

The Education System in the Federal Republic of Germany 2007

**A description of the responsibilities, structures and
developments in education policy for the exchange of information in Europe**

- Excerpt -



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Edited by: BRIGITTE LOHMAR
THOMAS ECKHARDT
Documentation and Education Information Service/
German EURYDICE Unit of the Länder in the Secretariat of the Standing Conference of the Ministers of Education and Cultural Affairs of the Länder in the Federal Republic of Germany

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10. SPECIAL EDUCATIONAL SUPPORT

10.1. Historical overview

Special education in Germany can look back on a history spanning two hundred years. Over this time it has undergone a process of expansion and diversification. The first to benefit from special tuition were blind and deaf-mute children in schools and homes which were established in the 19th century through private philanthropic initiatives or church charities.

Public-sector schools were first established when at the turn of the century the school legislation of the Länder made school attendance obligatory for the disabled. When general compulsory schooling was introduced it also became clear how many pupils could not follow general lessons. Thus, the period between 1880 and 1920 saw the emergence of schools for those with sensory impairments alongside the established institutions for the blind and for the deaf-mute and also the emergence of what were known as *Hilfsschulen* as institutions for *children of limited learning ability*. In practice they became catch-all establishments for children with a wide range of learning and behavioural problems and disabilities. The educational opportunities for people with severe mental and physical disabilities remained quite inadequate in the first half of the twentieth century. Even the modest progress made was destroyed again during the National Socialist period.

Following the Second World War, schools for children with learning difficulties, schools for children with behavioural problems and schools for the mentally handicapped emerged from the *Hilfsschulen*. In the 1960s and 1970s attempts were made to enable all handicapped children and young people to exercise their right to education and to meet the wide range of needs as far as possible. This involved the comprehensive expansion of special education including the establishment of a larger number and greater variety of *Sonderschulen*, or special schools [in some Länder, the terms for special schools are *Förder Schulen*, *Förderzentren* or *Schulen für Behinderte*]. Resolutions adopted by the Standing Conference of the Ministers of Education and Cultural Affairs of the Länder in 1960 and 1972 ensured that developments were broadly similar in all Länder. Various types of *Sonderschulen* for children and young people with physical and mental disabilities also existed in the German Democratic Republic [GDR].

10.2. Ongoing debates and future developments

Recent years have seen a growing number of different organisational forms of support which have pursued the common aim of integration, not just as an end but as a means. Thus, various methods are used to provide opportunities for disabled children to receive instruction together with non-disabled children [see also chapter 10.5.]. Since the 1980s disabled pupils have been increasingly integrated into mainstream schools under school pilot projects, some of which have assumed the status of a standard type of schooling since 1990. Also, various forms of cooperation between mainstream schools and special schools have emerged and approaches to inclusive teaching have been developed in educational science. A focus on institutions has given way to a focus on the needs of the individual. Formerly, the prevailing concept when making choices for a child's school career [i.e. the decision in favour of a mainstream school or a special school] was the *need for education at a special school*. This has since been superseded by the concept of *Sonderpädagogischer Förderbedarf* [special

educational needs], meaning education, instruction, therapy and care requirements depending on an individual's physical disabilities and social disadvantages as far as the institutional setting allows. This development has been influenced by a new understanding of disabilities and educational needs, improved diagnostic techniques, more effective early detection and prevention as well as better overall conditions at mainstream schools [e.g. improved pupil-teacher ratios], more open approaches to instruction and education and, finally, a greater appreciation of the benefits to children of attending a school close to their home. Within the context of equality legislation, offers of integration into mainstream schools for pupils with special educational needs are currently being extended in the Länder.

10.3. Definition and diagnosis of the target group(s)

It can be presumed that children or young people have special educational needs if their opportunities for education, development and learning are limited to such an extent that they cannot be sufficiently promoted within the scope of instruction at mainstream schools without additionally receiving special educational assistance. In this regard, therapeutical and social aid provided by other external institutions may be required as well.

Special educational needs are to be determined in relation to the tasks, the requirements and the support measures the respective school can provide. Furthermore, a determination of the special educational needs of the child must take into account the environment of the child, including the school as well as the pupil's personal abilities, interests and expectations for the future.

