

Rannóg Oideachais Speisialta
An Roinn Oideachais & Scileanna
Cor na Madadh
Átha Luain
Co. na hIarmhí



Special Education Section
Department of Education & Skills
Cornamaddy
Athlone
Co. Westmeath

Circular 0038 /2015

Boards of Management and Principal Teachers of Schools

Home Tuition Scheme 2015 /2016 – Special Education Component

1. Introduction

This circular provides information in relation to the Home Tuition Scheme and should be read carefully by applicants before completing the Application Form.

The Circular contains information on:

- Purpose of the scheme
- Criteria for eligibility under the terms of the scheme
- Allocation of hours under the terms of the scheme
- Qualifications of tuition providers
- General Information
- Payment Procedures
- Queries and appeals

Key Points of the Circular:

Section 2 sets out the purpose of the Home Tuition Scheme. Important points to note include:

- The purpose of the Home Tuition Scheme is to provide a compensatory educational service for children who, for a number of specific reasons, are unable to attend school. However, it should also be noted that Home Tuition is not an alternative to a school placement and is provided in very limited and specific circumstances.

Section 3 sets out the Criteria for eligibility under the 3 categories of the scheme.

- Pupils with a significant medical condition which is likely to cause major disruption to school attendance
- Children with special educational needs seeking an educational placement
- Children aged between 2.5 and 3 years with a diagnosis of autism

Section 4 sets out the hours which are allocated under each category.

- Applicants should note the number of hours which are allocated under each category
- Applicants should also note that allocations to siblings will be on a combined basis. Applications for separate allocations can be considered on a case by case basis.

Section 5 provides information on the qualifications of tuition providers.

- It is a condition of the scheme that tutors are qualified in the relevant education sector and are registered with the Teaching Council of Ireland
- Where an applicant cannot source a fully qualified teacher the Department may consider the engagement of a person who is registered with the Teaching Council and who has a degree (minimum Level 7 on the National Framework of Qualifications in a relevant area
- Parents/Guardians are not permitted to act as tutors for their children under the Scheme

Section 6 provides information on the Vetting Arrangements for tutors.

- All tutors must be vetted prior to the commencement of delivery of tuition.
- All tutors must submit a completed Form of Undertaking and Statutory Declaration

Section 7 provides information on Child Protection issues.

Section 8 provides general information in relation to the scheme.

Applicants should note the following:

- Information supplied will be shared between various Government Departments
- Unused hours from one week cannot be transferred to another week
- Seeking a school placement and the enrolment of a child in school is the responsibility of the parent/guardian
- Where a parent/guardian has failed to enrol a child in a school placement as identified by the NCSE, Home Tuition will not be provided
- The role of the Special Educational Needs Organiser in the context of the Home Tuition Scheme
- Parents/Guardians may enter into either a new group arrangement with other parents/guardians of children for whom home tuition has been approved or a group arrangement where there is a current agreement with the Department

Section 9 provides information relating to the payment of the Home Tuition grant.

- It should be noted that under no circumstances will home tuition funding be back dated
- **It is intended to change the payment method of the Home Tuition Grant from direct payment to parents to direct payment to tutors early in the 2015/2016 school year. A separate more detailed information note will issue from the Department prior to the introduction of the new payment method.**

Section 10 provides contact details for queries and appeals in relation to the scheme.

We ask applicants for Home Tuition in the 2015/2016 school year to return application forms to us by 24th July 2015. Priority will be given to completed applications received before this date.

2. Purpose of the scheme

The purpose of the Home Tuition Scheme is to provide a compensatory educational service for children who, for a number of reasons such as chronic illness, are unable to attend school. The scheme also provides a compensatory educational service for children with special educational needs seeking an educational placement. Provision is also made for early educational intervention for children with autism

The preferred approach is that children are educated in school settings where children may have access to fully qualified teachers, individualised education programmes, special needs assistants, school curriculum with the option, where possible and appropriate, of full or partial integration and interaction with other pupils. Home Tuition is intended as an interim provision only for children for whom a placement is not available and should **not** be regarded as an optional alternative to a school placement.

Home tuition under this scheme is sanctioned under the following 3 categories:

Category (a) Pupils with a significant medical condition which has or is likely to cause major disruption to their attendance at school on a continuing basis.

Tuition is provided in this category for pupils who are enrolled in school who:

- (i) Cannot attend school at all or
- (ii) Are absent for a significant proportion of the previous school year and where the degree of absence is such that without supplementary instruction the pupil is unlikely to be able to perform academically at the level appropriate to his/her level of ability.

