educational needs cannot be met fully by the class teacher and/or the learning support teacher should be supported by resource teaching or special class placement.**

In interpreting the definition of the various disability categories in Appendix II of [Circular 08/02](#), the following should be noted:

Physical Disability

Children with a physical disability who have learning difficulties arising from the disability *may* need resource teaching in cases where there are consequent significant learning difficulties. Others may need assistive technology only. Some children with severe physical disabilities may have needs for *care* support from a special needs assistant for some part or all of a day.

Hearing Impairment

Schools that have a pupil who has been assessed with hearing impairment, and no other assessed disability, may be allocated a maximum of four hours per week teaching support from a resource teacher, or from a visiting teacher and resource teacher combined.

In cases where a pupil with a hearing impairment meets, in addition, the criterion for another disability category, provision is allocated in keeping with multiple disabilities.

Visual Impairment

Schools that have a pupil who has been assessed with visual impairment, and no other assessed disability, may be allocated a maximum of 3.5 hours per week teaching support from a resource teacher, or from a visiting teacher and resource teacher combined.

Some pupils with visual impairment *may* have needs for care support from a special needs assistant.

In cases where a pupil with a visual impairment meets, in addition, the criterion for another disability category, provision is allocated in keeping with multiple disabilities.

Emotional Disturbance and/or Behaviour Problems

Some children in this category *may* need resource teaching support. Care support from a special needs assistant may be required where a child's behaviour is a danger to himself or others or where it seriously interferes with the learning opportunities of other children. In certain circumstances, some children may require both supports.

General Learning Disability

In the case of moderate general learning disability, the pupil's full-scale IQ score will have been assessed in the range 35 - 49.

In the case of severe/profound general learning disability, the pupil's full-scale IQ score will have been assessed as being below 35.

Autism/Autistic Spectrum Disorder (ASD)

In the interest of the child with an ASD and in order that the needs of the child are adequately addressed, it is important, where feasible, that for a definitive assessment of ASD, a multi-disciplinary assessment team should be involved. The need for a multi-disciplinary assessment is also in keeping with the policy of the National Educational Psychological Service. (NEPS)

All reports received in support of an application for a pupil with an ASD will be considered in the light of Department of Education and Science/NEPS guidelines.

Children with special educational needs arising from an Assessed Syndrome

Where a child with an assessed syndrome has a general learning disability, resource teaching support will be allocated to schools in line with hours allocated to pupils assessed within the same IQ band (moderate/severe/profound GLD). Where a child with an assessed syndrome has any of the other low incidence disabilities listed in Section A, resource teaching support will be allocated on that basis.

In some cases, as with very young children, or where clear evidence is supplied that the pupil has needs for **care support**, the support of a special needs assistant may be allocated for some part or all of a day.

Specific Speech and Language Disorder

In the case of specific speech and language disorder, it is a pupil's **non-verbal or performance ability** which must be within the average range, or above. (i.e. non-verbal or performance IQ of 90, or above).

The pupil must also have been assessed by a speech and language therapist and found to be at two standard deviations (S.D.) or more below the mean, or at a generally equivalent level (i.e. - 2 S.D. or below, at or below a standard score of 70) in one or more of the main areas of speech and language development.

Two assessments, a psychological assessment and a speech and language assessment are necessary in this case.

Multiple Disabilities

Children assessed with multiple disabilities meet the criteria for two or more of the disabilities described above.

N.B. Only pupils who have been appropriately assessed and who meet the relevant criteria for a diagnosis of a learning difficulty under one or more of the above disabilities may receive provision from a resource teacher or in a special class.

Section C

Professional reports that are required in respect of each category of disability

- Physical disability – report from medical doctor or occupational therapist (psychological report may also be required)
- Hearing impairment – report from audiologist and verification of such reports from relevant visiting teacher (psychological report may also be required)
- Visual impairment – report from ophthalmic consultant and verification of such reports from relevant visiting teacher (psychological report may also be required)
- Emotional disturbance/severe emotional disturbance/behavioural problems – report from psychiatrist or psychologist and evidence that the child is receiving treatment
- Moderate, severe or profound general learning disabilities – psychological report
- Autism/Autistic spectrum disorders – report from a relevant assessment multi-disciplinary team or a psychological report
- Assessed syndromes – schools in which children with such syndromes are enrolled will be eligible for additional educational resources if the psychological and/or other specialist report confirms the existence of one of the low incidence disabilities listed above
- Specific speech and language disorder – psychological report plus speech and language therapist's report
- Multiple disabilities – the name of each disability must be specified on application form. Children are eligible for additional resources under this heading if the appropriate professional reports confirm the existence of two or more distinct disabilities from the above list

Appointment of Full-time Resource Teacher for Children with Low Incidence Disabilities.