The procedure of determining special educational needs comprises establishing the individual need for support as well as deciding on the course of education and the place of support. The responsibility for the procedure lies with the school supervisory authorities: Either the authorities themselves have the competence for special educational needs as well as sufficient experience in the field of educational support for handicapped persons, or they consult experts in the field of special educational support.

The procedure of determining special educational needs may be applied for by the parents or legal guardians of the pupil, by the pupil provided he is aged 18 or above, by the school or, if applicable, by other competent services, and is to take into account the competences of the persons who participate or are to participate in the measures of support and instruction in a suitable manner.

10.4. Financial support for pupils' families

Within the scope of measures for the integration of disabled persons under Book Twelve of the Social Code [*Sozialgesetzbuch XII - Sozialhilfe* -], pupils with special educational needs may receive financial assistance in order to provide them with an adequate school education, especially with regard to the period of compulsory schooling and the attendance of a general education school at secondary level.

For the transport of children with special educational needs to and from school, please refer to the comments on the primary sector in chapter 4.7.

10.5. Special educational support within mainstream education

Cooperation between *Sonderschulen* and mainstream schools exists independently of the more recent attempts at inclusive teaching described above [see chapter 10.2.]. When a pupil is transferred from one type of school to another the teachers and head teachers of the schools concerned work together. It is always possible for pupils to return to mainstream schools. The education authority makes the decision on whether to transfer a pupil following a request from the *Sonderschule* or from the parents or legal guardians. Pupils at special schools for children with learning difficulties can be admitted to a *Grundschule* or *Hauptschule* if there is a chance that they will be able to cope with lessons and achieve success. Schools for children with speech defects and children with behavioural problems are conceived as transitional schools and their aim is to alleviate the speech and behavioural problems to such an extent that the pupils can return to a mainstream school.

Recently, diverse forms of institutional and educational cooperation between mainstream schools and special schools have developed. Some of these are part of school pilot projects or action programmes run by the Länder. They range from joint extra-curricular activities and inclusive classes to holding classes on the same premises.

10.5.1. Specific legislative framework

The right of disabled children to education and training appropriate to their needs is enshrined in the Basic Law [*Grundgesetz*, Art. 3 – R1], in equality legislation, in Book Twelve of the Social Code [*Sozialgesetzbuch XII – Sozialhilfe* –] and in the Länder constitutions [R14-29]. More detailed provisions are set out in the school legislation of the Länder [R70, R72, R74, R76, R78, R81, R83, R85, R87-88, R90, R92, R98, R100-102].

The development and organisation of special education in the Länder was harmonised by several resolutions adopted by the Standing Conference of the Ministers of Education and Cultural Affairs of the Länder and especially by the *Recommendations on the Organisation of Special Schools* [*Empfehlung zur Ordnung des Sonderschulwesens*, Resolution of March 1972] and recommendations for the individual types of special education. The current situation is documented in the *Recommendations on Special Needs Education in the Schools of the Federal Republic of Germany* [*Empfehlungen zur sonderpädagogischen Förderung in den Schulen in der Bundesrepublik Deutschland*, Resolution of May 1994].

The recommendations of the Standing Conference apply to pupils with special educational needs, regardless whether support takes place at a mainstream school or at a *Sonderschule*. In addition to these general recommendations, further recommendations for the individual types of special education were developed which focus on:

- sight,
- learning,
- emotional and social development,
- speech,
- mental development,
- hearing,
- physical and motor development,
- instruction for sick pupils.

For the statistical distribution of pupils with special educational needs according to the individual types of special education, please refer to chapter 10.8. In addition, the Standing Conference has made recommendations on the Education and Teaching of Children and Young People with Autistic Behaviour [*Erziehung und Unterricht von Kindern und Jugendlichen mit autistischem Verhalten*].

10.5.2. General objectives

Preventive measures aim to prevent an existing disability from having a more far-reaching impact. Children and young people facing the threat of disability receive preventive assistance to help counteract the emergence of a disability. Particular importance is attached to interdisciplinary cooperation in the early stages of assistance.

The aim of special educational support at mainstream schools is to enable children and young people with special educational needs to exercise their right to an appropriate form of education and training, and at the same time to promote the integration of the disabled within mainstream education and to provide all pupils irrespective of their physical and mental capabilities with the opportunity for closer contact and easier mutual relations.

