

CDVEC Disability Support Service

Principals' Manual

Acknowledgements:

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Preface

The City of Dublin Vocational Education Committee's (CDVEC) Disability Support Service for students has been in existence since March 2001. This service, which is provided in collaboration with the National Learning Network, through funding provided by the Further Education Section of the Department of Education and Science, is a very constructive and highly successful partnership project. The knowledge, expertise, and professional service provided by the CDVEC and the National Learning Network, has ensured that this service works to the highest standard when addressing and meeting the particular needs of students with disabilities.

The provision of student support services can often be a complicated arena involving the completion of complex funding application forms, the provision of guidance and support for students and staff, the sourcing of support workers and personal assistants, and meeting strict financial and auditing requirements. Increasingly this is all set within a legal framework, which places considerable duties and responsibilities on the organisations involved. It is primarily for this reason that the Principals' Manual has been written.

The manual aims to provide Principals with easily accessible information on the different aspects of the services provided to students with disabilities in a Post Leaving Certificate setting. It brings together the experience and learning of the last five years. As the service continues to develop and grow the manual will need constant updating. This is why it is produced in a ring binder format.

We would like to thank a number of people who have been closely involved in the production of this manual; Malachy Buckeridge, Kay Cullinan, Ann Glynn and Stephen McCarthy of the City of Dublin Vocational Education Committee; Dawn Duffin, David Muldoon, Eileen Daly and Sarah McAree of the National Learning Network. We also wish to thank the Further Education Section of the Department of Education and Science for their continued support and encouragement.

Jacinta Stewart
Chief Executive Officer
City of Dublin
Vocational Education Committee

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Chief Executive Officer
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Foreword

This manual sets out the operational procedures and policies of the National Learning Network and City of Dublin Vocational Education Committee's **Disability Support Service**. The manual also provides additional practical and background information for principals in relation to the general area of disability.

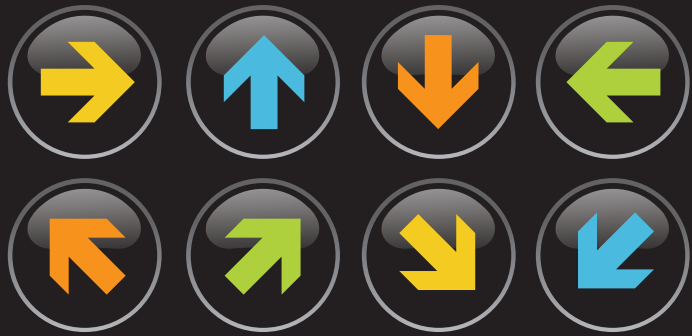
The manual is divided into the following sections:

The Disability Support Service	General introduction
An inclusive admissions policy	Describes what is meant by inclusive education
Disability awareness	Lists and describes the disabilities most commonly encountered in the classroom
Educational support workers	Lists and describes the types of educational support workers that work in the service, the requirements for each position and their duties
Confidentiality policy	Sets out current practice within the Disability Support Service
Ethical guidelines for educational support workers	Describes best ethical practise for Educational Support Workers
Continuous professional development	Lists and describes in-service and other courses available to Principals and staff in relation to disability
Legislation	Outlines the major pieces of legislation relating to disability
Funding & resources	Describes the <i>Fund for Students with Disabilities</i>
Needs identification & funding application procedures	Describes how student information is gathered for funding application purposes
Invoicing and receipting	Describes CDVEC invoicing and receipting procedures
Useful contacts	Contact details for service providers and organisations in the disability sector
Guidelines on examination accommodation	Outlines the standard approach to be taken by CDVEC schools and colleges
Dyslexia & information technology: A guide for students & staff in CDVEC	Describes how students and teachers can enhance technology for dyslexia students
Assistive technology toolkits	Describes the types of assistive technology available.

GLOSSARY

AD(H)D	Attention Deficit (Hyperactivity) Disorder
AS	Aspergers Syndrome
AT	Assistive Technology
CDVEC	City of Dublin Vocational Educational Committee
CFE	College of Further Education
DCD	Developmental Co-ordination Disorder
DES	Department of Education and Science
DSO	Disability Support Officer
DSS	Disability Support Service
ECT	Electro-Convulsive Therapy
ESW	Educational Support Worker
EU	European Union
FETAC	Further Education and Training Awards Council
GP	General Practitioner
HEA	Higher Education Authority
HETAC	Higher Education and Training Awards Council
ISL	Irish Sign Language
NAD	National Association for the Deaf
NALA	National Adult Literacy Agency
NLN	National Learning Network
OCD	Obsessive Compulsive Disorder
OCR	Optical Character Recognition
PA	Personal Assistant
PC	Personal Computer
PTSD	Post Traumatic Stress Disorder
SpLD	Specific Learning Difficulty
SSSF	Student Services Support Fund
VTOS	Vocational Training Opportunities Scheme

Section 1



The Disability Support Service



The Disability Support Service

Introduction

The Disability Support Service (DSS) is a student support partnership project between The National Learning Network and the City of Dublin Vocational Education Committee (CDVEC). The service originally developed from a European Union Horizon project organised between the National Learning Network¹, Ballyfermot, and Ballyfermot College of Further Education (CFE), 1995. This project supported and allowed a group of students with disabilities to access a Media Studies course in Ballyfermot CFE.

Feedback from the students on the project was generally very positive. However students did identify that they would like to have been involved in a more holistic manner in the day-to-day student life within the college.

In response to this feedback the CDVEC and the National Learning Network decided to pilot a Disability Support Service (DSS) beginning in March 2001. This project continues to be funded by the Further Education section of the Department of Education and Science.

The initial stage of the project was provided in:

- ➡ Ballyfermot CFE
- ➡ Inchicore CFE
- ➡ Pearse CFE.

In September 2002 the project expanded its service to four additional colleges:

- ➡ Coláiste Dhulaigh CFE
- ➡ Coláiste Íde CFE
- ➡ Plunket CFE
- ➡ Whitehall CFE.

Killester College of Further Education joined the project in October 2003.

The DSS is currently operating in these eight colleges of further education.

¹The National Training and Development Institute (NTDI) formally changed the company name to The National Learning Network – Investing in People, Changing Perspectives on 1st June 2005.

The Disability Support Service

The CDVEC Education Plan 2006-2011 clearly states that the CDVEC

“...will support the greater development of inclusive teaching and learning practice in our schools/colleges/centres.” (CDVEC Education Plan, page 39)

The Disability Support Service (DSS) is in existence to help fulfil this stated action. From its title it should not be viewed as a uniquely special disability service within each college but rather as part of the participating college's inclusive service to all students.

The aim of the service is to collect information and to work in partnership with colleagues, staff and external agencies who have a range of expertise that will enable us to provide a truly supportive, holistic educational service to students attending CDVEC courses.

The service is managed collaboratively and makes effective use of the expertise and resources of both CDVEC and The National Learning Network.

The focus of the DSS at present includes:

- ➔ meeting the needs of individual students by seeking funding through the Higher Education Authority's *Fund for Students with Disabilities*
- ➔ sourcing alternative funding for students who are not eligible for funding through the *Fund for Students with Disabilities*
- ➔ discussing and addressing issues with college principals in relation to examinations accommodations

- ➔ discussing and addressing issues with students in relation to areas such as examinations accommodations, study skills, time management, assignment planning and revision timetables
- ➔ discussing and resolving issues around disability policy
- ➔ needs based in service training for CDVEC College Staff
- ➔ production and publication of reports
- ➔ presentations at conferences and seminars
- ➔ planning for the expansion of the service
- ➔ seeking funding for projects and initiatives connected with the service.

The service provides support and information to students and staff on a wide variety of disability issues. The Disability Support Officers work closely with the CDVEC Psychological Service and the Guidance and Counselling Services in addressing the varied needs of individual students.

In addition to its core activity in the eight colleges listed above, the Disability Support Service is also available to all other CDVEC colleges as a resource on disability issues. In this regard the Disability Support Service provides information, expertise and advise on procedures in the area of disability. The Disability Support Service can also provide an overview on disability issues, in order to set a context for the development of inclusive policies for individual colleges involved in strategic whole school planning.

Disability Support Service: Staff

Contact Details

CDVEC Disability Support Service
National Learning Network
Blanchardstown Centre
Block A
Institute of Technology Blanchardstown,
Blanchardstown Road North
Blanchardstown
Dublin 15

Dawn Duffin: Manager of Mainstream
Education Services

*is responsible for the Disability Support
Service on behalf of the National Learning
Network and her office is based in the
Blanchardstown Centre.*

The current Disability Support Officers are:

Eileen Daly: Eileen.daly@nln.ie
00353 1 872024939

Lorraine Deegan: Lorraine.deegan@nln.ie
00353 1 879678134

Grainne Delahunty: Disability Support
Officer/Assistive
Technology Officer

Stephen McCarthy: Education Officer
CDVEC

*is responsible for the Disability Support
Service on behalf of the City of Dublin
Vocational Education Committee*

Colleges covered by the Disability Support Officer

Eileen Daly

Colleges:

Colaiste Dhulaigh College of Further
Education
Killester College of Further Education
Plunket College, Whitehall
Whitehall College of Further Education

Lorraine Deegan:

Colleges:

Ballyfermot College of Further Education
Crumlin College of Further Education
Colaiste Ide, Finglas
Inchicore College of Further Education

Disability Support Officer

The Disability Support Officer works on an outreach basis with further education and post-leaving certificate colleges providing advice, information and support to students with disabilities who are studying on existing CDVEC courses. They also co-ordinate an advisory service to college staff, offer staff training and assistance, and act as a liaison between college staff and National Learning Network resource staff thereby raising the profile of students with disabilities.

The person appointed to this position ideally will have an appropriate third level qualification, or equivalent, preferably gained in a training/learning discipline, coupled with at least one year's relevant work experience. They also require excellent communication and interpersonal skills and should have an understanding of the mainstream education sector and the types of supports that students require. Person's appointed require a full clean drivers licence and/or suitable means of transport. The person appointed is also expected to contribute to the continuous improvement of activities of the National Learning Network and to promoting a culture of excellence throughout the organisation.

This 36-hour per week position is offered on a permanent basis. The person appointed receives training in the methods required for developing people with individual training and development needs.

Disability Support Officer – Job Description

Position: Disability Support Officer,
Inclusive Education.

Reporting to:

Principal of the college in all matters relating to the provision of the disability support service to individual students in the college.

Manager, Mainstream Education Services, NLN on the overall structure and development of the service.

Brief description / purpose of the job:

The Disability Support Officer works on an outreach basis with City of Dublin VEC Post-Leaving Certificate colleges. She/he provides advice, information and support, in relation to practical learning and support needs, to students with disabilities taking courses within these colleges. They also co-ordinate an advisory service to college staff, offer staff training and assistance and act as a liaison between college staff and National Learning Network resource staff. The ultimate purpose is both to address the educational needs of students with disabilities within CDVEC colleges and to raise the profile of the CDVEC colleges.

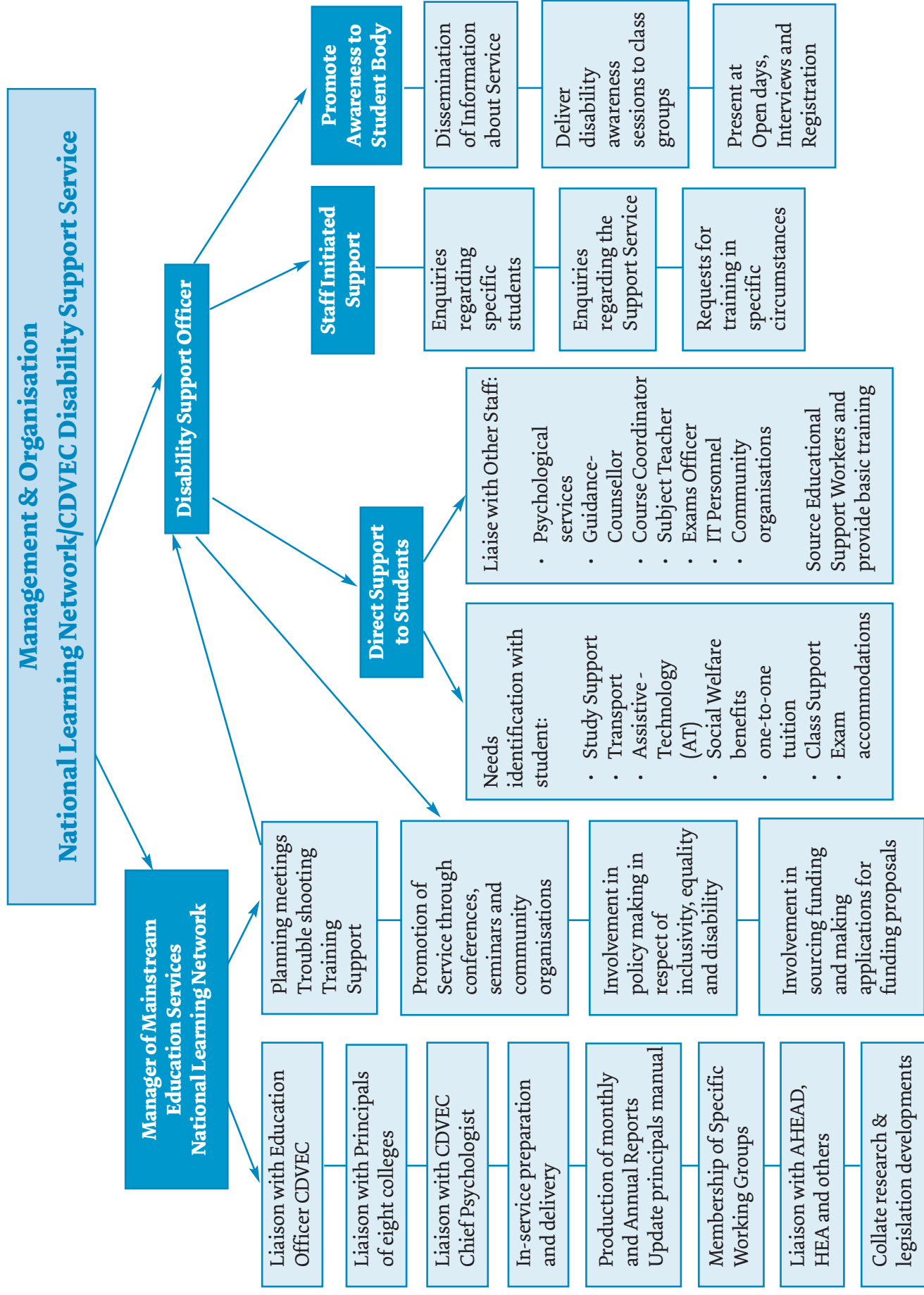
Key Tasks

- ➔ Assist in identifying student needs and matching student needs to appropriate resources, including examinations accommodations.
- ➔ Facilitate and support students in the development of a variety of learning strategies, which may suit either individual and group settings.
- ➔ In co-operation with the Guidance Counsellor outline progressive educational paths for students.
- ➔ Prepare, in consultation with each of the relevant students and approval of the Principal, applications to the HEA *Fund for Students with Disabilities*.
- ➔ Monitor and maintain agreed records in relation to the provision of services provided to particular students from the HEA *Fund for Students with Disabilities* on behalf of the CDVEC.
- ➔ Prepare and make applications, with the Principal's approval, for assistive technology, where appropriate.
- ➔ Deliver a quality and confidential support service to students while retaining a sensitive approach to their practical learning support needs and concerns.
- ➔ Disseminate accurate and current information on alternative forms of assessment pertinent to the assessing body.
- ➔ Deliver personal development and study skills, information workshops and group sessions.
- ➔ Create and maintain networks with course tutors and other providers to maximise learning support for clients.
- ➔ Refer students, when appropriate, to other school services, i.e. psychologist, guidance counsellor, VTOS, literacy, etc., and liaise with other support services in the college.
- ➔ Provide information and advice to college staff.
- ➔ Develop and deliver disability awareness training for staff development days in the college.
- ➔ Network with other professionals, agencies and community services.
- ➔ Deliver disability awareness training to students and offer advice to the general student population, thus increasing awareness in the college.
- ➔ Any other duties related to the above that might be required from time to time.

How the DSS identifies and supports students

Process of identification of students that may require the service	Applying for funding & provide supports for students with disabilities	Direct Support of the Disability Support Officer	Examination Accommodations
<ul style="list-style-type: none"> ■ Write to all students in participating colleges ■ Speak to class groups ■ Display Posters* ■ Present at Open Days, registration and interview days ■ Promote the service within the local community through meetings and events with service providers, schools and partnership companies (e.g. Northside Partnership) ■ Develop and distribute promotional materials ■ Organise Irish Sign Language (ISL) Interpreters for open days 	<ul style="list-style-type: none"> ■ Make application for funding (with accompanying documentation) ■ Cost and source equipment ■ Gather price lists and brochures from Assistive - Technology (AT) companies ■ Develop "contract" for students to sign re: use of equipment and services. ■ Manage transport Taxi account ■ Source Educational Support Workers ■ Agree recruitment and appointment procedure with Principal/CDVEC 	<ul style="list-style-type: none"> ■ Arrange meetings with students as required ■ Review record keeping forms ■ Inform students of record keeping ■ Provide study skills support/support around Specific Learning Difficulties ■ Develop referral procedures with National Learning Network assessment centre ■ Continue to develop links with community organisations ■ Continue to work with other student services/teaching staff ■ Develop uniform referral procedure with the college Guidance service ■ Write to local schools re the Disability Support Service. 	<ul style="list-style-type: none"> ■ Develop and review examination and accommodations procedures ■ Discuss with students what accommodations they require and liaise with exams officer

*See Posters page ??





National Learning Network

Investing in People, Changing Perspectives

National Learning Network/CDVEC
Disability Support Service

ATTENTION STUDENTS!

Do you know that there is a Disability Support Service available in your college?

This service is for students with disabilities, including the area of mental health and specific learning difficulties such as dyslexia.

The type of student support needed may vary from person to person but can include the following:

- ➔ use of Assistive Technology (*both hardware and software*)
- ➔ additional tuition
- ➔ personal Assistance
- ➔ use of an Irish Sign Language Interpreter
- ➔ use of a Speed Text Operator
- ➔ reader
- ➔ note taker
- ➔ exam accommodations
- ➔ support in accessing transport

If you think that you require any of the supports listed or if you have specific requirements that are not listed, please contact the Disability Support Officer in your college.

We would advise you to do this as early as possible so that the Disability Support Officer can put the supports you require in place at the beginning of the academic year.

For further information, or to make an appointment, you can contact:

Sarah Mc Aree
0879678134
sarahmcaree@nlm.ie

Eileen Daly
0872024939
eileen.daly@nlm.ie

You can request the above information in an alternative format by contacting your Disability Support Officer

Disability Support Officer – Procedures for investigating disputes with members of college staff.

Where a dispute occurs between the Disability Support Officer and a member of staff in a particular school/college the issue should be managed in the following way.

Step 1.

Most problems can be resolved straightaway by bringing them to the attention of the person that you are in dispute with.

Step 2.

If your problem is not resolved by discussion, local college procedures should be followed. Briefly these procedures are as follows:

- (a) the Principal will request that you put your complaint in writing to him/her
- (b) On receipt of your written complaint, the Principal will undertake an investigation
- (c) The Principal will advise you of the outcome of his/her investigation and inform you of his/her findings and resolutions

Step 3.

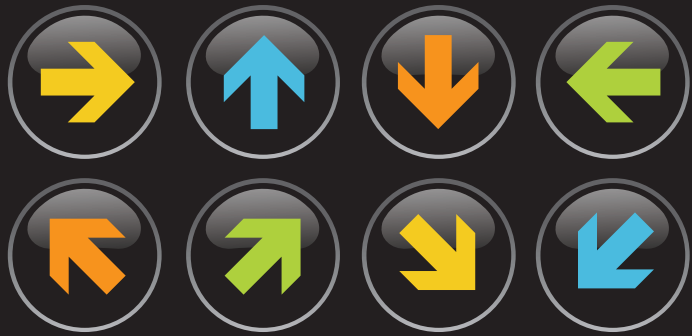
Appeals Procedure

If you are still not satisfied, you should write directly to the Chief Executive Officer who will arrange to have your complaint investigated. This investigation will be done in co-operation with the National Learning Network

This complaints procedure does not affect your rights under statutory formal procedures that govern issues such as discrimination or bullying and harassment.

Where a dispute occurs between the Principal and the DSO the matter will be referred to the Education Officer in the first instance. This investigation will be done in co-operation with the National Learning Network.

Section 2



An Inclusive Admissions Policy



Principles of an Inclusive Admissions Policy

An Inclusive Educational Environment refers to a learning environment that facilitates a process of growth for both staff and students. When we speak of inclusive education we refer to a mind set and a process of growth that allows all members of the organisation to participate and benefit fully and equally in a working and training environment.

- ➡ The concept of inclusive education means that all buildings, systems, structures and courses are maximally accessible to staff and students.
- ➡ The implementation of an effective inclusive policy means that any course offered by the CDVEC is optimally accessible to any individual meeting its entry criteria regardless of age, race, gender, disability, sexual orientation or socio economic status.

The White Paper on Adult Education *Learning For Life* states that adult education should be underpinned by three core principles (pp 12–13).

1. **A systemic approach** – which recognises that the interface between the different levels of education provision, and the quality of the early school experience have a critical influence on the students'

motivation and ability to access and progress in adult education and training.

2. **Equality of access** – participation and outcome for participants in adult education, with pro-active strategies to counteract barriers arising from differences of socio-economic status, gender, ethnicity and disability.
3. **Inter-culturalism** – the need to frame educational policy and practice in the context of serving a diverse population as opposed to a uniform one, and the development of curricula, materials, training and in-service, modes of assessment and delivery methods which accept such diversity as the norm. This refers not only to combating racism and encouraging participation of immigrants, refugees and asylum seekers in education, but also to a recognition that many minority groups such as travellers, people with disabilities, older adults, participants from disadvantaged areas may have distinct needs and cultural patterns which must be respected and reflected in an educational context.

An Inclusive Learning ethos is one, which respects the fact that each individual learns differently, has a unique way of processing, understanding, and articulating information i.e. each person has his/her own learning styles and preferences.

With this in mind, teaching staff should endeavour to use and develop many different teaching methods. They should use a range of styles and materials in responding to the range of learning styles and learning preferences found within the broadest possible spectrum of society.

This ensures that the curriculum and indeed all aspects of service from application to completion are accessible to students with different states of being, different learning styles, and different specific support requirements.

All new buildings must be fully accessible to all.

Reasonable structural modifications must be made to all inaccessible buildings. Where this is not feasible, classes/lectures may, where possible be moved to an alternative location.

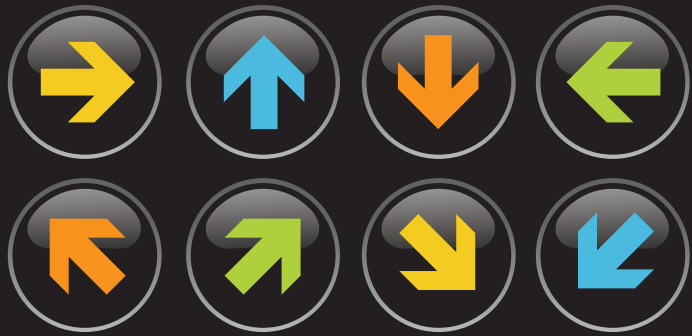
Administrative, ancillary and managerial staff must also be committed to inclusive practices in day-to-day business in long-term planning.

An Inclusive Education Policy in any CDVEC school/college/centre must include:

- ➔ a universal admissions policy which makes provision for identifying and supporting individuals from the range of diverse backgrounds as well as those with disabilities without making such individuals feel they are being treated differently.
- ➔ a statement supporting the development and nurturing of an ethos of inclusivity.
- ➔ a commitment to developing a continuing professional development training plan for teachers and other staff members in inclusivity.
- ➔ clear criteria for refusal of admission to a course based on the individual's lack of ability to complete the course successfully and not on any particular characteristic of the individual.
- ➔ information produced in a range of accessible formats. This can range from enlarged copies of handouts, to electronic prospectuses, to videotaped information or to the provision of sign language interpreters at student or parent events.

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Section 3



Disability Awareness



Disability Awareness

The purpose of this section of the manual is to introduce the reader to some of the disabilities that are most likely to be encountered in the classroom.

It is important to remember that disability is not an illness; it can affect people at any stage throughout their lives. As well as being a long-term issue it may also take the form of a temporary disability such as a broken limb or short-term depression following a personal tragedy. 'Disability' is a part of the human condition.

People, no matter what their level of disability, wish to lead active, independent lives and to have the same choices as every other citizen. However, due to discriminatory attitudes and practices, and physical barriers such as the built environment, many people do not have the choices and freedom that the majority of people take for granted.

We are all individuals irrespective of our abilities or disabilities and as Principal, if you have any queries at any time on how best to facilitate or support a student with a disability in your college you can always ask them what supports:

- ➡ they think they may require
- ➡ they have had before

AND/OR

- ➡ you can direct them to the Disability Support Service.

