**Information for parents and legal guardians -  
Supplement to the application form**

**What are special educational needs?**

Special educational needs (according to Section 8 of the *Schulpflichtgesetz*, or Compulsory Education Act) are determined to exist when a child, as a result of a disability, cannot follow lessons without the support of special education. A disability is understood as the effect of a physical, mental or psychological impairment or an impairment of sensory functions that is not temporary and is likely to render participation in lessons difficult. A period is considered to be 'not temporary' if it is expected to exceed six months. Special educational needs should not be equated with academic problems in one or more subjects and poor grades. Every school is obliged to exhaust all available support options before it can make an application for the determination of special educational needs.

**Who applies for the determination of special educational needs?**

The application for the determination of special educational needs is usually made by the parents or legal guardians. In special cases, it can also be determined officially (e.g. initiated at the suggestion of the school administration). In the interest of school partnership cooperation, transparency and the greatest possible consensus must be ensured.

**How are special educational needs determined?**

Special educational needs are determined through the decision of the school authorities. This decision is based on expert reports. Suitably qualified persons (e.g. school psychologists) are commissioned to write such reports. Reports can also be submitted by the parents or legal guardians. At the request of the parents or legal guardians, the contents of these reports are explained in counselling interviews.

**Which school can a child with special educational needs attend?**

Upon the determination of special educational needs and the transfer of a child to a secondary school, the school authority must advise the parents or legal guardians about existing support options in special and general schools. If the parents or legal guardians wish the child to be admitted to a primary school, lower secondary school (*Hauptschule* / *Neue Mittelschule)*, polytechnic school, lower level of a general secondary school or one-year technical school for economic professions, the school authority must inform them as to the nearest general school at which the special educational needs can be satisfied. In the course of the determination of the special educational needs, the parent or legal guardians must state which school is to be considered for attendance by the child.

**How is the child assessed?**

The school authority must determine whether and to what extent the child is to be educated according to the curriculum of the special school or another type of school. When making this determination, the aim is to ensure that the child receives the best possible support. The child receives a report from the school attended. The report must indicate the curriculum or curricula specified by the school authority as well as the present school level.

**What support measures does the child receive?**

The accompanying teaching staff draw up an individual plan for each child with special educational needs. The measures provided for in this plan are varied and tailored to the individual situation. The measures are based on the curricula specified in the decision of the school authorities in accordance with its provisions. Additional staff may also be assigned according to the possibilities of the respective school. The school authority decides on the type and extent of additionally assigned staff. Teachers who teach children with special educational needs must receive support from the school authorities.

**Important rights of parents and legal guardians in the assessment procedure**

* You have the right to receive the assistance of an interpreter.
* You may furnish additional expert opinions, such as medical findings or reports on psychological examinations, statements from therapists, etc.
* Before the decision is issued, the expert opinions obtained will be communicated to you during the hearing. You then have the opportunity to submit a written statement or to discuss the results of the expert opinions and the further procedure in a counselling interview.
* You can request that the special educational needs be reassessed and revoked.

You can appeal against the decision to the Federal Administrative Court.