10.5.3. Specific support measures

Inclusive education for pupils with special educational needs

Children and young people with special educational needs can attend mainstream schools provided that the required special educational assistance, practical support and the right physical environment are guaranteed. Special education teachers are deployed at *Sonderschulen* and at mainstream schools that meet special educational needs, e.g. by providing mobile assistance and advice and cooperative instruction with another teacher in inclusive classes. Apart from the external environment, this also requires qualified special education teachers, individualised forms of planning, carrying out and monitoring the teaching process and coordinated cooperation between the teaching and specialist staff involved. Special educational support is provided during class lessons and, if necessary, alongside lessons.

Special educational support in the form of cooperative measures

Many *Sonderschulen* and mainstream schools are in the process of developing close educational cooperation. This can greatly benefit both lessons and the general life of the school. Also, this trend expands the opportunities for changing between school types and educational courses, increases the proportion of joint lessons and encourages the transfer of pupils from *Sonderschulen* to mainstream schools. By holding special school classes and mainstream school classes on the same premises a suitable basis for cooperation can be created.

10.6. Separate special educational support

Alongside the organisational forms of special educational support at mainstream schools and in cooperative forms mentioned in chapter 10.5.3., the following organisational forms of special educational support exist side by side:

Special educational support at special schools

Children and young people who are not attending a mainstream school receive instruction either at *Sonderschulen*, at *Berufsschulen* with special emphasis on different types of special educational support or at comparable institutions.

Under the *Hamburg Agreement* between the Länder of October 1971 on harmonisation in the school system, the basic school structure which applies to all Länder is such that a clear distinction is made between mainstream schools and special schools [usually known as *Sonderschulen* but also called *Förderschulen*, *Förderzentren* or *Schulen für Behinderte* in some Länder]. According to the *Recommendations on the Organisation of Special Schools* [*Empfehlung zur Ordnung des Sonderschulwesens*, Resolution by the Standing Conference of the Ministers of Education and Cultural Affairs of the Länder dated March 1972], there are ten different types of *Sonderschulen*:

- schools for the blind
- schools for the deaf
- schools for the visually impaired
- schools for the hearing impaired
- schools for the mentally handicapped
- schools for the physically disabled
- schools for the sick
- schools for children with learning difficulties
- schools for children with speech defects
- schools for children with behavioural problems

The structure of the special school system may vary from Land to Land. *Sonderschulen* must be able to provide the required technical equipment and special teaching aids. They may turn to external organisations to obtain assistance such as therapy, care and social support. *Sonderschulen* vary according to the type of special education on which they focus and the educational courses they offer. They provide support to pupils in any developments which may lead to their possible transfer to a mainstream school and to training.

Special education within special education centres

The aim of special education centres [*sonderpädagogische Förderzentren*], either as regional or supra-regional institutions, is to meet individual special needs or a range of different needs [e.g. physical and motor development, hearing and sight, and so on] and to guarantee special education in integrative, in-patient and cooperative forms. This form of education is based as near to the home as possible and provided by specialists. Within the scope of the responsibility of special education centres for preventive measures, support is provided even before the determination of special educational needs has taken place, sometimes as early as *Kindergarten* [see chapter 3.13].

10.6.1. Specific legislative framework

The right of disabled children to education and training appropriate to their needs is enshrined in the Basic Law [*Grundgesetz*, Art. 3 - R1], in equality legislation, in Book Twelve of the Social Code [*Sozialgesetzbuch XII - Sozialhilfe* -] and in the Länder constitutions [R14-

29]. More detailed provisions are set out in the school legislation of the Länder [R70, R72, R74, R76, R78, R81, R83, R85, R87-88, R90, R92, R98, R100-102].

10.6.2. General objectives

The aim of special educational support is to enable children and young people who are either disabled or facing the threat of disablement to exercise their right to a form of schooling and education that is tailored to their personal capabilities. Children and young people receive support in the form of individual assistance measures so that they can achieve the highest possible level of integration at school and at work, participate in society and lead an independent life as far as possible.