Types of disability most commonly found in the classroom include:

1. Visual Impairment
2. Deafness
 - Profoundly deaf
 - Deafened
 - Hard of Hearing
3. Physical mobility
4. Communication difficulties
5. General Learning Difficulty
6. Specific Learning difficulty
 - Dyslexia
 - Dyspraxia
 - Attention Deficit Hyperactivity Disorder (ADHD)
 - Asperger's Syndrome
7. Epilepsy
8. Mental Illness
 - Anxiety disorders
 - Mood disorders
 - Psychotic disorders
 - Eating disorders
 - Impulse control and Addiction disorders
 - Personality disorders

1. Visual Impairment

The actual vision of a person with Visual Impairment varies greatly. Persons are considered legally blind when visual acuity is 20/200 or less. Most persons who are legally blind have some vision. Others who have low vision may rely on residual vision with the use of assistive technology and software. For others it may be sufficient to simply enlarge the print size of the text. The two other most commonly used ways for visually impaired persons to access written text is through an electronic screen reader or by having the text converted into a braille document.

Some people may choose to or need to use a white cane or a guide dog to assist them with mobility.

Many prospective students with visual impairment may wish to be facilitated to familiarise themselves with the new college environment prior to commencing their studies. This allows them to get a sense of where the classrooms, toilets etc are located and is termed 'orientation'.

Good Practice guidelines when guiding a person with visual impairment are:

- ➡ stand on the right hand side of the person
- ➡ offer the person your left arm
- ➡ they will hold your arm just above your elbow
- ➡ always walk one step in front of them
- ➡ always let the person know when you are approaching steps, entering a room etc.

2. Deafness

People who are deaf can be members of distinct linguistic and cultural minority called '*The Deaf Community*' although some deaf people may never have met other deaf people or been given the opportunity to learn Irish Sign Language (ISL). This is because 90% of deaf children are born to hearing parents.

ISL is the preferred language of most deaf people in this country.

Profoundly Deaf

This category is generally considered to include people with significant lack of hearing usually a loss of 80 decibels or more. This means that spoken language information is not accessible and has implications for English language development as well as for the opportunity for sign language development and communication in day-to-day life.

It is worth noting that deaf people in this category often do not consider themselves to have a disability as they were never able to hear and do not think in terms of 'hearing loss'.

Deaf students and their teachers will require the support of an interpreter to access information and communication in the classroom. English can be considered a second language for ISL users and many deaf people have difficulty with developing good English skills. Where possible it is good practice to provide the interpreter with copies of material that will be covered

prior to the class. This allows the interpreter time to prepare notes for translation into ISL.

It is worth noting that the parents of a student may be deaf and may request an interpreter at meetings and on parents' days. It is considered good CDVEC practice to make this provision available.

Deafened

Many people become deaf due to an accident or illness. While some people may use a hearing aid this is not always satisfactory as hearing aids amplify background noise and this causes discomfort and frustration. It is very difficult to learn Irish Sign Language (ISL) in later life, however it is possible. The main barrier encountered by the majority of people who are deafened is lack of access to information. However as deafened people have already acquired spoken and writing skills in English their work is often very good, the difficult area centres on oral communication.

Hard of Hearing

The term hard of hearing refers to those individuals who may use lip reading and hearing aids to enhance oral communication. Hearing aids or amplification systems may include public address systems, induction loops and transmitter/receiver systems with clip-on microphone for the teacher. For those who use lip reading only 30%-40% of spoken English is comprehensible, even for those who are highly skilled. Indications that a

student has a hearing loss may include a student's straining to hear, and use of loud or distorted speech.

For people who are deaf or hard of hearing and who choose to speak, feedback mechanisms are limited; therefore, vocal control, volume, and articulation may be affected. These secondary effects are purely physical, but are often misinterpreted as intellectual weakness, which they emphatically are not.

3. Physical Mobility

A wide range of conditions may limit mobility and/or hand function. These include cerebral palsy, multiple sclerosis, muscular dystrophy and spinal injury. Physical strength, speed, co-ordination and dexterity may also be affected. The built environment and physical access to buildings pose many challenges for people who use wheelchairs or other technology such as walking aids to assist with mobility.

A person's physical mobility and the level of assistance each person requires vary greatly. Some people have average upper body movement and strength, which allows them to transfer from a lightweight wheelchair into a car. Others have little or no movement and may require assistance with physical movement. They may require assistance with taking notes, photocopying and assistance in the canteen at lunch – time. In this case a **Personal Assistant (PA)** will be employed to support and assist the student.

4. Communication (Articulatory) Difficulties

People with significant speech difficulties have oral motor difficulties. Learning ability is not affected. People with speech difficulties are used to people having difficulty in understanding them. Patience is the key. Never attempt to finish the person sentence.

In class the student should be allowed the time and opportunity to speak. It is usually a good idea to agree a strategy with the student in the event of not being able to decipher their speech. For example if after three attempts you cannot understand him/her, perhaps it would be helpful to ask the student to e-mail or write down any questions or points he/she would like to clarify or discuss.

5. General Learning Difficulty

This person's intellectual ability varies but shows more generalised difficulty than difficulty in specific areas. It is helpful to provide additional tuition to re-enforce learning as learning proceeds at a slower pace. Teaching for people with general learning difficulties should be geared towards the individual student's strengths. As with all students, a variety of different teaching methods should be utilised, as people with learning difficulties are sometimes strong kinaesthetic learners. This means they learn better in the practical/demonstration way. The person's creativity and physical ability may be high. Social competencies may need to be taught and explained. These students

will generally succeed with additional learning support. The selection of an appropriate and achievable course of study is also very important.

6. Specific Learning Difficulties: (SpLDs)

Around 10% of the population have specific learning difficulties.

These individuals will have average or above average intelligence and can be perceived as being generally capable but having specific areas of difficulty where they do not perform to expectation.

There are four categories of SpLD within which students within CDVEC colleges can be expected to be identified:

Dyslexia (Word Blindness)

Dyspraxia (Development Coordination Disorder)

Attention Deficit Hyperactivity Disorder (ADHD)

Asperger's Syndrome

It is important to be aware that overlap (co-morbidity) is the norm rather than the exception and many individuals will have elements of two or more SpLD. Individuals all have unique profiles and rarely 'fit neatly' into one category. It is important to assess students across the range of SpLD so that interventions which are appropriate and, hence, effective can be implemented.

(i) Dyslexia

Literally translated Dyslexia means 'poor word'

Dyslexia is a reading disorder that is marked by difficulties with reading speed, accuracy and/or comprehension – despite adequate intelligence and teaching. It usually presents around the age of 7 or 8 as the child's deficiencies become clear within the school setting. Often there are other associated symptoms such as poor spelling, writing, handwriting and occasionally mathematical difficulties.

- ➔ Issues occur mainly in the areas of reading, writing and spelling.
- ➔ Discrepancy between oral and written performances may also occur.

How would you recognise Dyslexia in the classroom?

- ➔ A difference between verbal ability and written work
- ➔ Mis-reading/mis-copying
- ➔ Immature/Untidy handwriting
- ➔ Problems with:
 - sentence structure
 - punctuation
 - spelling
- ➔ Difficulties with:
 - organisation
 - getting ideas onto paper
 - planning and organising assignments
 - proofreading
- ➔ Problems following a sequence of complex instructions
- ➔ Difficulties with reading accuracy and speed
- ➔ Possible short-term memory weakness
- ➔ Visual discomfort
- ➔ Headaches

- ➔ Eyestrain
- ➔ Blurring of text
- ➔ Complaints about print 'moving' on page
- ➔ Sensitivity to lights/screen flicker

(ii) Dyspraxia/Developmental Coordination Disorder

Dyspraxia/DCD is a label that has been used often as an umbrella term for children with co-ordination difficulties.

Literally translated dyspraxia means 'poor doing'

Examples include

- ➔ difficulty with organisation of movement which affects both fine and gross motor control and drains attentional resources
- ➔ perceptual problems and problems in the areas of language and thought
- ➔ interferes with daily activities e.g. changing a plug

How would you recognise Dyspraxia in the classroom?

An individual with dyspraxia may show some of the following difficulties:

- ➔ posture is *low toned* – the student may appear to be 'lounging'
- ➔ student may tire easily
- ➔ poor organisational/time management/planning
- ➔ difficulty understanding and accessing information
- ➔ handwriting poor and writes slowly
- ➔ poor social interaction
- ➔ difficulty with personal hygiene and dress

Children/Adults with Dyspraxia always need to use part of their attention span to maintain tasks that do not transfer into automaticity. They will therefore not have the same attentional resources available to them, for any additional tasks, as other students have.

(iii) Attention Deficit Hyperactivity Disorder (ADHD)

The core symptoms of ADHD are over-activity, impulsivity and distractibility

These symptoms present themselves differently for each individual but generally cause problems in the learning/work environment. Examples of such symptoms are:

- ➔ talking out of turn
- ➔ fidgety behaviour
- ➔ problems with attention
- ➔ behavioural difficulties
- ➔ organisational difficulties

How would you recognise ADHD in the classroom?

An individual with ADHD may show some of the following difficulties:

- ➔ attention/concentration span is short leading to disorganised study/assignments
- ➔ lacks ability to sit still and is impulsive
- ➔ student behaviour may be perceived as disobedient, disruptive, or attention seeking
- ➔ behaviour can be very inappropriate talking too loudly talking out of turn not staying on topic

Overlap

- ➔ Research shows that 50% of people with ADHD are likely to have other processing/learning/psychiatric issues also
- ➔ 3-7 times more males than females are diagnosed with ADHD

(Reference: Dr. Amanda Kirby. Dyspraxia The Hidden Handicap 1999)

(iv) Asperger's Syndrome (AS)

Asperger's Syndrome is a neurological disorder associated with the autism spectrum of difficulties.

People with Aspergers Syndrome may show signs and symptoms of the following:

- ➔ difficulty with social interaction
- ➔ will interpret language literally and this may cause difficulty in a social context
- ➔ obsessive tendencies with routines, subjects of interest or details
- ➔ over sensitivity to certain sounds, tastes, smells and sights.

How would you recognise Aspergers in the classroom?

- ➔ The student will consider his or her opinion of equal weight to yours
- ➔ The student may be a concrete thinker
- ➔ The student will remember exactly what you said and remind you of it
- ➔ The student may have almost obsessive interest in a specific area
- ➔ There will be difficulty in transferring learning from one social situation to another and socially appropriate behaviour may have to be taught.

Practical tips to support students with AS in the classroom

- ➔ Be overt when giving direction/instructions
- ➔ Explain the social/class situation in explicit terms
- ➔ Ask the student to repeat what he/she understood from the instruction.
- ➔ Present information in short sentences of one proposition. Use bullet points, mind maps and unambiguous language.
- ➔ Start each class with a brief review of the previous one to contextualize information.

7. Epilepsy

Epilepsy can be described as a chronic condition characterised by a tendency to have recurring spontaneous seizures. It is not a disease, nor is it contagious. Many people will have a single seizure sometime during the course of their life, but it does not constitute epilepsy. Our brains are made up of millions of nerve cells called neurons. A seizure occurs when the normal working of these neurons is suddenly or temporarily disturbed. Many people with epilepsy have medication to control the number of seizures.

Some of the most common types of seizures are:

Absence seizure
Tonic clonic Seizure
Complex partial seizure

(i) Absence seizure

The person, often a child, looks blank for a few seconds, is momentarily unaware of people and things around them but very quickly returns to full consciousness without falling or loss of muscle control.

(ii) Tonic clonic seizure

The person may cry out as he or she falls to the ground unconscious. The body stiffens briefly and then may begin jerking. The face may turn blue and frothy saliva may appear around the mouth. Some people experience tongue biting and maybe incontinent of urine. Tonic clonic seizures vary in length and help should be sought after 5 minutes, the person may be tired or confused for a while afterwards.

(iii) Complex partial seizures

The symptoms of this type of seizure are very variable but are usually short, constant and specific for the individual. The person may appear confused and repeat movements automatically or may experience a strange sensation, a feeling of fear or a sick feeling in the stomach. People sometimes use the words fit, attack, convulsion or turn instead of the word seizure.

Treatment

Epilepsy can be controlled by the appropriate drug treatment in the majority of cases. There are a number of different anti-epileptic drugs and

different drugs are prescribed for different types of epilepsy. Sometimes the tendency to have seizures diminishes with time and it may be possible to withdraw the drugs altogether once the person has been free from seizures for at least two years.

8. Mental Illness

Professor Anthony Clare, psychiatrist, defines mental illness as follows:

“A diagnosis of mental illness usually means in practice that:

- a) a person is experiencing symptoms characteristically regarded as psychological, such as anxiety, depression, elation, hallucinations, delusions, obsessions, compulsions;
- b) the symptoms are severe and disturbing; that is to say, the individual is distressed by them, cannot function, and feels ‘unwell’. The layman’s term is ‘breakdown’ and it is a good one, for it suggests that the normal ability to cope with stress and setbacks has broken down, that he/she has lost the normal ability to ease tension, lift mood, regain control, cope;
- c) the individual is so affected that he or she cannot ordinarily regain control without getting external help [be it by means of talking, listening and learning (psychotherapy, behaviour therapy), physical therapy (drugs, ECT), and/or social interventions (attention to stresses at work, in the home, within marriage, or relating to money, status, power)]

- d) the ill health can be caused by genetic factors; by loss such as bereavement or unemployment or financial disaster; by catastrophic stress, such as war, disasters such as the Lockerbie air tragedy or the Stardust fire; by physical illness; or indeed by a combination of some or all of these factors
- e) rarely is there a single cause of psychiatric illness and rarely, too, a single treatment”

Reference: Clare, Prof. Anthony (1999) ‘The mad Irish?’ In Keane, Colm (Ed), **Mental Health in Ireland**. Gill and Macmillan Ltd and RTÉ, Ireland

There are many different conditions that are recognised as mental illnesses. The most common types are:

Anxiety disorders
Mood disorders
Psychotic disorders
Eating disorders
Impulse control and addiction disorders
Personality disorders

(i) Anxiety disorders

People with anxiety disorders respond to certain objects and situations with fear and dread, as well as physical signs of anxiety or nervousness. An anxiety disorder is diagnosed if the person’s response is not appropriate to the situation, if the person cannot control the response or if the anxiety interferes with normal functioning.

Examples of this disorder include:

- ➔ Generalised Stress Disorder
- ➔ Post Traumatic Stress Disorder (PTSD)
- ➔ Obsessive Compulsive Disorder (OCD)
- ➔ Panic Disorder
- ➔ Social Anxiety Disorder
- ➔ Specific Phobias

(ii) **Mood disorders**

These disorders, also known as affective disorders, involve persistent feelings of sadness or feelings overly happy, or fluctuations from extreme happiness or extreme sadness. Examples of mood disorders include:

- ➔ Depression
- ➔ Bipolar Depression

(iii) **Psychotic disorders**

These disorders involve distorted awareness and thinking. Two of the most common symptoms of psychotic disorders are:

- ➔ Hallucinations – the experience of images or sounds that are not real, such as hearing voices
- ➔ Delusions – false beliefs that the person accepts as true despite evidence to the contrary.

The best-known example of a psychotic disorder is Schizophrenia.

(iv) **Eating disorders**

Eating Disorders involve strong attitudes and emotions involving weight and food. Anorexia Nervosa, Bulimia Nervosa and Binge Eating

Disorder are the most common eating disorders.

(v) **Impulse control and addiction disorders**

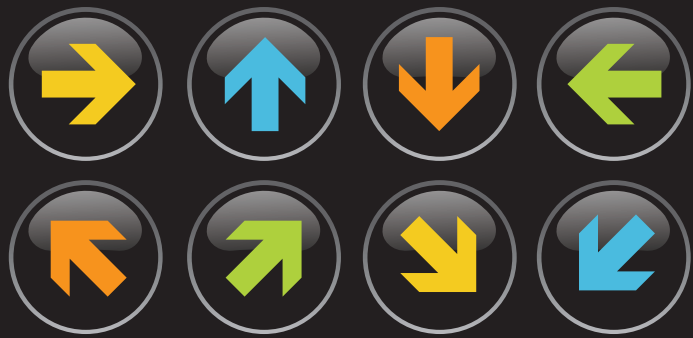
People with impulse control disorders are unable to resist urges, or impulses, to perform acts that could be harmful to themselves or others. Pyromania (starting fires), kleptomania (stealing) and compulsive gambling are examples of impulse control disorders. Alcohol and drugs are common objects of addictions. Often, people with these disorders become so involved with the objects of their addiction that they begin to ignore responsibilities and relationships.

(vi) **Personality disorders**

People with personality disorders have extreme and inflexible personality traits that are distressing the person and/or cause problems in work, school or social relationships. In addition, the person's pattern of thinking and behaviour differ significantly from the expectations of society and are so rigid that they interfere with the person's normal functioning. Examples include antisocial personality disorder and paranoid personality disorder.

Reference: www.mentalhealthireland.ie;
<http://my.webmd.com>

Section 4



Educational Support Workers



Educational Support Workers (ESW)

The following types of Educational Support Workers currently work within the DSS:

1. Note taker
2. Reader
3. Personal Assistant (PA)
4. Study Skills Tutor
5. Speed text Operator
6. Dyslexia Tutor
7. Irish Sign Language Interpreter

The type and nature of supports available to students within the disability support service is determined by each student's specific requirements. While some students have PAs to assist them in college, the Disability Support Service will differentiate between the role of a personal assistant and other educational support staff, such as note-takers and readers. It should be noted, however, that personal assistants might also carry out the duties of a note-taker or reader, if they have the necessary skills.

Qualification and training requirements

The Educational Support worker must meet the essential requirements of the service they provide, as listed below. Where a recognised FETAC or HETAC qualification is available in relation to a specific service, then it will become the basic qualifying entry requirement for that service.

The qualification requirements for any Educational Support Worker, working with the DSS, will be determined by the CDVEC in consultation with the NLN.

Desirable Qualification

A one-year full-time FETAC Level 5 course entitled 'Disability Support Workers' is available in Killester College of Further Education (CDVEC). This is the first course of its kind accredited in Ireland, for Irish educational support workers. Priority will be given to applicants for positions in the DSS who have successfully completed this course.

For further details see the following page or visit www.Killestercollege.ie

Necessary Qualification

NLN and CDVEC organise a one-week training course each August for people who have applied to work in CDVEC as ESWs. If offered a position as an ESW this training is a requirement of employment. Ultimately it is hoped to make this a single accredited FETAC module at level 5

Individual Training

In the event that a person with no previous training is offered a position in CDVEC DSS as an ESW after the August training course has been completed, the Disability support worker will provide an interim one-to-one training programme. Full attendance at the next available one-week training session organised by NLN and CDVEC will be compulsory.

Killester College – Disability Support Worker

This is a one-year course designed to prepare students to work as disability support workers in education and other environments.

Entry Requirements

- ➔ Leaving cert – 5 passes
- ➔ Applied Leaving Cert – 120 credits
- ➔ Interview
- ➔ Mature Students – Interview (formal academic qualifications not required)

Course Cost: €300

Course Content

Care Skills
Care Support
Safety & Health at Work
Ethics & Confidentiality
Assistive Technology
Communications
Work Experience
Special Learning Difficulties
Disability Awareness
Disability Studies

Certification

- ➔ FETAC Level 5 Award - Healthcare Support (DHSXX)
- ➔ First Aid
- ➔ Sign Language

Career Opportunities

Disability Support work is characterised by working in partnership with people who experience marginalisation or disadvantage or who have special needs. It can be a challenging but very rewarding career. With

the emphasis on inclusion these highly skilled graduates are in much demand. Opportunities may also be available with the disability support services.

Further Studies

Graduates from this course may progress through the higher links scheme to degree programmes in the social care and other general degree areas.

Note-taker

The role of a note taker within the Disability Support Service is to take notes for the student(s) with whom they work in a classroom/lecture/tutorial setting.

Essential Requirements

- ➔ Clear, neat hand writing
- ➔ Good spelling and grammar
- ➔ Ability to work within a classroom environment
- ➔ Good literacy skills
- ➔ Competent in spelling

Desirable Requirements

- ➔ Good word processing skills

Duties

- ➔ Take notes for the student(s) in lectures and tutorials
- ➔ Discuss with the student(s) the format in which they prefer their notes. For example using mind mapping, bullet points, linear style, etc. Some students who are visually impaired may prefer notes typed and sent to them via e-mail, should this be the case you will have access to a PC and e-mail within the college.

Ethical Guidelines

Any note-taker working for the Disability Support Service must abide by the ethical guidelines for Educational Support Workers as described in this manual.

Reader

The role of a reader within the Disability Support Service is to read print and/or read books onto audio – cassette for the student(s) with whom they work with in a classroom/lecture/tutorial setting. They may also be required to read to support the student with study.

Essential Requirements

- Clear diction
- Excellent literacy skills
- Ability to use technology such as a scanner, photocopier, and braille machine as required.

Duties

- To read material as directed by the student
- To assist the student with scanning text on to a PC
- To produce text in Braille if required
- To read text on to audio–cassette as required
- To assist with photocopying of materials

Ethical Guidelines

Any reader working for the Disability Support Service must abide by the ethical guidelines for Educational Support Workers as described in this manual.

Personal Assistant (PA)

The term Personal Assistant (PA) refers to an individual who is employed to assist someone with a physical or sensory disability to lead an active, independent life. The role of a PA is to facilitate a person to live their life as they choose within the community. Where possible, the service user will direct and manage his or her Personal Assistant service. Therefore, a PA will carry out tasks and duties in accordance to the wishes of the person with whom they work. Hence, the use of the term personal, no two individuals requirements are exactly the same.

The role of a Personal Assistant (PA) within the Disability Support Service is to assist with a variety of tasks as directed by the student. A PA may also carry out the tasks of a note taker or reader if the person has the skills required.

Assistance with personal care needs: All PA's must be trained in Lifting and Manual Handling. A refresher course must be completed every two - three years. Where a person cannot bear his or her own body weight equipment/assistive technology such as a hoist must be used in accordance with health and safety legislation. On occasion one individual may act as PA and ESW to a student in CDVEC.

Essential Requirements

- Open, non judgemental attitude
- Flexibility in relation to tasks carried out.

Duties

- ➔ Assistance with personal care needs
- ➔ Assistance using assistive technology as directed by student
- ➔ Photocopying and collation of notes and study materials

Ethical Guidelines

Any Personal Assistant working for the Disability Support Service must abide by the ethical guidelines for Educational Support Workers as described in this manual.

Study Skills Tutor

All study skills tutors who work with students are teaching staff already employed within the CDVEC.

The role of the study skills tutor is to support students with the development of effective time management techniques and study skills. The tutor may work with individuals or with small groups for a designated time period in order to achieve a particular goal.

Essential Requirements

- ➔ Good knowledge of the concept of different learning styles and study skills such as mind mapping etc.
- ➔ Supportive attitude and the ability to motivate adult learners.

Duties

- ➔ Support students in the development of effective study skills and time management techniques.

- ➔ Demonstrate different ways in which linear notes can be written.

Techniques include:

- Mind maps
 - Bullet points
 - Summarise main points
 - Photocopy key pages
 - Highlight key words and phrases
 - Underline key words and phrases
- ➔ Explore and explain concepts such as the use of visual mapping, flow charts, post cards and bomb blasting.
 - ➔ Proof read assignments, this will include spelling and grammar check
 - ➔ Support students with revision for exams.

Ethical Guidelines

Any study skills tutor working for the Disability Support Service must abide by the ethical guidelines for Educational Support Workers as described in this manual.

Speed text Operator

The role of the speed text operator within the Disability Support Service is to transcribe all verbal communication and notes verbatim in electronic format during each class.

The speed text operator and the student will both have a laptop. This allows the student immediate access to all communication and other relevant material. Lesson notes can be made available to other students by agreement.

Speed text operators provide a typed commentary of all that is said and are

supportive to deaf students and students identified with dyslexia. They also serve the role of providing class notes for those who may not be able to take notes during class. The National Association for the Deaf (NAD) offers training for this support role.

Essential Requirements

- ➔ Typing speed of 65 words per minute
- ➔ Excellent command of the English language
- ➔ Excellent spelling and grammar
- ➔ Ability to work discreetly within an academic environment

Duties

Provide clear concise, accurate notes in electronic format

Ethical Guidelines

Any speed text operator working for the Disability Support Service must abide by the ethical guidelines for Educational Support Workers as described in this manual.

Dyslexia Tutor

Dyslexia tutors are usually qualified teachers employed as teachers by CDVEC, where possible. Alternatively suitably qualified personnel may be sourced through The Dyslexia Association of Ireland.

The role of the dyslexia tutor within the Disability Support Service is to support students with dyslexia with assignments, coursework and study skills including time management. The dyslexia tutor and the

Disability Support Officer will meet on a regular basis for information sharing and to debrief on the progress of individual students.

Essential Requirements

- ➔ To have experience in supporting/tutoring students with dyslexia and other literacy related issues.
- ➔ To have good knowledge of the concepts of learning styles and study skills such as mind mapping etc.
- ➔ To have a supportive attitude and the ability to motivate adult learners.

Duties

- ➔ To support students with study skills and time management techniques.
- ➔ To assist students with preparation of assignments, i.e. planning and structuring essays and reports.
- ➔ To assist students with proof reading assignments, i.e. the correction of spelling and grammar.
- ➔ To support students with reading as appropriate.
- ➔ To assist students with revision and exam preparation.

Ethical Guidelines

Any dyslexia tutor working for the Disability Support Service must abide by the ethical guidelines for Educational Support Workers as described in this manual.

Irish Sign Language Interpreters

Bridge Interpreting Agency has responsibility for the provision of Irish Sign Language (ISL) Interpreters services for deaf students who require this service within the CDVEC. The student contacts the Disability Support Officer or another designated member of staff within the college. The Disability Support Officer will then contact the agency (subject to the approval of the Principal) with the student's course details and an ISL Interpreter(s) will be assigned to work with the student.

