



**INCLUSION IRELAND**

National Association for People with an Intellectual Disability

# **Opening statement to the Joint Committee on Education, Further and Higher Education, Research, Innovation and Science**

**Date April 2021**

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Ireland plain English guidelines**

Dear chairperson, Inclusion Ireland welcomes the opportunity to address this Committee here today.

When the EPSEN Act was passed in 2004 as a central pillar of the National Disability Strategy it was seen as ground-breaking in putting inclusive education on a statutory footing and providing for children to have their education needs assessed and met.

The EPSEN Act not only promises educational equality, but also a legal obligation to deliver that education in mainstream settings where possible.

17 years after the Act has been passed the main pieces of the Act that benefit disabled children have yet to be commenced.

The sections of the EPSEN Act not commenced include the parts that would give children a right to:

- An education assessment of their needs.
- The development of an individual education plan (IEP) based upon this assessment.
- The delivery of the education supports detailed in the plan.
- An independent appeal process.

In short, this means a child with a special education need does not have a legal right to an assessment of their education needs and have these identified needs addressed through an IEP. Parents have no legal right to have an input into the IEP.

Because the Act has not been implemented, children's rights are at the whim of policy makers, changes in government, funding priorities and other factors.

Recent governments have only committed to implementing EPSEN on a "non-statutory footing". Of all changes to education supports in recent years there has been no move to give children a right to assessments and IEPs under the Act.

Section 2 of the EPSEN Act places inclusive education on a statutory footing but does allow for exceptions to an inclusive education provision.

We also need to be mindful of the rights of children under the UNCRPD which has been ratified by Ireland since Section 2 was commenced. The UNCRPD calls for inclusive education to be provided for without exception putting Section 2 at odds with the Convention.

For Ireland to move towards a fully inclusive education system where children can attend their local school with the appropriate supports the Government needs a longer-term plan that considers the following.

- Review and commence the EPSEN Act.
- Put forward a multi-annual, fully costed plan for moving towards an inclusive education model of education.
- Invest in teaching and special needs assistant resources. Class sizes need to get below 20 pupils at a minimum.
- Ensure initial teacher training has a more robust inclusive education component and that all current teachers without continuous professional development in special education are freed up to complete mandatory training on this subject.
- Schools must be supported by fully resourced mental health and disability teams.
- Schools must be fully accessible physically, include sensory spaces and be designed with sensory processing in mind.
- Engage all stakeholders in the process of developing an inclusive model to include families, educators, therapists, pupils, etc.
- Launch a campaign to address many of the negative attitudes that exist around disability in Ireland as a sizable minority of the population does not see mainstream schools as the place for disabled children.