

INCLUSION IRELAND

# Education, Behaviour and Exclusion

The experience and impact of short school days on  
children with disabilities and their families in the  
Republic of Ireland

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**September 2019**



# Key Findings

- One in four children with an intellectual disability or developmental disability such as autism has been put on short school days. This figure excludes children being put on short school days only at the start of junior-infants class to help ease them into primary education.
- Half of the children put on short school days had that reduction for 20 days or more, with many suspensions extending to years without a medical reason and against their parents' wishes. This is likely to represent thousands of children around the country.
- Many children on short school days are missing certain subjects partially or entirely and are thus being denied their legal right to education.
- Most of these arrangements for short school days were made on the basis of a child's 'challenging behaviour' and without consulting experts outside the school.
- Children whose diagnosis includes autism are more likely than other children with disabilities to experience short school days – nearly one in three.
- Short school days are prevalent across many diagnoses and across all school settings, mainstream and special.
- As a result of experiencing short school days, children suffer significant feelings of anxiety and exclusion, and in many cases a desire to leave school entirely.
- As a result of short school days for their children, parents suffer mental and physical health problems, including loss of sleep, and a quarter have sought professional help from doctors and/or therapists for themselves.
- The financial impacts of shortened school days on families are often dramatic and long-lasting.
- Some schools take advantage of their relative autonomy in the Irish system to avoid their obligation to educate children with disabilities.
- Fully 84% of parents of children with disabilities believe that their children do not get the therapies that they need due to long waiting lists or unfilled positions.
- The State has failed to exercise its authority to prevent an abuse of power by many schools, which are excluding children in a hidden manner by placing them on short school days.

# **Education, Behaviour and Exclusion**

The experience and impact of  
short school days on children with  
disabilities and their families  
in the Republic of Ireland

A collaborative research project between Inclusion Ireland and Technological University Dublin,  
funded under the Irish Research Council's New Foundations scheme

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## Table of Contents

<b>Key Findings .....</b>	<b>2</b>
<b>Easy to read summary.....</b>	<b>5</b>
<b>Part I: Context and Methodology .....</b>	<b>7</b>
1. Context of Study.....	7
2. Methodology .....	9
<b>Part II: Main Findings .....</b>	<b>12</b>
3. Data on Short School Days.....	12
4. Impact of Short School Days on Children and Families .....	18
<b>Part III: Discussion.....</b>	<b>23</b>
5. Understanding the Data in the School Context .....	23
6. Understanding 'Behaviour' .....	25
7. The Relevance of Diagnosis .....	27
8. The Relevance of School Setting .....	28
9. Failure of Supports.....	30
10. Discussion of Impacts .....	31
<b>Part IV: Conclusion and Recommendations.....</b>	<b>33</b>
11. Conclusion .....	33
12. Recommendations.....	34

## List of Figures

<i>Figure 1</i> Incidence of short school day by group .....	12
<i>Figure 2</i> Number of hours child attended school each day .....	13
<i>Figure 3</i> Duration and frequency of short school days.....	13
<i>Figure 4</i> Whose idea was a short school day starting in junior-infants class? .....	14
<i>Figure 5</i> Reasons given by school for short school days .....	15
<i>Figure 6</i> Proportion of parents who felt under pressure to agree with short school days .....	15
<i>Figure 7</i> Where behaviour was given as reason for short school days, was NEPS consulted?.....	16
<i>Figure 8</i> Behaviour-related incidents that led to short school days .....	16
<i>Figure 9</i> Where behaviour was given as a reason for short school days, was a behaviour management plan put in place?.....	16
<i>Figure 10</i> "My child did not get some of the therapies she/he needs because the waiting list is too long or there is no therapist available." .....	17
<i>Figure 11</i> Proportion of parents required by school to be available to pick up child throughout the school day .....	17
<i>Figure 12</i> Summary of family impacts of short school days .....	18
<i>Figure 13</i> Indicators of inclusion and belonging for children who have and have not experienced short school days .....	18
<i>Figure 14</i> Did child consistently miss one or more school subjects while on short school days? ...	19
<i>Figure 15</i> Positive and adverse effects of short school days on children .....	19
<i>Figure 16</i> Levels of stress on parents caused by short school days .....	20
<i>Figure 17</i> Health (including mental health) impacts of short school days.....	20
<i>Figure 18</i> Impacts on work and career as a direct result of short school days, either or both parents .....	21
<i>Figure 19</i> Were family finances impacted by short school days?.....	21
<i>Figure 20</i> Percentage of family earnings lost due to short school days.....	21
<i>Figure 21</i> Duration of family earnings lost due to short school days .....	21



## Easy to read summary

This report is about the educational experiences of children with disabilities and their families in the Republic of Ireland.



The research was carried out by Technological University Dublin and Inclusion Ireland.

The research involved an on-line survey and interviews. 393 parents of school-aged children from all over Ireland answered the survey.

## The Findings – what we found out

Short school days are when children are not allowed to stay in school for the full day. They get sent home early.



Short school days are a widely used hidden, often illegal suspension that is not recorded.

Short school days happen in mainstream classes, special classes, autism units and special schools.

1 in 4 children with a disability have been put on short school days.

Children who are autistic are more likely to experience short school days.

Half of these children were on short school days that lasted for 20 days or more.

Most children were on short school days because of 'behaviour' without experts like NEPS (National Educational Psychology Service) being consulted.

The Government has failed to prevent abuse of power by schools against children with disabilities in the education system.





### **Children on short school days sometimes:**

- Feel sad and worried.
- Feel lonely and left out.
- Don't want to go to school at all because of it.
- Don't get a chance to do activities that would make them feel part of the school.
- Don't get therapy services that happen in school.



### **Parents are affected by:**

- Having to be 'on-call', ready to pick up their children early.
- Feeling 'extremely stressful' with mental and physical health being affected.
- Having difficulties at work, having to reduce their working hours and, in some cases, having to give up their jobs.
- Suffering a huge loss of earnings, often lasting years.



### **Recommendations**

Parents and schools should be given information about their rights and guidance on what to do when faced with a short school day for their child.

Parents, NEPS and other relevant services should be involved before any decision to reduce a child's school day is made.

Schools should name short school days as 'suspensions', and tell Educational Welfare Officers. This will allow parents to appeal and report to the Department of Education.



# Part I: Context and Methodology

## 1. Context of Study

All children, including those with disabilities, are legally entitled to an education. In 2004, the Education for Persons with Special Educational Needs (EPSEN) Act became the law in Ireland,<sup>1</sup> and in 2018 this State ratified the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) – becoming the last country in Europe to do so.

Therefore the law provides that “people with disabilities shall have the same right to avail of, and benefit from, appropriate education as do their peers who do not have disabilities”. It states that schools and other education providers must offer “reasonable accommodation and individualised support” to ensure that children with disabilities get free and inclusive education in their own communities at all levels, to give them the maximum academic and social development and skills “to the level of their capacity”.<sup>2</sup> For parents of children with disabilities, the EPSEN Act also provides various means for consultation about their children’s education. The UN has said that UNCRPD requires states to provide “a consistent framework for the identification, assessment and support required to enable children with disabilities to flourish in inclusive learning environments”<sup>3</sup>.

The EPSEN Act not only promises educational equality, but based on its wording, the State’s legal priority is to deliver that education in integrated mainstream settings – with special units and special schools provided where the child’s educational needs require them.

Short school days may be justified, for example, by a child’s medical needs, as certified by a paediatrician based in the child’s disability services. Otherwise, the guidelines for schools published by the National Educational Welfare Board are clear in stating that a shortened school day is a form of suspension that can only be imposed by a school’s board of management, or by the principal with the board’s written authorisation. Even where a principal is so authorised, boards of management are, in addition, required to authorise suspensions (including shortening of school days) that last longer than three days, and advised to limit suspensions to 10 days or under; where a suspension or series of suspensions adds up to 20 days in a given school year, parents or guardians must be formally informed of their right to appeal the suspension to the Department of Education under Section 29 of the Education Act 1998.<sup>4</sup> In addition, suspensions of six consecutive days or more should be referred to an Educational Welfare Officer.

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<sup>1</sup> Houses of the Oireachtas, ‘Education for Persons with Special Educational Needs Act 2004 – No. 30 of 2004 – Houses of the Oireachtas’ (2003), <https://www.oireachtas.ie/en/bills/bill/2003/34>.

<sup>2</sup> The quote on “reasonable accommodation”, an undefined and much-debated term, is from United Nations, *Convention on the Rights of Persons with Disabilities* (UN, 2008). Other quotes are from Houses of the Oireachtas, Education for Persons with Special Educational Needs Act 2004 – No. 30 of 2004 – Houses of the Oireachtas.

<sup>3</sup> UN Committee on the Rights of Persons with Disabilities (CRPD), ‘General Comment No. 4 (2016), Article 24: Right to Inclusive Education’, 2 September 2016, <https://www.refworld.org/docid/57c977e34.html>.

<sup>4</sup> National Educational Welfare Board, *Developing a Code of Behaviour: Guidelines for Schools* (Dublin: National Educational Welfare Board, 2008).

Data has recently been published indicating that 384 children are receiving grants for home tuition.<sup>5</sup> It is worth noting in this context that children who are suspended from school or on short school days are not eligible for these grants and thus not captured in that figure.

There is some argument that reductions in school timetables may be justified as part of a plan for certain children with intellectual disabilities and developmental disabilities such as autism – for example, when starting in junior-infants class to provide a more positive experience for children entering into the new setting of primary school.

In 2019 the Joint Oireachtas Education Committee held hearings to investigate the use of 'reduced timetables' (i.e. short school days) in Irish education, with submissions and testimony from a variety of stakeholders. Concluding in its interim report on the subject that "in some cases, the use of reduced timetables may not be solely child centred", the committee recommended a number of improvements in guidelines for and reporting of reduced timetables, and in access to therapeutic services to help avoid them.<sup>6</sup>

Also earlier this year, Minister for Education Joe McHugh, in answering a parliamentary question, made it clear that the State recognises a child's "right to a full school day". Short school days, he said, should be seen as "exceptional" or "transitional" arrangements. He promised that the Schools Inspectorate "intends to challenge the inappropriate use of reduced timetables in the context of the school inspection process" and that short school days should not be used as a behavioural-management technique.<sup>7</sup>

The Minister's choice to pivot from a question about short school days to an answer about behaviour management acknowledged a reality that was also visible in the hearings conducted by the committee, where advocates of 'reduced timetables' justified their use because of some children's behaviour. While it may be the case that many issues in education and disability are reducible to resources, and the need for more of them, it is not possible to understand and address questions about short school days without also seeking to learn more about how and why 'challenging behaviour' presents itself, and is addressed, in the school system.

The Minister for Education said the National Educational Psychology Service (NEPS) should be consulted rather than short school days imposed when dealing with behaviour. However, NEPS and other outside services are presented as an intervention of last resort in Department of Education and Skills guidelines and resource packs on both 'special educational needs' and 'behavioural, social and emotional difficulties', involving 'Level 3' escalation – what the documents call 'School Support Plus'.<sup>8</sup> Our research examines the extent to which short school days are put in place when a behaviour issue would potentially warrant such intervention by NEPS or other outside services instead.

In general, it must be noted, the education system here and elsewhere lacks clarity about behaviour and how to deal with it. Globally, 'challenging behaviour' is a key issue confronting

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<sup>5</sup> Carl O'Brien, 'Hundreds of Children with Autism, Special Needs without Appropriate School Places', *The Irish Times*, 24 August 2019, <https://www.irishtimes.com/news/education/hundreds-of-children-with-autism-special-needs-without-appropriate-school-places-1.3995648>.

<sup>6</sup> Houses of the Oireachtas Joint Committee on Education and Skills, 'Interim Report on the Committee's Examination on the Current Use of Reduced Timetables', June 2019, [https://data.oireachtas.ie/ie/oireachtas/committee/dail/32/joint\\_committee\\_on\\_education\\_and\\_skills/reports/2019/2019-07-04\\_interim-report-on-the-committee-s-examination-on-the-current-use-of-reduced-timetables\\_en.pdf](https://data.oireachtas.ie/ie/oireachtas/committee/dail/32/joint_committee_on_education_and_skills/reports/2019/2019-07-04_interim-report-on-the-committee-s-examination-on-the-current-use-of-reduced-timetables_en.pdf).

<sup>7</sup> 'Special Educational Needs Service...: 7 Mar 2019: Written Answers', accessed 10 May 2019, <https://www.kildarestreet.com/wrans/?id=2019-03-07a.268>.