- The Board of Management, as employer, has responsibility for the recruitment and appointment of all teaching staff.
- The SENO's decision may result in the employment of a full-time resource post by the school. A full-time teaching post is equivalent to 25 hours, but a school may appoint a full-time teacher where the SENO decision amounts to a minimum of 22 hours resource teaching. The excess capacity within the full post must be off set against any future allocations for resource teaching support. Any such posts will be allocated on a temporary basis. The position of resource teacher for pupils with special educational needs can be allocated to one of the existing staff of the school, excluding the principal, and a temporary teacher recruited to replace that staff member. Please refer to [Circular 07/03](#) on www.education.ie Education Personnel> Associated Document.
- The teacher assigned to the resource teaching duty must be a fully qualified national school teacher who has full recognition from the Department of Education & Science or hold provisional or restricted recognition from the Department of Education & Science. [Circular 25/00](#) sets out the Recognition of Teacher Qualifications for the Purpose of Teaching in National Schools and is available on the Department website www.education.ie under Education Personnel > Primary > Circulars and Information Booklets > General Administration.
- The procedures for the appointment of a temporary teacher should be followed, i.e., if the duration of the temporary post is for a period of eight months or more the procedures are as outlined in Appendix D of the Boards of Management of National Schools - Constitution of Boards and Rules of Procedure published November 2003. If the temporary appointment is for a period of less than eight months duration, the appointment procedures are a matter for the Board of Management. Please consult the Department's booklet, [Appointment of Principals, Permanent and Temporary Teachers](#) also. (see website www.education.ie under Education Personnel > Primary > Circulars and Information Booklets > Appointment/Redeployment.
- When the process for the appointment has been finalised, a [Notification of Temporary Appointment Form](#) should be completed and forwarded to the Primary Payments Section, Department of Education & Science, Cornamaddy, Athlone. These forms are available on the Department website www.education.ie under Education Personnel > Primary > Circulars and Information Booklets > Appointment/Redeployment
- Please note that if additional accommodation is required to facilitate the above post then the Board of Management must apply to the School Planning Section, Department of Education & Science, Portlaoise Road, Tullamore, Co. Offaly, for grant assistance, enclosing a copy of the SENO decision.

Appointment of Part-time Resource Teacher for Children with Low Incidence Disabilities.

- If the SENO's decision results in the employment of a part-time resource teacher post by the school, the Board of Management must recruit and pay the salary of the teacher. The teacher must be a fully qualified national school teacher or hold provisional or restricted recognition from the Department. [Circular 25/00](#) sets out the Recognition of Teacher Qualifications for the Purpose of Teaching in National Schools and is available on the Department website www.education.ie under Education Personnel > Primary > Circulars and Information Booklets > General Administration
- The Department of Education & Science, through the Special Education Section, operates a grant system, whereby, once you notify that section, by letter, of the appointment of the part-time teacher and the hours authorised, an advance grant payment, based on the hourly rate applicable plus employers PRSI will issue to the school bank account. Initial grant period covers from date of appointment to end December with follow-up grant for the period January to June.
- The hourly rates payable are available on the Department's website www.education.ie under Education Personnel > Payroll Division.
- The Board of Management, as the teacher's employer, has responsibility for all statutory deductions (e.g., Income Tax, PRSI, etc.) and information regarding these processes should be obtained from the relevant statutory authority.
- A reconciliation statement as set out in [Circular 11/04](#) should be submitted for each part-time teacher employed by the Board of Management in June of each year and any balance due to the school or refund due to the Department will be arranged at that time. Copy circular is available on the Department's website www.education.ie under Children with Special Needs.

Appointment of Special Needs Assistant.

The Board of Management, as employer, has responsibility for the recruitment and employment of all Special Needs Assistants. If the SENO decision results in the employment of a full or part-time special needs assistant post by the school, the appointment will be on a temporary basis. A full-time special needs assistant is equivalent to 32 hours.

- The recruitment and appointment process must be carried out in accordance with procedures set out in Department of Education Special Needs Assistants Payroll Circular, [SNA 03/03](#).
- The qualifications and conditions of service are set out on the Department's website www.education.ie under Education Personnel > Special Needs Assistants > Salary & Personnel.
- Each appointee must be of good character and have Grade D (or pass) at least, in Irish, English and Mathematics in the Junior Certificate Examination or in an examination of equivalent standard.
- When the appointment process has been completed, a [Notification of Appointment Form](#), Special Needs Assistant should be completed and forwarded to the Special Needs Assistants Payroll, Payroll Division, Department of Education & Science, Cornamaddy, Athlone, Co. Westmeath.
- The same [appointment form](#) applies for either full or part-time Special Needs Assistant and is available on the Department website www.education.ie under Education Personnel > Special Needs Assistants > Salary & Personnel.
- Correspondence relating to the appointment and payment of a Special Needs Assistant is dealt with by the Special Needs Assistants Payroll, Department of Education & Science, Cornamaddy, Athlone, Co. Westmeath.
- All relevant Department Circulars and Office Notices relating to Special Needs Assistants can be located on the Department website at www.education.ie under Education Personnel > Special Needs Assistants > Salary & Personnel.

The payment of Substitute Special Needs Assistants employed to cover absences is dealt with by the Special Education Section, Cornamaddy, Athlone, Co. Westmeath. Claims for substitute payment should be made on the Application for the Refund of Payment of Substitute Special Needs Assistants Form, available on Department website under headings given above. The payment will issue directly to the school bank account.

Links within this Circular

Circulars

[Circular SP ED 09/04](#) - Allocation of Resources for Pupils with Special Educational Needs in National Schools
[Circular 08/02](#) - Primary, Applications for full-time or part-time resource teacher support to address the special education needs of children with disabilities, Information Note
[Circular 8/99](#) - Applications for the services of a full or part-time resource teacher to assist a school in providing education to meet the needs and abilities of children with disabilities
[Circular 07/03](#) - Appointments to Posts of Responsibility
[Circular 25/00](#) - Recognition of teacher qualifications for the purposes of teaching in National Schools
[SNA 03/03](#) - Appointment Procedures for Special Needs Assistants
[Circular 11/04](#) - Revision of Rates of Pay for Part-Time Teachers (Primary)

Booklets

[Appointment of Principals, Permanent and Temporary Teachers](#)

Forms

[Notification of Appointment Form](#)
[Notification of Temporary Appointment Form](#)

Areas of website referred to

[Information by topic > Children with Special Needs.](#)
[Education Personnel > Primary > Circulars and Information Booklets > General Administration](#)
[Education Personnel > Special Needs Assistants > Salary & Personnel.](#)
[Education Personnel > Primary > Circulars and Information Booklets > Appointment/Redeployment](#)
[Education Personnel > Payroll Division.](#)