Category (b) Children with Special Educational Needs seeking an educational placement

Tuition is provided in this category, as an interim measure, until a school placement has been identified.

This category includes children from the age of three who have been diagnosed with an Autism Spectrum Disorder (ASD), based on ICD 10, DSM IV or DSM V, and who cannot access a school placement as identified by the NCSE.

Therefore home tuition funding is only provided to children aged between 3 years and 4 years of age with a diagnosis of ASD where a placement in an early intervention setting is not available.

Home tuition funding is not provided to children with ASD over the age of four where a school placement is available.

A school placement can be:

- a place in a mainstream class in a mainstream school - with additional resources allocated by the NCSE
- a place in a special class for children with ASD in a mainstream school
- a place in an early intervention class for children with ASD or
- a special school which enrolls children with ASD.

Category (c) Children aged between 2 ½ and 3 years of age (who have been assessed with an Autism Spectrum Disorder based on the DSM IV or DSM V or ICD 10 criteria).

Home Tuition funding is provided for children with a diagnosis of ASD aged between 2½ and 3 years of age as they cannot enrol in a school until they reach the age of three.

3. Criteria for eligibility under the terms of the scheme

Category (a) Children with a significant medical condition which has or is likely to cause major disruption to their attendance at school on a continuing basis are eligible for tuition under the scheme:

Eligibility in this regard is assessed having regard to the pupil's attendance levels during the previous school year and, in the main, by reference to a completed medical report. Whilst this may suffice in the majority of cases, there may be cases whereby it will be necessary for the applicant to supply a separate medical /relevant professional report in order to allow the Department to fully consider the application by reference to the prescribed criteria.

- Therefore, Section 2(B) of the application form must be fully completed in respect of applications arising from school phobia and/or associated depression/anxiety and must be accompanied by a separate full report from a psychologist / psychiatrist, which should clearly confirm the diagnosis, the specific reason for the pupil's absence and full details of the plans in place to reintegrate the pupil back into his/her school including collaboration between the relevant support agencies.
- In the case of all other medical conditions, Section 2(A) of the application form should be completed in full.

Category (b) Children with Special Educational Needs seeking an educational placement:

Eligibility in this regard is determined in consultation with the National Council for Special Education (NCSE) through the local Special Education Needs Organiser (SENO) as appropriate. Tuition hours are allocated to provide education for pupils seeking an educational placement as an interim measure.

Section 3(A) of the relevant application form should be completed by the applicant, which should be signed by the SENO.

The State supports early intervention for children with special educational needs through providing funding to a number of crèche/pre-school settings including:

- Early Intervention settings in mainstream and special schools
- Early Intervention settings in HSE funded service providers.
- Private pre-school settings supported by the Early Childhood Care & Education Scheme (ECCE).
- Private pre-school settings supported by HSE grant aid or HSE funded Pre-School Assistant.
- Home Tuition Scheme for children aged between 3 and 4 years of age with a diagnosis of autism where a placement in an early intervention setting is not available.

The intention is over time to support a single early intervention setting structure. In the meantime, subject to availability of service and where applicable meeting the eligibility criteria for support, parents/guardians can access one or more of the above mentioned early intervention settings.

Please note that the maximum number of combined hours which can be availed of under the above schemes is 20 hours per week.

In certain circumstances attendance in an early intervention setting (excluding school-based settings) may be supplemented by home tuition. **Parents/Guardians are requested to note the relevant section on the application form and to declare if their child is availing of any of the schemes listed above.** Similarly, if the child avails of one of the schemes after the application for Home Tuition has been processed, parents/guardians must notify this Department immediately.

Category (c) Children between 2 ½ and 3 years of age (who have been assessed with an Autism Spectrum Disorder based on the DSM IV or DSM V or ICD 10 criteria).

Eligibility in this regard is dependent on a diagnosis of an Autism Spectrum Disorder using the DSM IV or DSM V or ICD 10 criteria.

Section 3(B) of the relevant application form should be completed by the applicant, which should be signed by the SENO.

4. Allocation of hours under the terms of the scheme

(a) Pupils with a significant medical condition which is likely to cause major disruption to their attendance at school on a continuing basis.

Generally, a range of between 2 and 10 hours may be approved with the allocation reflecting the level of attendance in the previous school year and whether the attendance was at primary or post primary level. As a general guide, up to 5 hours may be granted to children at primary level while pupils at post primary level are generally allocated between 2 and 10 hours.

