

## **ANED country report on equality of educational and training opportunities for young disabled people**

**Country: Germany**

**Author(s): Anne Waldschmidt & Sandra Meinert; University of Cologne**

The information contained in this report was compiled by the Academic Network of European Disability experts (ANED) in May 2010.

The [Academic Network of European Disability experts](#) (ANED) was established by the European Commission in 2008 to provide scientific support and advice for its disability policy Unit. In particular, the activities of the Network will support the future development of the EU Disability Action Plan and practical implementation of the United Nations Convention on the Rights of Disabled People.

This country report has been prepared as input for the Thematic report on the implementation of EU Equality of educational and training opportunities in European countries with reference to equality for young disabled people.

The purpose of the report ([Terms of Reference](#)) is to review national implementation on equality of educational and training opportunities for young people, and in particular the National Strategic Reports of member states from a disability equality perspective in education and training, and provide the Commission with useful evidence in supporting disability policy mainstreaming.

## Section 1: Executive summary and conclusions

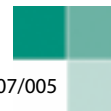
In order to understand education and training in Germany, one should be aware of the fact that this country is a federal republic. The sixteen federal states have been granted exclusive legislative powers in school education and higher education. Yet the system of vocational education and training is standardized on a national scale. Vocational education and training (VET) in this country focus on a special system of apprenticeship which allows young people in vocational training to learn in a private company as well as in a state-run school. The system of higher education is also regulated by a national framework law, but in principal university affairs are the responsibility of the federal states.

Parallel to an officially called "three-tier school system" there is an institutionalised system of special schools in Germany, and school authorities of the federal states take the final decision about the education policies for disabled children. Although Germany has ratified the UN Convention and its optional protocol, the implementation process has only lately started. Not only are federal states and local authorities reluctant, but the national government is not fostering the concept of inclusive education, either. The prevailing assumption is that Germany is already in concordance with the "minimum requirements" of the UN Convention, although there is a social movement in support for inclusive education. As a matter of fact, implementing the Convention would involve completely transforming the existing schooling structures in which currently a high degree of differentiation and segregation prevails. Empirical data clearly shows that education in special institutions is still dominant. The situation of young people who come from migrant families deserves special consideration; existing figures show a worrying picture of their being overrepresented in special schools and especially in those for learning difficulties. Overall, the current "integration rate" is said to be 15.7%; i.e., in Germany less than 16% of all disabled children have access to regular school settings. As a result, over 77% of all special school leavers do not have a school leaving qualification when they finish their education at school.

There is a similar picture in vocational education and training (VET). For the majority of young people with disabilities there are no in-company contracts, but recognised training occupations according to the federal regulations, organised by non-profit (charity) organisations and/or local authorities, and financed by public money. Recent years have seen much effort to improve the VET situation; there are special laws, new instruments of assessment and support, several programmes at national and federal levels, and in general much good will, but there is no clear-cut, consistent concept of prioritizing the equality and inclusion of young people with disabilities in the field of VET. Official data indicates that the vast majority of young people with disabilities are offered some form of VET. Yet the numbers of successful placements should be viewed with a critical eye, as statistics count not only contracts with private companies as successful cases, but any form of VET. Only 50% of the disabled applicants become integrated in standard vocational education and training. In comparison, 90% of the young people without disabilities do their VET in regular in-company programmes, and only 10% attend other programmes.

Another option for disabled young people is employment in a sheltered workshop. There is a continual increase in the places of these workshops, and 90% of the school leavers with cognitive disabilities will end up in one of them.

When it comes to support, there are many programmes of assessing the employability of individual school leavers and counselling them, before they finish school. There are also subsidy programmes for private companies; employers that create extra training places for disabled apprentices have access to bonus schemes. Support for assistive equipment for the purposes of training and learning which is flexible and adapted to personal needs is only available. Personal assistance for adequate education, including university studies, as well as in vocational training and, last not least, for employment is covered by the Integration Support as part of the social assistance system. However, since German universities have started to adapt their courses to the Bologna Declaration, and bachelor and master degrees instead of traditional diploma degrees have been introduced, disabled people who would like to follow an academic career are facing a serious obstacle, as social assistance authorities consider already a bachelor degree as the first certificate that qualifies for a job and for this reason refuse to support master courses.



## Section 2: Legal and policy context

First of all, in order to understand the German legal and policy context for education and training, one needs to be aware of the fact that this country is a federal republic. For this reason, there are several political levels involved. Within the national government, it is the Ministry of Education and Research (Bundesministerium für Bildung und Forschung – BMBF<sup>1</sup>), that is responsible for policy, coordination and legislation regarding out-of-school, vocational training and continuing education, financial assistance for pupils and students, as well as for the admission to higher education institutions and the degrees they confer. In other words, the Federal Ministry has no responsibility for the German school system, but only for other areas of education as well as for research. Other national ministries are also involved, as they are also responsible for certain aspects of education and science.