<sup>8</sup> 'Resources & Publications', Department of Education and Skills, accessed 25 August 2019, <https://www.education.ie/en/Schools-Colleges/Services/National-Educational-Psychological-Service-NEPS-/Resources-Publications.html>.

schools.<sup>9</sup> In the United States it is estimated that up to 50% of teachers' and administrators' time is spent addressing issues related to problem behaviour,<sup>10</sup> while the OECD found that nearly one in three teachers cited losing 'quite a lot of time' due to behavioural problems in schools.<sup>11</sup> The UK Schools Inspectorate, OFSTED, has concluded that "Defining challenging behaviour [...] has always been an unsatisfactory enterprise."<sup>12</sup> Researchers who recently reviewed the international academic and professional literature on 'challenging behaviour' in schools wrote: "There is no commonly agreed definition...and there is often very thin analysis of what actually becomes disturbed, challenged, or problematised in such instances."<sup>13</sup> This lack of interrogation of what we mean when we cite 'behaviour' not only obstructs the search for root causes, it is a block to developing meaningful policy and practice.<sup>14</sup>

However, even with the best support and monitoring structures and policies in place, the Department of Education and Skills would still face limits on its power to deal with behavioural issues and create an integrated system for educating all children, including those with disabilities. The Irish education system has long been seen as "a private system funded by the state".<sup>15</sup> Most authority and responsibility over education is vested in individual schools, their principals and their boards of management, rather than in a central authority.

## 2. Methodology

This research project, which received ethical approval from Technological University Dublin, employed a mixed methodology of in-depth interviews and an online survey. Interviews with 12 parents of children who had experienced short school days were carried out in June, July and August of 2019, as well as interviews with three relevant professionals; recordings of the interviews were later examined for detail and patterns were identified through a process of thematic analysis.

Data presented here was collected via an online survey titled 'Education and Disability', between June 17th 2019 and August 14<sup>th</sup> 2019 (for readability, simply referred to as 'the survey' throughout the rest of this document). The survey was promoted on social media by

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<sup>9</sup> Maija Lanås and Kristiina Brunila, 'Bad Behaviour in School: A Discursive Approach', *British Journal of Sociology of Education* 40, no. 5 (4 July 2019): 682–95, <https://doi.org/10.1080/01425692.2019.1581052>; Vesa Närhi et al., 'Reducing Disruptive Behaviours and Improving Learning Climates with Class-Wide Positive Behaviour Support in Middle Schools', *European Journal of Special Needs Education* 30, no. 2 (3 April 2015): 274–85, <https://doi.org/10.1080/08856257.2014.986913>; Anna M Sullivan et al., 'Punish Them or Engage Them? Teachers' Views of Unproductive Student Behaviours in the Classroom', *Australian Journal of Teacher Education* 39, no. 6 (1 June 2014), <https://doi.org/10.14221/ajte.2014v39n6.6>.

<sup>10</sup> John W. Mckenna and Andrea Flower, 'Get Them Back on Track: Use of the Good Behavior Game to Improve Student Behavior', *Beyond Behavior* 23, no. 2 (1 April 2014): 20–26, <https://doi.org/10.1177/107429561402300204>.

<sup>11</sup> OECD, 'A Teachers' Guide to TALIS 2013: Teaching and Learning International Survey', Text (TALIS, OECD Publishing, 2014), [https://www.oecd-ilibrary.org/education/a-teachers-guide-to-talis-2013\\_9789264216075-en](https://www.oecd-ilibrary.org/education/a-teachers-guide-to-talis-2013_9789264216075-en).

<sup>12</sup> John Visser, 'A Study of Children and Young People Who Present Challenging Behaviour' (University of Birmingham School of Education, 2013), <https://www.scie-socialcareonline.org.uk/a-study-of-children-and-young-people-who-present-challenging-behaviour/r/a11G00000017tcxIAA>.

<sup>13</sup> Lanås and Brunila, 'Bad Behaviour in School'.

<sup>14</sup> A section of this report is devoted to analysing and contextualising our findings in relation to 'behaviour'.

<sup>15</sup> Charlie Lennon and John White, 'The Reform of School Governance in the Republic of Ireland', *Phi Delta Kappan* 78, no. 8 (April 1997): 632–34.

Inclusion Ireland, Down Syndrome Ireland and other disability groups and organisations. The term “short school days” was not used in promoting the survey to reduce the likelihood that respondents whose children had experienced the phenomenon would be disproportionality represented in its findings. It is recognised, however, that a negative experience concerning their children’s education may make it more likely that parents would complete such a survey, bringing a bias to the results. No more than one survey response was accepted from any given device to limit the possibility of having more than one response relating to any given child included in the research. The statistics presented in this report are based on 393 responses to the survey, a number equal to at least 0.5% of the school-going population with disabilities.<sup>16</sup> The 393 responses were selected from a total of 651 responses to the survey; 63 responses were not included in the research for this report as they concerned children who were outside school age or who had not yet started school, and 195 responses were incomplete. Eleven respondents answered questions for two children with disabilities in their care.

Respondents to the survey came from all 26 counties of the Republic of Ireland and were parents and carers of school-aged children with a broad range of disability diagnoses, the largest groups being those diagnosed with autism/autistic spectrum disorder (with or without intellectual disability), followed by those with intellectual disability as their primary diagnosis. Small numbers of parents of children with physical and/or sensory disabilities, as well as children with diagnoses of global developmental delay, dyspraxia, speech delay and other disabilities also responded. The distribution of disabilities is a reasonable reflection of the relative prevalence of those diagnoses in the general population, especially in the cases of the more common diagnoses. The ratio of male to female children was 266 to 127, reflecting the higher number of male children diagnosed with autism compared to female children. Three respondents either recorded their child’s gender as ‘other’ or did not disclose their child’s gender. All types of school setting (mainstream, special class in a mainstream school, special school) were represented in proportions roughly approximating the national distribution for children with disabilities. Twenty parents of school-age children who do not now attend school also responded. The reach of the survey in terms of ethnic background was biased towards the settled white Irish population (89%) and English was the first language of 97% of the children concerned. Socio-economic indicators such as parental educational attainment and home ownership were generally slightly, but not significantly, higher than the national averages. Most of the respondents (95%) to the survey were female parents or caregivers of the children concerned and 15% of respondents were parenting alone.

Questions in the survey concerned the diagnoses, education setting, likes/dislikes and behaviours of the children involved, and details were sought on various exclusions including official and unofficial suspensions. Data on the emotional, health and financial impacts of short school days and related suspensions on the respondents and their children were also gathered.

Because of the seriousness of these issues and the public debate around them it was decided to publish early findings of this study at this time. At this early point in the research, we have conducted an analysis of results based simply on the following categories: the entire group surveyed, school setting (mainstream, special class or unit in a mainstream school or special school); school level (primary or secondary); gender; and sometimes by diagnosis (autism spectrum disorder and intellectual disability).

The number of responses to each question varies because respondents were not required to answer most of the questions in the survey – they could choose to skip questions they preferred not to answer. Where the number of responses to a particular question is large enough to be of statistical significance (100 or more), we present numbers as percentages. For

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<sup>16</sup> ‘Disability - CSO - Central Statistics Office’, accessed 28 August 2019, <https://www.cso.ie/en/releasesandpublications/ep/p-cp9hdc/p8hdc/p9d/>.

smaller numbers, we present the number as a fraction. If the number of responses to a binary (yes/no) question is significantly large, we offer a confidence interval (CI) of 95% with a margin of error of 5%, except in relation to the incidence of short school days for girls, where the margin of error is 6%. The confidence interval is an estimate of the precision of results obtained from our sample compared with the true population, and is calculated here using the Wilson Method.<sup>17</sup>

For example, when we say that “24% of school-aged children with disabilities in Ireland have already experienced short school days”, it means that we are 95% sure that the likelihood that any child in the general population of school-going children with disabilities has already experienced short school days is 24% +/- 5%. In other words, between 19% and 29%.

Interview subjects were recruited separately from survey respondents. Fifteen people were interviewed in total, including three professionals in the field. They were mainly recruited through networks already established by Inclusion Ireland for parents who have been affected by the issues being investigated in the study. Themes for the semi-structured interviews were inclusion in academic and social aspects of school for children with disabilities; experiences of adapted curricula; experiences of inclusion and exclusion in day-to-day school activities; and impacts, if any, of short school days on family life, including finances. Interview subjects were afforded anonymity for the purposes of this report, though not all of them asked for it. Of the ten cases that are highlighted in boxes throughout this report, eight are drawn from interviews and two come from information given by respondents to the online survey.

This research, funded under the Irish Research Council’s New Foundations scheme, was carried out by academic staff from Technological University Dublin and participatory researchers with intellectual disabilities as part of Inclusion Ireland’s Certificate Programme in Research by Apprenticeship. The research was advised and reviewed by a Research Advisory Committee convened by Inclusion Ireland; the membership of both the research team and the committee are presented at the end of the report.

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<sup>17</sup> Alan Agresti and Brent A. Coull, ‘Approximate Is Better than “Exact” for Interval Estimation of Binomial Proportions’, *The American Statistician* 52, no. 2 (1 May 1998): 119–26, <https://doi.org/10.1080/00031305.1998.10480550>.

# Part II: Main Findings

## 3. Data on Short School Days

This report documents the level of experience of short school days, and their impact, for children with disabilities and their families. The research also gathers data about the duration of short school days, about the rationales offered for them, the procedures through which they were recommended and enacted, and whether services such as the National Educational Psychology Service (NEPS) were consulted.<sup>18</sup>

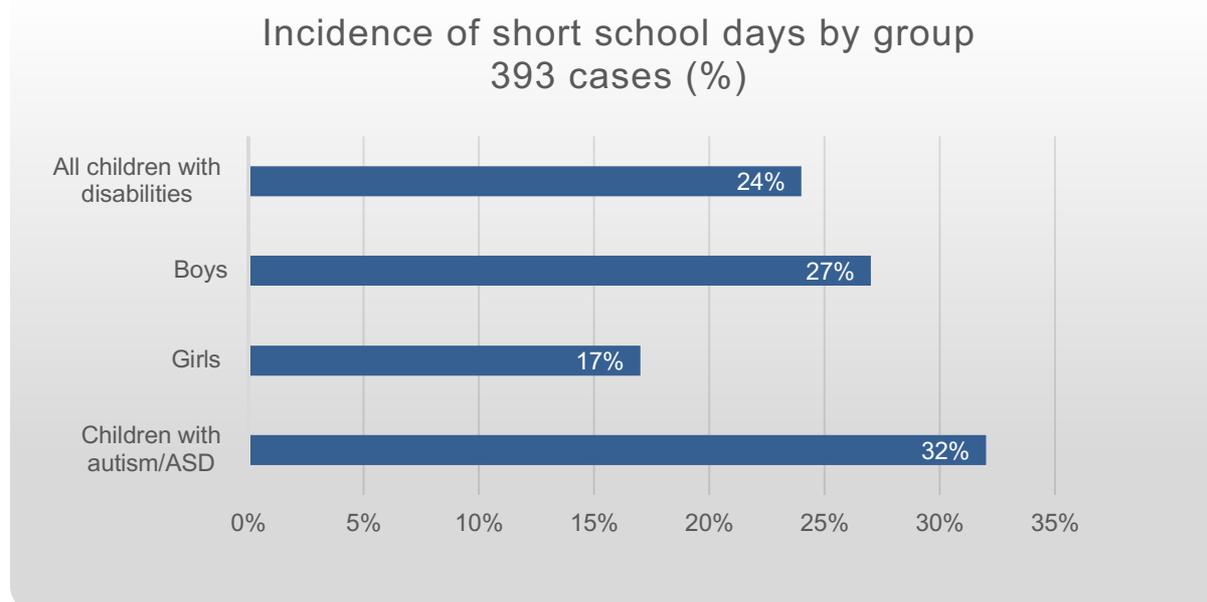


Figure 1

The survey (Figure 1) indicates that, according to their parents, 24% of school-age children with disabilities have already experienced short school days for at least some part of their education, with or without parental approval. Where boys alone are considered, the figure is 27%; the figure for girls alone is 17%; and where the child's diagnosis includes autism, it is 32%. These figures do not include shorter school days at the beginning of the first year of primary school (junior infants), which are discussed below.

The children whose parents answered the survey covered the full school-age range (four to 18 years old), with 61% being of primary-school age. Responses to the survey suggest that short school days are likely to affect considerably more than one in four children with disabilities over the course of their entire time in the education system – i.e. that some of those who did not report short school days in the survey will face them later, because the likelihood of having experienced short school days increases with age, with relative peaks observed within the survey data at about seven-to-eight years old, and again at 11-to-12 years old and 14-15 years old. The number of responses to the survey was too small to establish a predictive pattern. Based on CSO data on school population and the percentage of that population who

<sup>18</sup> Respondents were asked about NEPS because Minister for Education Joe McHugh has said that NEPS should be involved where schools apply the limited "transitional" timetable reductions that he said were the only appropriate use of such action by schools, where suspensions are due to behaviour. ('Special Educational Needs Service...: 7 Mar 2019: Written Answers').