(b) Children with Special Educational Needs seeking an educational placement

The maximum allocation of home tuition for children awaiting a placement is 20 hours per week subject to the appropriate school calendar.

(c) Children between 2 ½ and 3 years of age (who have been assessed with an Autism Spectrum Disorder based on the DSM IV or DSM V or ICD 10 criteria).

The allocation for children with ASD up to 3 years of age is 10 hours tuition per week.

Allocation of hours for siblings

All allocations to siblings will be reflective of the school grouping principle i.e. where the pupil teacher ratio in school settings can result in one teacher being allocated to a class of six pupils with children of mixed age and ability at the appropriate educational level (i.e. primary or post primary). However, in recognition of the differentiated needs of some siblings, applications for separate allocations will be considered on a case by case basis.

Under the scheme, in certain cases and where appropriate having regard to the criteria, Home Tuition may be extended until the end of July.

Separately, for children who qualify for Home Tuition, their school year may be extended until the end of July under the terms of the July Education Programme. Where school based provision is not feasible home-based provision may be granted for eligible pupils.

You may wish to note that in cases where more than one member of the same family qualify for such an extension under either of the above two schemes, a combined allocation will apply. Again, applications for separate allocations will be considered on a case by case basis.

5. Qualifications of tuition providers

As tuition takes place outside the usual school structure it is important that home tutors are qualified to provide an educational programme. Accordingly, it is a condition of the scheme that parents/guardians **must recruit a tutor who is qualified in the relevant sector, and is registered with the Teaching Council of Ireland.**

Where all efforts have failed to secure the services of a teacher qualified to teach in the sector concerned, the Department may consider the engagement of a person who is registered with the Teaching Council and has a primary degree (minimum Level 7 on the National Framework of Qualifications) in a relevant area, e.g. Psychology.

Parents/Guardians for whom this causes a difficulty may contact the Department directly for assistance – see contact details under Section 10 of this Circular.

Teachers must grant permission to the Teaching Council for their details to be accessible on the website of the Teaching Council in order for this Department to verify that teachers have current registration. Further information is available on www.teachingcouncil.ie.

To be eligible for the qualified rate of payment, a tutor must be registered and recognised by the Teaching Council of Ireland in the sector in which the tuition is being provided. Tutors, who are retired, who are registered with the Teaching Council of Ireland and who are in receipt of payment of a public service pension will be paid at the modified rate.

Where a tutor intends to provide Home Tuition to 2 or more children, further scheduling details will be required before approval is given for the tuition to commence.

Parents/Guardians are **not** permitted to act as tutors for their children under the scheme.

Tuition may **not** commence until the qualifications and identification of the nominated tutor have been formally approved in writing by the Department.

Teachers who are currently availing of any of the following schemes - maternity leave, sick leave, disability pension, early retirement schemes or any approved leave of absence are not eligible to deliver Home Tuition. Teachers who are on a career break should refer to circular 0010/2011 with regard to their capacity to work as a home tutor.

Parents/Guardians are advised to source a tutor at the earliest possible opportunity to allow for applications for registration/vetting to be made by the tutor to the Teaching Council of Ireland if necessary.

6. Vetting Arrangements

All tutors must be vetted prior to commencing the delivery of tuition.

- Tutors who are currently registered and vetted with the Teaching Council will be required to indicate accordingly on Appendix 2 of the application form.
- Tutors who have been vetted by the Teaching Council in the current or previous calendar year need not reapply to the Teaching Council for vetting. Teachers registered with the Council who have not been vetted in the current or previous calendar year are required to complete the vetting process and should **request a Garda Vetting Application form on www.teachingcouncil.ie** Alternatively they can contact the Teaching Council at 01 6517900.
- **Please note that each application must be accompanied by a Statutory Declaration Form and a Form of Undertaking (Appendices 1 & 2 respectively of the Application Form).**

7. Child Protection

Children First: National Guidance for the Protection and Welfare of Children 2011 promotes the protection of children from abuse. It sets out what organisations need to do to keep children safe, and what different bodies and the general public should do if they are concerned about a child's safety and welfare.

Information on Child Protection can be obtained on the Department's website – www.education.ie – under Parents/Information/Complaints-Bullying-Child-Protection-Discrimination.

