

INDIVIDUAL EDUCATION PLANS IN IRISH SCHOOLS: IMPLEMENTATION REPORT OF THE NATIONAL COUNCIL FOR SPECIAL EDUCATION, 2006

The author sets out to examine the proposals for the development of Individual Education Plans outlined in the Implementation Report of the National Council for Special Education (NCSE), 2006. The article raises some questions which still need to be addressed before individual education planning becomes a statutory requirement for schools.

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INTRODUCTION

In October 2006, the National Council for Special Education (NCSE) published a set of proposals to the Minister for Education and Science, Mary Hanafin, for the phased implementation of the Education for Persons with Special Educational Needs Act (EPSEN) (Ireland, 2004). This fulfilled a requirement under Section 23 of the EPSEN Act 2004 which obliged the NCSE to make a report to the Minister for Education and Science outlining the steps to be taken in order that the provisions of the Act would be fully implemented within five years from the establishment date of the Council. The Minister had the power to accept, modify, implement or reject this set of proposals. To date, the Minister has welcomed the report and has indicated that the EPSEN Act will be implemented by 2010.

The Implementation Report (NCSE, 2006a) is an extremely important document for the future development of special education in this country. In it, the Council sets out its vision for future special educational provision and the values and principles which are to underpin and guide its work. Most importantly, the child with special educational needs (SEN) is to be placed at the heart of policy formulation and service delivery. Current provision for special education is challenged along with the premises on which it is based. Council recognizes that important decisions must now be taken regarding how special education is to be funded and resourced in the future.

In its report, the Council attaches considerable importance to the provision of Individual Education Plans (IEPs) for pupils with SEN, stating that the 'IEP is the conduit for the services and provisions needed for the child to be able to benefit from education' (NCSE, 2006a, p. 116). In this article, the author sets out to examine the Council's plans for the phased introduction of IEPs into Irish schools and raises some questions which still need to be addressed before the individual education plan becomes a statutory requirement for schools.

BACKGROUND TO THE IMPLEMENTATION REPORT

EPSEN 2004

The EPSEN Act (Ireland, 2004), when fully implemented, should have powerful and far-reaching positive effects on the education of people with SEN in Ireland. It states that wherever possible, this education should take place in an inclusive environment with those who do not have such needs. In furtherance of this aim, the Act specifies arrangements for the assessment of pupils who are not benefiting from the school's education programme to the extent that might be expected. In addition, sections of the Act are devoted to a detailed description of the manner in which an education plan should be prepared either by the school (Section 3) or the Council (Section 8) for those students assessed as having special educational needs.

The EPSEN Act (Ireland, 2004) lays down a strict time-frame within which the assessment of the student must be commenced and completed. Once it is established that the student has a SEN, any subsequent education plan must be prepared within one month of the receipt of the assessment findings. The Act gives further directions concerning the content of the education plan, the procedures for its review and the manner in which it can be appealed. Finally, as one of the clearly stated purposes of the EPSEN Act is to provide for the greater involvement of parents of children with SEN in the education of their children, the Act confers a series of rights on parents in relation to the provision of an IEP and the manner in which they can appeal decisions made regarding the IEP.

Disability Act 2005

The purpose of the Disability Act 2005 (Ireland, 2005) is to enable provision to be made for the assessment of health and education needs of people with disabilities and to make provision for services to meet those needs. This Act establishes a procedure by which a person may apply to the Health Services Executive (HSE) for an assessment of their own specific needs or for an assessment in relation to a particular service which they have identified. A liaison officer may be appointed under the Act to prepare a service statement, specifying the type of provision (i.e. health and/or education) required along with a timeframe for its implementation. The IEP will form part of this statement as it relates to the delivery of educational services.

When both of these Acts are read together, it is very clear that close co-operation between the NCSE and the HSE is envisaged and indeed, will be required if those sections pertaining to IEPs and service statements are to be implemented effectively. Collaboration between both agencies will be necessary to ensure that the children and young people concerned benefit from an efficient service and that duplication of effort and resources will be avoided.