It is CDVEC policy to agree only to the employment of suitably qualified and registered Irish Sign Language interpreters.

How a sign language interpreter works in an educational setting

- 1 An interpreter works in the first person, i.e. he/she speaks/signs 'I'. If the interpreter needs to clarify, or to correct a self made error, he/she will refer to 'the interpreter.'
- 2 An interpreter's role is confidential and is not part of the discussion / lecture / meeting, etc.
- 3 It is good practice for the interpreter to clarify what was said. Remember interpreters cannot interpret what was unheard, seen, unclear, etc.
- 4 The policy of the CDVEC is to encourage deaf students to sign as much as possible. The interpreter can only interpret what has been

signed and not what the student thinks he or she has signed. The interpreter may have to seek clarification as to what was meant.

- 5 In interpretation, there is a delay between the original message and the interpreted message. This means students and teachers will receive the interpreted message a number of seconds after the original message. This needs to be borne in mind when asking/answering questions in class.
- 6 Remember to speak or sign one at a time and at your normal sign or speech pace. The interpreter can only translate one message at a time.
- 7 Students are responsible for forwarding a copy of any class presentations to the interpreter well in advance so that the interpreter will be familiar with each student's presentation and can therefore provide a more equitable interpretation.
- 8 Certain things can distract the interpreter's language processing. Should distractions occur, the interpreter may need to ask the signer or speaker to repeat what they have signed/said so that the intricate task of processing simultaneously between two languages can begin again. This adds further delays and distractions to the lecture. Things that can interrupt the interpreting process include; clicking pens, drills, coughing, patterned clothes,

loud whispering, or students' attempting to 'help' the interpreter by voicing over what has been signed or said during the interpreter's lag time. The interpreter will clarify with the original signer or speaker if/when required.

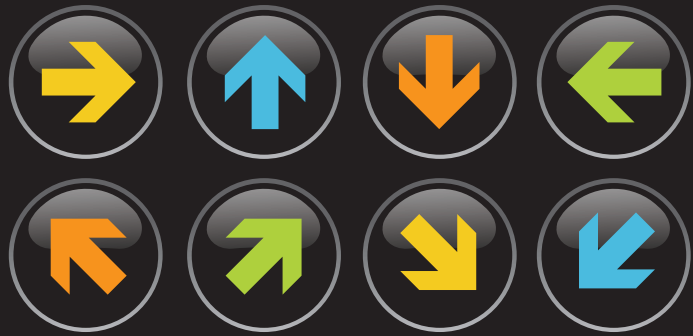
- 9 Teacher's notes given to the interpreter are for preparation purposes and for the interpreter's use only.
- 10 Students who miss lectures should ask their fellow students or teacher as to what was discussed in that session and not the interpreter. Also, questions relevant to the course material should also be directed at the lecturer and not the interpreter.
- 11 It is the students' collective responsibility to ensure that they can see the interpreter and that the interpreter can see the student who is signing. Therefore, students who wish to sign a comment or question should come to the front of the class so that everyone can see him/her clearly. This is standard practice in large signing groups.

[Ethical Guidelines](#)

Any sign language interpreter working for the Disability Support Service must abide by the ethical guidelines for Educational Support Workers as described in this manual.

Reference: Susan Foley-Cave (Bridge Interpreting).

Section 5



Confidentiality Policy



Confidentiality Policy

National Learning Network/ CDVEC Disability Support Service: Confidentiality Policy

The Disability Support Service delivers a service that is confidential and without prejudice. This confidentiality policy sets out current practice within the service and has been developed in consultation with CDVEC Psychological Services with whom it is reviewed regularly.

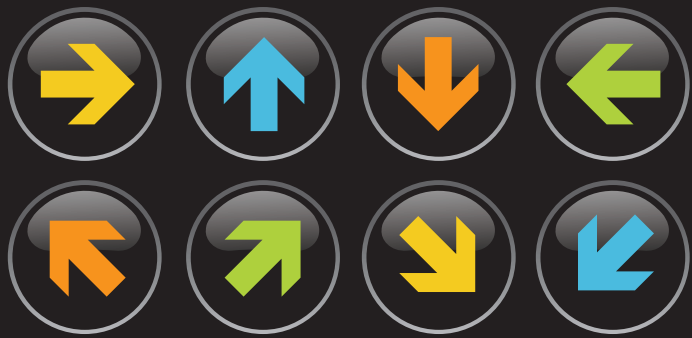
- The Disability Support Service is aware of its obligations under Irish law regarding confidential records and will conform to current legislation.
- The confidentiality policy applies to service users that are over the age of 18. The DSS is in the process of developing a confidentiality policy for service users under the age of 18 and will investigate current standard practice relating to students in this age group.
- Records are currently maintained to enable the Disability Support Officer to effectively meet each individual student's needs and to facilitate communication between the disability support officer and individual students. This information contains the following:
Contact details
 - Record of scheduled appointments
 - Notes of meetings, phone calls
 - Copies of Grant applications (this may include copies of medical records or assessments)
 - Any correspondence between the student and the Disability Support Officer

- Any correspondence from other organisations relating to the student

This information is completely confidential. Hard copies of this information are stored securely. This information will not be given to another party unless the consent of the student has been given.

- There are situations where a student may request that the disability support officer initiates contact with college staff, management or other service providers regarding specific issues. The disability support officer will liaise with staff members to ensure that the concerns of the students are addressed and as the student is central to this process he/she will be involved as much as possible.
- The Disability Support Service aims to work in partnership with college staff, management and other service providers. Therefore the disability support officer, at the request of a staff member will confirm whether or not a particular student is accessing the Disability Support Service. However specific details relating to the students contact with the service will not be given to a third party unless the student has given her/his permission.
- In situations where the disability support officer feels that a student is in danger of harming him or her-self or others the appropriate people will be informed e.g. the Principal, the Psychologist/Psychological Service, the Guidance and Counselling Service.

Section 6



**Ethical Guidelines for Educational
Support Workers**



Ethical Guidelines for ESW

It is essential that the best ethical practice is demonstrated by Educational Support Workers both to students receiving supports as well as to the student body in general. Where CDVEC teachers provide supports as qualified professionals and employees of CDVEC they must adhere to existing CDVEC policies such as:

Ethical practice guidelines for CDVEC guidance counsellors and psychologists

And/or

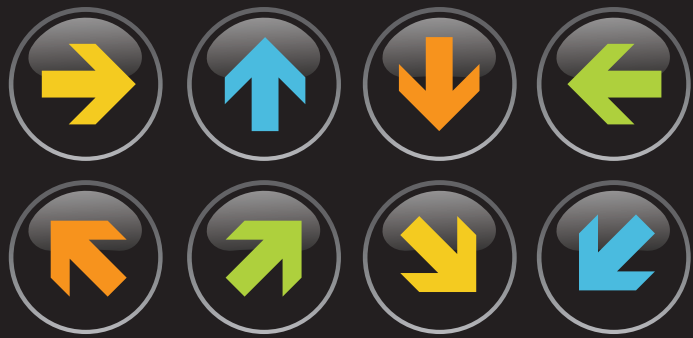
A code of practice for CDVEC staff in their relationships with the scheme's students

Irish Sign Language Interpreters and Dyslexia tutors are also members of professional bodies with appropriate ethical guidelines, which are an integral part of their profession.

It is important when using Educational Support Workers in the classroom, who are not teachers, that they work to the Code of Practice and in addition are made fully aware of the following ethical guidelines and that these are fully adhered to.

- ➡ ESW may not discuss what happens during the lesson outside of the classroom. This is confidential information.
- ➡ ESW may not refer to the student they are supporting by name except in situ in the teaching and learning environment in the college the student is studying in and in other appropriate situations. This is confidential information concerning an individual's right to privacy and therefore he or she must not be discussed with friends of the ESW or other people no matter how well intentioned.
- ➡ ESW may not comment at any time on how well a person is or is not doing in their education/class work. They may answer questions of the teacher or other CDVEC/NLN personnel relating to the efficiency of the support method in use.
- ➡ ESW has no direct responsibility for an individual's learning, only for the means of access to it that they are providing or that is being provided through them.
- ➡ ESW may not change any of the students words or suggest better ways of 'phrasing' something. It is important that the student's own work is not compromised and having access to an ESW must not give the particular student an advantage over the other students in the class.
- ➡ ESW may not correct grammar or spellings unless this is a specific element of the support, for example in the case of dyslexia.
- ➡ ESW may not interpret or explain assignments or 'help' the student with work. The student will have been briefed to ask the teacher to do this by the Disability Service Support Officer or course coordinator.

Section 7



**Continuous
Professional Development**



Continuous Professional Development

The following half-day and one-day training modules have been developed specifically for CDVEC and are available from the DSS on request by the principal:

1. **Introduction to Disability Issues**

This half-day training module covers the whole range of diversity within the disability spectrum and is useful as a lead into planning for inclusive teaching and learning practices within the college.

2. **Deafness**

This half-day training module explains deafness from the point of view of language development and literacy. It is very useful in raising awareness of the difficulties experienced by deaf students.

3. **Exploring Learning Styles**

This day long training module demonstrates that diversity in learning is the norm and can be used to set the context for developing and building on best practice and inclusive teaching and learning methodologies in the college.

4. **An overview of Specific Learning Difficulties (SpLDs).**

This half-day training module clarifies the differences between specific and generalised learning difficulties and offers strategies to support individuals who have been diagnosed with such difficulties.

5. **Planning the Inclusive College**

This half-day training module is part presentation and part-workshop. The presentation covers recent equality and disability legislation and considers how it may impact on general educational practise and delivery.

The workshop allows staff to consider aspects of inclusivity in respect of their own school or college.

All the above training sessions have been developed in response to specific requests and training can be delivered on other topics upon request from the Principal.

Training can be tailored to meet the requirements of the specific college.



National Learning Network

Investing in People, Changing Perspectives

National Learning Network/CDVEC
Disability Support Service

CONTINUOUS PROFESSIONAL DEVELOPMENT

National Learning Network, which has over 50 training centres around Ireland, also runs Continuous Professional Development programmes for instructors/teachers and other professionals.

Current programmes include:

- ➡ FETAC Assessor Training
- ➡ Mental Health Awareness
- ➡ Skills for Trainers
- ➡ Learning Difficulties Awareness
- ➡ Specific Learning Difficulties for Practitioners
- ➡ Boundary Management

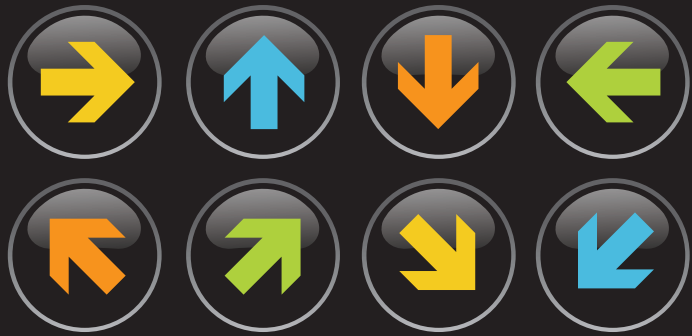
The ultimate aim is to develop a full award at FETAC Level 6 in the field of inclusive education and also in rehabilitation. These programmes are unique in that they are short (1–3 days delivery) with a full range of background reading and relevant documentation supplied on CD-Rom. Participants who partake in an accredited programme will be required to complete a portfolio demonstrating their knowledge and skills on the subject. National Learning Network is seeking to have these programmes approved by the Department of Education and Science in the coming year.

Programme Title	Accredited	Duration
FETAC Assessor Training	FETAC Level 6 Module	3 Days
Mental Health Awareness	FETAC Level 6 Module	3 Days (from September 06)
Skills for Trainers	FETAC Level 6 Module	3 Days
Learning Difficulties Awareness	FETAC Level 6 Module	3 Days (from September 06)
Specific Learning Difficulties for Practitioners	Awaiting FETAC approval	3 Days
Boundary Management	Awaiting FETAC approval	3 Days

Further information:

Please contact National Learning Network, Continuous Professional Development (CPD) on 01 4513859 or email cpd@nln.ie or web site: www.nln.ie

Section 8



Legislation



Legislation

Recent legislation has greatly increased awareness of the education and employment rights of members of society belonging to marginalised groups including people with disabilities.

Ireland is still in the process of creating frameworks, structures and systems for the implementation of this legislation.

The five pieces of legislation most relevant to the DSS are: -

1998 Education Act

2000 Equal Status Act

2002 Employment Equality Act

2004 Education for Persons with Special Educational Needs Act

2005 Disability Act

The Education Act 1998

Under the terms of the Education Act 1998 schools must:

- ➔ Promote equality of opportunity for male and female students, this includes sports and extra curricular activities
- ➔ Use their available resources to ensure that the educational needs of all students, including those with a disability or other special educational needs, are identified and provided for
- ➔ Have an admissions policy that must provide for maximum accessibility to the school
- ➔ Ensure that the admissions policy respects the principle of equality
- ➔ In their school plan state the objectives of the school relating to equality of access to and participation in the school
- ➔ In the school plan set out the measures the school will take to achieve these equality objectives.

Education Welfare Act 2000

Under the terms of the Welfare Act 2000 schools must:

Prepare a code of behaviour in respect of students. This must state the standards of behaviour that students are required to observe

In its code of behaviour a school should name the nine grounds stated in the Equal Status Acts where discrimination is prohibited. It should also state that sexual harassment or harassment on these grounds is prohibited.

Equal Status Acts 2000 to 2004 and The Employment Equality Acts 1998 to 2004

Please note that the information on the Equal Status Acts 2000 to 2004 and The Employment Equality Acts 1998 to 2004, contained in this section of the manual is taken directly from the Equality Authority publication Equal Status Acts 2000 to 2004 and The Employment Equality Acts 1998–2004

This section of the manual is intended for information purposes only.
It is not a legal document.

Equal Status Acts 2000 to 2004

The Equal Status Act, 2000 has recently been amended by the Equality Act 2004. They are known together as the Equal Status Acts 2000 to 2004.

Introduction

The Equal Status Acts 2000 to 2004:

- ➔ Promote Equality
- ➔ Prohibit certain kinds of discrimination (with some exemptions) across nine grounds
- ➔ Prohibit sexual harassment and harassment
- ➔ Prohibit victimisation
- ➔ Require reasonable accommodation of people with disabilities
- ➔ Allow a broad range of positive action measures.

Scope

The Acts apply to people who:

- ➔ Buy and sell a wide variety of goods
- ➔ Use or provide a wide range of services
- ➔ Obtain or dispose of accommodation
- ➔ Attend at or are in charge of educational establishments.

Grounds

The Equal Status Acts 2000 to 2004 prohibit discrimination on the following nine grounds:

The gender ground: A man, a woman or a transsexual person;

The marital status ground: Single, married, separated, divorced or widowed;

The family status ground: Pregnant, a parent of a person under 18 years or the resident primary carer or parent of a person with a disability;

The sexual orientation ground: Gay, lesbian, bisexual or heterosexual;

The religion ground: Different religious belief, background, outlook or none;

The age ground: This only applies to people over 18 except for the provision of car insurance to licensed drivers under that age;

The disability ground: This is broadly defined including people with physical, intellectual, learning, cognitive or emotional disabilities and a range of medical conditions.

The race ground: A particular race, skin colour, nationality or ethnic origin;

The Traveller community ground: People who are commonly called Travellers, who are identified both by Travellers and others as people with a shared history, culture and traditions, identified historically as a nomadic way of life on the island of Ireland.

Discrimination

Discrimination has a specific meaning in the Acts and there are different types of discrimination covered including indirect discrimination, discrimination by imputation and discrimination by association. It is defined as the treatment of a person in a less favourable way than another person is, has been or would be treated in a comparable situation on any of the nine grounds which

- Exists
- Existed
- May exist in the future, or
- Is imputed to the person concerned.

➔ Indirect Discrimination – happens where there is less favourable treatment by impact or effect. It occurs where people are, for example, refused a service not explicitly on account of a discriminatory reason but because of a provision, practice or requirement that they find hard to satisfy. If the provision, practice or requirement puts people who belong to one of the grounds covered by the Acts at a particular disadvantage, then the service provider will have indirectly discriminated, unless the provision is objectively justified by a legitimate aim and the means of achieving that aim are appropriate and necessary.

➔ Discrimination by Association – this happens where a person associated with another person (belonging to the discriminatory grounds) is treated less favourably because of that association.

➔ Disability – Reasonable Accommodation

A person selling goods or providing services, a person selling or letting accommodation or providing accommodation, educational institutions and clubs must do all that is reasonable to accommodate the needs of a person with a disability. This involves providing special treatment or facilities in circumstances where without these, it would be impossible or unduly difficult to avail of the goods, services, accommodation etc.

However, they are not obliged to provide special facilities or treatment when this

costs more than what is called a nominal cost. What amounts to nominal cost will depend on the circumstances such as the size and resources of the body involved. If the State provides grants or aids for assisting in providing special treatment or facilities, there may be an onus on the service providers etc. to avail of these grants.

Sexual Harassment and Harassment

Sexual harassment and harassment in the provision of goods and services, accommodation and educational establishments is prohibited.

A person ("the harasser") shall not harass or sexually harass another person ("the victim" regardless of their gender) in the following circumstances:

- (i) the victim uses goods or services provided by the harasser (or seeks to);
- (ii) the victim obtains, or proposes to obtain, accommodation or related services from the harasser;
- (iii) the victim is a student at, or has applied for admission to, or seeks to avail of any services offered by an educational establishment at which the harasser is in a position of authority.

What is harassment and sexual harassment?

Harassment is any form of unwanted conduct related to any of the discriminatory grounds.

Sexual harassment is any form of unwanted verbal, non-verbal or physical conduct of a sexual nature.

In both cases it is conduct that has the purpose or effect of violating a person's dignity and creating an intimidating, hostile, degrading, humiliating or offensive environment for the person.

In both cases the unwanted conduct may include acts, requests, spoken words, gestures or the production, display or circulation of written words, pictures or other material.

A person's rejection of, or submission to, sexual or other harassment may not be used by any other person as a basis for a decision affecting that person.

Responsible person – Liable for sexual harassment/ harassment

A person who is responsible for the operation of any place that is an educational institution or where goods, facilities or services are offered to the public or a person who provides accommodation must ensure that any person who has a right to be there, is not sexually harassed or harassed. The 'responsible person' will be liable for the sexual harassment or harassment unless he or she took reasonably practicable steps to prevent it.

Positive Action

The Acts allow preferential treatment or the taking of positive measures, which are bona fide intended to:

- (i) promote equality of opportunity for disadvantaged persons;

- (ii) cater for the special needs of persons, or a category of persons who because of their circumstances, may require facilities, arrangements, services or assistance.

Victimisation

Victimisation is prohibited.

Victimisation occurs where adverse treatment by a provider of goods and services, of accommodation, or by an educational establishment or club is made as a reaction to:

- a complaint of discrimination having been made to the Equality Tribunal;
- a person having been witness in any proceedings under the Equal Status Act, 2000 to 2004;
- a person having opposed by lawful means an act, which is unlawful under the Act.

Vicarious Liability

Employers are liable for discriminatory acts of an employee in the course of his or her employment, unless they can prove that they took reasonably practicable steps to prevent the conduct.

Advertising

A person shall not publish or display, or cause to be published or displayed, an advertisement that indicates an intention to discriminate, harass, sexually harass, or might reasonably be understood as indicating such an intention.

Goods and Services

What is prohibited?

People cannot discriminate (subject to certain exemptions):

- when they are providing goods and services to the public (or a section of the public);
- whether these are free or where the goods and services are sold, hired or rented or exchanged;
- Access to and the use of services are covered.

What is a service?

It is a facility or service (of any nature) including facilities for:

- Banking, insurance, grants, loans, credit or financing;
- Entertainment, recreation or refreshment;
- Cultural activities;
- Transport or travel;
- a service or facility provided by a club (which is available to the public or a section of the public);
- a professional trade or service.

This list is not exhaustive. A broad view of what constitutes a service is taken by the Act.

Services provided by the State (health boards, local authorities etc.) are covered (subject to exemptions). The main exemption is that anything required by Statute, or EU law is exempted. This

exemption would not cover circumstances where there is an element of choice or discretion as to how the services are provided. There are specific exemptions on the nationality ground in relation to the treatment by public authorities of certain non-nationals.

Services provided by the State (health boards, local authorities etc.) are covered (subject to exemptions).

The Acts allow that:

People can be treated differently in certain circumstances:

1. Exemptions on the ground of gender

The Acts allow people to be treated differently on the gender ground in relation to:

- a) Cosmetic services
Covering cosmetic, aesthetic or similar services that involve physical contact (e.g. hairdressing);
- b) Privacy/Embarrassment
Where embarrassment or breach of privacy could reasonably be expected to happen on account of the presence of a person of another gender.

2. Exemption on the ground of religion

The Acts allow people to be treated differently on the religion ground in relation to:

- a) Religious goods and services
Where the goods and services are provided for religious purposes.

3. Exemption on the ground of age

The Acts allow people to be treated differently on the age ground in relation to:

a) Adoption/Fostering

Where age requirements are applied for a person to be an adoptive or foster parent where this is reasonable having regard to the needs of the child.

4. Exemptions on the grounds of gender, age, disability and/or race/nationality

a) Sporting events

The Acts allow people to be treated differently on the basis of their gender, age, disability or nationality in relation to providing or organising sporting facilities or events but only if the differences are reasonably necessary and are relevant;

Drama and Entertainment

The Acts allow people to be treated differently on the gender, age, disability or race ground in connection with a dramatic performance or other entertainment but only if the differences are reasonably required for reasons of authenticity, aesthetics, tradition or custom.

5. Exemptions on all grounds

The Acts allow people to be treated differently on any of the grounds in relation to:

a) Insurance

Covering annuities, pensions, insurance policies and other matters relating to risk assessments but only if the differences are based on actuarial

or statistical data or other relevant underwriting or commercial factors and are reasonable having regard to the data or other relevant factors;

b) Wills/Gifts

Where goods are disposed of by will or by gift;

c) Promotion of special interests

Where services are provided for the principal purpose of promoting for a bona fide purpose and in a bona fide manner, the special interests of persons in a particular category, but only to the extent that the different treatment is reasonably necessary;

d) Special Needs

Where goods and services are provided which can reasonably be regarded as being suitable only to the needs of certain persons.

Educational Establishments

This covers pre-school service, primary or post-primary schools, adult, continuing or further education, university or other third level or high level institution. It includes public and private educational establishments.

What is prohibited?

An educational establishment shall not discriminate in relation to:

- a) the admission or the terms or conditions of admission
- b) the access of any student to any course, facility or benefit
- c) any other term or condition of participation
- d) the expulsion of a student or other sanction.

The Acts allow different treatment in certain circumstances:

1. Exemptions on the ground of gender

The Acts allow people to be treated differently on the gender ground in:

a) Single Sex Schools

Where primary and secondary schools may be for one gender only.

2. Exemption on the grounds of religion and gender

The Acts allow people to be treated differently on the gender and religion grounds in relation to:

a) Religious Training

Where institutions established for providing training to ministers of a particular religion, may admit students of only one gender or religious belief.

3. Other exemptions

a) Ethos of the School

The Acts allow primary and post primary schools which have the objective of providing education in an environment which promotes certain religious values, to admit persons of a particular religious denomination in preference to others and to refuse to admit a student who is not of that denomination if it is proved that the refusal is essential to maintain the ethos of the school.

b) Mature students

The Acts allow universities or other third level or adult education institutions to provide different treatment in the allocation of places to mature students.

c) Scholarships

The Acts allow universities or other third level or adult education institutions to offer assistance to particular categories of persons by way of sponsorships, scholarships, bursaries or other awards but only if these are justified by historical or traditional considerations.

d) Student exchange

The Acts allow universities or other third level or adult education institutions to allocate places for exchange students.

e) Grants, fees, allocation of places

The Acts allow institutions providing adult, continuing or further education or universities or other third level institutions to treat nationals of an EU member state differently to those who are not, in relation to fees for admission or attendance and the allocation of places.

- ➔ The Acts allow the Minister for Education and Science to require grants to be restricted to nationals of a EU member state or to require such nationals to be treated differently in relation to making grants.

f) Sporting facilities and events

The Acts allow educational establishments to provide different treatment on the gender, age or disability grounds in relation to the provision or organisation of sporting events or facilities but only to the extent that the differences are necessary having regard to the nature of the facilities or events.

g) Disability – presumption of mainstreaming

The Acts allow educational establishments to treat students with disabilities differently (apart from making reasonable accommodation subject to nominal cost exemption) only if the disability is making the provisions of educational services impossible to other students or having a seriously detrimental effect on that provision.

General Exemptions

There are several significant exemptions in the Act. These exemptions should be read restrictively and should not be allowed to unduly restrict the general prohibition on discrimination.

1) Statutory exemption

A general exemption provides that nothing in the Act shall prohibit the taking of any action that is required under:

- (a) Statutory provision, court order
- (b) Any act done or measure adopted by the EU or
- (c) Any international treaty, which imposes an obligation on the State.

Only actions that are mandatory are covered. Where the measure leaves some discretion the anti-discrimination provisions do apply.

2) Certain Non-Nationals

Public authorities can treat certain non-nationals differently, on the basis of their nationality, who are outside the State or

unlawfully present in it (for the purposes of the Immigration Act 2004) or in accordance with any provision or condition made by or under any enactment and arising from his or her entry to or residence in the State.

