



Rialtas na hÉireann
Government of Ireland

The Use of Reduced School days

Guidelines for schools on recording and notification of the use of Reduced School days

**To: The Managerial Authorities of Recognised Primary,
Post Primary,
Community and Comprehensive Schools
and Chief Executive Officers of Education and Training Boards.**

1 Introduction

The purpose of these Guidelines is to provide clarity to school authorities and parents/guardians around the use of reduced school days in schools, to ensure that this practice is limited to only those circumstances where it is absolutely necessary and, that where such usage occurs, schools follow best practice with the interests of the student to the fore. The guidelines also set out the process for schools to notify the use of reduced school days to Tusla Education Support Service (TESS).

These guidelines will be subject to review by the Department of Education and Tusla Education Support Service.

It is acknowledged as a general rule that that most schools already approach the issue in the best interests of the student. However the guidelines are designed to ensure a consistency of approach. The key data will inform policy; reports provided by TESS will be monitored by the Department of Education. Where TESS is notified of the use of a reduced school day, TESS, upon notification, can offer support and guidance to both parents/guardians and schools in relation to the use of reduced school days.

The Department of Education and Tusla Education Support Service's position is that reduced school days should not be used as a behavioural management tool in the form of a sanction. It is acknowledged that reduced school days may be helpful in exceptional circumstances as part of a transition or reintegration intervention, based on the needs of individual students. Where a reduced school day is used, it should be applied proportionately, and should last only as long as is necessary to facilitate a return to school on a full-time basis. Signed parental/guardian consent (or consent of the student if over 18) should be received prior to implementation of a reduced school day.

School authorities are reminded that the guidelines in place on developing a code of behaviour¹ clearly state that: *"Exclusion of a student for part of the school day, as a sanction, or asking parents to keep a child from school, as a sanction, is a suspension. Any exclusion imposed by the school is a suspension, and should follow the guidelines relating to suspension"*. The procedures in relation to suspension are set out section 10 and 11 of the

¹ Developing a Code of Behaviour: Guidelines for Schools. National Educational Welfare Board (now TUSLA), 2008

same document. Schools are required, under section 23(2) of the Education (Welfare) Act 2000, to include their procedures for suspension and expulsion in their code of behaviour.

Therefore, it is important that these guidelines on reduced school days should be read in conjunction with relevant guidelines from Tusla Education Support Service including *Developing a Code of Behaviour: Guidelines for Schools* (2008) and *Development of the Statement of Strategy for School Attendance* (2015) both of which can be accessed at www.tusla.ie/tess. Other resources include information on supports available from the National Educational Psychological Service (NEPS) on the Department of Education's website:

<https://www.gov.ie/en/service/5ef45c-neps/>

and from the National Council for Special Education (NCSE) at www.ncse.ie

2 Reduced School Days

All students who are enrolled in a school should attend for the full day, except in exceptional circumstances.

For the purposes of these guidelines, reduced school days are defined as:

- a reduced day in school where, by arrangement with the school authorities, a student arrives to school after the usual starting time or leaves before the end of the school day, and/or
- a reduced week where, by arrangement with the school authorities, a student may not attend the full five days each week.

3 Exceptional Circumstances when a reduced school day might be used

Where schools apply a reduced school day, such arrangements should only be put in place in exceptional circumstances. It is recommended that schools work in partnership with the parents/ guardians (or in the case of a student over 18 years, the student) in this regard. Following consultation with, and consent of the parents / guardians (or in the case of a student over 18 years, the student) and where it is the agreed position that it is in the best interests of the student to have a shorter school day for a time-limited period the agreed arrangements would be implemented. The views of the student should also be sought and given due consideration.

Reduced school days should not be used as a sanction, offered as an alternative to a sanction, or used as a behavioural management tool. Reduced school days should only ever be considered in very limited and time-bound circumstances such as, for example, supporting a student to return to school after a period of absence, or due to a medical or mental health-related condition or due to other exceptional circumstances. It is acknowledged that a reduced school day may be helpful in exceptional circumstances as part of a transition or reintegration intervention, based on the needs of individual students.

Any such arrangement should be short term and transitional, and designed to assist the student to attend for the full school day along with his/her peers. In making any such

arrangements school authorities should always be mindful of the best interests of the student and of the student's right to a full day in school.

4 Key Requirements for the use of reduced school days

Where in exceptional circumstances schools are placing a student on a reduced school day, the school authorities:

- a) Must, prior to consideration of a reduced school day, have previously engaged with the relevant support services and professionals, including the special educational needs organiser (SENO) where appropriate, and have developed and implemented a student support plan for an appropriate period of time.
- b) Need to have clear evidence-based reasons for considering a reduced school day as a relevant and appropriate intervention with the best interests of the student at the core of the decision.
- c) Shall have the written consent of the parents/guardians of the student (or in the case of a student who has reached the age of 18 years, the student), and must also document if parental (or in the case of a student who has reached the age of 18 years, student) consent is subsequently withdrawn.
- d) Shall notify Tusla Education Support Service (TESS) of the decision to place a student on a reduced school day no later than the first day of the commencement of each episode of a reduced school day.
- e) Should notify the NCSE (Local SENO) of the decision to place the student on a reduced school day where the student has special educational needs (SEN).
- f) Should formulate and agree a plan for the reduced school day intervention which will specify the following: start, review and end dates; any educational supports or interventions to be provided for the student during the period of the reduced school day; the actions required to support the student's return to school and reintegration to a full-time school day. The plan with respect to the reduced school day intervention and return to school will have regard to any relevant medical reports or other relevant information held in the student's support file. The intervention and return to school plan must be discussed and agreed in collaboration with the parent/guardian (or in the case of a student over 18, the student). Ideally, the period for which the student is on a reduced school day, should not exceed six school weeks. A reduced school day cannot be carried forward from one academic year to the next.
- g) Must include in the plan of action outlined in (f), the name of a contact person in the school with whom the parents/guardians (or in the case of a student who has reached the age of 18 years, the student) may communicate with, and, where appropriate, any work plan for the time during which the student will not be in attendance at the school.
- h) Shall provide the parents/guardians (or in the case of a student who has reached the age of 18 years, the student), with a copy of the agreed plan, signed by parents/guardians (or in the case of a student who has reached the age of 18 years, the student), and the school principal, and retain a copy which must be given to the Educational Welfare Officer or a member of the DE Inspectorate if requested. A copy should also be retained on the student support file.
- i) Should consider a graduated regime of school attendance which increases steadily and incrementally towards full attendance.