### Number of hours child attended school each day (75 cases)

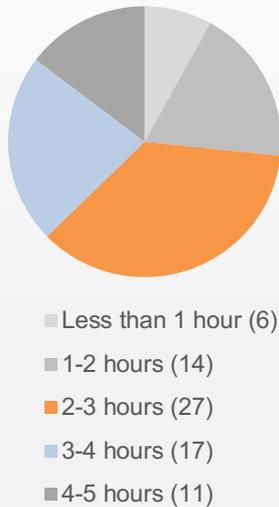


Figure 2

have disabilities, the findings of the survey indicate that thousands of children in Irish schools have already experienced short school days.<sup>19</sup>

Short school days occur across the full range of educational settings, i.e. mainstream classrooms, special classes and special schools.

Just over half of the children whose parents said they had been on short school days said the arrangement had lasted for 20 or more days, with many suspensions extending to years (either one continuous suspension or several periods of suspension combined) without a medical reason and, in most cases, against their parent's wishes.

The school attendance in hours for children on short school days (Figure 2) varies widely, from almost complete absence (six out of the 75 children whose parents responded to this question in the survey stayed for less than an hour), to missing short periods at the start and finish of the school day; the most common response for hours of attendance was two to three hours per day for both primary and secondary school children, with nearly two-thirds of the total attending for a period of three hours or less.

### Duration and frequency of short school days (72 children)

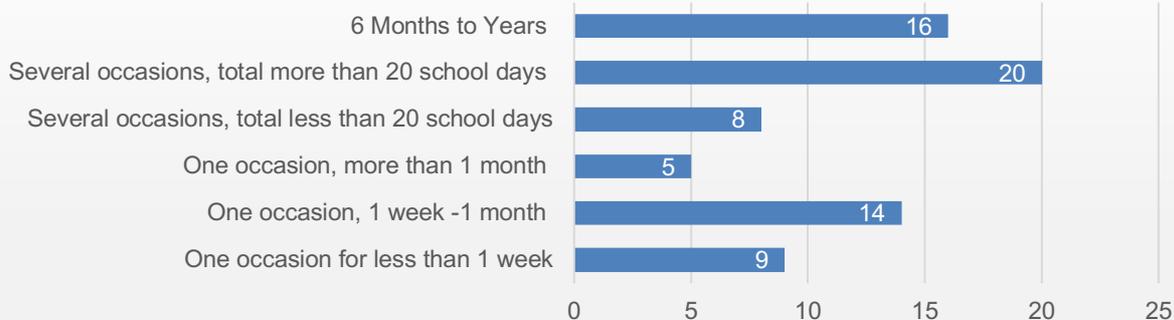


Figure 3

Not all suspensions, in the form of short school days, are of the 20-day duration that would permit formal proceedings and provide grounds for a parental appeal under Section 29 of the Education Act. A number of parents surveyed said short school days were a helpful response to their children's medical conditions. A majority of reduced timetables reported in the survey are

<sup>19</sup> There are approximately 900,600 children in primary and secondary education in the State. The 2016 census recorded 6.7% of the under-20 population as having a disability. 'Enrolments of Full-Time Students by Level of Education and Year - StatBank - Data and Statistics', accessed 20 August 2019, <https://www.cso.ie/px/pxeirestat/Statire/SelectVarVal/saveselections.asp>; 'Disability - CSO - Central Statistics Office'.

Whose idea was a short school day starting in junior-infants class?  
(90 cases)

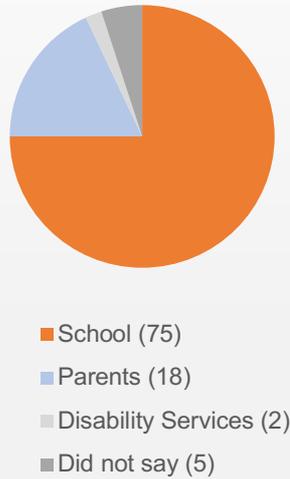


Figure 4

longer than once-off short-term arrangements (Figure 3). Just over one-tenth of parents reported suspensions in the form of short school days happening on only one occasion lasting for less than one week. Most short-school-day suspensions have lasted for more than 20 days in a given school year, and many of those long reductions in hours lasted between six months and three years.

On entering primary school in junior-infants class, 23% of children were put on short school days (beyond the already reduced hours for schools' junior infants classes).<sup>20</sup> In three out of four cases, as Figure 4 shows, this was done at the suggestion of schools rather than the suggestion of parents or disability services. (Respondents were able to select more than one answer.) A child who starts on short school days in junior-infants year has a four in ten chance of experiencing them again later. Beginning on a short school day is, in a sense, a marker for risk of future short school days. Being in "a special class or autism unit" is similarly a risk factor: such children are both more likely to start on short school days and more likely to experience them again later.

About half the respondents whose children were placed on short school days in junior-infants year said they agreed with the reduction in hours and said they believed it was beneficial to their children. All respondents who told us their children had such a start said that their children's time in school

increased over the first few months in school.

The responses differ for short school days introduced at a later stage, as the following figures demonstrate.

<sup>20</sup> The comments on the survey suggest a small number of parents were confused in their responses about 'short school days' as they affect junior-infants pupils, since most children at this stage of school get a form of reduced timetable compared to older children. However, examination of the data suggests that this figure is robust and that the true figure lies within the stated margin of error.

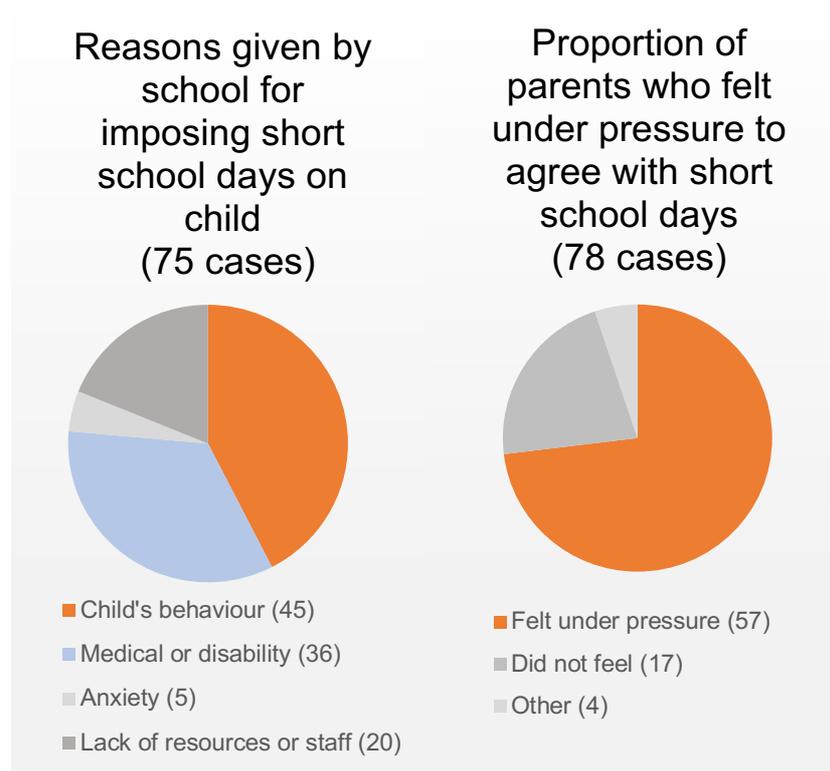


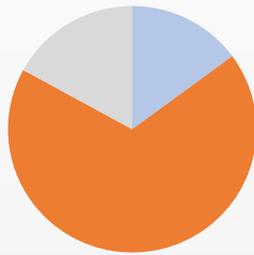
Figure 5

Figure 6

Of the 75 respondents who answered a question about the reasons given by the school for placing their children on short school days (Figure 5), 45 of them said their child's behaviour was given as a reason. Just over a quarter of respondents said schools cited a lack of resources or staff as a reason for proposing a short school day. Respondents were able to give multiple reasons, so the pie-chart above reflects all 106 reasons selected in those 75 cases.

Outside the first year of primary school, most respondents said they did not agree with the short school day and did not feel they had any choice in the matter, with about three quarters (Figure 6) saying they felt under pressure to agree.

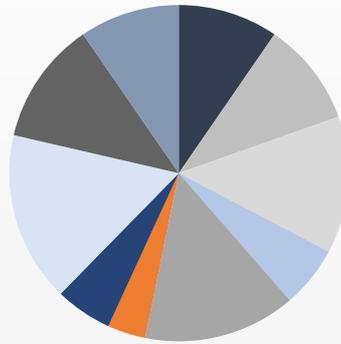
Where behaviour was given as reason for short school days, was NEPS consulted? (47 cases)



- Yes (7)
- No (32)
- Don't know (8)

Figure 7

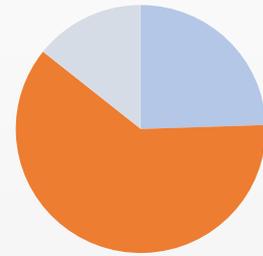
Behaviour-related incidents that led to short school days (49 cases)



- Running away (21)
- Aggression to children (22)
- Aggression to staff (29)
- Self-Injurious behaviour (13)
- Disruptive in class (32)
- Talking loudly (8)
- Shouting (12)
- Refusing to follow instruction (32)
- Other (26)
- Lying on floor (21)

Figure 8

Where behaviour was a reason, was a behaviour management plan put in place? (49 cases)



- Yes (12)
- No (30)
- Don't Know (7)

Figure 9

Respondents who said that behaviour had been given as a reason for their children's short school days were asked if the National Education Psychology Service (NEPS) was consulted (Figure 7). More than two-thirds of those who answered selected No.

A wide range of behaviours were selected by parents as having led to their children being put on short school days (Figure 8), with the most common being 'Refusing to follow instruction' and 'Disruptive in the classroom'. (Respondents were able to select more than one answer.)

Respondents who said that behaviour had been given as a reason for their children's short school days were asked if a behaviour-management plan had been put in place (Figure 9). More than three-fifths of those who answered selected No.

"My child does not get some of the therapies she/he needs because the waiting list is too long or there is no therapist available."  
367 children (%)

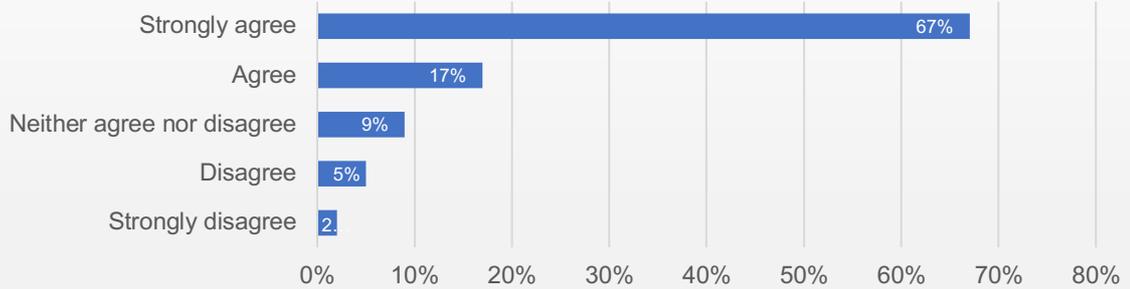


Figure 10

Proportion of parents required by school to be available to pick up child throughout the school day (49 cases)



Figure 11

A high proportion of the total number of respondents, whether or not their children had experienced short school days, stated whether they agreed with a statement about the availability of therapies (Figure 10). A total of 84% strongly agreed or agreed that their child did not get some needed therapies because of waiting lists or staff not being available.

Most of the respondents whose children had been put on short school days and answered a question about whether schools had asked them to be available to collect a child early (Figure 11) said they had such a requirement by their children's school.