- 3) Risk of criminal or disorderly conduct
A provider of good/services, or a person providing accommodation or related services, can refuse service/accommodation to a person if a reasonable individual, having the knowledge and experience of the provider, would form the belief that the provision of service/accommodation to the customer would produce a substantial risk of criminal or disorderly conduct or behaviour, or damage to property in or around the area where the service is provided.
- 4) Other exemptions
 - a) The different treatment of a person does not constitute discrimination where the person is treated solely in the exercise of a clinical judgement in connection with a diagnosis of illness or his/her medical treatment.
 - b) Treating a person differently does not constitute discrimination if the person:
 - is incapable of entering into an enforceable contract or
 - is incapable of giving informed consent and for that reason the treatment is reasonable.
 - c) Providers of goods and services, providers of accommodation and clubs are allowed to impose and maintain a

reasonable preferential fee, charge or rate in respect of anything offered to persons together with their children, married couples, persons in a specific age group and persons with a disability.

Making a Claim

The Equality Tribunal, District Court and Circuit Court have roles in relation to claims under the Equal Status Acts, 2000 to 2004. All claims (except for claims in relation to discriminating clubs) under the Equal Status Acts 2000 to 2004 are brought to the Equality Tribunal which is the quasi judicial body established to investigate, hear and decide claims under the Equal Status Acts.

Step 1: Written notification

Anybody wishing to make a claim of discrimination must notify the person against whom the claim is being made, in writing, within two months of the date of the most recent occurrence of the discrimination.

This written notification can be done by acquiring and filling out form ODEI 5 (available from the Equality Tribunal, 3 Clonmel Street, Dublin 2.

Telephone: (01) 477 4100 or www.equalitytribunal.ie). This notice must identify the nature of the claim and the intent to seek redress. The complainant who wishes to obtain information must do so in the written notification. If this written notification is not sent, a claim cannot be pursued.

People with intellectual or psychological difficulties. A parent, guardian or other person acting in place of a parent can be the complainant where a person is unable by reason of an intellectual or psychological disability to pursue a claim effectively.

Step 2: Making a claim

If there is no reply or if the reply is unsatisfactory the complaint should be referred to the Equality Tribunal within six months of the discrimination. This written notification can be done by acquiring and filling out form ODEI 2 (available from the Equality Tribunal, 3 Clonmel Street, Dublin 2. Telephone: (01) 477 4100 or www.equalitytribunal.ie).

The Director of the Equality Tribunal for reasonable cause can

- 1) extend the period of written notification from two to four months,
- 2) extend the 6 month time limit to 12 months.

(In exceptional circumstances the Director may waive some or all of the written notification requirements).

Step 3: At the Equality Tribunal

Mediation

The Director of the Equality Tribunal can at any stage with the consent of both parties, appoint a mediation officer. If the mediation reaches a settlement between both parties then the terms are legally enforceable.

Investigation

If the case is not dealt with by mediation or the mediation fails, the claim then proceeds to be investigated and the Director of the Equality Tribunal appoints an Equality Officer to investigate, hear and decide the claim. Investigations are held in private. The Equality officer will issue a determination.

Representation and costs

A complainant may represent themselves or be represented by a lawyer, trade union, community group or other representative. In general, costs are not awarded. Costs in respect of travelling and other expenses (except expenses of representative) can be awarded where a person obstructs or impedes the investigation or appeal.

Remedies

If there is a finding in favour of the person making a complaint, compensation of up to €6,350 in total can be ordered. The Equality Officer can also order persons to take specified courses of action.

Strike out of claim

The Director of the Equality Tribunal can dismiss a claim if she/he is of the opinion that it has been made in bad faith, or is frivolous, vexatious or misconceived or relates to a trivial matter or after a year it appears that the complainant has not pursued the claim.

Appeals

All decisions (including decisions on time limits and striking out of the claim) may be appealed to the Circuit Court not later than

42 days from the date of the decision. There is no further right of appeal except to the High Court on a point of law.

Enforcement

A decision of the Director or a mediation settlement, which has not been complied with, may be enforced through the Circuit Court.

Equality Authority

The Equality Authority has a broad mandate under the Equal Status Acts 2000 to 2004 to

- a) combat discrimination in the areas covered by the Acts
- b) promote equality of opportunity in the areas covered by the Acts
- c) provide information on the Acts to the general public
- d) keep the operation of the Acts under review and make recommendations to the Minister for Justice, Equality and Law Reform as appropriate.

The Equality Authority provides information to the public on the Equal Status Acts 2000 to 2004. It has a series of published supports available to potential complainants, including guides to the Acts and training videos. The Equality Authority provides additional information through www.equality.ie and an automated telephone voice message service, which also refers the caller directly to a Communications Officer who may provide more detailed information on your enquiry.

The Equality Authority may at its discretion, where the case has strategic importance, provide legal assistance to people who wish to bring claims, subject to the criteria set out by the Board of the Equality Authority. If the Equality Authority does not grant/or is unable to offer legal assistance, this does not disqualify the person from taking a case on their own behalf, directly to the Equality Tribunal. A complainant may represent him or herself or be represented by a lawyer, trade union or other representative.

[Further information, publications and training videos on aspects of the legislation are available from:](#)

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Employment Equality Acts 1998 and 2004

Please note that the information on the Equal Status Acts 2000 to 2004 and The Employment Equality Acts 1998 to 2004, contained in this section of the manual is taken directly from the Equality Authority publication Equal Status Acts 2000 to 2004 and The Employment Equality Acts 1998–2004

This section of the manual is intended for information purposes only. It is not a legal document.

This section of the manual summarises the key elements of the Employment Equality Act, 1998. It has recently been amended by the Equality Act 2004. They are known together as the Employment Equality Acts 1998 and 2004. Copies of the legislation are available from the Government Publications Office, Molesworth Street, Dublin 2 (Tel: 01 631 3111) or on www.oireachtas.ie They are also available on www.equality.ie

The Equality Act 2004 seeks to implement the provisions of the amended Gender Equal Treatment Framework, Framework Employment Directive and Race Directive.

(Council Directive 2002/73/EC of 23 September 2002 amending Council Directive 76/207/EC on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion and

working conditions [2002] OJ L2 69/15; Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation [2000] OJ L 303/16 Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin [2000] OJ L180/22)

These Directives take precedence over Irish law which should be read and interpreted having regard to the provisions of the Directives.

The Employment Equality Acts 1998 and 2004:

- ➔ Promote Equality
- ➔ Prohibit discrimination (with some exemptions) across nine grounds
- ➔ Prohibit sexual harassment and harassment
- ➔ Prohibit victimisation
- ➔ Require appropriate measures for people with disabilities in relation to access, participation and training in employment
- ➔ Allow positive action measures to ensure full equality in practice across the nine grounds.

Aspects of employment that are covered include:

- ➔ Advertising
- ➔ Equal pay
- ➔ Access to employment
- ➔ Vocational training and work experience

- ➔ Terms and conditions of employment
- ➔ Promotion or re-grading
- ➔ Classification of posts
- ➔ Dismissal
- ➔ Collective agreements.

The Acts apply to:

- ➔ Full-time, part-time and temporary employees
- ➔ Public and private sector employment
- ➔ Vocational training bodies
- ➔ Employment agencies
- ➔ Trade unions, professional and trade bodies.

The Acts also extend to:

- ➔ The self-employed
- ➔ Partnerships
- ➔ People employed in another person's home.

The legislation prohibits discrimination on the following nine grounds:

- ➔ The gender ground: A man, a woman or a transsexual person (specific protection is provided for pregnant employees or in relation to maternity leave);
- ➔ The marital status ground: Single, married, separated, divorced or widowed;
- ➔ The family status ground: A parent of a person under 18 years or the resident primary carer or a parent of a person with a disability;
- ➔ The sexual orientation ground: Gay,

lesbian, bisexual or heterosexual; (The Court of Justice in PSV held that discrimination against a transsexual constituted discrimination on the grounds of sex.)

- ➔ The religion ground: Different religious belief, background, outlook or none;
- ➔ The age ground: This applies to all ages above the maximum age at which a person is statutorily obliged to attend school;
- ➔ The disability ground: This is broadly defined including people with physical, intellectual, learning, cognitive or emotional disabilities and a range of medical conditions;
- ➔ The race ground: A particular race, skin colour, nationality or ethnic origin;
- ➔ The Traveller community ground: People who are commonly called Travellers, who are identified both by Travellers and others as people with a shared history, culture and traditions, identified historically as a nomadic way of life on the island of Ireland.

Discrimination

Discrimination has a specific meaning in the Acts. Discrimination is described as the treatment of a person in a less favourable way than another person is, has been or would be treated in a comparable situation on any of the nine grounds.

There are different types of discrimination covered by the Acts including indirect

discrimination, discrimination by imputation and discrimination by association.

Discrimination is defined as the treatment of a person in a less favourable way than another person is, has been or would be treated in a comparable situation on any of the nine grounds, which exists, existed, may exist in the future, or is imputed to the person concerned. The instruction to discriminate is also prohibited.

Discrimination is defined as the treatment of a person in a less favourable way than another person is, has been or would be treated in a comparable situation on any of the nine grounds.

- ➡ Indirect discrimination – happens where there is less favourable treatment in effect or by impact. It happens where people are, for example, refused employment or training not explicitly on account of a discriminatory reason but because of a provision, practice or requirement, which they find hard to satisfy. If the provision, practice or requirement puts people who belong to one of the grounds covered by the Acts at a particular disadvantage then the employer will have indirectly discriminated, unless the provision is objectively justified by a legitimate aim and the means of achieving that aim are appropriate and necessary.
- ➡ Discrimination by Association – this happens where a person associated with another person (belonging to a specified ground) is treated less favourably because of that association.

Advertising

It is prohibited to publish, display or cause to be published or displayed an advertisement which relates to employment which indicates an intention to discriminate or might be reasonably understood to indicate such an intention.

Equal pay

The Act provides for equal pay for like work. Like work is defined as work that is the same, similar or work of equal value.

It is a term of everyone's contract of employment that there is an entitlement to equal pay. Equal pay claims can be taken on any of the nine discriminatory grounds.

Equal pay claims can be taken on any of the nine discriminatory grounds.

Sexual Harassment and Harassment

Sexual harassment and harassment of an employee (including agency workers or vocational workers) is prohibited in the workplace or in the course of employment by

- a) another employee
- b) the employer
- c) clients, customers or other business contacts of an employer including any other person with whom the employer might reasonably expect the victim to come into contact and the circumstances of the harassment are such that the employer ought reasonably to have taken steps to control it.

The Acts prohibit the victim being treated differently by reason of rejecting or accepting the harassment (or it could reasonably be anticipated that he or she would be so treated).

What is harassment and sexual harassment?

Harassment is any form of unwanted conduct related to any of the discriminatory grounds.

Sexual harassment is any form of unwanted verbal, non-verbal or physical conduct of a sexual nature.

In both cases it is conduct, which has the purpose or effect of violating a person's dignity and creating an intimidating, hostile, degrading, humiliating or offensive environment for the person.

In both cases the unwanted conduct may include acts, requests, spoken words, gestures or the production, display or circulation of written words, pictures or other material.

Sexual harassment or harassment of an employee is discrimination by the employer. It is a defence for an employer to prove that the employer took reasonably practicable steps to prevent the person harassing or sexually harassing the victim or (where relevant) prevent the employee from being treated differently in the workplace or in the course of employment (and to reverse its effects if it has occurred).

The Equality Authority has published a Code of Practice on Sexual Harassment and Harassment at Work, which has been approved by the Minister (S.I. No.78 of 2002). This is available from the Equality Authority.

Disability – Reasonable Accommodation

An employer is obliged to take appropriate measures to enable a person who has a disability –

- ➔ to have access to employment
- ➔ to participate or advance in employment
- ➔ to undertake training unless the measures would impose a disproportionate burden on the employer.

What are appropriate measures?

They are effective and practical measures to adapt the employer's place of business including:

the adaptation of premises and equipment, patterns of working time, distribution of tasks or the provision of training or integration resources.

The employer is not obliged to provide any treatment, facility or thing that the person might ordinarily or reasonably provide for himself or herself.

What is disproportionate burden?

In determining whether the measures would impose a disproportionate burden, account is taken of

- a) the financial and other costs entailed

- b) the scale and financial resources of the employer's business, and
- c) the possibility of obtaining public funding or other assistance.

Positive Action

Employers can take steps with a view to ensuring full equality in practice between employees on all of the nine discriminatory grounds.

Victimisation

It is unlawful for an employer to penalise an employee for taking action around the enforcement of the Employment Equality Acts 1998 – 2004 and the Equal Status Acts 2000–2004. Victimisation occurs where the dismissal or other adverse treatment of an employee is a reaction by the employer to

- (a) a complaint of discrimination made by the employee to the employer,
- (b) any proceedings by a complainant,
- (c) an employee having represented or otherwise supported a complainant,
- (d) the work of an employee having been compared with that of another employee for any of the purposes of these Acts or any enactment repealed by these Acts,
- (e) an employee having been witness in any proceedings under these Acts or any such repealed enactment
- (f) an employee having opposed by lawful means an act which is unlawful under these Acts or any such repealed enactment, or

- (g) an employee having given notice or an intention to take any of the actions mentioned in the preceding paragraphs.

Vicarious Liability

Employers are liable for anything done by an employee in the course of his or her employment, unless the employer can prove that he or she took reasonably practicable steps to prevent the discrimination.

General Exemptions

The prohibition on discrimination is subject to a number of general and specific exemptions. Some of the exemptions apply to particular types of employment, some apply to all kinds of employment, some apply to particular grounds and some apply to provisions in other legislation. The full number and extent of the exemptions go beyond the scope of this booklet.

The main exemptions applying to particular types of employment:

Exemptions in relation to all types of employment

- a) Capacity and competence
 - an employer is not required to employ someone who will not undertake the duties or is not fully competent or capable of doing the job. However, a person with a disability is fully competent and capable of undertaking any duties if the person would be so fully competent and capable on reasonable accommodation being provided by the employer

- b) Educational, technical or professional qualifications
 - the Act allows requirements in relation to the holding of specified educational, technical or professional qualifications, which are generally, accepted qualifications in the State for the post in question.
 - The Act allows requirements in relation to the production and evaluation of information about any qualification other than such a specified qualification
- c) Benefits in respect of an employee's family
 - the Act allows employers to provide certain benefits in respect of employee's families and family events and in relation to the provision of childcare or other care provision.

Exemptions in relation to occupational requirements

- a) In relation to officers or servants of the State (including the Garda Síochána and the Defence Forces) and officers or servants of a local authority, a harbour authority, a health board or a Vocational Education Committee
 - the application of any provision in relation to residence, citizenship and/or proficiency in the Irish language is allowed
- b) In relation to teachers in primary and post primary schools
 - the application of any provision in relation to proficiency in the Irish language is allowed
- c) In relation to the Defence Forces
 - there is an exemption on the age and disability grounds

- d) In relation to employment in another person's home for the provision of personal services
 - there is an exemption in relation to access to such employment (this exemption does not extend to other areas such as conditions of employment etc.)
- e) In relation to employment in the Garda Síochána or the Prison Service
 - there is an exemption on the gender ground in relation to the assignment to a particular post based on issues of privacy or decency, the control of violent individuals or crowds and the rescue of hostages
 - there are exemptions in relation to the application of height criteria for men and women and to the maintenance of a sufficient number of either men or women in the Garda Síochána or Prison Service.

The main exemptions applying to particular grounds

- a) In relation to all grounds – Occupational requirement
 - difference in treatment is allowed which is based on a characteristic related to any of the nine grounds in respect of access to employment but only to the extent that the characteristic constitutes a genuine and determining occupational requirement and the objective is legitimate and the requirement proportionate
- b) In relation to the gender and marital status grounds – pregnancy, maternity & breastfeeding

- treatment which confers benefits on women in connection with pregnancy and maternity including breastfeeding is allowed

- anything done in compliance with any provisions of the maternity protection and adoptive leave legislation is not discrimination on the marital status ground

c) In relation to the age ground

- an employer may set a minimum age not exceeding eighteen years in recruitment and may offer a fixed term contract to a person over the compulsory retirement age

- exemptions are provided in relation to age based criteria for occupational benefits schemes and entitlement to benefits and severance pay provided it does not constitute discrimination on the gender ground

- exemptions are provided in relation to terms in collective agreements to the effect that where length of service would otherwise be regarded as equal, seniority may be determined by reference to relative ages of employees
- an employer can set different ages for the retirement of employees
- anything done in compliance with the Protection of Young Persons

(Employment) Act 1996, the National Minimum Wage Act 2000 or section 3 of the Redundancy Payments Act 1971 as amended by section 5 of the Redundancy Payments Act 1979 is not discrimination on the age ground.

A number of other sections of various Acts are also exempted.

d) In relation to the age and race grounds

- different treatment is allowed by vocational/training bodies in relation to fees and the allocation of places to people who are nationals of a EU member State

- different treatment is allowed by vocational training bodies in relation to assistance to particular categories of persons by way of sponsorships, scholarships, bursaries but only to the extent that the assistance is reasonably justified having regard to traditional and historical considerations

- different treatment is allowed by universities or other third level institutions in relation to allocation of places for mature students

e) In relation to the religion ground

- certain religious, educational and medical institutions may give more favourable treatment on the religion ground to an employee or prospective employee where it is reasonable to do so in order to maintain the religious ethos of the institution

- certain religious, educational and medical institutions may take action which is reasonably necessary to prevent an employee or a prospective employee from undermining the religious ethos of the institution

- certain religious, educational and medical institutions may reserve places on specified vocational training courses and schools of nursing in such numbers (as seem necessary to the relevant Minister) to ensure the availability of nurses and primary teachers

- f) In relation to nationality
 - there is an exemption for any action taken in accordance with the Employment Permits Act 2003
- g) In relation to the disability ground
 - there is an exemption in relation to the provision of a particular rate of remuneration for work of a particular description where, due to disability, the amount of work done during a particular period is less than the amount of similar work done or which could reasonably be expected to be done over that period by an employee without a disability.

Making a Claim

The Equality Tribunal, the Labour Court and the Circuit Court all have roles in relation to claims of discrimination. All claims (except for gender discrimination claims) must be referred in the first instance to the Equality Tribunal (Gender discrimination claims have the option of going to the Circuit Court). The Equality Tribunal is the quasi judicial body established to investigate, hear and decide on claims for discrimination.

Step 1: Deciding whether to refer a claim

Right to Look for Information

Any person who believes that they may have experienced discrimination may write to the person who may have discriminated against them asking for certain information which will assist in deciding whether to refer a claim. Employers are not obliged to reply but an Equality Officer may

draw such inferences as seem appropriate from an employer failing to reply or supplying false, misleading or inadequate information. An employer is not obliged to disclose confidential information.

Information should be requested using a standard form of questionnaire and reply (form ODEI 3 and ODEI 4 available from the Equality Tribunal, 3 Clonmel Street, Dublin 2 Tel: 01 477 4100 or www.equalitytribunal.ie).

Time Limits

A complaint of discrimination or harassment must be made within the 6 month time limit from the last act of discrimination. The 6 month time limit can be extended up to 12 months by the Director 'for reasonable cause'.

People with intellectual or psychological difficulties

A parent, guardian or other person acting in place of a parent can be the complainant where a person is unable by reason of an intellectual or psychological disability to pursue a claim effectively.

Step 2: At the Equality Tribunal

Mediation

The Director of the Equality Tribunal can at any stage with the consent of both parties, appoint an Equality Mediation Officer. If a settlement is reached through mediation then the terms are legally enforceable.

Investigation

If either party does object to mediation or, if the process of mediation is unsuccessful,

the case will be referred to an Equality Officer for investigation. Investigations are held in private (people can represent themselves or be represented by a trade union or other representative). The Equality Officer will issue a determination which is enforceable through the Circuit Court.

Dismissal of a Claim

Cases can be struck out after a year if the Director decides they are not being pursued. The Director may dismiss a claim at any stage if of the opinion that it has been made in bad faith, or is frivolous, vexatious or misconstrued or relates to a trivial matter.

Representation and costs

A complainant may represent themselves or be represented by a lawyer, trade union or other representative. In general, costs are not awarded. Costs in respect of travelling and other expenses (except expenses of representative) can be awarded where a person obstructs or impedes the investigation or appeal.

Remedies

Where the Equality Officer finds in favour of the complainant, the following orders can be made

- ➡ In equal pay claims an order for equal pay and arrears in respect of a period not exceeding three years
- ➡ In other cases an order for equal treatment and compensation for the effects of discrimination of up to a maximum of 2 years pay or €12,700 where the person was not an employee

(the maximum compensation applies notwithstanding there was discrimination on more than one ground)

- ➡ An order for reinstatement or re-engagement with or without an order for compensation
- ➡ An order that a named person or persons take a course of action which is set out.

In gender discrimination claims which are initiated in the Circuit Court, the Circuit Court in equal pay claims may order arrears of pay in respect of 6 years before the date of referral. There is no limit to the amount of compensation that may be ordered by the Circuit Court.

There are specific provisions in relation to claims of discrimination by the Civil Service Commissioners, the Local Appointments Commissioners, the Minister for Defence and the Commissioner of the Garda Síochana.

Appeals

All decisions (including decisions on time limits and striking out of the claim) may be appealed to the Labour Court not later than 42 days from the date of a decision.

Enforcement

A final decision of the Director or the Labour Court may be enforced through the Circuit Court.

Appeal to the High Court on a point of Law
Where a determination is made by the

Labour Court on an appeal, either party may appeal to the High Court on a point of law.

Equality Authority

The Equality Authority has a broad mandate under the Employment Equality Acts 1998–2004 to

- a) combat discrimination in employment
- b) promote equality of opportunity in employment
- c) provide information on the operation of the Employment Equality Acts 1998–2004
- d) keep the operation of the Employment Equality Acts 1998–2004 under review and make recommendations to the Minister for Justice, Equality and Law Reform as appropriate.

The Equality Authority provides information to the public on the Employment Equality Acts 1998 – 2004. It has a series of published supports available to potential claimants including guides to the Acts and training videos. The Equality Authority provides additional information through www.equality.ie and an automated telephone voice message service which also refers the caller directly to a Communications Officer who may provide more detailed information on an enquiry.

The Equality Authority may at its discretion, where the case has strategic importance, provide legal assistance to people who wish to bring claims, subject to the criteria set down by the Board of the Equality Authority. In the event of the

Equality Authority being unable to provide assistance, this does not disqualify the person from taking a case on their own behalf to the Equality Tribunal. A complainant may represent themselves or be represented by a lawyer, trade union or other representative.

Further information, publications and training videos on aspects of the legislation are available from:

The Equality Authority
2 Clonmel Street
Dublin 2
Ireland

Monday to Thursday 9.15 – 5.30
Friday 9.15 – 5.15

Lo-Call: 1890 245545
Telephone: + 353 1 417 3333
Facsimile: + 353 1 417 3331
Email: info@equality.ie
Website: www.equality.ie

The Education for Persons with Special Educational Needs Act 2004

Please note that the information on the Persons with Special Educational Needs Act 2004 contained in this section of the manual is taken directly from the National Disability Authority website.

This section of the manual is intended for information purposes only.

It is not a legal document.

Introduction

The Education For Persons With Special Educational Needs Act 2004 was passed to ensure that persons with special educational needs can be educated where possible in a inclusive environment, that they can have the same rights to education as persons who do not have special educational needs and to ensure that such persons are equipped by the education system with the skills they need to participate in society and to live independent and fulfilled lives.

To assist in this regard, the Act places certain obligations on schools, school principals and health boards. The Act also establishes a National Council for Special Education (which has the power to appoint special educational needs organisers) to perform certain functions and also an Appeals Board to deal with appeals from the decisions of any of the bodies mentioned.

It is important to understand what is meant by the term special educational needs. The Act itself says that the term means 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 that condition. The Act defines a child as a person of not more than 18 years.

Inclusive Education

Under this Act, every child who has special educational needs must be educated in an inclusive environment with children who do not have special educational needs. However, this will not be required if it would not be in the best interests of the child with special needs or if it would impair the effective provision of education for the children with whom the child is to be educated.

Duties of Schools

Inclusive Education:

The board of management of a school must ensure compliance with the requirements of the Act in relation to inclusive education.

Involvement of Parents:

The board of management must also ensure that parents of a child with special educational needs are informed of their child's needs and how those needs are being met.

The board must also ensure that parents are consulted in relation to significant decisions relating to their child's education and are invited to take part in making those decisions.

Co-Operation with the Council:

The board of management must co-operate with the National Council for Special Education and provide the council with any information that it reasonably requests to perform its duties. This information is to be provided within the time specified by the council in its request (not more than 1 month).

Communication within the School relating to Special Educational Needs:

The board of management must ensure that all relevant teachers or other staff members are aware of the special educational needs of students and of the importance of identifying children and students with special educational needs. The board must also make students aware of the needs of persons with disabilities.

Duties of Persons Other than Schools

Any person other than a school who provides education to persons with special educational needs and which receives public funding must provide the council with any information that it reasonably requests to perform its duties, within the time specified by the council in its request (not more than 1 month).

Duties of School Principals

The principal of a school must take all reasonable steps to meet the educational needs of a school student where:

- (a) The parents of a child in the school inform the principal they are of the opinion that the child is not benefiting as much as would be expected from the education programme which is

provided in the school (to children who do not have special needs).

Or

- (b) The principal forms the opinion that the child is not benefiting as much as would be expected from the education programme which is provided in the school (to children who do not have special needs).

Where the principal has taken all reasonable steps, she/he may still believe that the child is not benefiting from the school's education programme as much as would be expected. If the principal believes that this may be because the child has special educational needs, the principal, after discussing the matter with the child's parents, must arrange to have the student assessed.