- j) Will arrange for a review with the student and their parents/guardians (or in the case of a student who has reached the age of 18 years, the student), if a student is still on a reduced school day as the time limit of the plan approaches.
- k) Should consider an extension only in exceptional circumstances and only with the further written consent of parents/guardians (or in the case of a student who has reached the age of 18 years, the student).
- l) Shall submit a new notification form to TESS when the period during which the student has been on a reduced school day is extended no later than the first day of renewal of the plan.
- m) Shall keep a record of all instances of students being placed on a reduced school day and access to this list should be made available to TESS educational welfare officers and the Department of Education Inspectorate if requested.
- n) Shall inform the parents/guardians (or in the case of a student who has reached the age of 18 years, the student), of their right to withdraw consent at any time.
- o) Should inform the parents/guardians (or in the case of a student who has reached the age of 18 years, the student) that TESS educational welfare officer can provide assistance and advice if required.

TESS will provide support and guidance to both parents and schools in relation to the use of a reduced school day.

The notification system will allow data on the use of a reduced school day to be collected and monitored and appropriate intervention by the Educational Welfare service in conjunction with relevant agencies including NCSE to occur where necessary.

School authorities should be mindful that where parental consent is not given or subsequently withdrawn, the processes applying to suspension apply including recourse to section 29 appeal. Accordingly Boards of Management should put in place appropriate oversight and delegation of authority arrangements.

5 Supports available to schools

5.1 Supporting Students with Special Educational Needs.

The Department of Education has provided significant additional resources such as special education teachers and special needs assistants to schools to support the inclusion of students with SEN. In addition, the DE also provides significant additional supports and funding to schools through the DEIS School Support Programme targeting the inclusion of children at risk of educational disadvantage.

5.2 National Council for Special Education (NCSE)

NCSE Regional Teams focus on enhancing the quality of learning and teaching in relation to special educational provision.

The NCSE Regional Teams have responsibility for-

- Providing continuing professional development (CPD) and support for teachers in the area of special educational needs (SEN) to enhance the quality of learning and teaching in relation to special education needs (SEN) provision.
- Providing support and expertise to all schools on issues related to behaviour.

Schools seeking advice on professional development relating to a specific special education issue in the school should contact the NCSE Regional Team. The NCSE may offer telephone advice, a school visit from a member of the team, or an in-service course for the staff.

5.3 The National Educational Psychological Service (NEPS)

Early intervention and whole school approaches are the most important strategy in supporting students with SEN and managing emotional and behavioural difficulties. In addition to assisting schools to support individual students, NEPS offers a support and development programme to build capacity in schools in relation to evidence-based practice in the promotion of academic, social and emotional competence.

NEPS, in consultation with parents/guardians, teachers and relevant professionals, may support a plan for a gradual reintroduction to school for children who are out of school due to school phobia or separation anxiety or other exceptional circumstances.

5.4 Functions of Tusla Education Support Service (TESS)

TESS educational welfare officers operate under the Education (Welfare) Act, 2000. TESS is charged with ensuring that every child either attends school regularly or otherwise receives a minimum education.

Educational welfare officers work with parents, young people, schools and other agencies to address barriers to attendance.

The Education (Welfare) Act, 2000 outlines responsibilities of all parties in relation to school attendance including parents, principals, boards of management and TESS educational welfare officers.

A full list of the functions of Tusla can be accessed through the following link:

<http://www.irishstatutebook.ie/eli/2000/act/22/section/10/enacted/en/html>

6 Appeals Mechanism

As the use of a reduced school day should be mutually agreed between the school and the parent/guardian (or in the case of a student over 18, the student), the issue of appeal should therefore not arise. However, schools must advise parents/guardians (or in the case of a

student over 18, the student) that they can withdraw their consent at any time while the student is on a reduced school day.

Where parental/guardian (or in the case of a student over 18, student) consent is not given or subsequently withdrawn and the school proceeds or continues with a reduced school day, this is effectively a suspension and, in accordance with Tusla's *Developing A Code of Behaviour: Guidelines for Schools (2008)*, the relevant procedures in relation to a suspension apply.

The provision for appeals for suspensions and exclusions is set out under Section 29 of the Education Act 1998. Information on the appeal procedures under Section 29 of the Education Act, 1998 is set out on the Department of Education's website

<https://www.gov.ie/en/publication/19941-appeals-against-expulsion-or-suspension-for-a-period-or-periods-totaling-not-less-than-20-school-days-in-a-school-year/>

TESS educational welfare officers are available to provide parents/guardians with advice and support in relation to their child's attendance at school and the Section 29 appeal process.

7 Dissemination of the Guidelines

A copy of these guidelines must be made available to parents/guardians/ students on request and must always be provided to parents/guardians (or in the case of a student who has reached the age of 18 years, the student) where a reduced school day is being put in place.