10.6.3. Geographical accessibility

As in the case of general education schools, school development planning is a task of the local authority maintaining bodies [see chapter 4.5.]. For some types of special education, the low number of pupils necessitates the establishment of *Sonderschulen* whose catchment area is the whole of Germany.

10.6.4. Admission requirements and choice of school

Disabled children and young people are required to attend school, just as are their non-disabled peers.

When a child reaches school age, his/her parents or legal guardians enrol him either with the *Grundschule* or with the relevant *Sonderschule*. If it is assumed that a child cannot be sufficiently helped in lessons at a mainstream school without special educational assistance, the school supervisory authority recognises that the child concerned has special educational needs and a decision is taken on what sort of school he or she should attend and where [a certain type of *Sonderschule* or a mainstream school offering additional assistance on an individual basis]. If it is established that pupils who are attending a mainstream school have special educational needs, they may be transferred to another type of school in the course of their school career.

The decision on a child's school career should be taken following consultation with the parents and, as far as possible, with their agreement. If the parents do not agree with the decision taken, they can seek redress through the courts or arbitration.

10.6.5. Age levels and grouping of pupils

Sonderschulen can be classified according to educational courses, grades and year groups. Various types of *Sonderschulen* [e.g. for those with sensory impairments] combine the educational courses of the *Hauptschule*, *Realschule* and *Gymnasium* and lead to the qualifications normally awarded by these schools. As at mainstream schools, these educational courses are divided up into the primary and secondary levels and organised in grades according to age, although instruction may be spread over more years than at mainstream schools.

Schools for children with learning difficulties are organised in grades according to age or performance levels. Schools for the mentally handicapped comprise four grades, the last of which is known as a *work grade* [*Werkstufe*]. Each level is made up of several year groups. These

two types of educational courses can also be established at other *Sonderschulen*, e.g. at a special school for those with sensory impairments.

10.6.6. Organisation of the school year

The number of lessons stipulated in the timetables of mainstream schools is supplemented by special education measures. Some educational courses at *Sonderschulen* also last a year longer than those at mainstream schools. For the organisation of the school year, see the comments on the primary sector in chapter 4.9.1.

10.6.7. Curriculum, subjects

Apart from *Sonderschulen* for children with learning difficulties and the mentally handicapped, all special schools work on the basis of curricula which in terms of educational goals, lesson content and performance requirements match those of mainstream schools [*Grundschule* and the educational courses offered by the *Hauptschule*, *Realschule* and *Gymnasium*]. However, the methods used must take into account the special learning requirements and impairments relating to individual types of disability. Schools for children with learning difficulties and for the mentally handicapped work according to their own guidelines which, like all other curricula, are issued by the Ministry of Education and Cultural Affairs of the relevant Land. General information on the development of curricula can be found in chapter 4.10.

10.6.8. Teaching methods and materials

Sonderschulen are often all-day schools or boarding schools. Comprehensive assistance for the disabled pupil is part of the teaching concept and instruction and education complement each other.

Instruction is designed to meet individual needs and some lessons are held in small groups or on an individual basis. In addition, the class sizes at *Sonderschulen* are particularly small.

Depending on the type of disability, therapeutic measures such as physiotherapy, behavioural therapy, speech therapy, and so on, are integrated into lessons. Technical and disability-related aids and devices are used where necessary.

10.6.9. Progression of pupils

Continuous assessment of performance takes place in *Sonderschulen* in a similar form to that of mainstream schools [cf. chapters 4.12. and 5.15.]. In the case of the mentally handicapped and the very severely disabled, assessment is confined to reports on personality development.

At the end of the school year the *Sonderschule* examines whether the needs of the pupil can still be catered for there and in which grade he or she should be placed or, alternatively, whether the pupil should move to another special school or to a mainstream school. The decision on which grade a pupil should be placed in is a matter for the school but it is the education authority that decides on a school transfer, following consultation with the parents and consideration of commissioned reports.

10.6.10. Educational/vocational guidance, education/employment links

In taking the decision on a child's school career, the school concerned and the school supervisory authority cooperate with various agencies within and outside the school system, including school psychological services, the public health office, the youth welfare office and education counselling agencies [for example, in the case of behavioural problems and domestic disputes].