## 4. Impact of Short School Days on Children and Families

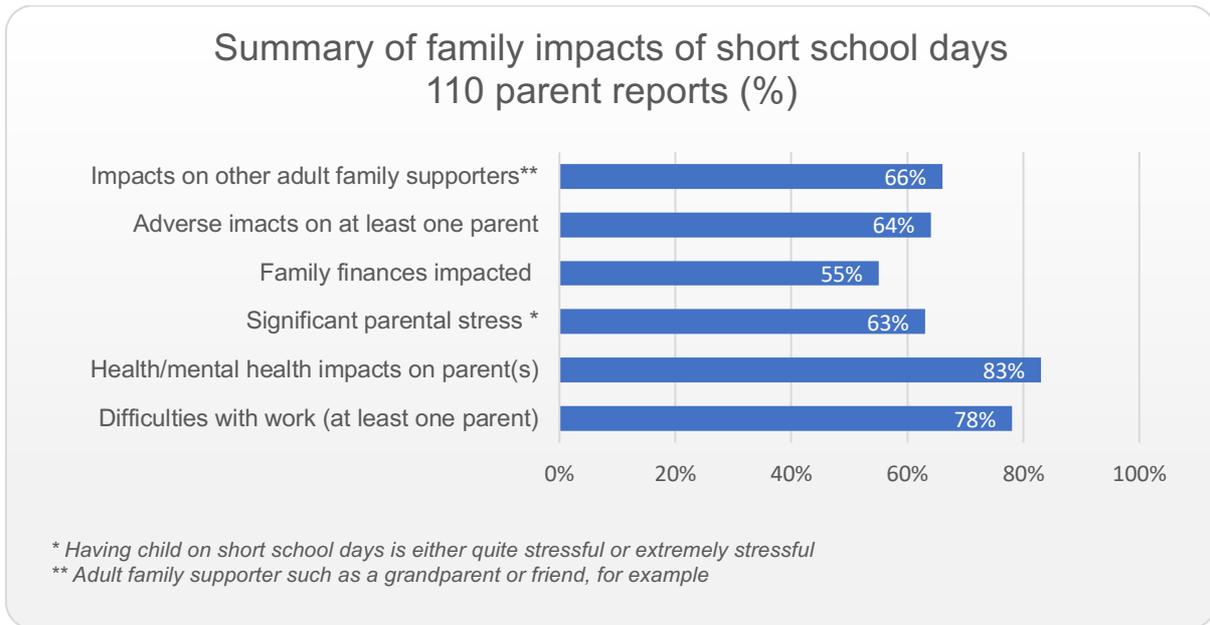


Figure 12

The bar chart above summarises some of the principal findings set out in this section, based on survey responses from parents who said their children had been put on short school days.

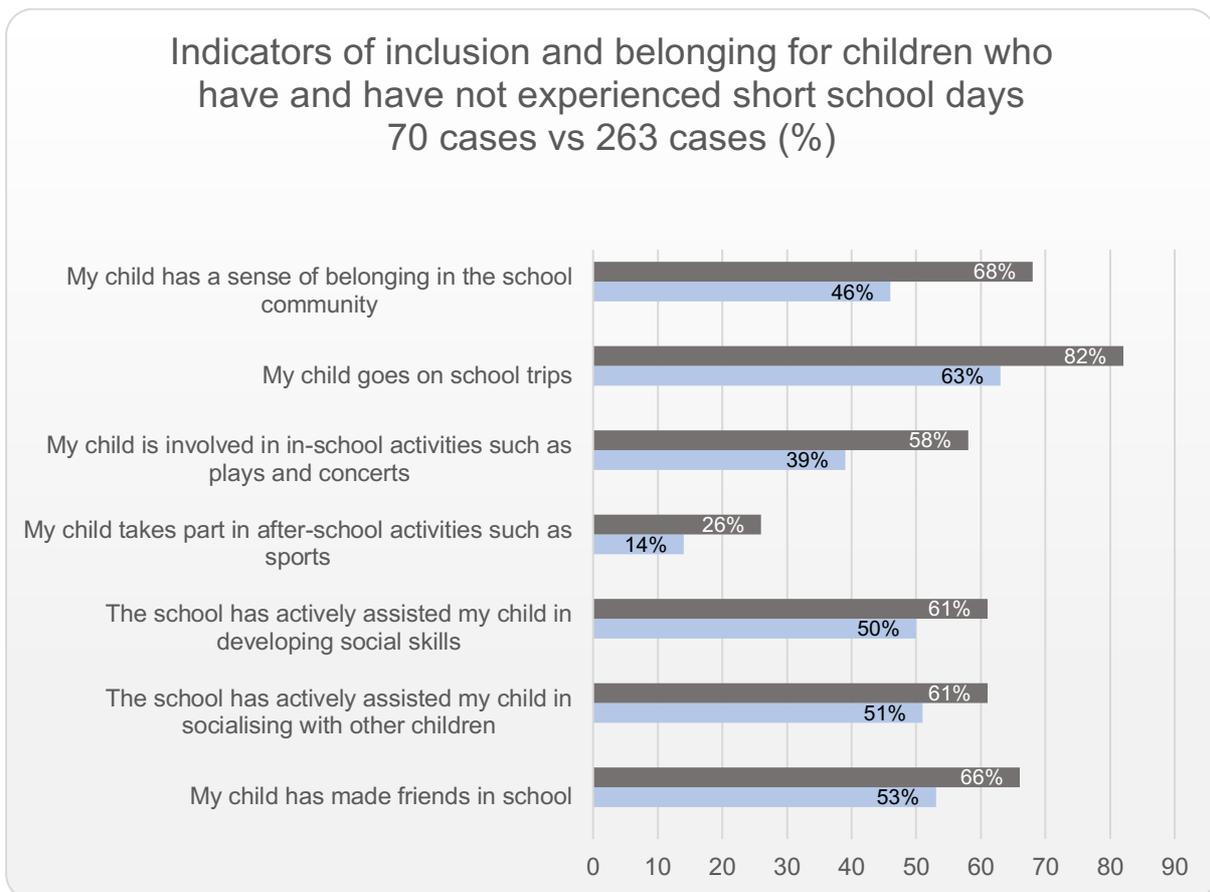


Figure 13

By a number of measures, named in Figure 13, most of the children whose parents responded to the survey, regardless of whether they had experienced short school days, were deprived of

various experiences and activities that are classified as indicators of inclusion and belonging.<sup>21</sup> In every case, having experienced short school days was associated with a significantly lower likelihood of these experiences. There was low participation in after-school activities by children with disabilities reported by all survey respondents, whether or not their children had experienced short school days.

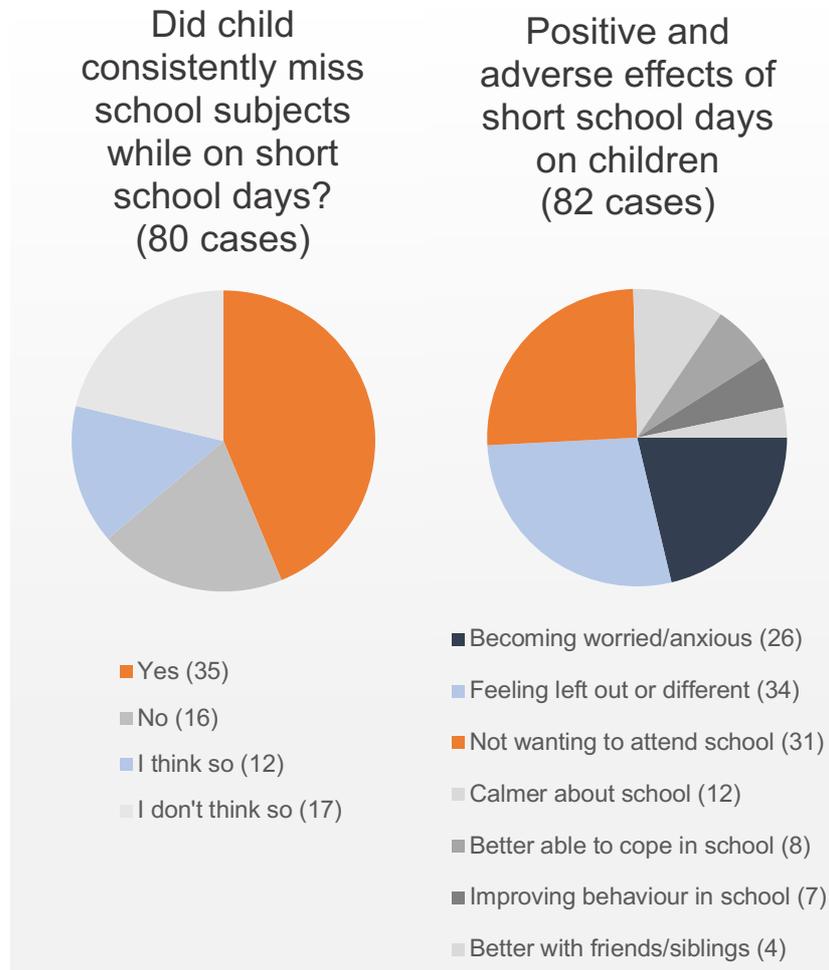


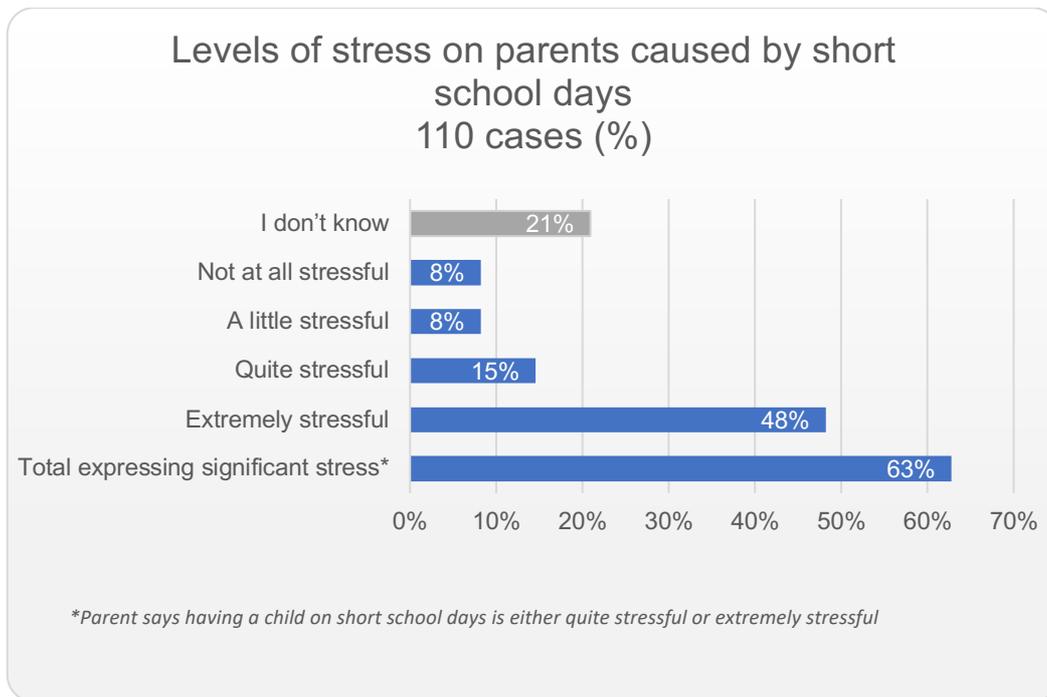
Figure 14

Figure 15

Nearly half of respondents (Figure 14) said their children had consistently missed one or more school subjects as a result of being put on short school days, with another fifth answering “I think so” to this question.

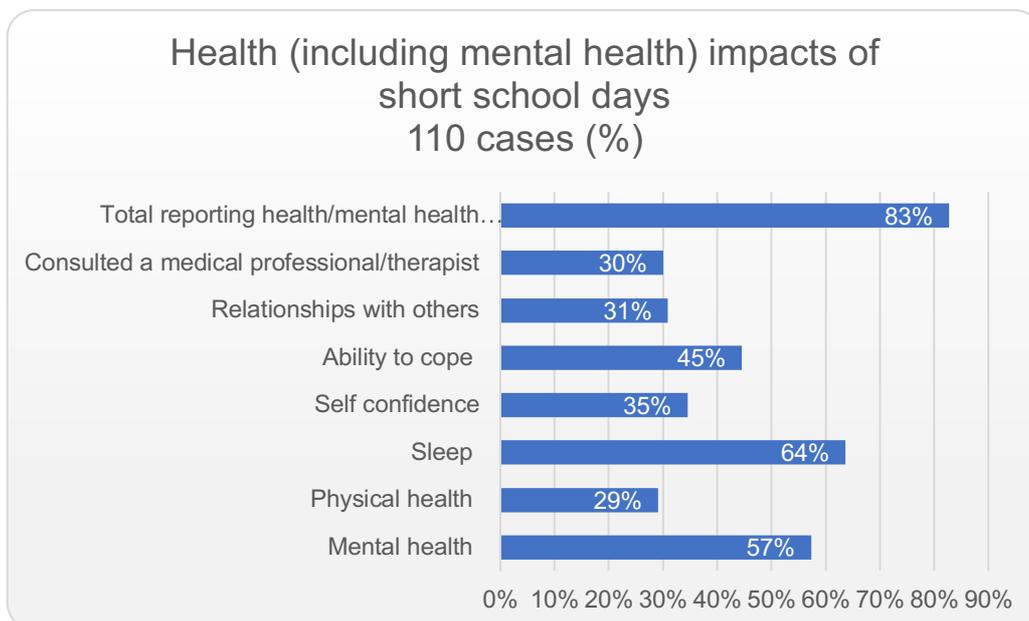
There were 82 respondents whose children had experienced short school days who answered a question asking them to select from a list of effects of those short school days (Figure 15). Of a total of 122 effects selected, three-quarters were negative, and 31 of the 82 respondents said it had led to their children “Not wanting to attend school at all”.