The principal can delegate these functions to any teacher in the school as (s)he considers appropriate. The special educational needs organiser must give all reasonable advice and assistance to the principal and teachers of the school needed for the carrying out of their functions. The board of management, principal, teachers and other school staff members must give all reasonable assistance to the special educational needs organiser to execute his/her functions.

Assessment

The assessment must be started within a month of the principal forming the opinion that the child is still not benefiting from the school's education programme and that this may be due to the child having special educational needs.

The assessment must be completed within 3 months of the principal forming this opinion.

The assessment is to be carried out in line with guidelines issued from time to time by the National Council for Special Education. If the principal feels that the arrangement of an assessment cannot reasonably be done by him/her, the principal must request the council to arrange the assessment.

If the council refuses to cause an assessment to be carried out, the parents of the child can appeal to the Appeals Board (see below). The Appeals Board may direct the council to arrange for an assessment to be carried out or dismiss the appeal. The Act does not provide for time limits regarding the making of this appeal.

Education Plan

If the assessment shows that the child has special educational needs, the principal must, within 1 month of receiving the assessment, have a plan prepared for the appropriate education of the child.

The principal must make sure that the parents of the child are consulted in relation to the preparation of the plan and must allow them to be involved in preparing the plan. The principal must also ensure that the school's special needs organiser and any other person the principal thinks appropriate are consulted.

The principal must also ensure that any guidelines issued by the National Council

for Special Education are followed in the preparation of the education plan, unless (with the consent of the school's special needs organiser) there are good reasons for not following these guidelines.

When the education plan has been prepared, the principal must immediately give written notice of this to the parents and the special needs organiser along with a copy of the plan.

The principal must request the National Council for Special Education to prepare an education plan in respect of a child in two situations:

- (a) When the child's special educational needs, as shown by the assessment, are such that preparing an education plan at school level will not meet the child's special educational needs
- or
- (b) When an education plan already prepared is not meeting the needs of the child and the taking of any additional steps by a special educational needs organiser would not be likely to meet those needs.

An education plan prepared by the National Council for Special Education will supersede any plan which the school principal has had prepared.

If the National Council for Special Education refuses to prepare a report, the parents of the child or the school principal can appeal to the Appeals Board. The

Appeals Board may direct the council to prepare an education plan or dismiss the appeal. The Act does not provide for time limits regarding the making of this appeal.

[Appealing a refusal of the Council to the Appeals Board](#)

If the council refuses to arrange an assessment of a child or to prepare an education plan, the parents of the child or the school principal may appeal to the Appeals Board.

The Appeals Board has the power to direct the council to arrange the preparation of an assessment or of an education plan. In this case, the council must comply with the direction of the Appeals Board.

The Appeals Board may dismiss the appeal of the parents or principal.

[Assessment of a Child by or on behalf of a Health Board or the Council](#)

Where the relevant health board is of the opinion that a child, who is not a student, may have special educational needs, the health board must have an assessment of the child carried out.

Where the council is of the opinion that a child, who is a student, may have special educational needs, the council must have an assessment of the child carried out.

Requests for Assessment from the Parents of a Child:

The health board or the council must have the assessment started within 1 month of

receiving a request from the parents and the assessment must be completed without unreasonable delay.

The health board or the council may refuse the request from the parents if it is of the opinion that there are insufficient grounds for believing that the child has special educational needs or if the child has already been assessed in the previous 12 months.

[Contents of Assessment](#)

The assessment must include an evaluation and statement of the child's disability and of the services the child will need to take part in and benefit from education and to develop his/her potential.

Appeals by Parents if the Health Board or the Council refuses their request for an Assessment:

Parents whose request for an assessment has been refused may appeal to the Appeals Board. The Appeals Board must make a decision on the appeal within 6 weeks of receiving the appeal.

The Appeals Board may direct the health board or the council to have an assessment of the child carried out, or it may refuse the appeal.

Qualifications of Assessors:

The assessment must be carried out with the assistance of suitably qualified people. The health board or the council may select from the following:

- (a) a psychologist
- (b) a medical practitioner

- (c) the principal of the child's school or a teacher from that school selected by the principal
- (d) A suitably qualified social worker
- (e) a suitably qualified therapist

The parents of the child are entitled to reasonable involvement in the assessment.

Parental Consent to Assessment:

Except where the parents have requested the assessment to be carried out, the health board or the council must inform the parents in writing if it intends to carry out an assessment. This notice must include the reasons for the assessment.

The assessment must not be carried out without the written consent of the parents.

If the parents do not consent to the assessment, the health board or the council may apply to the Circuit Court. The Circuit Court may order that the consent of the parents is not necessary if it thinks this is in the best interests of the child.

Parents' Access to Assessment

Documentation:

The assessment statement must be made available to the child's parents immediately when it has been prepared.

The health board or the council may give information from the assessment to people involved in the education of the child who need to be informed of the child's educational needs. The health board or the council must inform the parents as soon as

possible when it has given this information and the identity of the people to whom it has given the information.

Appealing an Assessment:

The parents of a child assessed can appeal to the Appeals Board on the basis that the assessment was not carried out in line with the proper standards. These are standards determined after consultation with the Minister for Education and Science by a body designated by regulations made by the Minister for Health and Children.

The Appeals Board must hear the appeal and make a decision within 2 months of the appeal being made.

The Appeals Board may allow the appeal and

- (a) make a direction to the school principal, the health board or the council to carry out a fresh assessment; or
- (b) make any other direction that it thinks is appropriate.

The Appeals Board may also refuse the appeal.

Providing Services

Providing Services to Non-Students:

If a child is not a student, the health board must provide the services identified in the assessment as necessary to enable the child to take part in and benefit from education. This must be done as soon as practicable after the assessment is completed.

If the health board believes that certain services could be better provided by the

council, it must inform the council of this in writing and the council must then provide the services.

Providing Services to Students:

If a child is a student, the council must ensure that the services identified in the education plan as necessary to enable the child to take part in and benefit from education are provided. This must be done as soon as practicable after the education plan is completed.

If the council believes that certain services could be better provided by the health board, it must inform the health board of this in writing and the health board must then provide the services.

Disputes between the health board and the council as to provision of services:

Disputes as to whether services can be better provided by the health board or the council must be referred to the Appeals Board, which can make a binding determination on the matter.

Preparation of an Education Plan

Direction from the Council for the Preparation of an Education Plan:

Where the council is informed by the health board or the school principal that a child has special educational needs, the council must direct the relevant special needs organiser to prepare an education plan (unless a plan has already been prepared or started).

Preparation of the plan must begin within 1 month from the direction of the council

and must be completed within 2 months of being started.

Team to Advise Special Educational Needs Organiser on Preparation of an Education Plan:

The special educational needs organiser must assemble a team to provide advice on the preparation of the education plan.

The team must include:

- (a) The parents of the child (but only if they consent to being members of the team)
- (b) The principal of the school attended by the child (or which it is proposed the child will attend) or a teacher in the school nominated by the principal

The team may include:

- (a) The child, where appropriate
- (b) An appropriately qualified expert in psychology
- (c) Any other person considered appropriate nominated by the parents or the special educational needs organiser. This person must hold a qualification relating to the education of children with special needs which is recognised by the council.

When preparing the education plan, the team must consider any needs, other than educational needs, of the child which are mentioned in the assessment and the team must ensure that the education plan is compatible with providing for those needs.

Contents of an Education Plan

The education plan must be in line with the requirements specified from time to time by the council and must include:

- (a) The type and extent of the child's abilities, skills and talents
- (b) The type and extent of the child's special educational needs and how these affect his/her educational development
- (c) The level of the child's current educational performance
- (d) The child's special educational needs
- (e) The special education and related support services to be provided to the child to enable him/her to benefit from education and participate in the life of the school
- (f) Where appropriate, the special education and related support services to be provided to the child to enable him/her to make the transition from pre-school education to primary school education
- (g) Where appropriate, the special education and related support services to be provided to the child to enable him/her to make the transition from primary school education to post-primary school education
- (h) The goals which the child is to achieve over a period of not more than 12 months

The principal of the school concerned must implement the education plan.

Transfer of Child Between Schools

If it is planned to transfer a child (in respect of whom an education plan has been

prepared) from one school to another, the principal of the child's current school must contact the principal of the other school before the transfer takes place.

The Principal of the Child's Existing School Must:

- (a) ensure that the principal of the other school is aware of the contents of the education plan, and
- (b) assist the principal of the other school to change the education plan as necessary to accommodate the child's special educational needs having regard to the operation of that school (the principal of the other school is authorised by the Act to make these changes to the plan).

Proposed Changes to an Education Plan:
Where it is proposed to change a child's education plan, the principal of the school that the child is transferring to must inform the parents of this and the parents may request that the principal discuss the proposed changes with the special educational needs organiser. When consulted by that principal, the special educational needs organiser may get the assistance of some or all members of the team mentioned above to review the content and implementation of the plan. In certain cases, others may be consulted. The organiser may then amend the plan.

Designating a School

The council has the power (whether requested by a child's parents or not) to designate a school for a child with special

educational needs to attend. Once designated, that school must admit the child as a student when directed to do so by the council.

In deciding to designate a school, the council must consider the needs of the child, the wishes of the parents and the capacity of the proposed school. The council may make a recommendation to the Minister for extra resources to be given to the school and can take this into consideration when considering the school's capacity.

The designated school can appeal to the Appeals Board against the decision to designate the school and/or against the recommendation to the Minister. The Appeals Board can cancel the designation and can also cancel or vary the recommendation to the Minister. The Appeals Board may also dismiss the appeal.

The parents of a child (in respect of whom an education plan has been prepared) may also appeal to the Appeals Board if they request the council to make a designation and the council does not do so or the council does not designate the school the parents specified. The Appeals Board can require the council to make a designation or to designate a particular school. If the appeal concerns the designation of a particular school, the board of management of the school can have input at the appeal. The Appeals Board may also dismiss the appeal.

Appeals relating to designation must be conducted and determined within 2 months of being made.

[Review of an Education Plan](#)

At least once a year, the principal of the school must review the operation of each education plan for children in the school to establish whether the child concerned has received the services and met the goals specified in the education plan.

The principal must report to the parents and the special educational needs organiser on the review of the education plan. The report should include recommendations for changes to the plan to assist the child in reaching goals which he/she is not reaching.

If, arising from the report, the special educational needs organiser feels that the goals in the education plan have not been met, she/he may get the assistance of some or all members of the team mentioned above to review the content and implementation of the plan. In certain cases, others may be consulted. The organiser may then amend the plan.

Parents' Request for a Plan to be Reviewed:
Where parents believe that goals set in the education plan have not been met, and the plan has not been reviewed in the last 6 months, the parents may request the principal to review the plan. The principal is to do this if she/he feels it to be appropriate. If the principal believes it is not appropriate to review the plan, she/he must notify the

parents in writing, including reasons, within 2 weeks of their request.

Parents' Appeal to Appeals Board:

- (1) Parents may appeal the principal's decision within 1 month of receiving the written notice mentioned above. The Appeals Board must hear and decide on the appeal within 1 month of receiving it and may direct the principal to review the plan, or it may dismiss the appeal.
- (2) Parents may appeal to the Appeals Board against any statement or description relating to their child or their child's special educational needs in the education plan (made by the school principal or the council) if they feel that the statement or description is incorrect or inadequate to meet their child's special educational needs.
- (3) Parents may also appeal to the Appeals Board if the school or health board has failed to implement any part of the education plan.

In the case of (2) and (3), the Appeals Board must hear and decide on within 2 months of receiving it and may order that the school principal or the council change any part of the education plan, give any direction to the principal, the council or the health board relating to the child's education as it considers appropriate.

Planning for Future Education Needs

Principal or Special Educational Needs
Organiser:

When preparing or reviewing an education plan, the principal or special educational

needs organiser must (when the child reaches an age the principal or organiser thinks appropriate) consider the provision which will need to be made to assist the child in continuing his/her education or training on becoming an adult.

The Council:

When preparing or reviewing an education plan of a child who will reach the age of 18 within 12 months, the council must arrange an assessment of:

- (a) the extent to which goals set out in any previous education plan(s) met the special educational needs of the child; and
- (b) the reasons for any failure to meet those goals and the effect that any such failure had on the child's development and the education plan must include steps to address any effect on the child's development.

Duties of Health Boards

The Act makes provision for the council to request the assistance of a health board in preparing or implementing an education plan or in the general performance of its duties. The health board must comply with this request unless it considers its assistance is not required, would interfere with the performance of its own functions or would be impossible having regard to its resources.

The council can appeal the refusal of the health board to the Appeals Board which can order the health board to give the assistance requested.

A health board must comply with a request for assistance from the Minister for Education and Science.

Duty of the Minister for Education and Science and the Minister for Health and Children

The Minister for Education and Science and the Minister for Health and Children must, with the consent of the Minister for Finance provide money and other resources for the preparation and implementation of education plans in respect of children with special educational needs.

National Council for Special Education

The Act establishes the National Council for Special Education and sets out its functions. Its functions centre around:

- ➔ Providing information to parents and others relating to the best practice concerning the education of children with special educational needs.
- ➔ Providing information to parents on their rights and the rights of their children.
- ➔ Consulting schools, health boards and others to organise the support and integration of students with special educational needs.
- ➔ Ensuring the progress of students with special educational needs is monitored and reviewed at regular intervals.
- ➔ Reviewing the resources required to provide education for children with special educational needs.

- ➔ Ensuring appropriate education is available in respect of each type of disability.
 - ➔ Reviewing the provision made for adults with disabilities to take part in higher education, adult and continuing education, rehabilitation and training and to make reports on its reviews, including recommendations for improvements.
 - ➔ Advising all relevant educational institutions on the best practice concerning the education of adults with disabilities.
 - ➔ Consulting appropriate voluntary bodies to ensure that their knowledge and expertise can be of benefit to the council's policy development.
- The council must publish an annual report on its activities and proceedings.

The Act sets out the rules regarding membership of the council and its internal workings.

Special Education Appeals Board

The Act establishes the Special Education Appeals Board ("the Appeals Board") to hear and determine appeals under the Act.

The Appeals Board may determine its own procedures with the consent of the Minister for Education and Science. These procedures should ensure that:

- (a) the parties to the appeal are assisted to reach agreement by way of mediation where the Appeals Board believes that agreement is practicable in the circumstances

- (b) hearings are conducted with the minimum formality while ensuring both sides receive a fair hearing
- (c) the Appeals Board performs its functions in line with policies set down from time to time by the Minister for Education and Science, the Minister for Health and Children or the Minister for Finance.

The Appeals Board shall be independent in the exercise of its functions.

The Appeals Board shall consist of a chairperson and a certain number of ordinary members (the number to be determined by the Minister for Education and Science). Persons are to be appointed to the board by the Minister for Education and Science and these persons should have a special interest in or knowledge of education, in particular the education of persons with special educational needs. The tenure in office of the chairperson and members of the board shall be determined by the Minister.

The Appeals Board (with the agreement of the Minister for Finance) can appoint as many employees as it considers necessary on such terms and conditions as it determines.

The chairperson and members of the board may resign by letter addressed to the Minister or they may be removed by the Minister.

The chairperson and members of the board may be paid an allowance for expenses _as the Minister for Education and Science may decide (with the consent of the Minister for Finance).

The Appeals Board may sit in divisions when hearing appeals. This means that the board can split into smaller groups to hear more appeals.

Mediation

The Minister for Education and Science may make regulations enabling certain disputes to go to mediation. These disputes are:

- (a) when a person with special educational needs or their parents make(s) a complaint to the Minister that the special educational needs of the person are not being met; or
- (b) when a person with special educational needs or their parents propose(s) to bring or has/have brought court proceedings for the failure of the Minister or the State to meet the special educational needs of the person.

Further information:

The full text of the Education for Persons with Special Education Needs Act 2004 is available on www.oireachtas.ie

The Disability Act 2005

Please note that this section of the manual is intended for information purposes only.

It is not a legal document.

Please note that the Disability Act 2005 applies to persons of all ages.

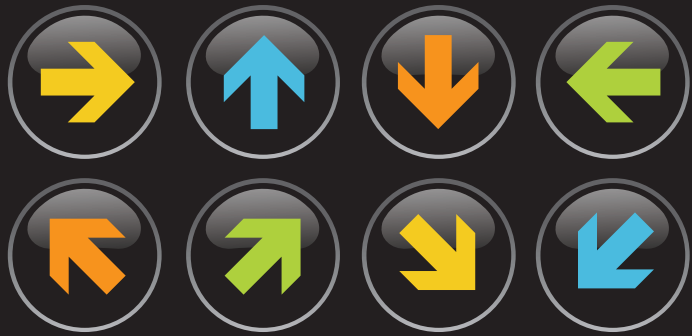
The Disability Act 2005 is a positive action measure designed to advance and underpin the participation of people with disabilities in everyday life. It establishes a statutory basis for -

- ➔ an independent assessment of individual health (including personal social services) needs and, where appropriate, educational services for persons with disabilities over age 18 years, a related service statement and access to complaints, appeals and enforcement mechanisms, where entitlements are not delivered.
- ➔ access to mainstream public services and actions to support access to public buildings, services and information.
- ➔ sectoral plans to be prepared and published in six key sectors – by the Ministers for Health and Children, Social and Family Affairs, the Environment, Heritage and Local Government; Communications, Marine and Natural Resources and Enterprise, Trade and Employment. The plans will set out the disability related services and positive actions measures to be

implemented and will be the subject of a consultation process before being finalised and submitted to the Oireachtas for approval.

- ➔ safeguards for the use of information obtained from genetic testing to ensure that persons affected by genetic disorders are not subjected to unreasonable requirements from an employer, insurer or mortgage provider.
- ➔ obligations on public bodies to be proactive in employing people with disabilities and the monitoring of compliance with those obligations.
- ➔ the establishment of a Centre for Excellence in Universal Design in the National Disability Authority to promote best practice in the design of the environment and products so that they are accessible and usable for everyone, especially people with disabilities.
- ➔ other provisions including amendment of the Broadcasting Act 2001 in relation to rules to facilitate access to broadcast programmes by persons with sensory impairments and a reduction in the membership of the National Disability Authority.

Section 9



Funding & Resources



Funding & Resources

The Fund for Students with Disabilities

One of the major sources of funding available to meet the practical and learning support needs of students with disabilities, in the CDVEC Further Education sector, is the *Fund for Students with Disabilities*, hereafter known as the Fund. It is administered through the National Office for Equity of Access to Higher Education, in the Higher Education Authority.

The aim of the fund is to assist students with disabilities to participate in Further & Higher Education. Grants are provided to students towards the cost of equipment and/or Educational Support Workers to enable them to access their course of study. The student applies for this grant, with the support of the Disability Support Officer and approval of the Principal, through the college that the student is attending. Once approved by the Higher Education Authority, the administration of the grant to the student is a function of CDVEC Head Office.

Historically, further education has been and continues to be the least efficiently served sector in terms of funding. The current

situation is that supports are often not available at the start of the year, as individual student funding application forms may not have been approved under the Fund for Students with Disabilities.

During the processing of the grant any principal wishing for clarification or advice on any financial procedures in relation to the Fund should in the first instance contact Kay Cullinan, in the Finance Section, CDVEC Head Office. Once the grant has been approved then queries should be directed to the Project Control Section of the CDVEC.

The kind of supports and assistance for which funding can be sought falls into three broad categories:

- Assistive technology and software (for more information on Assistive Technology, see Section 14: Dyslexia and Information Technology: A Guide for Students and Staff in CDVEC)
- Learning Support (including personal assistance, dyslexia tuition and resource hours)
- Transport

Student eligibility

Full time approved PLC courses of at least one-year duration at approved PLC centres in the Republic of Ireland are covered under the fund. The list of approved PLC courses is available from the CDVEC. Access, foundation and part-time courses are not currently covered under the fund.

Application deadlines

In the 2003/04 academic year, the Mid November deadline for applications was removed. Students may now make an application through the Disability Support Service at any time during the academic year. Experience shows that the sooner the application is made the better.

Renewal funding application form

The Renewal Funding application form enables students who are returning to study for a second year to have their renewal applications processed in late August/early September.

Change of Needs form

For other students whose circumstances have changed from the previous year, a Change of Needs form exists. This enables students whose needs have changed during the academic year to access additional funding. For example if a student moved house during term and their transport costs increased, an application for funding for additional transport costs may be submitted for consideration.

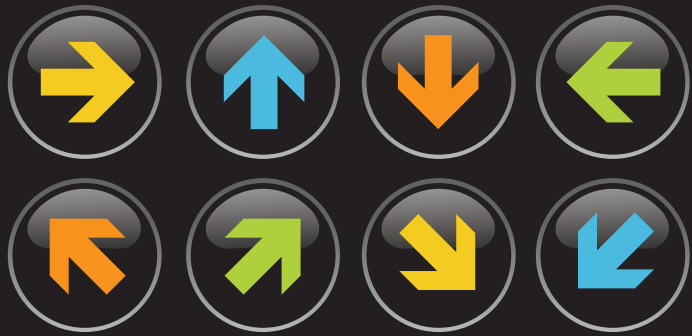
Other sources of funding

The Disability Support Officer will also provide information on other sources of funding such as:

- ➡ The Millennium Partnership Fund
[www.oasis.gov.ie/education/third level education/](http://www.oasis.gov.ie/education/third%20level%20education/)
- ➡ Dormant Accounts
<http://www.dormantaccounts.ie/>
- ➡ The Social Welfare contact person for the individual can sometimes provide partial support to a specific student who is ineligible for funding through the HEA due to part-time course status or enrolment on pre-Leaving Cert or Leaving Cert course.
- ➡ Student Support Services Fund (SSSF) may occasionally be used to support an individual student who needs support but is ineligible for funding elsewhere. This will be at the discretion of the Principal.

The DSS will also look at low cost solutions for students if they are not eligible for the Fund for Students with Disabilities.
(See Section 15: Assistive Technology Toolkit).

Section 10



**Needs Identification and Funding
Application Procedures**



Needs Identification and Funding Application Procedures

Introduction

As has been previously stated, the CDVEC /National Learning Network Disability Support Service began in three CDVEC colleges in September 2000. Currently the service is available in eight CDVEC colleges and the intention to ultimately offer the service in all CDVEC colleges is clearly stated in the CDVEC Education Plan 2006–2011.

In addition to having grown by number of participating colleges, the DSS has also grown in terms of the numbers of students it supports and in the amount of funding it receives from the HEA and other sources.

This growth has led to the need to standardise operational and accounting policies across the colleges in respect of disability issues and has necessitated close cooperation with a number of CDVEC Head Office departments, in particular, the accounting department.

As a result of this co-operation a number of pro-forma documents have been generated by the DSS in order to:

- ➡ capture the relevant student information
- ➡ create a smooth flow of paperwork between the colleges, CDVEC Head Office, and the HEA
- ➡ to ensure that the CDVEC is in compliance with the EU audit requirements of the HEA and the Department of Education and Science.

These pro-forma documents fall into two categories

1. Student Needs identification forms
 - a) Student Personal Information (confidential)
 - b) Student Support checklist (available to CDVEC staff as deemed appropriate)
 - c) Summary of Supports Tutor (Released at Course Co-ordinator discretion)
 - d) Summary of Supports HEA
2. Fund for Students with Disabilities forms
 - a) Confirmation of student registration: Form C1
 - b) Principal approval slip: Educational Support Worker/ISL Interpreter: Form C2
 - c) Summary of Assistive Technology supports: Form C3
 - d) Summary of transport supports: Form C4

Student Needs Identification Procedures

As people with disabilities and difficulties with learning are naturally sensitive to being asked to reveal personal information, a low-key non-threatening approach to needs identification has been developed by the DSS. This allows detailed description of student needs to be recorded but only makes a summary of necessary information available to staff and teachers.

Needs Identification

The following four forms are used in the process of needs identification:

- a) Student Personal Information and evaluation of supports required (confidential)
- b) Student Support checklist (available as required)
- c) Summary of Supports: Teacher (Released at Course Co-ordinator discretion)
- d) Summary of Supports HEA

Copies of all forms follow overleaf and electronic versions are also available from the Disability Support Officer on request.

If there is a need for Assistive Technology identified, the Disability Support Officer will ask the National Learning Network AT Support Officer to work with the student to identify what is appropriate through a process of sampling and trialing the various options and providing training if necessary.

After the student and Disability Support Officer have identified the student's needs by completing the Statement of Needs form, a Summary of Supports Needed will be brought to the attention of the Principal. Efforts will then be made to secure or source the funding to provide the supports identified.

Needs Identification: Student Personal Information and evaluation of support required (Confidential)



CDVEC

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Investing in People, Changing Perspectives

Disability Support Service

Student personal information and evaluation of supports required

Personal Data	
Students Name	Course / Year 1st 2nd 3rd
	Course Tutor
Home Address	E-mail Address
Contact Tel. Number / E-mail Address	Nature of Disability (as described by student)
Concerns and Expectations	
What are your major difficulties or areas of concern?	
Previous Experience of Education and Employment	
What Support Strategies has the Student used in either education or work settings previously?	
Assistive Technology	
Supports / Resources	
Study Techniques	
Assessment Arrangements/ Examination Accommodations	
Summary of Study Programme to be Undertaken	
What are the core subjects?	
What are the ways in which the course is taught?	
What are the ways in which the course is assessed?	

