

Rannóg Oideachais Speisialta
An Roinn Oideachais agus Eolaíochta
Cor na Madadh
Átha Luain
Co na hIarmhí



Special Education Section
Department of Education and Science
Cornamaddy
Athlone
Co Westmeath

Circular SP ED 0037/2009

Notification of Transitional Arrangements being put in place in relation to the outcome of the review of all Special Needs Assistant posts in primary, special and post-primary schools by the National Council for Special Education

1. Introduction

In circular letter 0009/2009, the Department of Education and Science advised schools of the review to be carried out of all Special Needs Assistant allocations in primary, special and post-primary schools by the National Council for Special Education with a view to ensuring that the criteria governing the allocation of such posts are properly met.

As advised in Circular 0009/2009, there has been no change in the underlying criteria for the allocation of SNA as set out in Circular Sp Ed 07/02:

SNAs are recruited specifically to assist schools in making suitable provision for a pupil or pupils with special **care** needs arising from a disability in an educational context. Schools may apply for an SNA post for a pupil with a disability who also has a **significant** medical need for such assistance, a **significant** impairment of physical or sensory impairment or where their behaviour is such that they are a danger to themselves or to other pupils. Schools are advised that where an application relates to the management of a pupil's behaviour, there must be **clear** evidence that the pupil's behaviour is a danger to themselves or others and that **sustained** efforts by the school have not proven to be successful in the amelioration of such documented behaviours.

The current review is being carried out by reference to these criteria. The purpose of this Circular Letter is to advise of transitional arrangements being made available, on an exceptional basis, to schools where the SNA allocation is being adjusted following the review.

2. Outcome of Review

The DES understands that the NCSE is commencing advising the outcome of the review to those schools reviewed in the current school year. The remaining schools will be reviewed in the initial months of the 2009/2010 school year.

Decisions to reduce SNA support are taken by the SENO when s/he considers that the post does not meet the scheme's criteria outlined in Circular 07/02 or where the pupil has progressed in terms of his or her independence – this progression should be seen as a successful outcome for the pupil.

Given the proximity of the end of this school year and, in the light of the fact that those schools yet to be reviewed will have prepared for the new school year in advance of being reviewed, the DES is allowing exceptional transitional arrangements for schools where the SNA allocation is being adjusted. These exceptional arrangements also reflect a continuing commitment to treat special educational needs as a priority area.

3. Reduced allocations due to pupils leaving the school

Where the sole factor involved in a reduction in a school's SNA allocation is because the pupils associated with the allocation have left the school the reduction is with immediate effect and normal arrangements apply.

4. Transitional Arrangements

In all cases other than those referred to at 3 above schools may, if they so wish, retain the existing cohort of SNAs until 31 January 2010. Schools should take the necessary measures, including issue of notice, to ensure that the number of SNAs in the school at 1 February 2010 equates to their authorised allocation.

Where an existing SNA resigns or retires in a school due to lose a post, the resulting vacancy may not be filled without taking the initial reduction into account e.g. where a school is due to lose a post, and an SNA resigns or retires before 31 January 2010, this post may not be filled. Where the SENO authorises additional SNA resources before 31 January 2010, schools should not recruit additional SNAs if such recruitment would result in the number of SNAs exceeding those authorised at 1 February 2010.

Redundancy Arrangements

Where, following the review, the allocation of SNA posts is being reduced, redundancy arrangements may apply. Schools should consult Circular 58/2006 – Redundancy Arrangements for Special Needs Assistant – where necessary. Schools should also notify the relevant SNAs of the outcome of the review.

Additional allocation of SNA support

Where the outcome of the review results in an increased SNA allocation schools may recruit the additional SNAs in the normal manner.

4. Schools which are awaiting the NCSE review

Not all schools have been reviewed at this stage. It is expected that the review will be completed by the end of 2009. Irrespective of the date of the review, the above arrangements apply and schools are to take the necessary arrangements to ensure that, on 1 February 2010, the number of SNAs equates to their authorised post-review allocation.

5. Clarification

Queries in relation to the employment of SNAs and the operation of this Circular should be addressed to the Special Education Section, Cornamaddy, Athlone, Co. Westmeath 090 6483600 and 01 8896400.

All queries in relation to the outcome of the review should be addressed to the local SENO.

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A copy of this circular is also available on the Department of Education and Science website at www.education.ie