<sup>21</sup> See Christine Magee et al., ‘19 Stories of Social Inclusion – Ireland: Stories of Belonging, Contributing and Connecting’ (National Disability Authority, December 2018), <http://www.inclusionireland.ie/sites/default/files/attach/basic-page/1673/19-stories-social-inclusion-ireland.pdf>.



*Figure 16*

Almost two-thirds of respondents whose children had been excluded from school with short school days said (Figure 16) it had been either “extremely stressful” (48%) or “quite stressful” (15%), with 16% saying it had caused little (8%) or no (8%) stress. (The rest said they didn’t know.)



*Figure 17*

Some 83% of respondents who answered questions about health impacts of their children’s short school days reported (Figure 17) some negative effect for at least one parent, while 30% said that their children’s school exclusions had caused them to seek professional help for themselves. Nearly two-thirds of respondents whose children had been put on short school days said it had cost at least one parent in lost sleep. In addition, two-thirds said there were adverse impacts on another adult, such as a grandparent or friend.

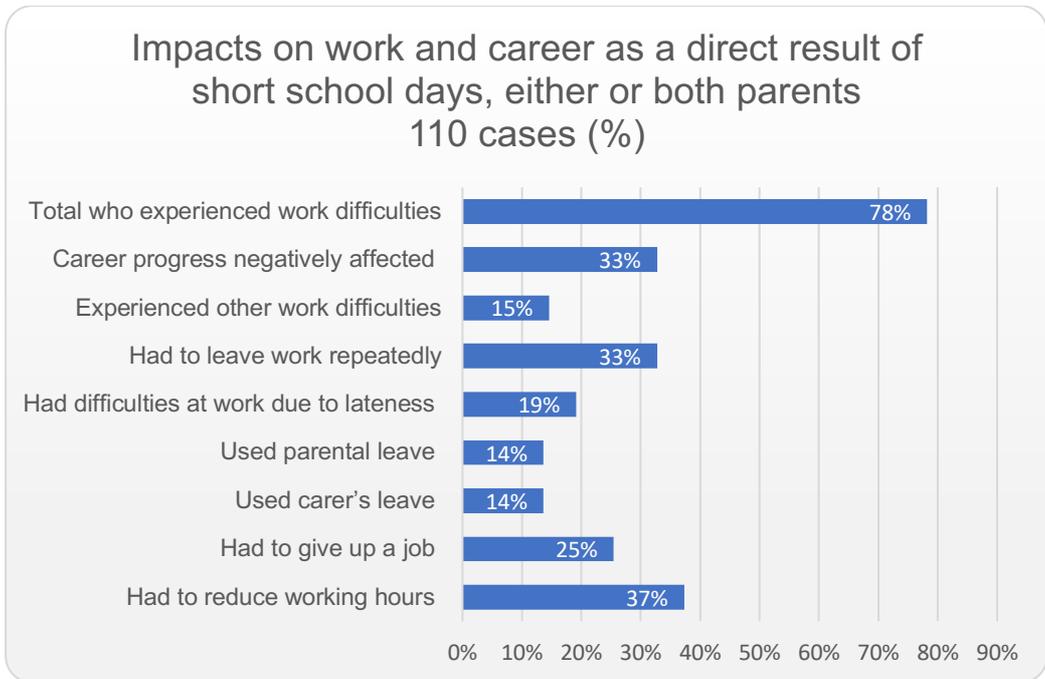


Figure 18

Asked about the effects on the working lives of either or both parents (Figure 18), 78% of respondents said their children's short school days had caused difficulties with work. Some 37% had to reduce working hours, and 25% had to give up a job. Fully a third said the career progress or prospects of one or both of them were negatively affected.

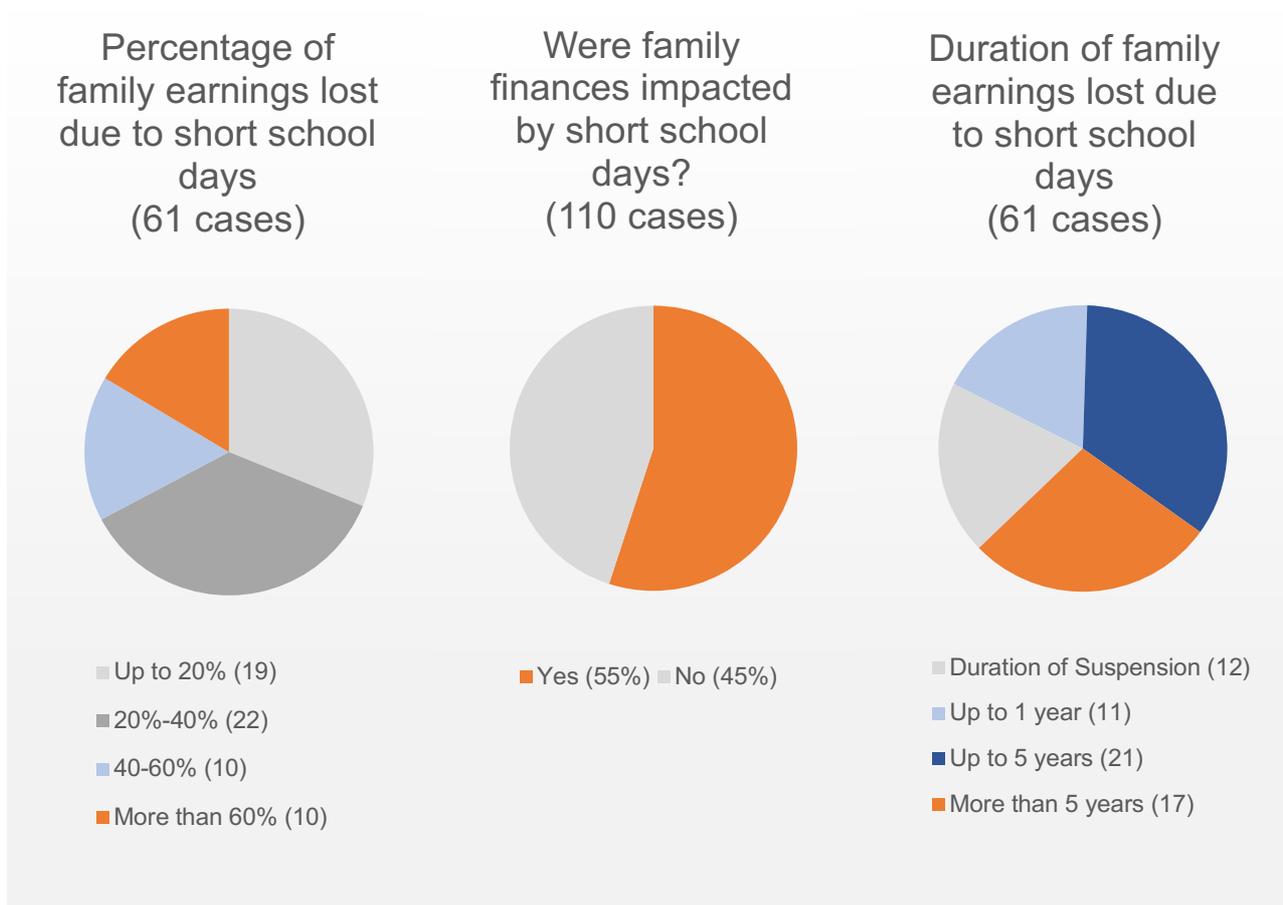


Figure 19

Figure 20

Figure 21

In response to a question about the impact on family finances of their children's short school days (Figure 19) 56% of respondents said there had been some impact.

According to the survey (Figure 20), for more than two-thirds of the families who suffered a loss of earnings due to their children's short school days, the loss was greater than 20%. For about a third, it was more than 40% – and half of that group lost more than 60% in family earnings.

The financial impacts on families lasted (Figure 21), in most of those cases, for more than a year, and in more than a quarter of cases, more than five years.

# Part III: Discussion

## 5. Understanding the Data in the School Context

The widespread failure to consult NEPS in cases of what schools identify as behaviour issues for children with intellectual and developmental disabilities is not merely a bureaucratic shortcoming, and its consequences go beyond the stress and inconvenience of short school days. (NEPS is of course just one option among services that might be consulted; there is extensive discussion of the behaviour question and how it might be better addressed in the next section.) Our research suggests that this lack of early intervention, including the turn to behaviour-management shortcuts such as short school days, may have lasting consequences. A child whose behaviour – always the result of the complex interplay of factors innate to the child and situational factors – causes unresolved issues early in primary school may become a child whose anxiety and alienation causes failure, for example later in primary school or during and after the transition to secondary school, at which point 'behaviour' is often less an issue than serious mental-health problems and self-harm.<sup>22</sup>

Commenting in the survey, one parent of a child with autism in a special school wrote that the

**Tom, 13 years old**  
Autism  
Special school

According to his mother, Tom used behaviour as a way of escaping school, knowing that mother would be called to remove him

*'I was getting phone calls nearly every day, and had to collect him nearly every day... In November, I was in work and I got a phone call, 'Get here now.' When I got there, he was in a padded room, the door was locked, he couldn't get out, and there were eight adults outside that door. very much in a defensive stance.'*

pattern of exclusion from school had made a "huge impact on [his] social skills and gave him a fear of school and teachers. He thought all principals would hurt him or lock him up." Several parents referred to acts of self-harm by their children. One parent surveyed explained that her teenage daughter was

put on short school days owing to her anxiety, but this only heightened the child's sense that the school was "not interested in her". This family reported suffering serious stress, a loss of earnings estimated between 40% and 60%, and severe impacts on the child's siblings.

The data we gathered on 'impacts' related solely to those caused by short school days; however, short school days, when they are not warranted, are in many respects a symptom of wider patterns of exclusion – albeit a symptom with powerful consequences. The complex question of 'belonging', in school and elsewhere, has dimensions that cannot be measured in hours of a day, but short school days may be part of a cycle of experiences that affect 'belonging' in profound ways.

School may be an exceptionally difficult social setting for children with intellectual and/or developmental disabilities. According to their parents in the survey, socialising with peers is most children's favourite aspect of school, but for another large set of pupils it ranks as the most stress-inducing. An initial analysis of our data suggests that success in making friends is associated with a lower-than-average level of negative outcomes such as shortened school days, but understanding this requires further research.

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<sup>22</sup> See also Selina McCoy, Michael Shevlin, and Richard Rose, 'Secondary School Transition for Students with Special Educational Needs in Ireland', *European Journal of Special Needs Education* (17 June 2019): 1–17, <https://doi.org/10.1080/08856257.2019.1628338>.

**Sean, 5 years old**  
No diagnosis  
*Mainstream Catholic primary*

Parents lost work and income while fighting a successful appeal to the Department of Education against short school days, imposed because of child's behaviour, which school attempted to link to speculative diagnoses, not confirmed in psychological assessments

*'The school kept telling us that Sean couldn't be supported "in this mainstream school". One of the written reports told us that Sean had "broken fixtures and fittings" in the class. I asked what he had broken. The teacher said, "a crayon".'*

In this context, it is disturbing how many testimonies we have gathered about openly negative attitudes adopted by teachers and school management toward pupils who exhibit behaviours that are construed as problematic. These adults not only risk stigmatising children among their peers by punishments such as

short school days, but they often appear to 'model' such stigmatisation by their treatment. The case-study that we have called 'Sean' is telling in this regard: on several occasions, for example, the school management was responsible for shooting video of Sean's behaviour, doing so in front of his classmates. When his parents successfully appealed against Sean's short school days to the Department of Education and Skills under Section 29 of the Education Act, the appeals committee was quietly devastating in its judgment on the school's attitude:

The appeals committee is of the view that the interventions taken by the school were too much focused on 'rules' and on recording [Sean's] behaviour. The exceptionally detailed accounts provided to the appeal hearing of incidents involving [Sean] were, in the appeals committee's view, evidence of an emphasis on providing a record of the misbehaviour and showed much less emphasis on steps taken to identify triggers for the incidents and on steps taken to calm a five-year old child experiencing significant trauma.<sup>23</sup>

Such efforts to "build a case" against a child rather than address her/his needs were a common feature of the cases we examined closely. In the worst instances, intended behaviour management techniques and troubling behaviour both escalated in what can be best described as a vicious cycle.<sup>24</sup>

In many more ordinary cases, "communication notebooks" were sent home regularly to parents documenting negative aspects of a child's day in school. This was often a precursor to informal pressure on parents to agree to shortened days. Often short school days are introduced by requests for parents to be "on call to come and collect him". Many parents, in both survey and interviews, told us stories of being made to wait close to the school, of keeping their phones nearby at home or work, and dreading the sound and sight of a call from the principal's office.

