



**AN BILLE UM SHIONDRÓM DOWN (COMHIONANNAS
ROCHTANA), 2013**
DOWN'S SYNDROME (EQUALITY OF ACCESS) BILL 2013

Mar a tionscnaíodh
As initiated

ARRANGEMENT OF SECTIONS

Section

1. Interpretation.
 2. Allocation of resource teaching hours.
 3. Short title.
-



**AN BILLE UM SHIONDRÓM DOWN (COMHIONANNAS
ROCHTANA), 2013**
DOWN'S SYNDROME (EQUALITY OF ACCESS) BILL 2013

BILL

5 *entitled*

AN ACT TO AFFORD STATUTORY RECOGNITION TO
DOWN'S SYNDROME AS A LOW INCIDENCE DIS-
ORDER, TO ENSURE THAT ADEQUATE PROVISION IS
MADE FOR THE RESOURCE TEACHING HOURS
10 ALLOCATED TO PERSONS WITH DOWN'S SYNDROME
AND FOR THAT PURPOSE TO GIVE STATUTORY
EFFECT TO A DEPARTMENT OF EDUCATION CIRCUL-
LAR ON THE LEVEL OF RESOURCE TEACHING
HOURS AND TO PROVIDE FOR RELATED MATTERS.

15 BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

1.—In this Act—

Interpretation.

“assessed syndrome in conjunction with a low incidence disability”
means pupils who present with a particular syndrome e.g. Down's
syndrome, William's syndrome, Tourette's syndrome and who are
20 the subject of psychological or other specialist reports which
describes the nature and degree of the pupils special educational
needs;

“Autism/autistic spectrum disorder (ASD)” means pupils who have
been assessed and classified by a psychiatrist or psychologist as hav-
25 ing autism or autistic spectrum disorder according to DSM-IV or
ICD-10 criteria;

“Down's syndrome” means a pupil who was born with three copies
of chromosome 21 (trisomy 21);

“emotional disturbance and/or behaviour problems” means pupils
30 who are being treated by a psychiatrist or psychologist for such con-
ditions as neurosis, childhood psychosis, hyperactivity, attention defi-
cit disorder, attention deficit hyperactivity disorder, and conduct dis-
orders that are significantly impairing their socialisation and/or
learning in school;

35 “low incidence disability” means—

(a) an assessed syndrome in conjunction with a low incid-
ence disability,

(b) autism/autistic spectrum disorder (ASD),

- (c) Down's syndrome,
- (d) emotional disturbance and/or behaviour problems,
- (e) physical disability,
- (f) hearing impairment,
- (g) moderate general learning disability, 5
- (h) multiple disabilities,
- (i) severe emotional disturbance,
- (j) severe or profound general learning disability,
- (k) specific speech and language disorder, or
- (l) visual impairment; 10

“physical disability” means pupils who have permanent or protracted disabilities arising from such conditions as congenital deformities, spina bifida, dyspraxia, muscular dystrophy, cerebral palsy, brittle bones, or severe accidental injury;

“hearing impairment” means pupils who have a hearing disability 15
that is so serious to impair significantly their capacity to hear and understand human speech, thus preventing them from participating fully in classroom interaction and from benefiting adequately from school instruction;

“moderate general learning disability” means pupils who have been 20
assessed by a psychologist as having a moderate general learning disability;

“multiple disabilities” means pupils who have been assessed and who meet the criteria for two or more of the low incidence disabilities;

“severe or profound general learning disability” means pupils who 25
have been assessed by a psychologist as having a severe or profound general learning disability;

“severe emotional disturbance” means pupils who have an emotional disturbance which has been assessed as being severe;

“specific speech and language disorder” means pupils who meet each 30
of the following criteria—

- (a) the pupil has been assessed by a psychologist on a standardised test of intelligence that places non verbal or performance ability within the average range or above,
- (b) the pupil has been assessed by a speech therapist on a 35
standardised test of language development that places performance in one or more of the main areas of speech and language development at two standard deviations or more below the mean, or at a generally equivalent level,
- (c) the pupil's difficulties are not attributable to hearing 40
impairment; where the pupil is affected to some degree by hearing impairment, the hearing threshold for the speech-related frequencies should be 40Db,

- (d) emotional and behavioural disorders or a physical disability are not considered to be primary causes,
- (e) pupils with speech and language delays and difficulties are not to be considered under this category,
- 5 (f) in the case of specific speech and language disorder it is a pupil's non-verbal or performance ability that must be within the average range or above. (i.e. non-verbal or performance IQ of 90, or above),
- 10 (g) the pupil must also have been assessed by a speech and language therapist and found to be at two or more standard deviations (S.D.) below the mean, or at a generally equivalent level (i.e. — 2 S.D. or below, at or below a standard score of 70) in one or more of the main areas of speech and language development,
- 15 (h) two assessments, a psychological assessment and a speech and language assessment are necessary in this case;

“visual impairment” means pupils who have a visual disability which is so serious as to impair significantly their capacity to see, thus interfering with their capacity to perceive visually presented materials,

20 such as pictures, diagrams, and the written word.

2.—Resource teaching hours shall be delivered by a school to each pupil who suffers from a low incidence disability by reference to the requirements which are set out Table to this section—

Allocation of resource teaching hours.

Table

25	Low Incidence Disabilities	Hours of resource teaching support available to school per week
	Physical Disability	3
	Hearing Impairment	4
30	Visual Impairment	3.5
	Emotional Disturbance	3.5
	Severe Emotional Disturbance	5
	Moderate General Learning Disability	3.5
35	Sever/Profound General Learning Disability	5
	Autism/Autistic Spectrum Disorders	5
	Down's Syndrome	5
40	Specific Speech and Language Disorder	4
	Assessed syndrome in conjunction with one of the above low incidence disabilities	3 to 5, taking into account the pupil's special educational needs including level of general learning disability
45	Multiple Disabilities	5

3.—This Act may be cited as the Down's Syndrome (Equality of Access) Act 2013. Short title.