

Please see the below press release regarding overage exemptions for your information.

PRESS RELEASE



**An Roinn Leanaí
agus Gnóthaí Óige**
Department of Children
and Youth Affairs

Ministers Zappone and Bruton announce details of the consultation process on 'overage exemptions' to the ECCE programme

Tuesday 6th March, 2018

The Minister for Children and Youth Affairs, Dr. Katherine Zappone, T.D. and the Minister for Education and Skills, Mr. Richard Bruton, T.D. today announced details of the consultation process in relation to proposed changes to the rule on exemptions to the upper age limit to the Early Childhood Care and Education (ECCE) programme.

Last December, Minister Zappone announced her decision to pause the proposed rule changes on overage exemptions to allow for a consultation process where all voices, including those of parents of children with disabilities, could be heard in relation to the proposed change.

This consultation process, which will be carried out by National Disability Authority on behalf of the Ministers and both Departments, will involve a review of evidence and significant stakeholder engagement.

The consultation will culminate in an open policy debate on this issue in conjunction with both Departments, where a series of options will be considered. A final report is expected by end June.

Speaking about the consultation process Minister Zappone said:

“This consultation process, which will commence shortly, will allow those who have views on this issue to have their say.

I very much welcome the involvement of the National Disability Authority in this work and look forward to receiving the final report in June.

I am determined to find a way forward that best meets the needs of children and am confident this process will provide the guidance needed.”

Addressing the decision to pause the proposed rule change on overage exemption Minister Bruton said: *“I welcome the decision to pause this rule change pending completion of the consultation process. It is important that the views of parents are heard and taken into account as we continue to develop these important services for children and Minister Zappone has done that with this very positive response”.*

ENDS//

Terms of Reference for an evidence review and consultation process in relation to proposed changes to the rule on exemptions to the upper age limit to the Early Childhood Care and Education (ECCE) programme

Introduction

These are the terms of reference for an evidence review and consultation process in relation to proposed changes to the rule on exemptions to the upper age limit to the ECCE programme. This evidence review and consultation process is being undertaken by the National Disability Authority (NDA) on behalf of the Department of Children and Youth Affairs (DCYA) and the Department of Education and Skills (DES).

Background

Free pre-school, which is provided under the ECCE Programme, was introduced by the DCYA in 2010. The objective of this Programme is to make early learning in a formal setting available to eligible children before they commence primary school. When first introduced, the ECCE Programme was delivered over 38 weeks in a given ECCE Programme Year and children were required to be between the ages of 3 years and 2 months and 4 years and 7 months on September 1st in the year they enrolled. The general pattern of enrolment and attendance was 3 hours per day, five days per weeks over the 38 week Programme Year.

For some children with a disability, this pattern of attendance and enrolment was not feasible, due largely to inadequate supports in the pre-school to ensure the child could be included and meaningfully participate in the Programme. To address this issue, an allowance was made to enable these children split the entitlement to free pre-school education over 2 Programme Years. For example, a child may have availed of 3 days of free pre-school education in year one and 2 days in year two – with the full entitlement to free pre-school education remaining at 38 weeks.

In order to facilitate the cases where the child would have been over the upper age limit for the ECCE Programme (i.e. 4 years 7 months), an exemption to this upper age limit was

introduced. This flexibility was never intended to conflict with the legislative requirement to start school by age six. If children are not in school by the age of six, under the Educational Welfare Act, the Educational Welfare Service of Tusla must be satisfied that the child is receiving a minimum standard of education in a place other than a recognised school.

These arrangements were introduced within a context where:

- ☐ The ECCE Programme only operated for a 38 week period, or one programme year; and
- ☐ Where pre-school supports for children with a disability were ad hoc and inadequate.

Update

The ECCE Programme was extended in 2016/17 and, in line with a Programme for Government commitment, the Programme will be extended further to two full years from September 2018. From this date, children can enrol for two years of the ECCE Programme in September of a given programme year when they are between the ages of 2 years 8 months to 3 years 7 months, and, provided they avail of the maximum entitlement to the ECCE Programme, these children will transition to primary school between the ages of 4 years 8 months and 5 years 7 months (see Table 1).