8. General Information

- Parents/Guardians will be required to complete an Application Form and are requested to pay particular attention to the documentation/information that is required. It should be noted that sanction is only available on completion of the full application process which culminates in the issue of an approval letter confirming the date of commencement of the tuition.
- In certain cases, where no tutor has been nominated by the applicant, initial sanction will be given. However, the tuition cannot commence until the tutor has been nominated by the applicant and approved by the Department.
- Home Tuition is for educational teaching interventions only. The provision of therapeutic services such as Speech and Language Therapy, Occupational Therapy, psychological services, etc. will require engagement with the Health Service Executive (HSE). Home Tuition funding may not under any circumstances be used for such services. In this regard, the Department reserves the right to evaluate the education provision being delivered as part of the funding provided and all hours are approved subject to this condition.
- Please note that applications for Home Tuition are accepted in the knowledge that information supplied, including Personal Public Service Number (PPSN), will be shared between the HSE, National Council for Special Education (NCSE), Department of Children and Youth Affairs, Revenue and the Department of Education and Skills to ensure that duplicate funding does not occur.

- Unused hours from any given week cannot transfer to a subsequent week. Parents/Guardians are especially required to note this limitation on the weekly tuition available and tutors are required not to exceed this limitation with any one pupil. Ideally, Home Tuition should reflect the school day (9am – 6 pm). Therefore, Home Tuition should not take place during school holidays, bank holidays and weekends.
- All references to “schools” or “school placements” refer to State schools which are recognised under Section 10 (3) of the Education Act 1998.
- Seeking a school placement and the subsequent enrolment of a child in school is the responsibility of parents/guardians. However, parents/guardians who may need advice or are experiencing difficulties in locating a school placement should contact their local Special Educational Needs Organiser (SENO). Your local SENO contact details are available on www.ncse.ie. Home Tuition will not be available where a school placement has been identified by the NCSE. Similarly, failure to enrol a child in school will not give rise to eligibility under this scheme.
- Parents/Guardians may also wish to access “Choosing a School – A guide for Parents and Guardians of Children & Young People with Special Educational Needs” – a publication which is accessible on the website of the National Council for Special Education – www.ncse.ie.
- If a school refuses to enrol a child, aged over 4, it is open to a parent to appeal the refusal to enrol their child through section 29 of the Education Act where there is a placement available in the school. Home Tuition may not be available in the event that the refusal to enrol has not been appealed.
- Please note that where a child has not availed of a placement available to him/her, they will not be eligible for any provision under the Home Tuition scheme at any point during the academic year nor will they be eligible under the terms of the July Education Programme.
- Should parents/guardians wish to enter into a group arrangement with other parents/guardians of children for whom home tuition has been approved, or if they wish to avail of a group arrangement where there is a current agreement with this Department, they must notify Special Education Section in advance for approval.

Role of the National Council for Special Education in the context of the Home Tuition Scheme:

In the context of applications made under the Home Tuition scheme, the role of the NCSE is to confirm that no placement is available for a child in a school setting. Should a special class or special school place be required the SENO can advise parents/guardians accordingly.

When Placements Become Available During the 2015/16 School Year:

Places in mainstream classes, special classes and/or in special schools can become available during the school year – sometimes very early in the school year. In the event that a child over 3 years of age is being funded through the Home Tuition scheme, and a placement becomes available, the SENO will advise the parents/guardians of all children in the general school's catchment area, as well as the Department of Education and Skills, that such places are now available. Parents/Guardians in receipt of home tuition funding will be requested to provide evidence to the Department of their application to secure the available placement. Home tuition funding will be discontinued in any case where the parent does not apply for such placements. In order for home tuition funding to continue, parents/guardians must be able to demonstrate to the Department that such applications have been made within 3 weeks of being notified by the SENO and that the application to the school for enrolment has not been successful. Where the parent's application for enrolment has been successful, the Department may consider on request the continuation of Home Tuition for a specified period and on a reduced basis to allow the child to transition into the new placement where such an extension of the provision is deemed necessary. However, this is entirely conditional upon the child being enrolled in the school.

9. Payment Procedures

Parents/Guardians are advised that, under no circumstances will home tuition funding be back-dated. Home tuition funding should not commence until the approval letter is received by the parent/guardian confirming the date of commencement of the tuition and where the nominated tutor has been cleared for engagement by the parent/guardian.

How the grant is paid

Parents and Legal Guardians are recommended to read the FAQ notes on the payment procedures for the Home Tuition Grant Aid before any tuition is provided. The FAQ should be

downloaded from the website of this Department at www.education.ie under Parents/Services/Home Tuition-Special Education/Medical Needs/FAQS.