Impact on Study Patterns and Course Requirements

Note-taking/writing Yes (has impact) No (does not have an impact)

If yes please explain

Reading Yes ☐ No ☐

If yes please explain

Typing and Keyboard Skills Yes ☐ No ☐

If yes please explain,

Writing Assignments (spelling and punctuation) Yes ☐ No ☐

If yes please explain

Following a set of instructions given Yes ☐ No ☐

N/A

Managing Time and Organising Coursework Yes ☐ No ☐

If yes please explain

Using Assistive Technology Yes ☐ No ☐

If yes please explain,

Using libraries and other learning resources/materials Yes ☐ No ☐

If yes please explain,

Working in small groups (seminars/presentations etc.) Yes ☐ No ☐

If yes please explain,

Coping with the physical environment	Yes <input type="checkbox"/>	No <input type="checkbox"/>
If yes please explain,		
Undertaking work placement/fieldwork	Yes <input type="checkbox"/>	No <input type="checkbox"/>
If yes please explain,		
Meeting Academic Assessment Requirements	Yes <input type="checkbox"/>	No <input type="checkbox"/>
If yes please explain,		
Transport Requirements	Yes <input type="checkbox"/>	No <input type="checkbox"/>
If yes please explain,		
Other	Yes <input type="checkbox"/>	No <input type="checkbox"/>
If yes please explain,		

Needs Identification: Student Support checklist (available to CDVEC staff as deemed appropriate)



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Disability Support Service

Student Support Checklist Assistive Technology		
Type of Support Required	Yes/ No	Specific Details
Dictaphone		
Laptop		
Other Portable writing aid		
PDA		
Access to Printer		
Spell Checker		
Thick barrelled pens/ pencils		
Magnifier		
Voice Activated Software		
Text to speech		
Speech to text software		
Jaws		
Mind Mapping Software		
Predictive text software		
Zoom text		
Other Software		
Other Hardware		
Computer Training Skills		
Keyboard Training Skills		
Training to Use Software Packages		
Other AT		

Access to Information		
Type of Support Required	Yes/ No	Specific Details
Lecture notes on disk/ CD		
Access to lecture notes prior to lecture (either hardcopy or via web)		
Information to be available in large font		
Information to be printed on coloured paper		
Lecture to be recorded – video/audio tape		

Organisational Support		
Type of Support Required	Yes/ No	Specific Details
Study skills training		
Time Management		
Assignment Planning		
Assistance with Organisation of belongings		
Other		

Social and Communication		
Type of Support Required	Yes/ No	Specific Details
Introduction to new concepts/ programmes		
Literal use of language explained – minimize usage of idiomatic speech		
Requires instructions to be given in small amounts		
Requires written diagrammatical instructions / information		
Noise sensitive		
Touch sensitive		
Other		

Human Resources		
Type of Support Required	Yes/ No	Specific Details
ISL Interpreter		
Educational Support Worker (note-taker, reader)		
Personal Assistant		
Trainer in use of AT		
Tutor (to give one-to-one tuition)		

Other Supports / Resources Required		
Type of Support Required	Yes/ No	Specific Details
Transport		
Other		

Needs Identification: Summary of Supports: Teacher (Released at Course co-ordinator Discretion)



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Disability Support Service

Summary of Supports Required by Student (To Accompany Application to Fund for Students with Disabilities)

Student and Course Information

Student Name:

.....

College:

.....

Summary of Programme of Study to be Undertaken:

.....

.....

Assistive Technology Supports Identified

Rationale for Requesting AT Support:

.....

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Summary of AT Support Requested:

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Study Supports/Academic Supports/ Human Supports Identified

Rationale for Requesting this Support:

Summary of Supports Requested:

Other Supports/ Resources Identified

Rationale for Requesting this Support:

Summary of other Supports/ Resources Requested:

HEA Funding Application and Principal Authorisation

Context

Uniform procedures and structures have been put in place for students with disabilities enrolled in CDVEC colleges in respect of funding applications for:

- ➔ Transport
 - Taxi
- ➔ Interpretation
 - Irish Sign Language (I.S.L.)
- ➔ Student Support Workers
 - Personal Assistants
 - Note Takers
 - Scribes
 - Readers
 - Dyslexia Tuition
 - Study Skills and time management tuition
- ➔ Training
 - Assistive Technology (A.T.)
 - Relevant Course (e.g. I.T. Skills)

Authorisation of Principal

The DSS is required to keep the Principal, or designated authority of the Principal in the college, fully informed of requests for support and to seek his/her written approval for each stage of the funding application process.

In order to meet EU audit requirements each application form must be:

- ➔ filled in by the Disability Support Officer (or designated staff member)
- ➔ signed by the Principal of the college

- ➔ accompanied by a summary of
 - the supports requested
 - the costs involved
 - the current status of the funding application with regard to approval.

No supports can be put in place without the Principal

- ➔ signing his/her agreement
- ➔ providing written confirmation that the student is registered in the college.

When applying for funding, the student must present evidence of his/her disability. This evidence must be from an impartial specialist.

Letters from GPs are not acceptable in any circumstances as an assessment of disability.



CDVEC

Disability Support Service

Form C1: Confirmation of student registration

Name of Student	College	Centre Number	Date of commencement of course	Date of conclusion of course

Please sign below to confirm that the above students are registered in the above college.

Principal's Signature: _____

Date ____/____/____



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Form C2: Principal Approval Slip: Provision of Education Support Workers and ISL Interpreters

No educational support workers or interpreter services may be used until the Principal is satisfied that funding has been (or will be) granted. (Form C:2). Names of students using interpreters will be included on invoices and copies will be sent monthly to each college Principal.

Disability Support Service

Form C2: Principal Approval Slip: Educational Support Worker (ESW) and ISL interpreters

National Learning Network/CDVEC
Disability Support Service

College: _____ Centre Number: _____

Recruitment Source: _____

Role*: Teaching Support

Name of student	Type of ESW or Interpreter	Name of ESW	Hours per week	Status of Implementation	Commencement date	Date of conclusion	Funding source	Approved	Account Code (H.o. use only)

If a role is anything above part-time teacher rate, evidence of qualifications will be needed if on the payroll. If giving an invoice, maximum of €40 per hour.
After Head Office approval, the person can be put on the payroll at the centre.

I agree for the above supports to be implemented.

Principal's Signature: _____ Date: ____/____/____

Head Office Use only _____



CDVEC

Form C 3: Provision of AT and equipment

The college, following the Principal's signature of agreement, almost exclusively purchases assistive Technology (AT) and equipment.

In the event that the National Learning Network is required to purchase equipment or AT, it will be necessary for the Principal to sign an approval form, Form C 3. This system will operate on an occasional basis to meet needs as they arise.

Disability Support Service

Form C 3: Summary of Assistive Technology Supports Applied for

College: _____ **Centre Number:** _____

Name of Student	AT/Equipment Required	Training Requirements	Supplier	Cost Information €	Approved	Any other information	Account Code (H.o. use only)

Please sign below to confirm that you are aware of the current status of support implementation

Principal's Signature: _____ Date _____/_____/_____



CDVEC

Form C4: Summary of transport support applied for

No taxi services may be used until the Principal is satisfied that funding has been (or will be) granted. Names of students using taxis will be included on invoices and copies will be sent monthly to each college Principal.

Disability Support Service

Form C4: Summary of Transport Supports Applied for

College: _____ **Centre Number:** _____

Name of Student	Support Required	Nature (NRC or other firm)	Funding Source (Insert project code if not HEA)	Approved	Additional Information	Account Code (H.o. use only)

Please sign below to confirm that you are aware of the current status of support implementation.

Principal's Signature: _____ Date _____/_____/_____

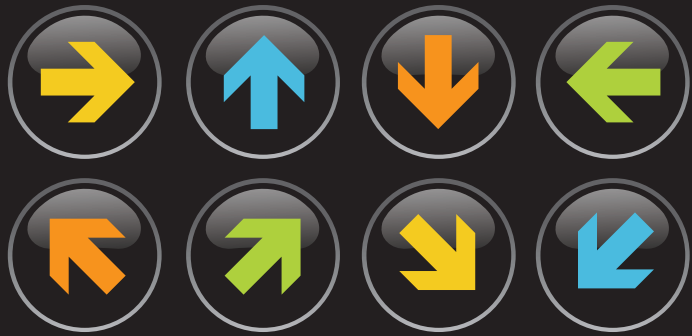
Sourcing of student support workers Proposal 2005/6

It is proposed that there will be a central panel of support personnel for CDVEC; the panel will stay alive for 12 months. Every year, a new panel will be selected. Candidates will be interviewed with joint interview boards (National Learning Network/CDVEC).

Training for educational support workers (where required) will be provided annually by the Disability Support Service prior to the start of term. It is intended that this training will be developed into a single FETAC module.

In the summer months the DSS will advertise the need for ESW's and will provide information to interested candidates. A list of potential ESW's for the forthcoming term will be created and training will then be delivered to those requiring it.

Section 11



Invoicing and Payment



CDVEC invoicing and payment procedures

Outlined below are procedures, agreed with NLN, which must be applied in colleges availing of the Disability Support Services. These procedures **must be applied** to the spending of HEA grants, approved for individual students in CDVEC colleges, in relation to transportation, interpreting and educational support workers sourced by the Disability Support Service.

CDVEC colleges that are not currently in receipt of the services of the Disability Support Service and who have students in receipt of HEA grants must establish invoicing and payment procedures in line with those outlined below. This should be done in consultation with the CDVEC Assistant Principal Officer, Financial Controller. These colleges **must only use** the services of companies approved by the Disability Support Service.

Procedures

Stage 1: National Learning Network

1. Weekly invoices are sent to NLN by NRC Taxi and by Bridge Interpreting for individual students availing of these services
2. All invoices must state the name of the student in receipt of the support **and the nature of the funding**
3. The NLN Mainstream Education Services Manager asks the Disability Support Officer to confirm that all the invoices are correct for each individual student.
4. When checked the Disability Support Officer enters the invoice details and status on the National Learning Network

spreadsheet (held by administrator at NLN Blanchardstown) so the invoices progress can be tracked.

5. The checked original invoices are then signed by the Manager of Mainstream Education Services
6. The Mainstream Education Services Manager then authorises the supplier invoice by sending a copy invoice to National Learning Network Accounts Department for payment and for speedy processing.

Stage 2: City of Dublin Vocational Education Committee

1. The Mainstream Education Services Manager instructs National Learning Network Accounts Department to raise an invoice to CDVEC to cover current student supports (original invoices that have been checked and authorised are attached).
2. **The Principal in each college will be asked to sign off the NLN invoice before National Learning Network sends this to CDVEC Head Office**
3. CDVEC Accounts Department processes the invoices and sends payment to the National Learning Network

Taxi provision

The Disability Support Officer will normally source taxi transport through National Radio Cabs for any student who has been given HEA funding in relation to Student Transport Services. This company can provide appropriate taxis to meet the individual student need.

From September 2006 each student, using National Radio Cabs, will have his or her journeys invoiced on a separate account. Students may be funded for up to ten journeys per week from home to college and back. They will book the taxi themselves with a password. Slight deviations from the standard route are acceptable should, for example, a student wish to go home to a friend's house or to town, providing the mileage is similar.

Students cannot book travel outside of college term time. Should a taxi be required outside term time for a valid reason the Disability Support Officer will make the arrangements on the student's behalf.

In certain situations specialised transportation will be booked through Vantastic. In this case the student is collected from and returned to home. The Disability Support Officer will make this arrangement should it be deemed appropriate.

Irish Sign Language Interpreter Provision

Where ISL interpreter provision has been granted the CDVEC/NLN Disability Support Service works with Bridge Interpreting to provide regular professionally registered interpreters.

Once the student has received his or her timetable the amount of interpreter hours can be calculated and are then booked with Bridge Interpreting for the academic year. Bridge Interpreting raises invoices on a weekly basis and each invoice is accompanied by a time sheet for each interpreter used.

Students are instructed on the procedure for informing of absence so that interpreters are informed as soon as possible if a student is sick. Student attendance is checked by the DSO.

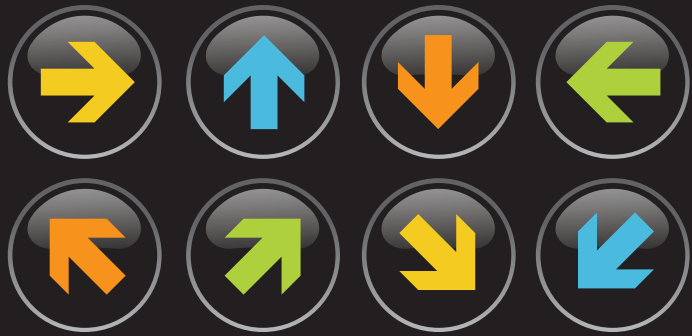
Educational Support Worker Provision

Where funding has been granted for an Educational Support Worker or a Personal Assistant the CDVEC/NLN Disability Support Service works with XXXXXXXXXXXXXXXXXXXX to provide trained and qualified ESWs.

When the student has received his or her timetable the amount of support worker hours can be calculated and are then booked with xxxxxxxxxxxxxxxx for the academic year. xxxxxxxxxxxxxxxx raises invoices on a weekly basis and each invoice is accompanied by a time sheet for each ESW used.

Students are instructed on the procedure for informing of absence so that ESW are informed as soon as possible if a student is sick. Student attendance is checked by the DSO.

Section 12



Useful Contacts



Useful Contacts

ACCESSIBLE COMMUNITY TRANSPORT SOUTHSIDE LTD (ACTS)

Unit 20, Nutgrove Enterprise Park,
Churchtown, Dublin 14
Tel: 494 8332/ 494 8333
Freephone: 1800 211 311

AHEAD

Newman House,
86 St Stephen's Green, Dublin 2
Tel: 01 475 2386
Fax: 01 475 2387
www.ahead.ie

ARTHRITIS FOUNDATION OF IRELAND

1 Clanwilliam Square,
Grand Canal Quay,
Dublin 2
Tel: 01 661 8188
Fax: 01 661 8261
www.arthritis-foundation.com

ASPIRE (Support Group for people with Asperger's Syndrome)

Carmichael House,
4 North Brunswick Street,
Dublin 7
Tel: 01 8780027
www.aspire-irl.com

AWARE

35 Willington Avenue, Templeogue,
Dublin 6
Tel: 01 608 0400
www.aware.ie

BRAINWAVE

249 Crumlin Road
Dublin 12
Tel: 01 455 7500
Fax: 01 455 7013
www.epilepsy.ie

BRIDGE INTERPRETING

7 Malachi Road, Stoneybatter, Dublin 7
Tel: 087 904 6594
E-mail: office@bridgeinterpreting.ie

CENTRAL REMEDIAL CLINIC

Vernon Avenue, Clontarf, Dublin 3
Tel: 01 833 2206
Fax: 01 833 5496
www.crc.ie

CENTER FOR INDEPENDENT LIVING

Carmichael House, North Brunswick Street,
Dublin 7
Tel: 01 873 0455
Fax: 01 873 0998
E-mail: info@dublincil.org
www.dublincil.org

CITY OF DUBLIN VEC/ NATIONAL LEARNING NETWORK DISABILITY SUPPORT SERVICE (DSS)

Eileen Daly/Lorraine Deegan
Block A, Institute of Technology
Blanchardstown, Blanchardstown Road
North, Dublin 15
Tel: 01 8851380/1 Fax: 01 8851389
E-mails: eileen.daly@nln.ie
sarahmcaree@nln.ie

CITY OF DUBLIN VEC PSYCHOLOGICAL SERVICE

Caroline Martin (Chief Psychologist)
Winstead, 25 Temple Road, Dartry, Dublin 6
Tel: 01 497 1442/497 9569
Fax: 01 497 9491
E-mails: caroline.martin@psychser.cdvec.ie

COMHAIRLE

7th Floor, Hume House, Ballsbridge, Dublin 4
Tel: 01 605 9000
44 North Great Georges Street, Dublin 1
Tel: 01 874 7503
Hainault House, The Square, Tallaght,
Dublin 24
Tel: 01 462 0444
www.comhairle.ie

CNEASTA

The Irish Council for Training,
Development and Employment for Persons
with Disabilities
Parnell Square Business Centre, 10a Parnell
Square, Dublin 1
Tel: 01 874 6911
Fax: 01 873 5066

CORK ASSOCIATION FOR THE DEAF

5 McCurtain Street, Cork City.
Tel: 021 505 944
Fax: 021 506 190
mail@corkdeaf.ie

CITY OF DUBLIN VEC CURRICULUM DEVELOPMENT UNIT

Sundrive Road, Crumlin, Dublin 12.
Tel: 01 453 5487
Fax: 01 453 7659
www.curriculum.ie

DISABILITY FEDERATION OF IRELAND

Fumbally Lane
Fumbally Court
Dublin 8
Tel: 01 295 9344
www.disability-federation.ie

DISABLED DRIVERS ASSOCIATION

Derek Farrell, Ballindine, Co Mayo
Tel: 094 640 541/64266
Email: ability@iol.ie
www.iol.ie/ability~/

DSI (DOWN SYNDROME IRELAND)

30 Mary Street, Dublin 1
Tel: 01 8730 999 or 1890 374 374
Email: info@downsyndrome.ie
www.downsyndrome.ie

DYSLEXIA ASSOCIATION OF IRELAND

Suffolk Chambers, 1 Suffolk Street,
Dublin 2
Tel: 679075/6
Fax: 679 0273
Email: info@dyslexia.ie
www.dyslexia.ie

ENABLE IRELAND

Sandymount Avenue, Dublin 4
Tel: 01 261 5900
Fax: 01 260 1478
www.enableireland.ie

FORUM OF PEOPLE WITH DISABILITIES

21 Hill Street, Dublin 1
Tel: 01 878 6075
Email: info@fpd.ie
www.fpd.ie

FRESHSTART

Block A, Institute of Technology,
Blanchardstown, Blanchardstown Road
North, Dublin 15.
Tel: 885 1383
Fax: 885 1383
E-mail: annmarie.burke@innovations.itb.ie

**HYPERACTIVE/ATTENTION DEFICIT
DISORDER FAMILY SUPPORT
(HADD)**

Carmichael House,
4 North Brunswick Street,
Dublin 7
Tel: 01 874 8349
E-mail: hadd@eircom.net

**IRISH ASSOCIATION OF SUPPORTED
EMPLOYMENT**

Oak House Residential Centre,
Ballymorris Road, Portarlinton,
Co Laois
Tel: 0502 43744
Fax: 0502 43753

IRISH DEAF SOCIETY (IDS)

30 Blessington Street,
Dublin 7
Tel: 01 860 1878 Minicom: 01 860 1010
Fax: 01 860 1960
E-mail: info@irishdeafsociety.ie
www.irishdeafsociety.ie

IRISH GUIDE DOGS FOR THE BLIND

National Headquarters and Training Centre
Model Farm Road, Cork
Tel: 021 4878 200/Lo Call 1850 506 300
Fax: 021 4874 152
Email: info@guidedogs.ie
www.guidedogs.ie

IRISH HEART FOUNDATION

4 Clyde Road, Ballsbridge, Dublin 4
Tel: 01 668 5501
E-mail: info@irishheart.ie
www.irishheart.ie

IRISH KIDNEY ASSOCIATION

Patricia Doherty, Donor House, 156
Pembroke Street, Dublin 4
Tel: 01 668 9788
E-mail: info@ika.ie
www.ika.ie

IRISH SIGN LINK

25 Clyde Road, Ballsbridge, Dublin 4
Tel: 01 608 0437
Fax: 01 668 5029
Email: signlink@indigo.ie /
signlink@eircom.net

IRISH WHEELCHAIR ASSOCIATION

Aras Chuchulain, Blackheath Drive,
Clontarf, Dublin 3
Tel: 01 8186400
Fax: 01 833 3873
E-mail: info@iwa.ie
www.iwa.ie

**LUCAN DISABILITY ACTION GROUP
(LDAG)**

24 Hills Industrial Estate, Lucan, Co. Dublin
Tel: 01 6100 475
Email: ldag@eircom.net

MENTAL HEALTH IRELAND

Mensana House, 6 Adelaide Street, Dun
Laoghaire, Co Dublin
Tel: 284 1166
Fax: 01 284 1736
Email: Information@mentalhealthireland.ie

MS IRELAND

Michael Dineen, 2 Sandymount Avenue,
Dublin 4
Tel: 01 269 4599
E-mail: info@ms-society.ie
www.ms-society.ie

**NATIONAL ASSOCIATION
FOR DEAF PEOPLE (NAD)**

35 North Frederick Street,
Dublin 1
Tel: 01 817 5777
Text/Fax: 01 878 3629
Email: Freda.keenan@ndp.ie

**NATIONAL ASSOCIATION
FOR THE MENTALLY HANDICAPPED
OF IRELAND (NAMHI)**

NAMHI, 5 Fitzwilliam Place,
Dublin 2
Tel: 01 676 6035
E-mail: info@namhi.ie
www.namhi.ie

**NATIONAL COUNCIL FOR THE BLIND
OF IRELAND (NCBI)**

Liam Lynch, PV Doyle House,
Whitworth Road, Drumcondra,
Dublin 9
Tel: 01 830 7033
Fax: 01 830 7787
E-mail: info@ncbi.ie
www.ncbi.ie

**NDA – NATIONAL DISABILITY
AUTHORITY**

25 Clyde Road, Dublin 4
Tel: 01
E-mail: info@nda.ie
www.nda.ie

**NATIONAL EDUCATION
PSYCHOLOGICAL SERVICE (NEPS)**

Head Office, Frederick Court,
24/27 North Frederick Street,
Dublin 1
Tel: 01 889 2700
E-mail: neps@education.gov.ie

NATIONAL LEARNING NETWORK

Roslyn Park, Beach Road,
Sandymount,
Dublin 4
Tel: 01 205 7200
Fax: 01 205 7211
www.rehab.ie

**NATIONAL LEARNING NETWORK
ASSESSMENT CENTRE**

Block A, Institute of Technology,
Blanchardstown,
Blanchardstown Road North,
Dublin 15
Tel 01 885 1386
Fax: 01 885 1389
www.rehab.ie

**NATIONAL OFFICE FOR EQUITY
AND ACCESS IN HIGHER EDUCATION
(HEA)**

Brooklawn House,
Shelbourne Road, Ballsbridge,
Dublin 4
Tel: 01 439 2172
www.hei.ie

THE CENTRE FOR DEAF STUDIES

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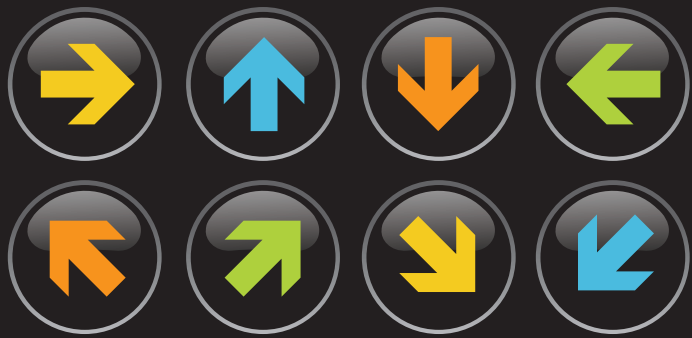
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Section 13



**Guidelines on Examination
Accommodation**



Guidelines on Examination Accommodations

Guidelines on Examination Accommodations for Students within CDVEC **March 2005**

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Introduction

Within the Further Education Sector in recent years an inclusive education ethos has developed and this model of inclusion has begun to be incorporated into all aspects of service delivery. 'Inclusive Education creates conditions within all levels of education that allow all members of society to access the educational content of curricula and access social activities in a manner that will allow autonomy to emerge under an egalitarian ethos' (Duffin, forthcoming).

The examinations policy, as well as examination accommodation, needs to be considered as part of this inclusive

education perspective within CDVEC Further Education Colleges.

Examinations are central to the academic process as it is within this setting that students' knowledge and abilities, relating to their course of study, are assessed. Therefore it is essential that equality of opportunity and equity of assessment, within the examination process, for students with disabilities, is addressed by CDVEC Further Education Colleges.

By examining current assessment procedures, and by identifying the barriers students with disabilities experience in effectively demonstrating subject knowledge within an examination setting, colleges of further education can begin to move towards developing a clear and transparent policy that reflects the diverse learning and assessment requirements of these students.

Context for Policy Development

Across the VEC there are a number of awarding bodies for the wide range of courses available, the largest of which is FETAC. Presently FETAC are operating and using the National Council for Vocational Awards Regulations for Centres and Candidates, March 2002, which allow local examination centres to implement certain examination supports on a local basis to facilitate students. Other awarding bodies also permit the college to employ reasonable accommodations as long as the awarding body is kept informed.

So while some students are facilitated, the accommodations that are implemented are done on an ad hoc basis across the CDVEC. This has resulted in a lack of standardisation and lack of uniformity of process.

Therefore it is necessary to develop a policy on examination accommodations based on sound governing principles that comply with legislative requirements and incorporate a broader inclusive education model.