Some mothers noted that once they acceded, often involuntarily, to such requests, their availability "trained" their unhappy children to behave in ways that would result in a quick chance to go home. For children who are no longer in school at all, respondents suggested short school days – when many children, the survey data indicates, are likely to consistently miss certain subjects – were a significant factor in their child not wanting to attend any school.

In most cases, it appears that the short school days are not recorded or reported as suspensions: the child is recorded as being in school – the fact that the child may be there for as little as five or ten minutes is not recorded. As one mother explained in a comment on the

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<sup>23</sup> The decision of the Department's appeals committee in this Section 29 case was shared with the researchers by the child's parents. As well as disguising the child's name, we have not included the dates of the appeal hearing and of the decision to avoid inadvertently identifying the school.

<sup>24</sup> For deeply troubling examples, see Inclusion Ireland, *Shining a Light on Seclusion and Restraint in Schools in Ireland: The Experience of Children with Disabilities and Their Families*, 2018, <http://www.inclusionireland.ie/seclusion-restraint-paper>.

survey: "Due to my son's health problems he has missed so much school. Add being a Traveller into the mix and it's a disaster, no supports at all. Always sends him home after roll call." (There is strong evidence that children from the Traveller community, with or without disabilities, are subjected to suspensions at a rate higher than the general population.<sup>25</sup> Three Traveller parents responded to the survey portion of this study.)

"I was told I could either agree [to short school days] or remove my son from the school," one parent wrote – one of many similar comments.

Outside the junior-infants setting, the idea of the short school day being, as the Minister for Education put it, as "transitory" method is often absent: two-thirds of parents said that at the time of short school days being imposed, there was no plan put in place for the restoration of a full school day, creating additional problems for working parents. "School proactively tried to exclude him from school and made no attempt to extend day," a parent wrote in comments. "This was applied to all special needs children but parents afraid to challenge discrimination as zero support from SENO [Special Educational Needs Organiser] or anybody else."

## 6. Understanding 'Behaviour'

The research presented here has identified a recurring theme: 'challenging behaviour' is frequently cited by schools as the reason to propose short school days for a child. In addition to showing that behaviour was cited in the majority of cases where respondents told us why their child had been put on short school days, the survey also found that parents reported that NEPS was rarely involved even when behaviour was cited, and behaviour plans (formulated by NEPS or otherwise) were not put in place.

**Pavel, 8 years old**

Autism

*Mainstream Educate Together school*

Short school days introduced in senior-infants year, after year when parents got daily written reports by SNA documenting Pavel's 'misbehaviour' and were called to frequent meetings

*'At one meeting, his junior infants teacher and the SNA 're-enacted' a meltdown – the teacher threw himself to the ground and the SNA went to tackle him. I started crying, and the psychologist said, "Let's stop it, the mother is too upset."'*

This research finds that determining to reduce a child's time in school based on their presentation of 'challenging behaviour' is both unjust and logically flawed. However, it would be wrong to ignore the reality that the behaviour of children, including children with disabilities, can indeed pose

considerable challenges in a school environment, particularly where a child's needs are not understood or met. Such behaviour may be merely uncomfortable or embarrassing; it may be inconvenient or disruptive; and, rarely, it may be genuinely dangerous. Respondents to the survey named a wide range of behaviours as leading to their children's short school days: shouting, lying on the floor, refusing to follow instructions, running away, generally 'disruption' – but also in many cases aggression toward staff and, in fewer cases, other children.

Although any child can demonstrate behaviour that is challenging at times, for children with an intellectual and/or developmental disability, it is well accepted that 'challenging behaviour' can

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<sup>25</sup> Kitty Holland, 'Schools Imposing Reduced Hours on Disadvantaged Children', The Irish Times, 16 November 2018, <https://www.irishtimes.com/news/social-affairs/schools-imposing-reduced-hours-on-disadvantaged-children-1.3699419>; Houses of the Oireachtas Joint Committee on Education and Skills, 'Interim Report on the Committee's Examination on the Current Use of Reduced Timetables'.

be a feature of the disability itself.<sup>26</sup> Behaviours that are considered innate to an individual child, behaviours that are solely influenced by the child's personal characteristics, are known as dispositional factors. When considering challenging behaviours within the classrooms, there can be a tendency to overestimate the influence of these dispositional or personal factors and at the same time "underestimate, or completely fail to recognise, the situational factors that have a heavy influence on our behaviour".<sup>27</sup>

**Oisín, 8 years old**  
Down Syndrome, moderate intellectual disability  
Mainstream Catholic school

With advice from Down Syndrome Ireland, but none from the assigned Special Education Needs Organiser, parents won an appeal to Department of Education against school, but child was so anxious after suspensions that parents applied to special school

*'They did everything to build a case against him. One of his many "crimes" was trying to climb a barrier that was keeping him on his own in the schoolyard, when he wanted to reach the other children.'*

To understand and improve those situational factors, it is important to recognise that negative behaviour communicates an unmet need. Any child's behaviour is a form of communication, and when it is negative, it almost always stems from an underlying cause. The behaviour of most children will change due to tiredness

or illness, for example, but for children with disabilities there may be additional and more complex causes for their behaviours. The factors that lead to challenging behaviours are numerous and can include dysregulation, unstructured time, transitioning, social demands, unexpected change, not having a means of communicating, quality of relationship with the teacher or support staff, frustration, anxiety or something as simple as boredom or hunger. Of course, in any given situation, more than one situational factor may be present. One interview subject told us how her son's perfectionism about his handwriting was allowed to escalate not only into shortening of school days, but also, in school, into conflict, to the point where he was being locked in an isolation room with his shoes confiscated to protect staff from his kicking.

Currently, this research tells us, teachers and schools in Ireland are turning to short school days when a behaviour threshold is reached, or justifying it as a preemptive measure to avoid such a situation possibly arising. (The data does not, however, point to the existence of any consistent threshold across schools and settings.) The research shows that adopting a short school day as a behaviour-management strategy is generally ineffective, at best, and can exacerbate challenging behaviour issues, at worst. There are immediate and long-term adverse outcomes for the child who is isolated on short school days, and their imposition does not represent a child centred or appropriate approach.

Instead, the root causes of 'challenging behaviour' should be identified and addressed. As soon as a child presents with behaviour that is perceived as challenging, a functional behaviour analysis should be undertaken – that is, a process to understand the cause and function of the behaviour. All schools should have at least one staff member trained in performing the basic steps of this process. This would see attempts made to address any situational factors contributing to the child's behaviour, and where there is a behaviour support plan already in place for the child, it should be reviewed. If no plan is in place, one should be devised. In

<sup>26</sup> A set of guidelines published in 2004 by the main primary teachers union, still on its website, defines 'challenging behaviour', including the following: "stereotypical behaviour, particularly in children with learning disabilities and autistic spectrum disorders, which can include rocking, repetitive vocalisations, ritualistic hand movements". Irish National Teachers Organisation, 'Managing Challenging Behaviour: Guidelines for Teachers', November 2004, [https://www.into.ie/NI/Teachers/NewlyQualifiedTeachersNQTs/NQTPublications/Guide\\_managing\\_challenging\\_behaviour.pdf](https://www.into.ie/NI/Teachers/NewlyQualifiedTeachersNQTs/NQTPublications/Guide_managing_challenging_behaviour.pdf).

<sup>27</sup> Jarlath O'Brien, 'Why Are so Many SEN Pupils Excluded from School? Because We Are Failing Them', *The Guardian*, 27 October 2016, sec. Teacher Network, <https://www.theguardian.com/teacher-network/2016/oct/27/why-are-so-many-sen-pupils-excluded-from-school-because-we-are-failing-them>.

these situations, staff should be mindful that behaviour change may take time and several iterations of functional behaviour analysis may be required to assess the success or otherwise of steps taken to reduce challenging behaviours. Where positive changes are not observed in a relatively short time, outside specialist help must then be sought. As always, it is worth keeping in mind that certain factors contributing to behaviour are dispositional and vary from child to child.

It is clear from our research and research elsewhere<sup>28</sup> that thresholds of acceptable behaviour are themselves contingent, dependent not only on the capacities of individual teachers but on attitudes and pressures that come from outside the classroom in the school environment. NEPS can already offer some of the specialist-informed support for which we have outlined a need here – interventions at the level of the individual child, of the classroom, and/or of the whole school. Training courses are available within the Department of Education and Skills and from disability services. Yet the research shows that, overwhelmingly, such support is not being accessed by schools. The efficacy and sufficiency of NEPS support are beyond the scope of this research – but respondents reporting that the service is little used constitutes a significant finding in its own right. As the Joint Oireachtas Education Committee recommended: ‘extra resources such as NEPS and CAMHS [should] be made available to at risk children or children in need of assistance to remove the need for a reduced timetable as a response to emotional

or behavioural issues.”<sup>29</sup> It is clear from our research that one of the remedies being used in place of such resources, the shortening of school days, is being widely implemented; and that these suspensions may in many instances be illegal, and are often damaging to children, socially, emotionally and educationally.

**Daniel, 8 years old**  
Autism, ADHD, dyspraxia  
*Mainstream Educate Together school*

School encouraged parents to remove Daniel to a ‘different environment’, and kept a document labelled ‘Daniel bad behaviour log’. Family suffered serious impacts, emotionally and financially, with father giving up employment

*‘When they raised the idea of a reduced timetable, we got advice from a neighbour who is a teacher: “Whatever you do, don’t agree.” Once you’ve agreed to short days, you’ve crossed the Rubicon.’*

It is recognised that the problem of challenging behaviour in the classroom is complex and difficult and exacerbated by lack of skill and resource. In the final section, below, we discuss how a new educational approach to ‘resource-teaching’ might begin to address some of this lack. More monitoring and reporting are certainly required to identify areas of need and to discover approaches that work well in the Irish school context. However, simply leaving children who present with challenging behaviours to the care of their parents or guardians during the school day can never be regarded as a solution.

## 7. The Relevance of Diagnosis

As noted above, the incidence of reduced timetables in school is higher for children whose diagnosis includes autism than for children with disabilities as a whole, and there is also a gender disparity. While these differences are statistically significant, our research suggests that all children with intellectual and/or developmental disabilities – girls and boys, with and

<sup>28</sup> Ombudsman New South Wales, ‘NSW Ombudsman Inquiry into Behaviour Management in Schools’ (Sydney: NSW Ombudsman, August 2017).

<sup>29</sup> Houses of the Oireachtas Joint Committee on Education and Skills, ‘Interim Report on the Committee’s Examination on the Current Use of Reduced Timetables’.

without autism – should be regarded as being at serious risk of being excluded from school by methods such as short school days.

This is not to minimise the pressure put on teachers, SNAs and school management who are not equipped to prevent and to work with behaviours that some children with disabilities may present if their needs are not being appropriately met. However, as discussed above, this research, like previous work, does not point to any sort of consistent behaviour threshold 'above' which children otherwise suitable for the school system are deemed to be so 'unmanageable' that they cannot be accommodated in full-time education, in whatever setting. On the contrary, the data lacks any obvious clear and consistent pattern about who does and does not get suspended, and in what circumstances.

**Saoirse, 8 years old**

Down Syndrome, mild intellectual disability  
*Mainstream gaelscoil*

Having been (in her mother's words) 'constructively dismissed' from her siblings' school, Saoirse is now thriving at another gaelscoil

*'My child had been embraced by every environment from the day she was born, but then at this key stage, school, she was told she has to move to another village – that we can stay, but she has to go.... People talk about resources: I never realised the biggest resource I needed was the right attitude.'*

This is largely borne out both by comments on the survey and by the results of the research interviews, which show that parents who are fortunate enough to secure a change of school often see a substantial improvement in their children's treatment and progress, with a decrease in sanctions such

as short school days, as well as a decrease in parent-reported anxiety. (Changing schools can be extraordinarily difficult in terms of securing a place: parents told us of being "pushed out" of a given setting even though there were no places available in another.) The mother of the child we have called Saoirse, who changed schools with great success, told us: "People talk about resources: I never realised the biggest resource I needed was the right attitude." Saoirse's diagnosis of an intellectual disability went with her to her new school – like her first one, a mainstream gaelscoil – and after two years there, she has never faced any of the judgments and sanctions that her previous principal had insisted were intrinsic to her "deficits".