For instance, the Ministry of Employment and Social Security (Bundesministerium für Arbeit und Soziales – BMAS<sup>2</sup>) is responsible for measures to promote employment and for occupational and labour market research; the Ministry for Family Affairs, Senior Citizens, Women and Youth (Bundesministerium für Familie, Senioren, Frauen und Jugend – BMFSJ<sup>3</sup>) is responsible for child and youth welfare.

Further, there is the level of the so-called Bundesländer, which are the federal states of Germany. Since 1990, the Germany has been made up of 16 Länder: Baden-Württemberg, Bayern (Bavaria), Berlin, Brandenburg, Bremen, Hamburg, Hessen, Mecklenburg-Vorpommern, Niedersachsen, Nordrhein-Westfalen (North Rhine-Westphalia – NRW), Rheinland-Pfalz, Saarland, Sachsen, Sachsen-Anhalt, Schleswig-Holstein and Thüringen. In the course of a recent federal reform the Länder have been granted exclusive legislative powers in school education, higher education (excluding admissions and the award of degrees which is the domain of BMBF), and culture. Thus, when dealing with education in Germany, one is confronted in actual fact with 16 (sic!) school systems which differ in relevant aspects.

Local government also has a long tradition in Germany. The right of local authorities (Kommunen) to self-government includes the construction and maintenance of public service areas, such as nursery schools, school buildings etc. The local authorities are also responsible for adult education and youth welfare.

On one hand, the German constitution, the so-called Basic Law (Grundgesetz<sup>4</sup>) stipulates that the federal states bear joint responsibility for the entire country. This overall responsibility both entitles and obliges them to cooperate with one another and to work together with the national government.

---

<sup>1</sup> <http://www.bmbf.de/>

<sup>2</sup> <http://www.bmas.bund.de/>

<sup>3</sup> <http://www.bmfsfj.de/>

<sup>4</sup> <http://www.bundestag.de/dokumente/rechtsgrundlagen/grundgesetz/index.html>

For this purpose, with a view to co-ordinating cooperation in the areas of education and training, higher education and research the Länder established the Standing Conference of the Ministers of Education and Cultural Affairs (Ständige Konferenz der Kultusminister der Länder<sup>5</sup>) in 1948, which has served as a forum for cooperation ever since. On the other hand, the obligation to cooperate has not been very successfully practised in the past; educational systems do vary considerably in different regions, and due to party politics, diversity and competition have gained even more weight in the education system over recent years.

As we cannot possibly cover in this report the details of all local governments and all 16 federal states, we have decided to refer mainly to the national level, and additionally to one federal state as main example: North Rhine-Westphalia (Nordrhein-Westfalen – NRW) is the federal state where towns and cities run into each other without any clear boundaries in the industrial area surrounding the Rhine and Ruhr rivers, and of all German federal states it has the highest number and density of population: In 2008 it had 18 million inhabitants with a population density of 526 inhabitants per km<sup>2</sup> (Landesbetrieb Information und Technik Nordrhein-Westfalen 2009).

At the federal state level of North Rhine-Westphalia there are also several ministries that deal with education and training: There is the Ministry for Schools and Lifelong Learning (Ministerium für Schule und Weiterbildung<sup>6</sup>), the Ministry for Innovation, Science, Research and Technology (Ministerium für Innovation, Wissenschaft, Forschung und Technologie<sup>7</sup>), the Ministry for Labour, Health and Social Affairs (Ministerium für Arbeit, Gesundheit und Soziales<sup>8</sup>), and the Ministry for Generations, Family Affairs, Gender and Integration (Ministerium für Generationen, Familie, Frauen und Integration<sup>9</sup>).

Roughly speaking, the German school system looks like this: Primary education usually lasts for four to six years, and public schools are not stratified at this stage. In contrast, secondary education includes four types of schools based on a pupil's ability, as determined by teacher recommendations: the high school, so-called "Gymnasium" includes the most gifted children and prepares students for university studies; the middle strand of schooling, the so-called "Realschule" has a broader range of emphasis for intermediary students and prepares them mainly for white-collar work; the lowest school tier, the so-called "Hauptschule" is open for all other pupils and prepares them for skilled labour. For entering vocational education young people need at least a qualification equivalent to that of "Hauptschule". Additionally, in some regions there are also comprehensive schools. This type of school is called "Gesamtschule", and it combines the three schooling levels.