All requests for examination accommodation should be informed by the following principles:

- ➔ Examination accommodations should be made for students, who because of a temporary, permanent or long-term disability require such accommodations in order to effectively demonstrate their knowledge in an examination situation
- ➔ Any accommodation awarded should not compromise the integrity of the examination process
- ➔ Since the core principle of the examination is equity of assessment all accommodations should be designed to minimise the disadvantage experienced by students with disabilities rather than to provide students with a competitive advantage
- ➔ Examination accommodations should be implemented to support the student in demonstrating her or his knowledge in an examination situation and they should not be implemented to compensate for a possible lack of achievement arising from a disability

- ➔ The specific accommodations should be made after consultation with the individual students. Consideration should be given to the fact that different subjects and different methods of assessment make different demands on students
- ➔ Where it is not possible for a student to participate in a particular type of assessment it should be possible for the student to apply for an alternative mode of assessment providing the purpose of the examination would not be compromised
- ➔ It is essential to ensure that any accommodation made should not compromise the objective of the assessment, i.e. that students are required to demonstrate a predetermined level of ability in relation to essential course requirements

Funding for Examination Accommodations

Funding for examination accommodations is not available through the HEA's Fund for Students with Disabilities. The guidelines relation to the Fund for Students with Disabilities (or form DF5b) specifically states that

'the fund cannot grant resources for the provision of services that can reasonably be expected to be provided by the college (e.g. counselling, examination accommodations) or by any other agency.'

Therefore as external funding is not available it is the responsibility of individual colleges to provide

accommodations required by students from the overall college examination budget.

Process for Requesting Examination Accommodations

Information Provision

Students need to be aware of what accommodations are available and what the application process is. It is the responsibility of the college to ensure that this information is made available to students and this information can be disseminated in the following ways:

- ➔ Information on the availability of examination accommodations for students with disabilities should be outlined in the college's students handbook and on the college website
- ➔ The Examinations Officer or a designated person in each college should write to any students that identified themselves as having a disability informing them of the application process for requesting examination accommodations

Applying for Accommodations

Once a student has been informed of the availability of examination accommodations it is the responsibility of the student to request such support. All requests for examination accommodations should be made through the Disability Officer in the college (or other designated person if there is no Disability Officer

attached to the college). It should be the responsibility of the Disability Officer to:

- ➔ Work with the student in identifying the most appropriate examination accommodations for them and this should be done in consultation with relevant teaching staff
- ➔ To provide support to the student by giving them the chance to sample the various options available
- ➔ To request from the student evidence of a disability which is required before any accommodation can be implemented

On the basis of the documentation provided by the student and from other discussions with either the student or teaching staff, the Disability Officer should then make recommendations on accommodations to the Examinations Officer in the college.

It is then the responsibility of the Examinations Officer to ensure that the accommodations requested are put in place and then to inform individual students of the specific arrangements for their examinations (this should be done several weeks before the exams start and students should also have the opportunity to meet with any support personnel such as readers, scribes etc. they will be working with in advance of the exams).

The Disability Support Officer will source and provide training for any support personnel such as readers, scribes etc. and will be available for consultation on any

issues relating to examination accommodations.

If a student is not happy with their exam accommodations s/he should write to the Principal of the college with all the details and the Principal will give a final decision after looking at all the documents provided.

All staff in the college need to be familiar with the policy on examination accommodations for students with disabilities and receive a copy of this policy.

Implementing Appropriate Examination Accommodations

The Examinations Officer continues to have responsibility for the overall examinations process, particularly the control and storage of papers. Therefore it is through the Examinations Officer that examination accommodations recommended by the Disability Support Service will ultimately be implemented. While the process of awarding examination accommodations varies from student to student accommodations given should be based on standard best practice guidelines.

Role of the Invigilator

Invigilators need to be familiar with how exam accommodations operate.

The invigilator is responsible for obtaining examination questions and returning all examination papers. It is also the role of the invigilator to ensure that the examination

paper is available in a format that is accessible to the student so if for example a student requires an exam paper to be scanned into the computer, this should be done by the invigilator before the exam starts. However, if the exam paper is presented to the student in a format that is totally inaccessible it is the duty of the invigilator to bring this to the attention of the Examinations Officer immediately.

During the exam it is up to the invigilator to make sure that all information is communicated to the student in a way that s/he can access and also to record if there were any difficulties during the exam with putting the exam accommodations in place.

Role of Examination Support Staff

Students may require support from specific personnel during the examination. Guidelines governing the role of these staff members during the exam are outlined below. However, it is important to note that in general the person invigilating the exam should not play a dual role during the exam, for example, acting as the invigilator and a scribe.

If any problems arise during the exam it is up to the examination support staff to let the invigilator know what these problems are.

Guidelines for Use of a Reader during an Exam

- ➡ A reader is a person who reads the exam paper to students and reads back their answers when the student asks them.
- ➡ The reader is only allowed to read what is written down on the exam paper or on the student's answer sheets. The reader is not allowed add in any other words or give advice to the students on how to answer the questions
- ➡ The reader is not allowed interpret exam questions for students
- ➡ The reader can repeat the reading of the exam paper / the students answers as often the student wants
- ➡ The reader may, if working with a visually impaired student assist the student using tactile maps, diagrams, graphs and tables to obtain the same information that a sighted person has access to.
- ➡ A reader working with a visually impaired student may give the spelling of a word only if requested
- ➡ A student using a reader must sit the examination in a separate examination centre
- ➡ A student using a reader should receive additional time e.g. 10 minutes per hour
- ➡ Students may have worked with a reader throughout the year and may want to ask this person to act as a reader during the exams. However, it would not be appropriate to have a fellow student or a family member to act as a reader during the examination
- ➡ The person acting as a reader should be able to read accurately and at a reasonable rate the language associated with the subject being examined
- ➡ The reader should read through the whole exam paper at the beginning of the exam so the student can get an overall view of the exam paper. When the student has decided what questions s/he wants to answer they can ask the reader to reread these questions
- ➡ Both the student and the reader should have the opportunity to have practice sessions before sitting the exam
- ➡ Any difficulties that arise during the exam should be brought to the attention of the invigilator straight away
- ➡ Copies of the guidelines should be given to students, the person acting as a reader and the invigilator

Guidelines for Using an Amanuensis or Scribe during an exam

- ➔ An amanuensis or scribe is a person who in an exam writes down the students answers
- ➔ The person acting as a scribe should be able to write legibly and be able to write in any language subject chosen by the student and be familiar with subject specific vocabulary and notation in scientific, technical, musical and mathematical subjects
- ➔ The scribe should write down the exact text as dictated by the student
- ➔ The scribe should not write any other text other than that dictated by the student and should not give any advise to the student on any part of the exam
- ➔ There should be no communication between the student and the scribe during the exam except to clarify the students answers
- ➔ A scribe may read back the student's answers to the student as requested but may not read the exam paper to the student unless the student has also been granted the facility of a reader
- ➔ A student using a scribe must sit the exam in a separate examination centre
- ➔ A student using a scribe should receive additional time e.g. 10 mins per hour
- ➔ A student may have worked with a scribe throughout the year and may want to ask this person to act as a scribe during the exams. However, it would not be appropriate to have a fellow student or a family member act as a scribe during the examination
- ➔ Both the student and the scribe should have the opportunity to participate in practice sessions before sitting the exam
- ➔ The scribe should be given a five minute rest break each hour
- ➔ Copies of the examination guidelines should be given to the student, the scribe and to the invigilator

Guidelines for Using a Personal Assistant during an Exam

- ➔ A personal assistant is a person that assists the student to complete manual tasks and with personal care.
- ➔ A personal assistant may be permitted to stay in the exam centre during the exam even if they are not required to give support to students at all times. However, the personal assistant should not discuss any matter with the student during the exam unless it relates to the students need for personal care or assistance with manual tasks.
- ➔ In general the personal assistant should not be required to play a dual role during the examination, for example, act both as a personal assistant and as a reader. However, there are certain situations where the personal assistant, because of the working relationship she/he has with the student, may be suited to supporting the student with other approved accommodations.
- ➔ Copies of the examination guidelines should be given to the student, P.A. and invigilator in relation to the P.A.'s role during the exam

Guidelines for Using an Irish Sign Language Interpreter During Exams

- ➔ The person acting as an ISL Interpreter to the student should be a fully trained and qualified interpreter sourced from an appropriate organisation
- ➔ The interpreter should only interpret the exact sign / speech as communicated by the student or the invigilator
- ➔ The interpreter should not have any communication with the student or invigilator during the examination unless it relates to the communication of examination of questions and answers
- ➔ The interpreter should be familiar with the subject being examined
- ➔ The interpreter may be recorded as a back-up to the interpretation
- ➔ Copies of the examination guidelines should be given to the student, Interpreter and invigilator

Use of Technology During the Exams

Use of a Computer

- ➡ The use of a 'computer' in this document includes word processors, personal computers (PCs) and any other micro processing devices that produces text.
- ➡ A student using a computer must sit their exam in a separate examination centre
- ➡ Details of the type of hardware and software used during the exam should be noted by the invigilator
- ➡ The exam file should be opened by the invigilator and saved using the students name or student number
- ➡ The students should be provided with a floppy disc/CD which is labelled with the students name / exam details at the beginning of the exam
- ➡ Students should use this floppy disc/CD to save their answers and must hand these up at the end of the examination
- ➡ When the examination has ended the completed exam should be printed and signed by the student (or the students PA) and invigilator
- ➡ Setting up the computer and printing out the completed exam paper should not be considered part of the examination and therefore should take place outside of the time allocated to the exam and these tasks should take place under the supervision of the invigilator
- ➡ If a student is using his/her own laptop all files relating to the subject being examined must be deleted to comply with examination regulations
- ➡ Provision should be made to have a computer technician on call in case of any fault with the computer. If time is lost due to a fault the student should be awarded the amount of lost time.
- ➡ If a student is using a college PC, the onus is on the college to ensure that any software or AT equipment that the student uses is available on the college PC
- ➡ It is the responsibility of the student to be proficient in the use of the computer and appropriate software or any other piece of technology the student wishes to use during the exams
- ➡ Any software or AT equipment used by a student during the exam must be approved by the colleges Examination Officer prior to the exam
- ➡ The student should be given a copy of the guidelines in relation to using a computer / laptop during an exam

Guidelines for Use of a Tape Recorder During Exams

- ➔ A student using a tape recorder during an exam must use a separate examination centre
- ➔ The tape recorder should be tested prior to the exam commencing to ensure that it is in good working order
- ➔ The only material to be recorded onto the tape is the students' answers.
- ➔ The students should indicate the question number and the actual question he or she is answering prior to recording each answer
- ➔ The tape recorder can be turned on and off to avoid periods of silence on the tape
- ➔ The students can replay the tape to review his /her answers
- ➔ The tape can be started and stopped by the students personal assistant as directed by the student, if required
- ➔ The student should have to opportunity to practice using the tape recorder prior to sitting the exam
- ➔ When the exam has been completed this should be indicated on the tape by the invigilator .The tape should also be clearly labelled as to the contents of each tape
- ➔ The student should be given a copy of the guidelines in relation to using a tape recorder during an exam

Other Accommodations

In addition to the guidelines listed above it is important and essential that that consideration is given to the physical environment that the student is required to do the exam in. While some of these considerations may not be explicitly named in the accommodations granted to student, it is essential that these elements be put in place to allow the student to complete the exam with minimum difficulty. Such considerations are:

- ➔ Is the building / room accessible to all students?
- ➔ Is the room easy to locate?
- ➔ Are there accessible toilets in the building?
- ➔ Are there enough sockets in the room for the Assistive Technology being used?
- ➔ Is the desk space adequate for the student's requirements?

It is necessary to consider these questions when planning the locations for exams universally and for students that require specific examination accommodations. It is a fundamental part of these policy guidelines that these questions are addressed at the planning and organisation stages of college exams.

Guidelines for Rest Breaks

Some students may be granted rest breaks as part of their examination accommodations. While the time of all rest breaks cannot be determined in advance it is important that the invigilator follows the guidelines set for rest breaks in the exam period.

- A student may take a rest break/s during the exam if approved by the Examination Officer in advance of the exam
- The purpose of the rest break will be outlined to the student and the invigilator in writing prior to the exam and the amount of rest breaks and the duration of the rest breaks will also be set out in writing prior to the exam
- During the rest break the student is not permitted to communicate with any other person unless it is to question the invigilator about the rest break / exam or a P.A. in relation to personal care
- The invigilator should supervise the student while the student is taking a rest break
- **In situations when a rest break is taken when required by a student, the rest break should be timed by the invigilator and added onto the time specified for the exam**

Guidelines on Accommodating Students in Planning Examinations

When setting out the examination timetables it is important to note that some students may fatigue quickly and other students may find it difficult to concentrate for long periods of time. To accommodate these students the possibility of spreading out the exam timetable and not having two examinations on the same day should be explored.

Other Policy Recommendations:

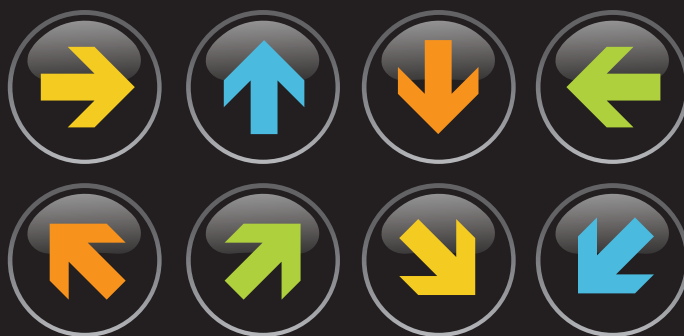
- While it is crucial for students to receive examination accommodations in order to effectively demonstrate their knowledge of the subject being studied it is also crucial for the academic staff to review their practices in setting examination papers and to explore the following issues:
 - Is the language used in the exam accessible to all students?
 - Is the format of the paper accessible to all students?
 - How do I create equity of process without compromising academic standards?

Each college should provide training to staff and a forum in which to discuss and resolve these issues

- ➡ As teaching staff may also act as invigilators it is necessary to provide them with training in relation to this role.
- ➡ Each teacher should receive a copy of the college's policy on examination accommodations

One component of examination accommodations is a spelling and grammar waiver. While this accommodation is available to students no clear guidelines are available to teachers on how to mark these papers. This can result in a variation in the grades awarded to students and thus can compromise the academic process. Therefore it is essential that these guidelines be developed as speedily as possible and that some training be given to staff on marking papers where a spelling and grammar waiver has been awarded.

Section 14



**Dyslexia and Information
Technology: A Guide for Students
and Staff in CDVEC**



Dyslexia and Information Technology: A Guide for Students and Staff in CDVEC

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Introduction 2

The aim of this guide is to introduce both students and staff in CDVEC to Information Technology supports that are available to students with dyslexia. It is intended that this guide be used as a reference that can be 'dipped' into by both students and staff as required. And remember some of the information in this guide may also be useful to a broad range of students including those with other specific learning difficulties such as dyspraxia, literacy difficulties and students learning English as a second language.

The guide is divided into three broad sections:

1. Making Your PC 'Dyslexia Friendly'
2. Using Hardware and Software to Support Reading and Writing
3. Using Software to Support Studying

The guide aims to be as comprehensive as possible but it is important to note that due to the range and variety of both hardware and software products available not all products available are listed in the guide instead attempts are made to give a general overview of the types of products available rather than to list individual products.

While examples of specific products are listed for the purpose of explanation the Disability Support Service or CDEVC do not in any way advocate any specific product or supplier.

After reading the guide if you feel you have further questions in relation to any piece of hardware or software and its applications the Disability Support Officer in your college is available to discuss this with you in more detail.

Making Your PC 'Dyslexia Friendly'

All of us use PC's and Laptop's as part of everyday college life. Many students with dyslexia find that computers enable them to produce written work that better reflects their abilities than the more traditional method of using pens and paper.

However, while many of us would be lost without features such as the spelling and grammar checker, there are ways to modify PC's or laptop's to make them even more useful and of greater benefit to dyslexic students.

This section of the guide goes through some of the features of the standard college PC Microsoft Office Package and aims to demonstrate to the student how to modify the PC to suit their own personal learning requirements.

Keyboards

Keyboards are the primary devices we use for inputting information into the PC. But on most PC's the keyboard is the exact same. However there are a wide range of keyboards on the market and using an 'alternative keyboard' may be of benefit to a student with dyslexia.

- ➡ Using a keyboard with the keys in the upper case might be useful for students that get b & d mixed up
- ➡ A keyboard with lower case letters might be better for those that struggle with capitals

Most of the keyboards we use have the keys set out in what's called QWERTY.



However some students may prefer to use a keyboard that has an ABC format as they might find it easier to find individual keys.



Another method of making the keyboard more user friendly is to use keyboard stickers. These keyboard stickers are usually colourful and the letter is bigger which can make it easier for students to find individual keys.

Changing the Font

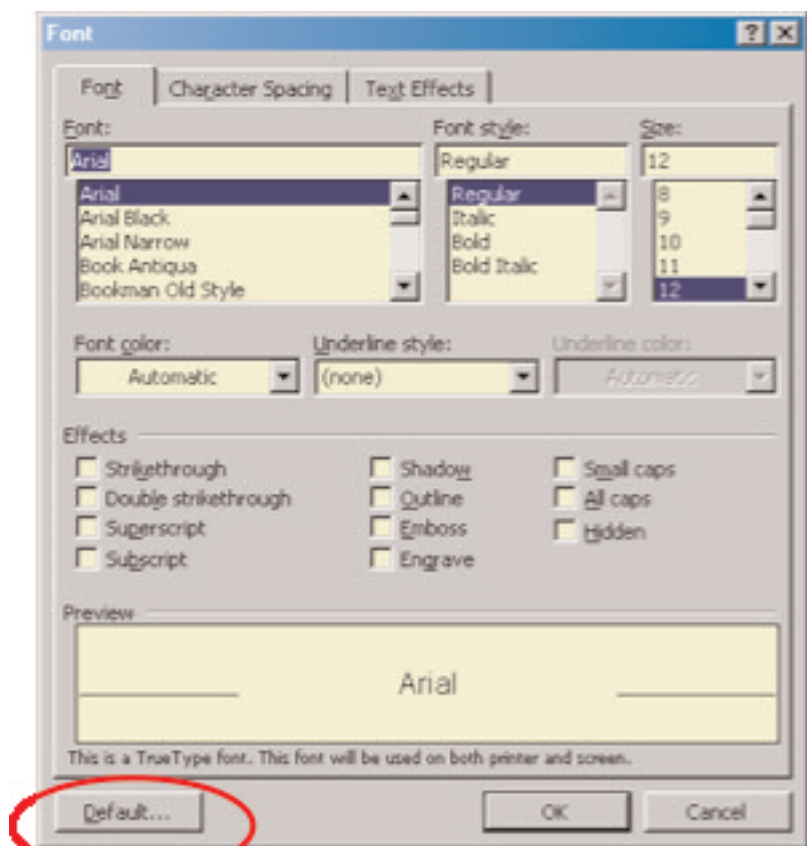
Changing the font or type style can be useful. On most PC's the font that comes on automatically or the default font is 'New Times Roman'. However, there are a number of fonts to experiment with such as:

Comic Sans
Courier
Verdana
Arial

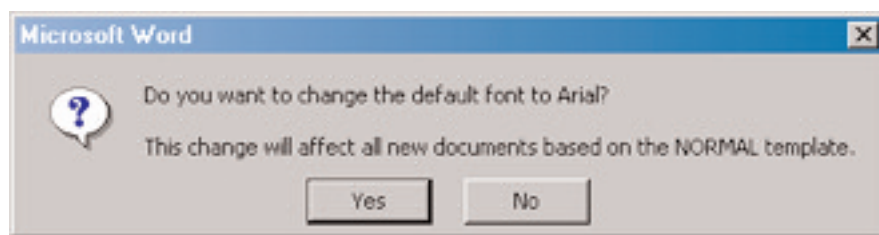
Individual students will have their own font preferences but finding the right font for you can make it easier to read the text on screen.

To change the Font on your PC just follow these steps:

1. Click on the word format in the toolbox at the top of your screen using the mouse
2. Then click on font
3. Select the font you like
4. Click on the default box to accept the change



If you want to make your new font selection permanent, in other words select a new default font; simply click yes on the options box that appears on your screen.



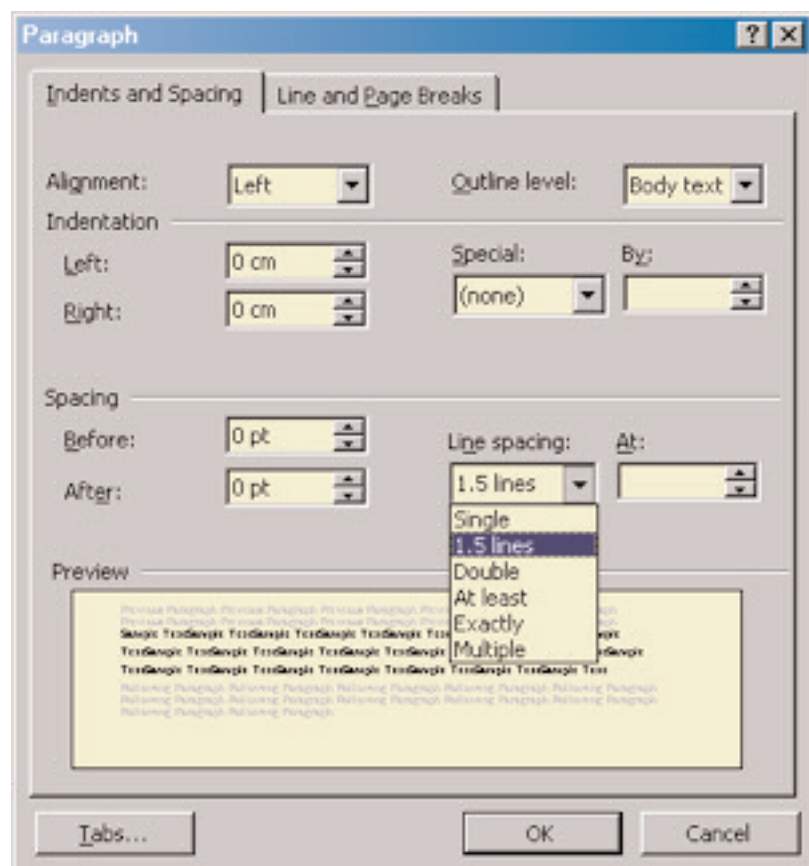
Changing the Spacing

For some students changing the spacing on a document can be very useful. If single line spacing is used some students may find that the sentences and words 'blend' into one. If double spacing or 1.5 spacing is used the document can look much clearer to a student with dyslexia. The spacing used in this document is 1.5

To change the spacing on your PC just follow these steps:

1. Click on format
2. Click on paragraph
3. Click on the down arrow under line spacing to get the spacing options
4. Select the spacing you like

Click on the ok box to accept the change

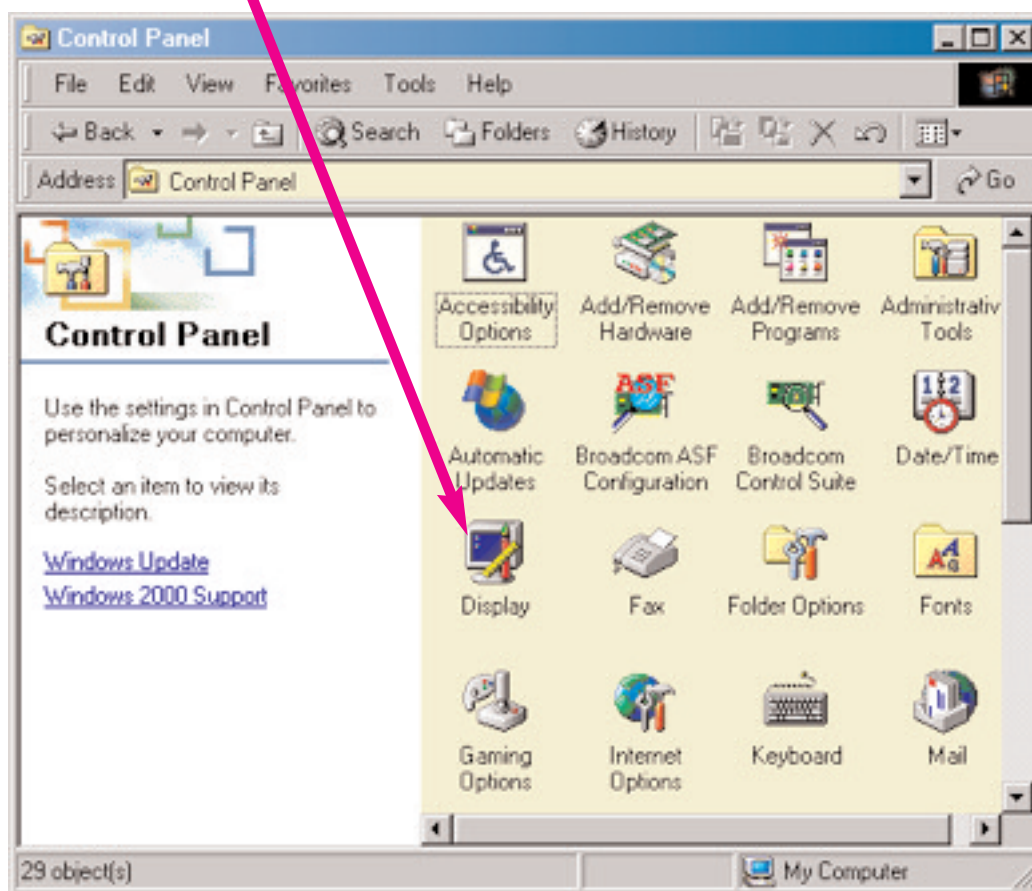


Changing the Colour Schemes

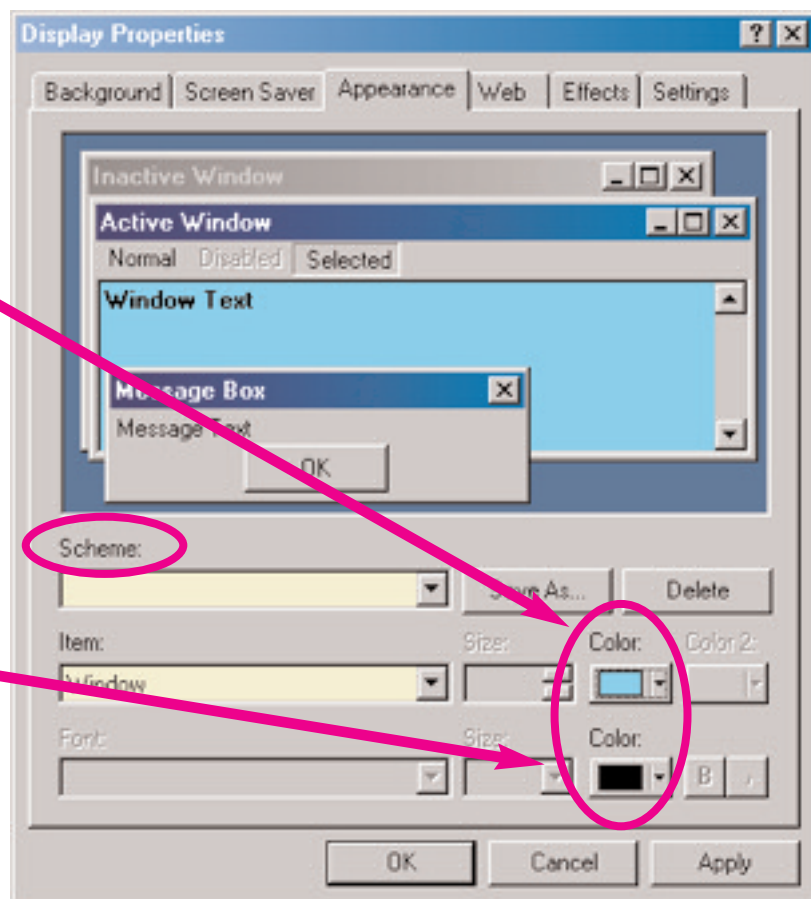
Many students experience a 'glare' from a white background and find that contrasting colour schemes within windows can make the text easier to read. The colour scheme on a PC or laptop can be customised for each user. Many students find that a cream or pale blue background works for them

