

## **Appeal Process for Special Education Teaching Allocations**

25 April 2022

Ref No: NCSE 01/2022

There are three mechanisms whereby schools can have their special education teacher allocations reviewed, over the course of the model –

1. **Appeal in Respect of 2022/23 Allocations**, as set out in this document -

This is an appeal in relation to the accuracy of the allocations which have been made for schools, in accordance with the criteria set out in DoE Circulars 0020/2022 and 0021/2022.

In circumstances where a school considers the school profile was calculated incorrectly, using the data set out in the Circular, an appeal may be submitted for a review of the calculation of this allocation using the NCSE Appeals Form 1, between 25 April, 2022 and 20 May 2022.

2. **Rapidly Developing Schools.**

As outlined in Circulars 20/2022 and 21/2022 – Section 4 (b) a special allocation was made to new and developing schools as part of the Special Education Teacher re-profiling for September 2022.

Additional special education teaching allocations will be made automatically for schools who have increased enrolments to the extent that they achieve developing status, once school enrolments have been verified at October 2022. Schools should not seek an appeal or review to their allocation, at this point, on the grounds of increases to enrolments, as this will be addressed as part of this process

3. **Exceptional Circumstances Review** – Schools may seek a review of their allocations, including in relation to the utilisation of their allocation, in circumstances where an exceptional occurrence or event has happened, which has had a very significant effect on their school profile. The application form can be accessed through the ncse.ie website and the school portal.

*Appeal in respect of 2022/23 Allocations*

DoE Circulars 0020/2022 (for Primary schools) and 0021/2022 (for Post-Primary schools) advised schools of the revised allocation process for Special Education Teaching Allocations for the 2022/23 school year.

The Circulars set out the background to the change and the criteria which has been used to develop the various components of the school profiles and also set out how the various components have been calculated to provide the total profiled allocations for each school. These components are set out in sections 6 of the circulars and are as follows:

- Baseline
- Complex Needs
- Achievement data held by the Department
- Social context including disadvantage
- Gender

The basis on which these components were calculated for all schools are as follows:

1. **Baseline:** Number of children enrolled: POD and PPOD Enrolment Data for the 2021/22 school year
2. **Complex Needs:** The new Complex Needs value for each school from September 2022 will be:
  - The current Complex Needs value for each school  
+ Plus the value for the number of students entering junior infants with Complex Needs (as identified by the HSE) 2021/22school year,  
or  
+ Plus the value for the number of students with LITHs in 6th class in primary school in June 2021 matched to the post primary schools to which these students enrolled in September 2021.

- Less low incidence resource allocation values for the number of students with low incidence disabilities who left school at June 2021

3. **Achievement data held by the Department:** With the disruption caused by Covid-19 to the normal to Standardised tests for primary schools in 2020, and Junior Certificate Examination in both 2020 and 2021, achievement data is not available for these years. Accordingly, an average of the data for the 3 most recent years for which data is available has been used to update the school profiles for 2022.
4. **Social Context including disadvantage:** HP Index Data.
5. **Gender:** 2021/22 school year enrolment Data POD and PPOD

This data was used by the Education Research Centre to arrive at an allocation for every school by apportioning the data proportionate to each school's enrolment numbers and profile for each individual school against the overall number of teaching posts available for allocation.

### *Appeals Process*

The Department of Education and the NCSE are committed to ensuring that all schools are treated equally and fairly in the manner in which their school profiles have been calculated.

The Department of Education and the NCSE are also committed to ensuring that resources are allocated and distributed fairly to all schools, in accordance with the criteria set out in the Circulars.

**In circumstances where a school considers that their school profile was calculated incorrectly using the above data, an appeal may be submitted for a review of the calculation of the allocation. The school should clearly set out the basis for the appeal stating how they consider the data was incorrectly applied.**

### *Appeals Officer*

An independent Special Education Support Teaching Allocation Appeals Officer, who has not had any involvement with the calculation of the profiled allocations for schools under this new model, will be appointed to oversee an appeals process in relation to the calculation of allocations for schools.