Please note that the advance payment option is no longer available.

Home Tuition grants are paid using two separate methods:

(A) If home tuition is provided by a teacher who is currently on the primary teachers' payroll of the Department of Education and Skills as a **permanent primary** school teacher, payment will be made directly to the teacher through the Department's payroll.

A completed claim form signed by both the parent/legal guardian and the teacher/tutor should be returned to the payments section at the end of each month. Parents/Guardians must not pay their tutors who are permanent primary school teachers as the Department will not refund any payments made by you.

(B) If home tuition is provided by a teacher / tutor who is NOT currently on the primary teachers' payroll as a permanent primary school teacher, payment must be made directly to the legal guardian.

A completed claim form signed by both the parent/legal guardian and the teacher/tutor should be returned to the payments section at the end of each and every month.

Such payments are made **only by Electronic Fund Transfer (EFT)** directly into the bank account of the parent / legal guardian. Direct payment into the bank account of a teacher/tutor is not permitted. Only the parent/legal guardian of the child can seek payment of Home Tuition.

When will payment issue?

Payment should issue within four to six weeks of receipt by the Department of the first completed claim form. Subsequent claims should be processed within a 10 – 15 working day period.

Other issues relating to the payment of Home Tuition:

To comply with existing legislation, the PPS numbers of all persons, both parent(s)/legal guardian(s) and teacher(s)/tutor(s) must be supplied in order for payment to be considered.

Parents/legal guardians who receive direct grant payments must provide a current tax clearance certificate in their own name. Payments cannot issue until this tax certificate is submitted. Information on tax clearance certificates can be obtained by accessing www.revenue.ie. An application for a tax

clearance certificate from the Revenue Commissioners can be made by accessing:
www.revenue.ie/en/business/running/tax-clearance.htmlonline.

Parents/Guardians, teachers and tutors should note that, under existing legislation, financial details in respect of this scheme are forwarded annually to the Revenue Commissioners, as home tuition payments are reckonable for taxation purposes.

No travel or subsistence allowances are applicable for home tuition.

Additional claim forms for the payment of the home tuition grants are available at www.education.ie - under Parents/Services/Home-Tuition-Children-with-Special-Education-Medical-Needs.

Proposed change in the method of Payment of the Home Tuition Grant:

The Department of Education & Skills plans to change the payment method of the Home Tuition Grant from direct payment to parents to direct payment to tutors early in the 2015/2016 school year. This will facilitate compliance with statutory deduction provisions including taxation and associated provisions. The Department will act as payroll agents only on behalf of the parents/guardians. Therefore all tutors must be fully registered with the Teaching Council of Ireland.

A separate more detailed information note will issue from the Department prior to the introduction of the new payment method.

10. Queries and Appeals

This circular, together with all relevant information, will be available to download from the Department's website - www.education.ie - under Parents/Services/Home Tuition-Special Education/Medical Needs.

Queries and appeals in relation to the Home Tuition Scheme can be addressed to:

Home Tuition Unit, Special Education Section, Department of Education & Skills, Cornamaddy, Athlone, Co. Westmeath

Contact No: 090 648 4187

Email Address: special_education@education.gov.ie

Queries in respect of Home Tuition payments can be addressed to:

Special Needs and Tuition Grants, Schools Division – Financial, Department of Education & Skills,
Athlone, Co. Westmeath

Contact No: 090 6483750, 090 6484239, 090 6483872.

Email Address: sntg@education.gov.ie

Jim Mulkerrins

Principal Officer

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APPENDIX

The Home Tuition Scheme

Rates of payment:

There are two rates of payment applicable to tutors engaged in the provision of Home Tuition - the standard rate and the modified rate

Payment rates may be subject to change. The rates applicable are as follows:

Standard rate:

For tutors registered with the Teaching Council where a

Qualified Primary School Teacher is tutoring a primary student: € 30.71 per hour worked.

Qualified Post-Primary School Teacher Tutoring a post-primary student: € 36.65 per hour worked.

Modified rate:

Teachers who are not registered by the Teaching Council as qualified in the sector for which tuition is being provided, will receive the modified rate of payment. Teachers who are registered and qualified and who are in receipt of payment of a public service pension will receive the modified payment.

Modified rate: € 26.61 per hour worked

Please note that these rates may be subject to alterations during the year and, consequently, the rate payable will be reflective of the rate applicable for the period in respect of which the claim is made.