You can change the colour scheme on your PC by following these steps:

1. Click on the My Computer icon on your desktop
2. Click on the Control Panel icon
3. Click on the Display Icon



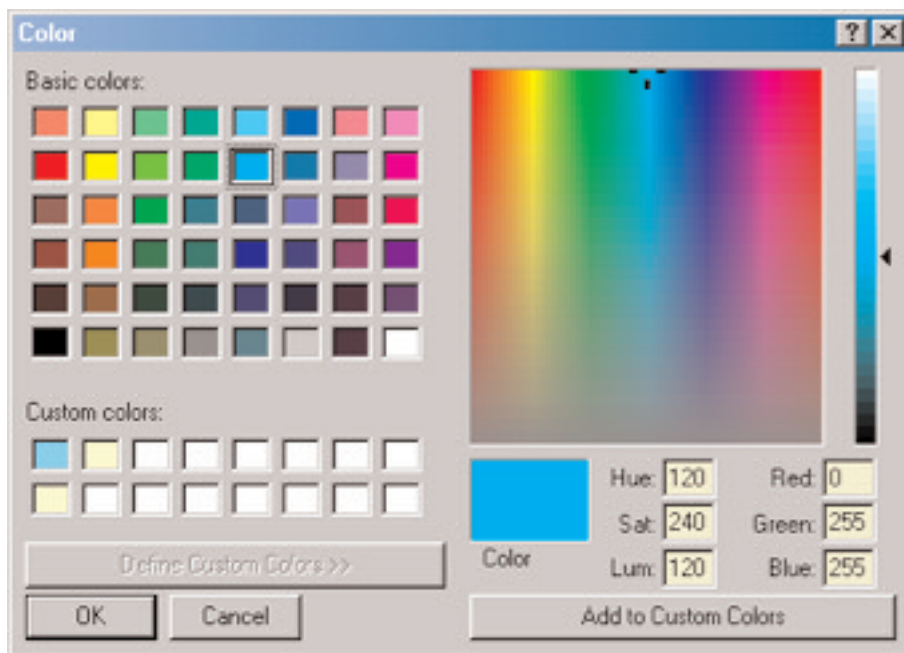
4. When the Display Properties opens you'll see that it is divided in six sections by the tabs at the top of the window. The background option is the one that opens as a default when you enter the display properties.
5. You can select the background you want and this will appear on your desktop when you turn on the PC. It is also possible to import images from the Internet or a digital camera to use as your background.
6. If you select the background tab, you can then customise the colour scheme in the window boxes and the text boxes. There are a number of colour scheme options available within display options. You can select these by using the drop down menu under the word scheme.
7. To change the colour scheme simply click the title bar or window.
8. Then use the drop menu to select the colour options available.
9. Select the colour you want and then click on the apply box.
10. You can also select the colour of the font by following the same steps and then selecting the colour of the font from the second colour menu.





As well as the basic colours available you can customise colours.

To do this click on the other box that appears when you select the drop down menu for colours



This window then appears. You can select the colour of your choice and to custom colours.

When you have selected the colour you want click ok.

You can also change the size of the font in the title bar when using this feature.

Remember you can experiment with colour schemes to decide what suits your individual preferences!

Spelling and Grammar Check and Auto Correct Features

Spelling and Grammar Check

Many students find that the spelling and grammar feature on the PC means that they can check work quickly and efficiently without having to rely on a dictionary or asking for help. To use this feature just follow these steps:

1. Click on Tools
2. Click on Spelling and Grammar
3. Words spelt incorrectly will appear in red. You will be given the option to ignore the spelling suggestion or change the word to the spelling suggestion.
4. To ignore the spelling suggestion click ignore.
5. To change to the suggested spelling click change.

But remember the computer is not always write! As you can see the computer can make mistakes, for example with the meaning of words and with the grammatical structure of the sentence so even when using the spelling and grammar check not all mistakes will be corrected.

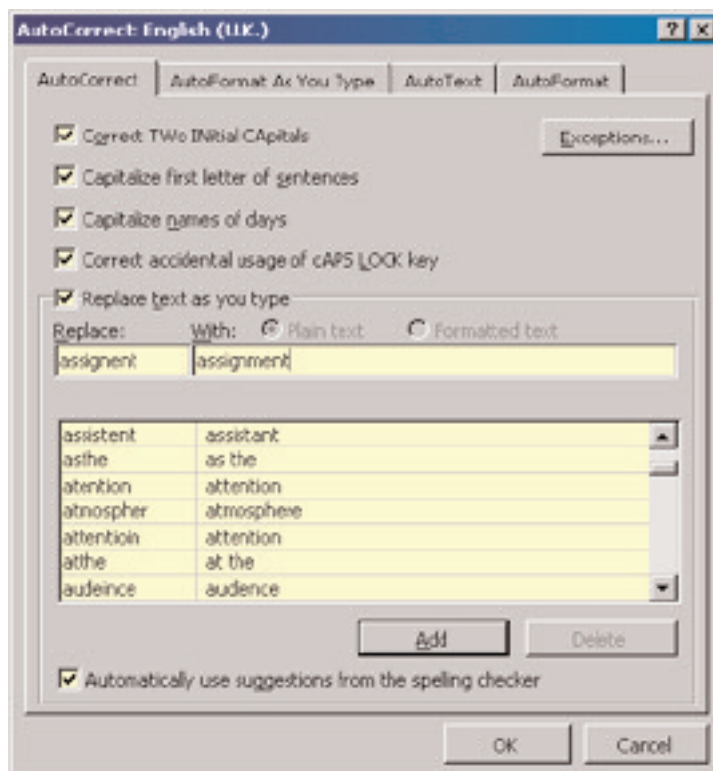
MS Word Auto Correct

Microsoft word is set to automatically correct some words. For example if you type 'teh' it will automatically be corrected to 'the' when you press the space bar. Word can learn your common mis-spellings and can be set to add new words to auto correct.

To do this just follow these steps:

1. Click on the tools in the toolbar
2. Click on auto correct
3. You should then view this panel
4. In the box underneath 'replace' type word the way you mis-spell it.
5. In the box underneath 'with' type the correct spelling of the word.
6. Select add to enter a new autocorrect entry.

You can have more than one alternative spelling for each word; this can be especially useful for more uncommon misspellings that wouldn't be picked up by the spell checker.



You can also select autocorrect by right clicking beside the word you want to correct. The autocorrect option will then appear with suggestions for replacement words. Select the word you want by left clicking with the mouse.

Abbreviation Expansion

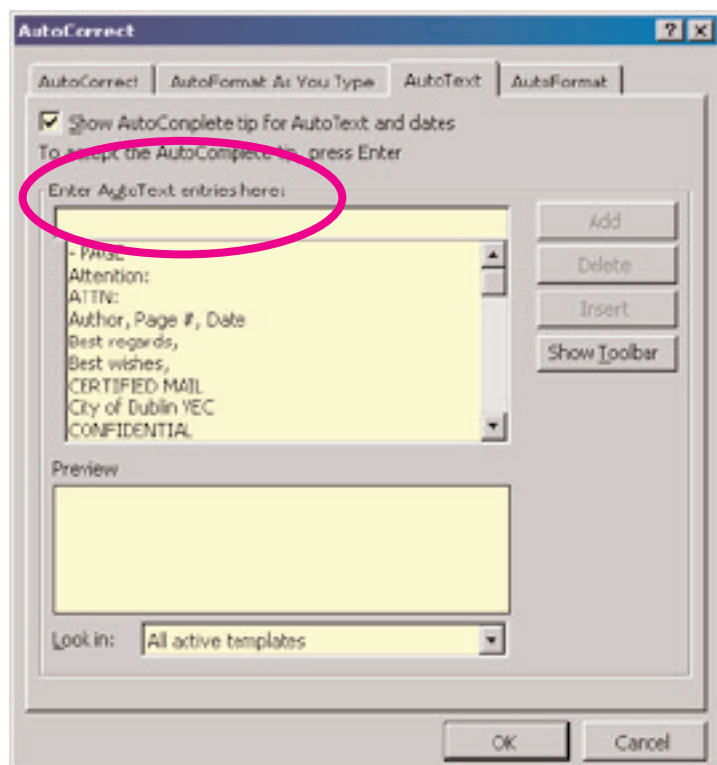
You can also use the AutoCorrect feature to expand abbreviations. This is particularly useful for commonly used phrases and words. An example of this could be subject specific terminology. For example for a childcare student, instead of writing child development psychology, which may take some effort, could type cdp and get autocorrect to replace that with the full phrase. To do this just follow the steps outline above.

Auto Text

Auto text can be used to abbreviate large amounts of text and graphics. Auto texts checks to see if you are entering an abbreviation or start of a piece of text stored with its table. If auto text recognises a phrase or piece of text it will be displayed in a yellow 'tool tip' box alongside your text cursor. You can enter this phrase into the document you are working on by pressing 'enter'.

To enter a new phrase or piece of text into auto text just follow these steps:

1. Select add to enter the new autotext entry
2. Click on the tools in the toolbar
3. Click on autocorrect
4. Click on the autotext tab
5. Enter the phrase you want in the box under 'enter AutoText entries here'



Using Hardware and Software to Support Reading and Writing



There are a range of software programmes and equipment to support students with reading and writing. Some of these programmes are simple to use while others are more complex and require training to use. Therefore before deciding to use a software programme to support reading and writing it is important for the student to consider what exactly they want to use the software for and what training they require. It is also recommended that if possible that a student sample the software or hardware they wish to use before purchasing it as you don't know if you'll like something until you try it!

You can contact the Disability Support Service in Your College to make an appointment to try out different software programmes and to do training in the use of the different programmes and to get information on funding to purchase these products

I Hand Held Electronic Dictionaries

The Franklin dictionary is an easy to use portable device that allows the user access to the following features:

- ➡ Phonetic spell correction
- ➡ Dictionary definitions
- ➡ Thesaurus
- ➡ Speaking dictionary also available

Many students find this useful as it is simple to use and as it is portable can be used in the classroom, library or whenever the student needs it!

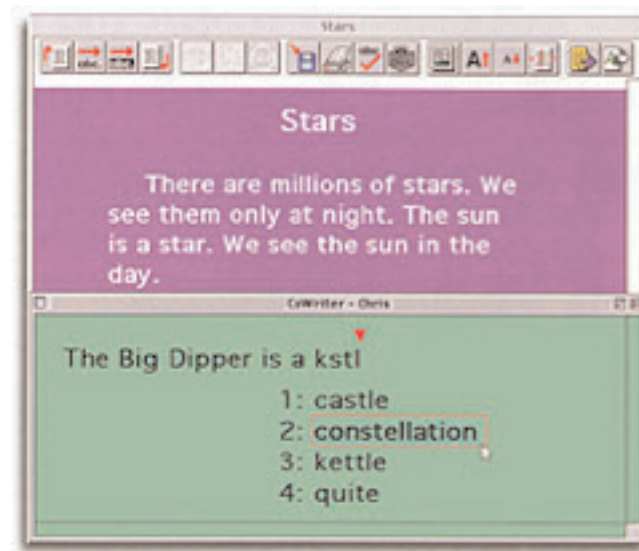
Hand Held Tape Recorders or Dictaphones

These can be used for recording a wide range of information. Many people with dyslexia will have difficulty taking down information under time constraints but will have no trouble transcribing information in their own time. But remember don't leave yourself with hours of tapes to transcribe! Many students will use Dictaphones to record short amounts of information such as ideas for an essay, a list of things to do, not a days worth of lectures.

Word Prediction Software

There are a number of packages available that will work with almost any other software to predict or 'guess' what you are about to type when you have entered the first letter, the second letter and so on. You can then select the word you want from the options that appear on screen by number or by point and click.

The image below is an example of a Co-writer 4000, word prediction software being used. This particular package also allows students to spell phonetically.



By using word prediction software students are offered support with spelling and speed of composing text. Many of the predictive text software packages are also able to read out almost any text such as word documents and web pages.

Two of the most commonly used word prediction software packages are Co-Writer and Penfriend XP.

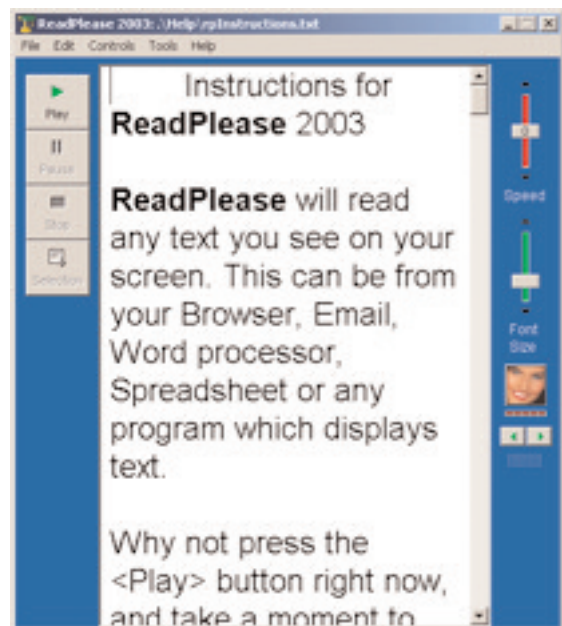
Screen Reading Software

There are software packages available that will read out almost any text on screen including Windows applications. This software is useful as it helps to identify errors in spelling, missed words, incorrect words etc.

A [FREE](http://www.readplease.com) screen reading software package can be downloaded from the website www.readplease.com. To download the free software go to the website and follow the directions given.

When you have downloaded the software onto your PC you can open it by clicking on the ReadPlease icon on your desktop. You will be then presented with a simple set of instructions on how to get ReadPlease to read text.

1. Select the text you want to have read
2. Select it with the mouse
3. Copy to the Windows Clipboard (use edit + copy menu)
4. Open ReadPlease and paste into the Read Please window (use edit + paste menu)
5. Press the green ReadPlease Play button



Speak Out is another screen reading software package. This package is simple to use and works with most Windows applications and even some visual mapping software. As well as speaking out the information on screen it will also speak out words or letters as they are typed. Many students find this feature helpful when they are typing an assignment.

Voice Recognition Software

There are software packages available that allow the user to speak into the computer and the computer will then type what is spoken. The technology that makes this possible is improving all the time and using voice recognition software can be useful for students that have severe difficulties with spelling.

However the software is not without its drawbacks. It is not 100% accurate, it often misrecognises words and will not improve unless it is corrected. It is not portable, as the environment it is used in has to stay the same, e.g., a quiet room. And it takes many hours of **practice** to get the computer to recognise your voice and students often have to receive **training** to use voice recognition software.

Before you make the decision to use voice recognition software it is important to weigh the practice and training required against the perceived benefits of using the software. The Disability Support Officer in your college is available to discuss this option and possible alternatives with you.

Combination Packages

There are a number of software packages available that combine some of the features already mentioned in this section. These software packages are particularly useful as a support tool for students that would present with a multiplicity of dyslexic characteristics.

Remember, as these combination packages are multi-featured training in their use is required and not all students will need to use all the features

Two examples of combination packages are Text Help Read and Write Gold and Kurzweil 3000.

Text Help Read and Write offers some of the following features:

- ➡ Speech – highlights and reads words, sentences, documents
- ➡ Word Prediction
- ➡ Phonetic spelling
- ➡ Support with homophones (words that sound the same but mean different things)
- ➡ Dictionary
- ➡ Word Wizard- helps find words given the starting point of a known word e.g. Amazon river found from starting point Brazil

Kurzweil 3000 offers some of the following features:

- Speech- highlights and reads words, sentences and documents
- Advanced Scanning Support- useful for students that scan a lot of material and edit a lot of material
- Dictionary
- Bilingual and Foreign language support
- Vocabulary list and homophone support
- Study skills supports

You can sample both of these software packages by making an appointment with the Disability Support Officer in your college. You can also find out more information about these products by going to the following websites:

www.kurzweil.com

www.texthelp.com

Scanning and Optical Character Recognition (OCR)

By buying a scanner and OCR software you would be able to scan typed or printed documents into your computer. This is particularly useful for a student with dyslexia as it would mean a document would not have to be re-typed into the computer and the scanned document could also be read by any of the screen reading software already mentioned.

Using Software to Support Studying

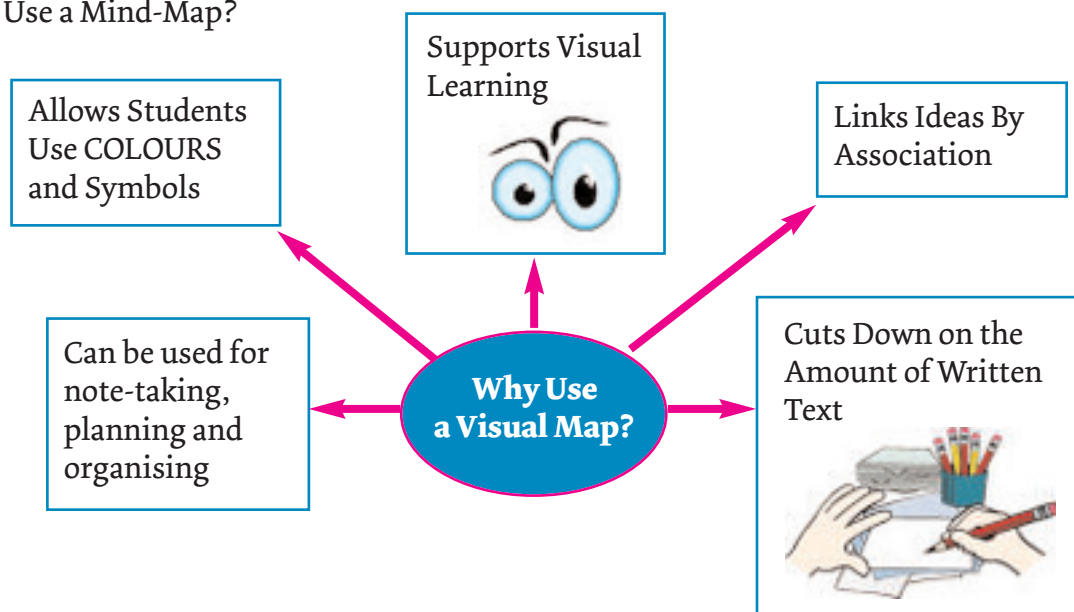
As learners we all developed our own individual study skills techniques. However we can all learn new study skill techniques to support us with planning and writing assignments, note taking, exam preparation and time management. There are a number of software programmes that can support students in this area and in this section of the guide will outline some of those available.

Remember the method and style you find most useful will depend on the subject and your own individual learning style so it is important to try out different techniques and find what works best for you!

Visual Mapping

Visual mapping is also known as spider-grams, web notes and mind-mapping. This style of note-taking is more visual than traditional linear note-taking and relies on a person's imagination to link ideas by association and to use visual tags and maps. The amount of text used is limited.

Why Use a Mind-Map?



There are versions of visual mapping software available. Two such programmes are Inspiration and Mind Genius. If you are interested in sampling visual mapping software you can download free trial demo versions of the software programmes mentioned by going to the companies' websites,

www.inspiration.com

www.mindgenius.com

and follow the download instructions given.

Remember When Downloading Files from the Internet be careful of viruses and if you are using a college PC check with the Network Administrator that it is okay to download programmes onto the college PC

You can also speak to the Disability Support Officer in your college about sampling visual mapping software and receiving training in using this software.

Organisational and Time Management Skills

Do you feel that you are disorganised?

Find it difficult to keep your notes in order and meet assignments deadlines?



There are a number of software programmes available on the Internet that can be downloaded onto the PC that aim to support students improve their organisational skills.

Some of these programmes are free and with others you can download a trial version before committing to purchasing the package.

These programmes aim to support students with their organisational and time managements skills by offering the following features:

- ➡ Setting reminders
- ➡ Creating 'post-it notes' on your desktop
- ➡ Sticking notes to documents
- ➡ Sorting notes

The following are examples of such programmes:

www.tenebril.com/products/stickynote/index.html

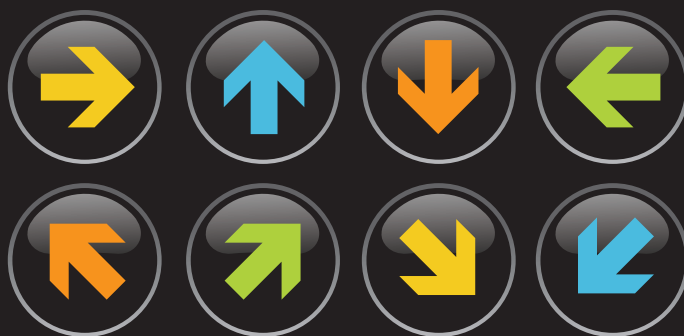
www.forty.com/note_wonder.htm

www.mycorkboard.com

Remember when you are downloading demos from the internet be wary of companies offering you special deals and trying to ascertain personal information!!!

If you feel you need additional support with study skills and time management make an appointment with the Disability Support Officer in your college.

Section 15



Assistive technology toolkits



Low-Tech Toolkit

Product	Approx. Cost (2006)	Rationale for Including in Toolkit
Cherry Compact Keyboard & Key Guard	€ 14	<p>This keyboard is smaller than the standard keyboard and users with limited movement may find it easier to use.</p> <p>The key guard can make it easier for users to select the key they want to use. Users can also rest their hands on the keyboard if using the guard without carrying out an unwanted function on the PC</p>
Full Keyboard Stickers	€19	Keyboard stickers provide high contrast and larger letters making keys easier to locate
PC Keyboard and Key guard	€93	Using the standard keyboard with a key guard can support PC access to people with restricted dexterity
Microspeed PC Trackball	€110	This is larger than the standard mouse and the track-ball design supports users who do not have the fine motor skills that are required to use the standard mouse
Mini Mouse	€22	This small mouse is light weight and can help to avoid hand fatigue

Product	Approx. Cost (2006)	Rationale for Including in Toolkit
Signature Guide	FREE	This product has a cut out window where you make your signature to place in the correct position on documents requiring signing
15 Minute Mini Recorder	€30	This recorder allows the user to record up to 99 short messages, pieces of information or ideas. It is very compact and portable
Non-Slip Mats	€4	This product helps to solve many of the gripping and stabilization encountered when using IT
Bump-ons	FREE	These are tactile markings that can be used to identify specific keys on a keyboard
Dictaphones	€70	Using a Dictaphone can allow the user to record large amount of information, e.g. the content of a lecture
Wrist rest	€34	Using a wrist rest can help maintain a neutral wrist position, making the user more comfortable and reducing wrist fatigue
Franklin Pocket Dictionary/ Thesaurus	€ 40	This portable handheld dictionary has the following features, dictionary definitions, thesaurus and phonetic spell correction and can be helpful to a wide range of users

Product	Approx. Cost (2006)	Rationale for Including in Toolkit
Pen and Pencil Holder Non Retail Pack	€3.00	The various pen grips and writing pens are useful to people that have difficulties with fine motor movements as they are designed to make gripping pens / pencils easier and more comfortable
Tri-Go Grip	€15.61	
Grippit Ladies	€7.24	
Grippit Gents	€7.24	
Ring Pen	€ 32.88	
The Pencil Grip pack of 3	€ 11.62	
Dexball Writing Aid (Small)	€26.26	
Weighted Universal Holders Adult Model	€37.51	
Velcro Stick On Tape Black	€ 2.84	