Guidelines on the IEP Process

National guidelines on the Individual Education Plan Process (NCSE, 2006b) were published by the NCSE in May 2006 in response to requests from parents, teachers and schools seeking information and guidance on the IEP process. In the Foreword to the

guidelines (NCSE, 2006b), it is noted that the guidelines were issued before the timetable for the implementation of the provisions of the EPSEN Act 2004 was agreed and before the resource and training needs had been identified and put in place. Nonetheless, the guidelines stand as a most comprehensive source of practical and useful guidance for stakeholders concerning the preparation, implementation and review of Education Plans, as specified in the EPSEN Act, 2004.

The guidelines state that the purpose of an IEP is to allow the student to progress at a level commensurate with ability, to focus teaching strategies and to ensure that records are kept (page 4). They advocate that the IEP should be viewed as a process rather than as a product, which relies on a whole school commitment and supports the collaboration of teachers, parents, students, support staff, professionals and other relevant personnel or agencies. IEPs should refer to the adapted or modified aspects of the educational programme only, should not take the place of the full curriculum for any pupil and should focus on priority learning needs. The amount of adaptation and support required will vary according to the individual learning needs of each pupil.

Guidelines on the Inclusion of Students in the Post Primary School

The Post-Primary Guidelines for the Inclusion of Students with Special Educational Needs (Department of Education and Science (DES), 2007) are intended to assist post-primary schools in providing an appropriate education for students with SEN and as a support in the development of inclusive environments for all students. While these guidelines (DES, 2007) refer to earlier Guidelines on the Individual Education Plan Process (NCSE, 2006b), the post-primary guidelines provide additional valuable advice concerning the different roles of the subject teacher and the learning support or resource teacher in drawing up and implementing individual plans in the post-primary setting.

The Implementation Report: Plan for the Phased Implementation of the EPSEN Act 2004

As part of its Implementation Report, the NCSE addresses many significant issues in relation to the statutory introduction of IEPs, in accordance with the EPSEN Act, 2004. IEPs are deemed by the Council to ‘correspond to the provisions and services that are needed by the child for him/her to benefit from education as well as for the maintenance, monitoring and review of such provisions and services’ (NCSE, 2006a, p. 116). It is intended that the planning process should take place in a flexible and open way, involving key stakeholders including parents and where appropriate, the student him/herself. The Council accepts that there is a potential demand for 17, 600 new IEPs annually (i.e. 8,800 at primary level and 8,800 at the transition stage into second level) and recognises that an annual review of existing plans will also be required.

A time-frame for the phased introduction of IEPs into schools is given which sets out actions and the dates by which these actions are to be achieved. However, it has not proved possible to adhere to this time-frame so clearly, a new schedule of dates will have to be issued by the Council in the future. Similarly, the dates set for the commencement of sections pertaining to IEPs will need revision if the necessary training and resources

are to be put in place before the sections of the EPSEN Act (Ireland, 2004) become legally binding in schools.

DISCUSSION

For many years now, IEPs have been in operation internationally (e.g. UK, US, Canada, Australia and New Zealand). There is a high level of consensus in the literature regarding the opportunities provided by the provision of IEPs and the concerns that are raised in relation to them (Tennant, 2007). The guidelines (NCSE, 2006b) draw on international experience in establishing good practice and recommend that effective individual education plans should be individualised and child-centred, inclusive, holistic, collaborative and accessible (p. 5). However, this is also a time to learn from the mistakes made in other jurisdictions.

To date, the documentation produced by the NCSE in response to the EPSEN Act (Ireland, 2004) has proven most useful to those entrusted with the task of developing IEPs for pupils with SEN in our schools. However, there are still a number of remaining questions which need to be addressed before the final steps in this process are taken, namely who is entitled to an IEP and the extent of the support that is to be made available at school level.

Number of IEPs Required in the System

The documentation produced to date has defined the nature and content of IEPs, the procedures to be set in place for their monitoring and review and the need for a comprehensive system of appeal. However, what remains unclear is precisely which pupils are entitled to the provision of an IEP.