A very small minority of children have medical issues, including mental-health problems, that may not be addressed in full-time education even with the assistance of an SNA, and reduced hours may be appropriate. Clearly, however, short school days are being widely imposed with little regard to the serious consequences of such action.

## 8. The Relevance of School Setting

A number of mainstream schools, according to this research, continue to act as though the law does not require them to provide an education to children with intellectual and/or developmental disabilities. In a number of cases, parents were told that "this mainstream school" was not an appropriate setting for their child, often based simply on a diagnosed mild intellectual disability – that their child "doesn't fit here". To some extent, our research bears out the logic that when a child is exhibiting behaviour that is typical of a diagnosis, a 'special' place can be more tolerant of that behaviour; however, it also supports the idea that a diagnosis such as autism spectrum disorder is, as the name suggests, a wide and capacious one. As noted above, special autism units are generally allocated an SNA ratio of one SNA to every three students, a one-size-fits-all model that often is not appropriate or sufficient. Furthermore, such units can be and often are set up by staff without any expertise or training in education for children with autism, raising questions about the suitability of the environment

and education they provide. Indeed, providing supposedly 'special' places without the requisite experience and skill may make a bad situation worse, as behaviour therapists who have observed some of these settings told us in the course of our research.

Children with autism and their families have been involved in very important public campaigns to secure places in special schools, and in special units in mainstream schools, which, they hope, will address their particular needs. Our research does not indicate, however, that such places necessarily protect children from sanctions such as short school days, just as other Irish studies have indicated that 'special' places may be characterised by violence, or often fail to provide the integration and transition to mainstream education that some promise.<sup>30</sup>

As discussed in the section on diagnosis, above, parents report that there are dramatic differences between schools in their attitudes toward and treatment of children with intellectual and/or developmental disabilities such as autism. These differences run across all categories of school settings, and the differences are effectively amplified in their effect on children by the extent to which the vast majority of schools in the Republic of Ireland are self-governing entities with only limited accountability.<sup>31</sup> One aggrieved father who complained to the Department of Education and Skills about his son's short school days was told, "We're only the paymasters – there's nothing we can do."

The highly negative school settings where children are, according to their parents, fearful, self-harming, isolated, subject to multiple suspensions and exclusions from activities, from which parents would move their children if they could – these settings run the gamut from autism units in mainstream schools, to mainstream classes, to special schools.

**Colm, 6 years old**

Autism

*Withdrawing from school after one year in an autism unit*

Attending an autism unit far from home, Colm was put on a short school day after Christmas in junior-infants year due to behaviour issues. There was no behaviour management plan. All schools contacted said they were unable to meet the child's needs

*'He was excluded from activities, including an Easter egg hunt and a school tour. On the day of the Easter egg hunt he was the only child in the empty school until his bus came to collect him.'*

There is a larger swathe of schools that are more obviously well meaning. These schools may, however, have strong priorities in, for example, academic or sporting achievement, that can militate against commitment to inclusion. They almost certainly have to manage tight budgets,

and may have a teacher turnover rate that can be used to justify failure to secure adequate training in 'special needs education'. They may have rules or behaviour codes that just happen to 'outlaw' exactly the sort of things that children with disabilities do. They may quietly impose a short school day in order to share or consolidate an SNA or resource teacher. And again, schools with some of these characteristics may be mainstream or 'special'.

Finally, many school settings are fostering the social and educational development of children with disabilities, and often doing so under real social and financial pressures.

<sup>30</sup> See Inclusion Ireland, 'Shining a Light on Seclusion and Restraint in Schools in Ireland: The Experience of Children with Disabilities and Their Families' (Inclusion Ireland, September 2018), <http://www.inclusionireland.ie/seclusion-restraint-paper>; Joanne Banks and McCoy, Selina, 'An Irish Solution...? Questioning the Expansion of Special Classes in an Era of Inclusive Education', *The Economic and Social Review* 48, no. 4 (2017): 441–61.

<sup>31</sup> Lennon and White, 'The Reform of School Governance in the Republic of Ireland'.

**Liam, 15 years old**  
Autism and ADHD

*Autism unit in mainstream Educate Together school*

Restoration of full days only after a three-year fight. Liam's educational achievements lag behind his (average) abilities to a degree that corresponds with his lost hours of education

*'The school had opened the unit for whatever reason, under pressure, and the four children they had, with an untrained teacher, presented challenges to them. They took matters into their own hands, and told me my son could only attend 9 to 11, and told that other mother that her son could only attend 11 to 1.'*

Schools, of whatever sort, exist in a wider social context. The National Disability Authority has regularly charted the Irish public's attitude to disability, including in relation to education: as of 2017, most people said they agreed that children with intellectual disabilities (56%) and autism (54%) should attend the same

schools as other children, but it appears to be a soft majority – in 2011, at the height of an economic crisis, more people disagreed (42%) than agreed (37%) with this proposition.<sup>32</sup> As the data above from our survey suggests, a school day is only part of the process by which children may or may not come to feel they do or do not belong: when asked about various social and extra-curricular features of their children's lives, respondents were least likely to say they participated in after-school activities, over which a school management may have little or no control (though schools can still try to show ethical leadership in this regard). After-school activities have low participation rates by all children with disabilities, regardless of whether they had experienced shortened school timetables or not.

## 9. Failure of Supports

The 2004 EPSEN Act established the National Council for Special Education – but for many of the parents surveyed the NCSE was simply another spoonful of the bewildering alphabet soup that they may be forced to sup to meet their children's needs: HSE, Tusla, NEPS, EWO, CAMHS, SENO, etc. According to our research, even statutory and NGO disability services are unclear about the responsibilities of the various bodies overseeing 'special needs' care and education. What hope have parents got?

By and large, parents of children with disabilities who completed the survey reported both confusion about the roles and responsibilities of these bodies and officials and varied experiences of them – where they had managed to cut through the confusion and have any experience of them at all. In general, apart from problems with availability and waiting lists, they responded favourably to disability service providers and relatively favourably to the HSE (Health Service Executive), had mixed views on other agencies, and decidedly negative ones on Tusla (the 'Child and Family Agency') and SENOs, who were most often characterised as either uncontactable or powerless. Most said they were not getting the services they needed due to unfilled positions and waiting lists.

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<sup>32</sup> National Disability Authority, 'National Survey of Public Attitudes to Disability in Ireland 2017', accessed 23 August 2019, <http://nda.ie/Publications/Attitudes/Public-Attitudes-to-Disability-in-Ireland-Surveys/Public-Attitudes-to-Disability-Survey-PDF.pdf>.

The parents who made themselves available to be interviewed for the research had nonetheless developed remarkable expertise – in many cases, in lieu of a career that had been interrupted by their child’s needs, and by schools’ incapacity or unwillingness to meet them. Many had gone to great expense to secure private psychological and educational assessments and services (such as speech therapy) for their children. The research indicates that, unfortunately, outside expertise was often ignored by schools. We talked to two families who challenged their children’s schools through a Section 29 appeal to the Department of Education against short school days and suspensions. (Only parents/guardians can initiate such a process, which may take months – during which time a child may remain suspended.) Both families won resounding decisions in their children’s favour. Both families nonetheless withdrew their children from the relevant schools, because the relationships and their children’s trust had broken down.

**Jill, 14 years old**

Autism, dyspraxia, specific learning difficulties  
*Withdrew from mainstream secondary school*

Short school days implemented several times, citing child’s inability to cope with curriculum, noise, crowds – no issues with behaviour

*Parent agreed to short school days but they led to worsening of her anxiety and depression. Jill consistently missed certain classes, fell behind in her studies, then dropped out.*

Outside the Section 29 process, the education bureaucracy is failing not only to vindicate children’s rights to a full school day, but is not doing any adequate recording and monitoring of schools that fail to do so. As part of the current research, we

submitted Freedom of Information requests to relevant agencies to find out what records they kept of incidents and policy relating to short school days. We received virtually no data from these State and State-funded institutions – in some cases because, we were told, there were no records to be found; in other cases because, according to the replies, there were so many records, filed with no means of identifying relevant ones, that to go through them for us would pose an unreasonable burden on officials.

## 10. Discussion of Impacts

Section 4 of this report presents data that draws a picture of anxiety, stress, alienation and, sometimes, material deprivation for many children and their families who are faced with short school days and full suspensions that may follow them.

Potentially thousands of families, the data suggests, have lost one- to three-fifths or more of their income, perhaps for many years, because of such school suspension of children with disabilities. Nearly four out of five respondents had experienced some damage to their working lives for themselves and/or their partners, with 37% losing working hours. Even more parents, 83%, cited health or mental-health impacts for themselves as a result of short school days for their children.

Meanwhile, most respondents reported negative effects on their children’s emotional well-being from short school days, including about a third who said their child had been made “worried or anxious”; nearly half who said they were “feeling left out or different”; and about four in ten who said children didn’t want to go to school at all as a result of experiencing short school days. Many children with disabilities are already anxious: nearly half of respondents said their children had been formally diagnosed with anxiety, and three-quarters believed their children suffered from anxiety.

That data on the emotional, physical, financial and career costs of a child in a family being put on reduced timetables can be read alongside some of the case-studies scattered through this report to begin to understand the damage that is being done to families.

**David, 8 years old**  
Mild autism, mild ID, mild ADHD  
Special school

Mother, suffering trauma and stress, received regular phone calls disrupting her work and long daily reports documenting her child's 'misbehaviour'

*'Children with special needs need a chance, somebody who believes in them, somebody who will encourage them. They don't need to be torn apart, to be told they're not good, parents getting reports, to be placed on reduced hours, different things like that.'*

The consequences reported by parents related almost exclusively to the effect of short school days and other forms of school suspension – not to the general difficulties that may arise from having a child who may require one or more medical or specialist services for a disability. Such children, in many

cases, are experiencing multiple crises prior to or outside of school, and for their parents there may already be a dizzying array of appointments to be kept and applications to be completed – on top of all the stresses of family life, other children and work. Often children and parents have therapies to do every day, need extra time for homework, and face various additional day-to-day expenses and challenges. One in five respondents who had experienced short school days told us their children had mobility issues and about half cited medical conditions. More than two-thirds of respondents who experienced short school days said their children also attended disability services. More than a third said their children had missed more than 20 days in a given school year because of physical illness.

Before their child gets to school, many parents may already have given up work, or used up their two years' maximum of carer's leave – or their employers' goodwill.<sup>33</sup> "I arrived at school on the first day of junior infants in a mainstream school and heard the other mothers talking about how quickly the first few years of their children's lives had flown in," one mother said. "I thought it had felt like 100 years." For this mother, the sense of achievement of having got her son to the school door was soon replaced by a new crisis when the school blocked his attendance for full school days – a new obstacle after having cleared so many.

School constitutes a special sort of obstacle: most schools present themselves as the sole authoritative arbiters of what constitutes a good setting for children's education. "Teacher knows best," as one respondent summarised. Whether parents fight, acquiesce or seek some mode of compromise or cooperation to move forward, something has got to give: for parents who have already paid dearly, the results suggest there will be new costs for parents to try to ensure the best outcomes, at home or in school, for those 'special' children. Given the evidence from the research about the extent to which children receive insufficient and poorly coordinated services, it is understandable that many parents are forced to devote much of their lives to being their children's 'case managers'.

The data suggests that too often school generates new crises for those children: of feeling left-out among peers, of being treated as different, of missing school subjects, of not joining peers in after-school activities or trips, of disappointment, demoralisation, of not wanting to go to school at all. The survey responses point to the conclusion that all these crises are likely to be worse, for children and parents, when short school days are part of their experience.

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<sup>33</sup> Carer's benefit, and the means-tested carer's allowance, not only face various time-limits, but also amount, at best, to about half of average salary levels. Short school days are not compensable at all and parents cannot receive home-tuition grants to cover the missing hours in school. Moreover, legally carer's leave should only be taken on medical grounds, not because of needs that arise due to behaviour.

# Part IV: Conclusion and Recommendations

## 11. Conclusion

Summarising the emotional impact of short school days, “I was very very upset,” one mother told us. “As a single parent, I thought, ‘Oh god, who’s going to bring my son to school, who’s going to collect my son?’ I felt like my son was missing out on an awful lot, be it in education, be it on social interaction with other children.” Like several of the parents we met, this mother believed she found out more, and found relief for her own isolation, through accidental encounters rather than professional assistance: “When you’re a parent of a child with additional needs, trying to grope your way through a system that’s new to you, trying to access healthcare for your child, trying to access education, you’re only learning things by talking to other parents.”