Birth month	Month to start free pre-school	Age to start free pre-school	Age to start school (assuming two free pre-school years)	Number of free pre-school terms
September	September	2 y 11	4 y 11	6
October	September	2 y 10	4 y 10	6
November	September	2 y 9	4 y 9	6
December	September	2 y 8	4 y 8	6
January	September	3 y 7	5 y 7	6
February	September	3 y 6	5 y 6	6
March	September	3 y 5	5 y 5	6
April	September	3 y 4	5 y 4	6
May	September	3 y 3	5 y 3	6
June	September	3 y 2	5 y 2	6
July	September	3 y 1	5 y 1	6
August	September	3 y 0	5 y 0	6

In addition, the Access and Inclusion Model (AIM) was introduced in June 2016. AIM is a child-centred model, involving seven levels of progressive support to enable the full inclusion and meaningful participation of children with a disability in the ECCE Programme.

In light of these significant developments and improvements to the ECCE Programme, the DCYA, with the support of the DES, took the decision to discontinue the overage exemption for children with a disability attending the ECCE Programme from September 2018.

This decision was in keeping with the best interest principle with regard to a child's participation in pre-school and primary school as follows:

- ☐ children should participate in inclusive mainstream settings (both pre-school and primary) (unless there is a compelling argument for a specialist setting), and
- ☐ children should transition from pre-school to primary school with their peers with appropriate supports provided by the relevant primary school, the NCSE and other bodies as required.

The announcement of changes with regard to the overage exemption was designed to support the achievement of better outcomes for children with disabilities. However, it resulted in a very negative reaction from some stakeholders, in particular Down Syndrome Ireland (DSI) who felt this was not in the best interests of children with Down Syndrome. Particular concern was raised in relation to the children born between September and December. For this cohort, unless paid pre-school is availed of, they would range between 4 years 8 months and 4 years 11 months when transitioning to primary school. This, according to DSI, would not be in their best interest.

In light of concerns expressed, the Minister for Children and Youth Affairs decided to temporarily suspend the abolition of the overage exemption and to carry out a consultation process with parents of children with disabilities and others.

The Secretaries General of the DYCA and the DES have agreed that their Departments will jointly lead the consultation process and oversee a review of the evidence. They agree that it is important that both Departments have a common policy position. The NDA will manage the evidence review and consultation process.

Objectives of Evidence Review and Consultation Process

To compile evidence and seek stakeholders' views to inform any decision on the future of overage exemptions to the ECCE Programme. This will involve a number of steps including:

- I. Review the relevant literature and policy;
- II. Review existing data on overage exemptions, including trends in applications and approvals;
- III. Profile children currently in receipt of overage exemptions;
- IV. Review existing data and trends in school starting age;
- V. Identify options for managing exemptions going forward (including the criteria and application, appraisal and appeals processes) and consider the impact of each option identified for: a) children and families; pre-schools and schools (including practitioners and

teachers); the Department of Children and Youth Affairs (and its respective Agencies, policies and programmes); and the Department of Education and Skills (and its respective Agencies, policies and programmes) (this step will be led by DCYA and DES)

VI. Develop, test and issue a series of questions for parents of children with disabilities and prepare a report on the results;

VII. Identify key stakeholders for consultation;

VIII. Facilitate an Open Policy Debate with these stakeholders in conjunction with DCYA and DES;

Compile a report of the evidence, the findings of the survey, and findings of the Open Policy Debate for consideration by both Departments by end June 2018.

Issued by the Press and Communications Office at the Department of Children and Youth Affairs,

Tel: 01 647 - 3153

Email: mediadcya@dcya.gov.ie

This press release has been sent to you because your name is included in a mailing list maintained by the Press & Communications Office of the Department of Children and Youth Affairs. If you do not wish to receive further press releases, please send a reply to this email with the word "unsubscribe" in the subject line. Written requests to unsubscribe may be sent to: The Press & Communications Office, Department of Children and Youth Affairs, 43/49 Mespil Road, Dublin 4.