The EPSEN Act (Ireland, 2004) defines ‘special educational needs’ as ‘a restriction in the capacity of the person to participate in and benefit from education on account of an enduring physical, sensory, mental health or learning disability, or any other condition which results in a person learning differently from a person without the condition, and cognate words shall be construed accordingly’ (Section 1). The open nature of this definition can lead to difficulties when one attempts to interpret its precise meaning and indeed, it is likely that the Act will require further clarification. On the basis of this definition and using the most reliable data available at the time, the Council estimates that a total of 190,303 children (17.68%) may be deemed to have a SEN under the EPSEN Act - 184, 818 of whom are within school going age (NCSE, 2006a, p. 72).

Are all of these children entitled to have an IEP developed for them? By any standard, this is a daunting task. It is also the case that the 184,818 pupils referred to above are unevenly distributed across schools which will result in certain schools being required to develop much greater numbers of IEPs than other schools. These schools will require a concomitant level of support in order to ensure that the production of IEPs does not become a mere paper exercise.

Experience in the UK indicates that the number of IEPs that need to be produced and reviewed can constitute a very significant burden for many teachers (OFSTED, 1999). It has also been suggested that it is not possible to implement the 'process' model of IEP planning successfully with more than one or two pupils per class with identified SEN (Gross, 2000)

Perhaps in recognition of the task ahead and the number of plans that may be required, the Council is placing emphasis on the fact that IEPs can take many forms ranging from relatively minor adaptations of the standard curriculum through to very complex individualised programmes – a sensible suggestion and one that would seem to be in the interest of all those involved, most importantly the individual child at the centre of the process. However, it is unclear whether or not the school will be legally responsible for deciding the form of IEP to be developed and if so, what level of support will be available to schools and teachers as they make these critical decisions.

Group Education Plans

In the case of certain pupils with SEN, the Council states that group education plans may be the most appropriate form of intervention needed with some individualisation. The guidelines (NCSE, 2006b) state that group plans should contain common targets for several students within a class who have similar difficulties, with individual assessment of whether targets have been achieved. Again, this appears to be a sensible suggestion and one that has certain coherence with the way that teachers plan for their class groups. There is support for the benefits of group planning in the literature, including the fact that SEN planning can be incorporated into whole-class planning, the amount of paperwork can be reduced as the number of IEPs decrease and pupils see themselves as part of the group rather than as individuals with special needs (Frankl, 2005).

It must be noted that in Ireland, to date, we have no guidelines on the development of group plans for pupils with SEN. However it seems apparent that teachers will need support and training in determining what constitutes a group for the purpose of formulating a group learning plan, how group plans are to be developed and implemented and how individual assessment should be conducted. Some post-primary schools group students who share a free period rather than because the students have similar learning needs – this is an instance where a group plan would not meet the requirements of the EPSEN Act (Ireland, 2004).

Staffing Requirements and Training for Teachers

The Implementation Report (NCSE, 2006a) acknowledges that the assessment and IEP process will place significant demands on non-teaching time in schools. In considering staffing implications it notes that there are approximately 7,100 learning support and resource teachers already in the system and recommends that consideration be given to their capacity to meet some of the additional demands.

While this is undoubtedly the case, it must be pointed out that not all of these learning support and resource teachers have been trained to act in such a capacity. Moreover, many of the learning support teachers referred to, received their training before the

introduction of the new Combined Postgraduate Diploma Programme in 2006-2007. In their cases, training was focused on supporting students with learning support needs and did not specifically address the needs of students assessed as having special educational needs SEN in any detailed manner. Learning support teachers are themselves most aware of this discrepancy in their professional development and are anxious that they might be required to take primary responsibility for the implementation of EPSEN 2004 in their schools. There is an urgent need for this imbalance in training to be addressed as soon as is possible.

In its report (NCSE, 2006a), the Council addresses the necessity for in-service training for all teachers and recommends training for principals/deputy principals and teachers for two days annually between 2007 and 2009. In addition, it recommends joint training of special educational needs organisers (SENOs)/HSE staff and training in inclusive education practices at pre-service level. The Council's view is that training on IEPs should be considered as part of an overall strategy of in-service provision on inclusive education that would be provided on a whole school basis to all teachers. It also recommends that the Teacher Education Section in the Department of Education and Science work in partnership with the NCSE, the Special Education Support Service (SESS), the Colleges of Education, the third level sector and the HSE to agree a programme for the delivery of this training as a matter of priority.