In carrying out his/her work, the Appeals Officer will be provided with all relevant supporting information, including the information which was used to develop school profiles by the Educational Research Centre (ERC) and the Department of Education, as necessary.

The Appeals Officer will examine the data used in determining the allocation, taking into account the case made by the school and will

- examine whether the correct data was applied to one, or all, of the components of the schools profile.
- conduct a check of all of the data which was applied to each component of the schools profile, in order to establish whether the correct data was applied.
- consider if an error was made in applying or processing any of the data which was used to develop the school profile.

The Appeals Officer will then determine whether the data which was applied to develop the school profile was correctly calculated, and that a correct allocation was made to the school in accordance with the relevant DoE Circular (0020/2022 or 0021/2022).

The Appeals Officer will be supported in validating the calculations for schools by an appeal panel which will include representatives from the ERC, NCSE and DoE.

The role of the Appeals Officer, supported by the Appeals Panel, will be to validate the data, based on which the allocation has been made, and to assess whether the

correct data has been used. The Appeals Officer will also consider whether the correct data has been correctly applied in calculating the schools profiled allocation, in accordance with the criteria set out in DoE Circulars 0020/2022 and 0021/2022.

### *Appeals Process for Schools with regards to 2022/23 Allocations*

Schools seeking to appeal the manner in which their profiled allocation has been calculated will be asked to complete and submit a short form outlining the basis for the appeal. The appeal should identify which part or parts of the school profile have been incorrectly calculated and should set out precisely why this is the case.

NCSE Appeal Form 1 is available here: [NCSE Appeal Form](#)

Appeal requests will be accepted from schools up to 20<sup>th</sup> May, 2022. This will ensure that schools will be in a position to take into account the outcome of the appeal in their planning process for the 2022/23 school year. It is envisaged that decisions on the appeals will issue to the relevant schools by 24<sup>th</sup> June 2022.

### *Appeals Submitted, which will be deemed to be Invalid*

The appeal process will not review matters in relation to the relativity of the weightings which has been applied for each component of the model, which have been applied for all schools, nor will it consider adjusting the weighting differentials for individual appellant schools.

The appeal will not consider additional or alternative data which schools may suggest should be taken into account, but which is not provided for in the development of the school profiles under this scheme. This includes consideration or comparison of data from other school years, or part school years, other than the school year for which the data is being used to calculate the school profiles, as set out in Circulars 0020/2022 and 0021/2022.

Schools should note that the Appeals Officer will be excluded from considering issues which may be raised by schools in relation to the merits or the sufficiency of their allocation, or with regards to matters relating to potential changes to a schools pupil population or profile, which may have arisen subsequent to the development of the schools profile. Appeals submitted on this basis will be deemed to be invalid.

The appeal will therefore not consider issues such as changes to enrolments or changes to the profile which have occurred subsequent to the profile being calculated based on the data sets used. Automatic adjustments will be made for schools that qualify for Rapidly Developing Schools as set out on Page 1.

The Appeals Officer will also be excluded from considering any information or data, which relates to any school other than the school, which is making the appeal. Further changes to the profile will be accounted for at the next profiling stage.

### *Developing Status*

As outlined in Circulars 20/2022 and 21/2022 – Section 4 (b) a special allocation was made to new and developing schools as part of the Special Education Teacher re-profiling for September 2022.

Additional special education teaching allocations will be made automatically for schools who have increased enrolments to the extent that they achieve developing status, once school enrolments have been verified at October 2022. Schools should not seek an appeal or review to their allocation, at this point, on the grounds of increases to enrolments, as this will be addressed as part of this process

### *Review of School Allocation*

It is acknowledged that there are circumstances, which may arise in schools, which fall outside the appeals process. These relate to exceptional or emergency circumstances where the school profile significantly changes following the allocation process e.g. a developing school where the enrolment numbers significantly increase year on year.

Where a school considers that a review of their allocation is warranted on the grounds of exceptional or emergency circumstances arising in the school, they will be able to request such a review. The exceptional review application form can be accessed through the [ncse.ie](http://ncse.ie) website and the school portal.