We have deliberately withheld some of the most harrowing accounts gathered in both the survey and interviews because they recapitulate findings from last year’s Inclusion Ireland report on the use of seclusion and restraint on children with intellectual and developmental disabilities.<sup>34</sup> Even without these troubling stories, our findings could be seen as a litany of complaints about schools (though in fact a great many parents surveyed were broadly happy with their children’s educational settings). We sympathise with the children involved, and with the many parents who told us the problems they experienced came down to the “attitude” and actions of certain teachers and administrators; parents who were fortunate enough to experience a “change of attitude”, usually though not always by changing their children’s schools, underlined the importance of such contingent individual factors.

However, the persistence and ubiquity of such factors point to wider systemic failure. It is tempting to suggest that this wider failure can only be addressed by radical systemic changes: an education system, for example, where children attend local schools and the chain of responsibility runs upward past boards of management to levels where expertise can be leveraged; a system constructed with everyone’s educational and social needs considered in the design. Without disregarding the need for such changes, there are improvements that can be made in the here and now, and we discuss them below. We believe these recommendations would help to relieve the real pressure that schools and teachers feel when faced with the needs of children with disabilities and, with that pressure reduced, hold them properly accountable for how they respond to children’s needs – first and foremost, the need to feel that they belong in a school community. These recommendations should be regarded as supplementing those made by the Joint Oireachtas Education Committee in its 2019 interim report on reduced timetables.<sup>35</sup>

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<sup>34</sup> Inclusion Ireland, *Shining a Light on Seclusion and Restraint in Schools in Ireland: The Experience of Children with Disabilities and Their Families*.

<sup>35</sup> Houses of the Oireachtas Joint Committee on Education and Skills, ‘Interim Report on the Committee’s Examination on the Current Use of Reduced Timetables’.

## 12. Recommendations

### **First, schools should be compelled, and monitored, so that they stop blocking the admission of children with disabilities, including by their admissions policies.**

Schools – all schools – cannot ignore their obligation to educate children with disabilities. In the last year, the Minister for Education has obtained the power to compel schools not only to open special classes, but to cease using admission policies that effectively block access to enrolment.<sup>36</sup> Some schools continue to publish policies that discuss “special needs education” as though it were optional, depending on the school’s “suitability” for a given child. The NCSE has sought to address these “soft barriers”.<sup>37</sup> Schools are unlikely to abandon them without the Minister’s power being invoked.

### **Second, parents should be provided with accessible information about their rights and the protocols and remedies available when disagreements arise about a child’s educational needs, capacities and potential.**

The pyrrhic victories won by the families we spoke to in the Section 29 process – challenging, time-consuming, bureaucratic, sometimes confrontational, largely pursuable only by well-informed and well-resourced parents – suggest the need for parents to know ‘gentler’ ways of escalating such issues. An easily available ‘What to Do If Your School Says Your Child Needs Short Days’ pamphlet, website, app and flowchart would be a good start, available in various languages. The school should also provide standard localised printed information that includes the contact details of a State-appointed independent party or parties who can advise upon and monitor the situation, ensuring protocol and best practice are being followed. The pressure on parents to make a career out of understanding the education system needs to be relieved.

### **Third, ‘parental consent’ should never be sufficient to impose a short school day.**

While the Irish Constitution acknowledges the family as the primary educator of children, the pressure that is clearly on parents means that mere formal ‘parental consent’ cannot be treated as all that is required to impose a reduced timetable on a child. At a minimum, NEPS and the appropriate outside disability-service provider, where applicable, should be informed, and in most cases the prior agreement of the appropriate outside agency should be secured.

### **Fourth, schools should only impose short school days in very exceptional circumstances – and never in hidden and informal ways.**

This means that boards of management take their responsibilities seriously; that principals make sure to tell boards of management about short school days; that schools abide by the guidelines on informing Educational Welfare Officers about suspensions lasting more than six days, and informing parents about their rights to contest them. And it means those guidelines need to be tightened up, clarified – so that any shortening of a school day is clearly counted as one day of suspension – and repeated *ad nauseum*. The six-consecutive-day threshold for reporting and the 20-day-per-school-year threshold for appeals against suspensions are too high – the latter is effectively a month of school – and should be reduced. The Joint Oireachtas Education Committee gave over a sizeable part of its interim-report recommendations to improvements in guidelines and reporting.<sup>38</sup> The adoption of a carefully planned reporting infrastructure, in which schools would be required to provide detailed and searchable data

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<sup>36</sup> ‘30 April, 2019 - Minister McHugh Reminds Schools and Patrons of Their Responsibilities under Admissions Laws’, Department of Education and Skills, accessed 21 August 2019, <https://www.education.ie/en/Press-Events/Press-Releases/2019-press-releases/PR2019-04-30.html>.

<sup>37</sup> Ciarán D’Arcy, ‘Schools Putting up Barriers to Pupils with Special Needs, Study Finds’, The Irish Times, 9 August 2016, <https://www.irishtimes.com/news/education/schools-putting-up-barriers-to-pupils-with-special-needs-study-finds-1.2749577>.

<sup>38</sup> Houses of the Oireachtas Joint Committee on Education and Skills, ‘Interim Report on the Committee’s Examination on the Current Use of Reduced Timetables’.

about which children are being put on short school days, by whom, and why, would not only improve record-keeping – and provide vital information for policy-makers – it would almost certainly reduce the practice.

**Fifth, it should be easier to intervene in a school on behalf of a child with a disability.**

The State and outside agencies – including the Ombudsman for Children, which receives half its complaints about schools but has limited power to act there – need to be empowered to intervene directly in the school setting. While the Minister’s promise (see Context of Study section above) that the Schools Inspectorate will take more interest in disability and reduced timetables is welcome, it is not sufficient. When a child with disabilities secures a school placement, it should be easy for an expert in the child’s condition from a State or outside agency to accompany the child into the classroom setting, with the parents’ consent, and with no scope for schools to refuse such visits. Where a school recognises a need in a child who does not have a diagnosis, NEPS should be contacted immediately. As things stand, schools can effectively opt out of the system that does exist to support pupils with disabilities. This should not be possible.

**Sixth, the State should consider the establishment of a new teaching role, an enhanced resource teacher, with its own associated undergraduate degree course, specialising in inclusive education.**

Such a role would provide for stronger local expertise – with an aim to have at least one in each school, possibly attached to and coordinating with a regionalised structure. Supporting the maximum possible integration of all children into a common mainstream environment, this teacher would in most cases support the classroom teacher in situ rather than remove children for ‘resource teaching’. Responsible for individual education plans and individualised learning outcomes, as well as functional behaviour analysis and behaviour support plans, this resource/support teacher would be an expert in pedagogy (especially curriculum differentiation for disability) as well as in behaviour management. As part of the degree, students could take modules that would support an application for the qualification of Board Certified Behaviour Analyst (BCBA). This role could be developed with little disruption to current school structures; a similar role for an individual or team is provided for in the Canadian province of New Brunswick’s Policy 322, widely regarded as a good model of inclusion.<sup>39</sup>

**Seventh, there should be other training and support for classroom teachers, including improvement in the teacher-education curriculum.**

It is understood that individual teachers should not be expected to have the expertise for all the behaviours that children may present. As our research underlines, the categories of intellectual disability and developmental disabilities such as autism contain a multitude of diverse capacities and needs. The internet can be a great resource, but well-meaning teachers and principals should not be left to ‘Google’ symptoms and develop individual plans on that basis. Schools should provide an environment where teachers are free to say that they need help with behaviours at an early stage and receive support from internal resources (see above), NEPS and other appropriate service providers promptly when basic attempts at reducing and managing the presentation of challenging behaviours have failed. Such support should be available to teachers without judgment or stigma for admitting to difficulties or breaking an unspoken consensus to deal with such issues internally. Schools should free up teachers for, and prioritise, basic behaviour training, which should also be incorporated in a teacher-education curriculum that is more focussed on inclusion. Such basic training could help teachers to carry out initial behaviour analyses, raise awareness among teachers and principals of the importance of situational factors in children’s behaviour, in order to minimise

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<sup>39</sup> New Brunswick Department of Education and Early Childhood Development, ‘Policy 322’ (2013), <https://www2.gnb.ca/content/dam/gnb/Departments/ed/pdf/K12/policies-politiques/e/322A.pdf>.

such factors that could escalate behaviours, and to recognise issues as they arise. Resources to permit this training, in the form of relief staff, also need to be provided.<sup>40</sup>

**Eighth, behaviour therapists should be embedded in disability services – or, in the event of a restructuring of supports, embedded within the school system – and available at short notice to parents and teachers.**

We welcome the proposal to expand NEPS contained in the pilot 'School Inclusion Model'<sup>41</sup>; in general NEPS should have a role in coordination and in dealing with children who have not been diagnosed or assigned to a service; but where possible children's service agencies, which know them best, can and should be to the fore in providing such support – as long as there are behaviour therapists in the agencies. At present, in large part, there are insufficient numbers of behaviour therapists, either in the services or indeed in NEPS. The presence of behaviour therapists would permit behaviour assessment and planning for behaviour management to begin at an early stage, often before a child reaches school age. Subject to parental consent, the same behavioural therapists should visit children in both home and school settings and (if attached to an external service) should be able to initiate contact with a school where challenging behaviour is a concern. Such practice would facilitate better and more holistic understanding, monitoring and learning in individual children's cases, helping to both prevent and manage current crisis behaviours and plan for each child's future success. Our research indicates that when therapists and other service providers are allowed to visit schools, outcomes are improved. However, respondents to the survey overwhelmingly said their children had too few services available to them.

**Ninth, the expertise that exists already in the form of SNAs should be encouraged and developed and their roles better rewarded.**

The Department of Education and Skills should consider the future of the role of SNA in terms of their education, function and career progression. SNAs should also be funded to help support children in after-school activities, which our research shows to be an area of enormous exclusion. In addition, resources should be made available to ensure that children who appropriately avail of the facilities of special schools and units are not 'punished' with, automatically, less SNA assistance than they might be likely to get in mainstream settings. SNA needs should always be assessed on a case-by-case basis.

**Tenth, special units should not be treated as a solution for the shortfalls in the mainstream system when it comes to educating children with intellectual disabilities and/or developmental disabilities such as autism.**

Our research shows that special schools and units are not immune to the problems associated with short school days. Ideally, mainstream classrooms should be adapted for inclusion of children with intellectual and developmental disabilities including autism – with, for example, smaller class numbers and extra supports. The issue of special schools and units is one of the clearest cases of systemic failure: the level of incidence in the population of disabilities, including autism, is clearly documented and predictable, and it should be possible to plan for years in advance to provide for such children – rather than enacting the panic political gestures of new units opened for protesting parents just before schools open each year, often without sufficient expertise or proper planning. Where special schools and units exist, they should be characterised by 'reverse integration', whereby children from mainstream classes share the

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<sup>40</sup> 'ASTI: Lack of Training, No Planning Time, Large Classes Key Challenges to Inclusive Education', accessed 21 August 2019, <https://www.asti.ie/news/latest-news/news-article/article/lack-of-training-no-planning-time-large-classes-key-challenges-to-inclusive-education-1/>.

<sup>41</sup> '27 March, 2019 - Minister McHugh Announces Trial of a New School Inclusion Model to Provide the Right Supports at the Right Time to Students with Additional Needs', Department of Education and Skills, accessed 26 August 2019, <https://www.education.ie/en/Press-Events/Press-Releases/2019-press-releases/PR19-03-27-1.html>.

facilities such as sensory rooms or quiet spaces when they feel the need for them, with other school services such as student counsellors located there; and of course the movement should go in both directions. Moreover, the movement of children from special units into mainstream education should be more actively encouraged at school and State level.

**Eleventh, home tuition, where it is desirable and necessary, should be funded properly and the teaching resources available to parents centralised.**

A grant is not enough, when (as is the case now) it is the responsibility of families to find the appropriate qualified teacher(s) for their children in order to spend that grant. Parents literally find themselves interviewing potential teachers for their children when they can find them available, in many respects a bewildering task. Moreover, children in receipt of home tuition should also be allotted additional funding for care at home during school hours (in effect, an SNA equivalent) where necessary, so that parents do not necessarily have to abandon careers. If children cannot be accommodated at school, the State should provide full accommodation for them at home.



*Members of the research team hold a seminar in the Inclusion Ireland office in Dublin.  
Photograph: Deborah Brennan*

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