The above recommendations are most welcome and when implemented, should support and assist all teachers in the task of developing IEPs in their schools. The author's own experience in this area would suggest that teachers need practical support and guidance in the minutiae of how to identify the learning strengths and needs of their pupils, how to prioritise learning needs, how to analyse a task into its constituent parts and how to write appropriate goals and targets that relate in a meaningful way to the learning needs identified. These are necessary skills when developing IEPs of any real value.

It is interesting to note that, in a study of IEPs prepared in an Irish special school, Nugent (2002) found that 'overwhelmingly, IEPs in this sample were seen positively by teachers'. In this instance, teachers were given collective training followed by individual support in writing IEPs. Nugent believes that peer support may also have provided important assistance to teachers in this setting (Nugent, 2002).

Management of the IEP

In its report (NCSE, 2006a), the Council notes that the preparation and review of IEPs in schools will require management, expertise and non-teaching time and space for planning meetings, information gathering and dissemination, the formal IEP meeting, drafting of the plan and monitoring and review. It acknowledges that different approaches will be required in the primary and post-primary sectors. It recommends that additional resources should be provided to schools to facilitate their involvement in IEPs and acknowledges that additional posts are necessary to support the time and space requirements of the IEP process.

This final suggestion has created some debate and concern within schools and has raised questions which will require further clarification. Should one person in a school be responsible for the management of IEPs? If a post is created for the role of co-ordinator should it be necessary for the appointed person to have a background or training in special education? If this is a requirement, how will this 'fit' within the existing post structure of the school where every teacher is eligible to apply for any posts advertised? If this is not a requirement, will the management of IEPs be seen as an administrative task in schools and what might be the subsequent implications of this?

The Council considers that a number of factors will impact on the teaching resources required by schools, acknowledging that the preparation of IEPs will require one or more meetings between the principal/delegated teacher, the SENOs and other appropriate professionals. It recognises the teacher's role in writing up the IEP, communicating its requirements to other school staff, monitoring and reviewing progress, keeping parents informed and reporting to the NCSE. It notes the need for teacher availability outside of class contact time.

School principals and teachers have expressed genuine concerns about how the time required for the implementation of the IEP process is to be found. The Council's declared intention to undertake a pilot study of its IEP guidelines in order to ascertain the time and space issues and the potential resource requirements for schools should go some way towards alleviating these concerns. However, it is important that the results of this pilot study be made available as soon as they become available.

CONCLUSIONS

Pupils with special educational needs share many needs in common with their peer group but they can also have individual learning needs that are different to those of their peers. IEPs can be an important tool in identifying and meeting these unique individual needs, thus facilitating the inclusion of pupils into the mainstream activities of their chosen school setting, be that a primary, special or post-primary school.

We have an opportunity now in Ireland to learn from the experiences of other countries. We must ensure that proper structures are put in place so that the provision of IEPs does not become a paper exercise (Gross, 2000), that their introduction leads to effective interventions for pupils, that they are truly collaborative in nature (Nugent, 2000) and that the objectives model does not lead to a narrowing of learning opportunities for pupils (Tod, 2000). Above all, we must ensure that the introduction of IEPs, however well intentioned, does not serve as a further barrier to the inclusion of students with SEN in Irish schools.

The NCSE has done well so far in setting out the principles within which the development of IEPs should be enshrined. While there is awareness of the issues at the centre of the process, there are further questions to be answered before we are ready to make the preparation of IEPs a legal requirement for schools. We await guidelines from the NCSE on the assessment procedures which are closely linked to the IEP process.

Recommendations also need to be framed concerning how the IEP process is to be evaluated. Research will be required to determine whether or not, in the Irish context, the provision of an individual or group plan makes any real difference to the outcomes that can be expected for children and young people with SEN in our schools. We would do well to pause now and reflect on these matters before taking the next steps towards the establishment of a statutory system for individual planning in our schools.

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