Particular importance is attached to the integration of disabled young people into the workforce. Compulsory schooling does not end with a general education; rather, it includes vocational training or pre-vocational training, sometimes at vocational *Sonderschulen*. Pupils are prepared for making a decision on their choice of career at schools providing general education [in such subjects as *Arbeitslehre* and through visits to companies and work placements]. Schools cooperate in this area with the careers guidance departments of public employment agencies.

The aim is for the disabled to be trained in a *anerkannter Ausbildungsberuf* [recognised occupation requiring formal training] under the *duales System* [dual system], in so far as their learning abilities allow. The school part of vocational training takes place at general *Berufsschulen* or at establishments for the disabled. The first stage of training is usually completed on a full-time basis as a *Berufsgrundbildungsjahr*, i.e. basic vocational training year. It can be preceded by a *Berufsvorbereitungsjahr*, a year of pre-vocational training. Practical training takes place in companies, at inter-company training centres or in vocational training workshops for the disabled.

Alongside training within the dual system training opportunities are also available at full-time vocational schools. Pupils with appropriate school-leaving qualifications are also offered the opportunity to continue their education [at the *Fachoberschule* or *Fachschule*]. These institutions providing vocational training for the disabled usually have a large catchment area and offer student accommodation.

If training in a recognised occupation requiring formal training is not possible, disabled young people receive a preparatory training geared to their individual capabilities and skills either for an occupation that will enable them to lead an independent life, or for employment in a workshop for the disabled with the aim of facilitating future permanent integration into a work environment.

10.6.11. Certification

In so far as the type of disability or illness allows, *Sonderschulen* award qualifications equivalent to the qualifications obtained from mainstream schools [*Hauptschulabschluss*, *Mittlerer Schulabschluss*, *Allgemeine Hochschulreife*], provided that instruction was based on the curricula of the respective school type and the educational course was completed successfully. The subjects may be taught over more years than at mainstream schools. In some Länder, specific qualifications are awarded for the types of special education *Learning* and *Mental Development*.

For pupils who were not taught using the curricula of mainstream schools, such as the mentally handicapped, the teachers' conference deems that an educational course has been

successfully completed when the pupil has passed through all the stipulated school levels successfully.

10.6.12. Privately-maintained educational establishments

With 15 per cent of the total number of pupils, the private sector plays quite an appreciable role in special education [see chapter 10.8.]. Churches, welfare organisations and other non-public bodies run *Sonderschulen*, often in conjunction with residential homes. These schools are also subject to state supervision. In their teaching methods, rehabilitation measures and child care and supervision they sometimes pursue their own way to promote special educational support.

10.7. Special measures for children and young people with migrant backgrounds

For specific measures of support for children and young people with migrant backgrounds, please see the chapters on primary and secondary education as these children generally attend the *Grundschule* or the general schools at secondary level. Please see chapter 3.13 for more information on measures for the improvement of language skills amongst children with migrant backgrounds as early as in the pre-school sector.

10.8. Statistics

Pupils with special educational support in general education schools in 2006

Focus of special education	Pupils with special educational support in			Attendance rate in per cent ¹⁾
	Mainstream schools	Special schools	Mainstream schools and special schools in total	
Learning	34,985	189,941	224,926	2,7
Sight	1,833	5,074	6,907	0,1
Hearing	3,269	11,167	14,436	0,2
Speech	12,644	37,178	49,822	0,6
Physical and motor development	5,158	24,561	29,719	0,4
Mental development	2,117	73,562	75,679	0,9
Emotional and social development	15,614	32,603	48,217	0,6
Sick	87	10,061	10,148	0,1
Types of special education not assigned to any other disability category	554	23,938	24,492	0,3
All types of special education	76,261	408,085	484,346	5,8

¹⁾ Percentage of all pupils of compulsory schooling age [Years 1-10 including special schools]

Source: Statistische Veröffentlichungen der Kultusministerkonferenz, Nr. 185, 2008

Special schools in 2006

	Number of schools	Pupils	Proportion of the total of pupils attending the respective type of school in per cent
Publicly-maintained <i>Sonderschulen</i>	2,763	340,241	83,4
Privately-maintained <i>Sonderschulen</i>	632	67,844	16,6

Source: Statistisches Bundesamt, Fachserie 11, Reihe 1, 2007