---

<sup>5</sup> <http://www.kmk.org/>

<sup>6</sup> <http://www.schulministerium.nrw.de/>

<sup>7</sup> <http://www.innovation.nrw.de/>

<sup>8</sup> <http://www.mags.nrw.de/>

<sup>9</sup> <http://www.mgffi.nrw.de/>

Parallel to this "three-tier school system" (with the exception of the "Gesamtschule" combining all three tiers) there are also special schools, so-called "Sonderschulen" or "Förderschulen" for pupils with disabilities. Historically, special schools have been established in order to offer impairment-specific educational environments. There are schools for blind students and for those with sight impairments, for deaf pupils and for children who are hard-of-hearing, for children with learning difficulties, for those with speech problems and for those with emotional and behaviour problems, for pupils with cognitive disabilities and for those who are physically disabled. Lastly there are also schools for sick children. In total, there are ten types of special schools in Germany, all of which are supposed, in principle, to offer regular school leaving qualifications equivalent to those of the "Hauptschule", "Realschule", and the "Gymnasium" (Abitur). However, schools for pupils with learning difficulties and for those with cognitive disabilities have special assessment arrangements, and they offer qualifications below the "Hauptschule" for those children who cannot meet standard achievements.

Having left school young people are supposed to enter further education. They may opt for vocational education and training (VET) which is an important part of the German education system, and for which this county is famous. A special system of apprenticeship called "Duale Ausbildung" (dual system) allows pupils in vocational training to learn in a private company as well as in a state-run school. The system of vocational education and training is standardized on a national scale. Basically, two federal regulations are relevant: the Vocational Training Act (Berufsbildungsgesetz – BBiG<sup>10</sup>) and the Trade and Crafts Code (Handwerksordnung – HwO<sup>11</sup>). The Vocational Training Act regulates and unifies the vocational training system and codifies the shared responsibility of the state, the unions, associations and chambers of trade and industry. Training programmes need official approbation according to the law and/or the code. § 4 BBiG and § 25 HwO specify the requirements of regular training programmes.

In order to enter a university, high school students are required to take the "Abitur" examination (equivalent to "A levels" in the UK) which is offered mainly by the school type of the "Gymnasium" and in some regions also by the "Gesamtschule". However, students possessing a diploma from a vocational school may also apply to enter. The system of higher education is also regulated by a national law, the so-called "Hochschulrahmengesetz"<sup>12</sup> (Federal Framework Act on Higher Education) which grants a basic framework binding for all federal states, but in principal university affairs are the responsibility of the federal states, of which each has its own law for higher education and research. Each federal state also has its own school law which provides the legal basis for the schooling and education of all children and young people.

---

<sup>10</sup> [http://www.bmbf.de/pub/bbig\\_20050323.pdf](http://www.bmbf.de/pub/bbig_20050323.pdf)

<sup>11</sup> <http://www.gesetzesweb.de/HandwO.html>

<sup>12</sup> [http://www.bmbf.de/pub/hrg\\_20020815.pdf](http://www.bmbf.de/pub/hrg_20020815.pdf)

The school authorities of federal states also take the decision about what kind of special support individual children need, about the types of special education appropriate in individual cases, and about the locations (special school, integrative school or regular school) where this support will take place. In some federal states, parents have a say in this decision; in other federal states the authority decides on its own, taking into account statements by teachers, other experts as well as parents (Ministerium für Schule und Weiterbildung des Landes Nordrhein-Westfalen 2009; Ministerium für Schule und Weiterbildung des Landes Nordrhein-Westfalen 2010a).

For example, § 2 (paragraph 9) of North Rhine-Westphalia's school law (Ministerium für Schule und Weiterbildung des Landes Nordrhein-Westfalen 2010b) stipulates that schools should provide special support to pupils with disabilities; support measures are to aim at their educational and occupational integration, participation and independent living in the community. In actual fact, this provision has resulted, and still results, in putting the vast majority of disabled pupils into special schools. The law also enables integrative schooling in principle, but leaves it to the individual school to take the actual decision. In most cases the decision will depend on whether competent staff and resources are available, and buildings can be made accessible. If a local school is ready for integrative education, it needs consent from the federal school authority (§ 20, paragraphs 7, 8 NRW school law). With regard to assessment in schools, the federal state's school law also allows modified examination requirements according to the needs of pupils with specific impairments.

With reference to the vocational education and training of persons with disabilities both the Vocational Training Act and the Trade and Crafts Code provide for this group, in principle, to be trained in recognised training occupations just like non-disabled people. Special provisions of the two regulations allow for adaptations and support in training programmes and assessment requirements according to impairment-specific needs (§ 65 BBiG; § 42I HwO). For instance, time schedules, curricula and assessments can be adjusted, apprentices are entitled to special needs support, young people who are deaf have the right to a sign language interpreter during their vocational education, training and respective exams etc.

The competent bodies are also required to develop suitable training arrangements derived from the content of recognised training occupations for those disabled persons for whom initial training is not an option due to the nature and severity of their disabilities (Bundesministerium für Arbeit und Soziales 2009a, 45). To ensure the necessary uniformity of such arrangements, the law provides for them to be in keeping with the recommendations of the Board of the Federal Institute for Vocational Education and Training (§ 66 BBiG; § 42m HwO; see also Bundesinstitut für Berufsbildung 2006).

Based on the provisions of Social Security Code Books II (basic security for job seekers), III (employment insurance and support) and IX (rehabilitation and participation for disabled people), the Federal Employment Agency (Bundesagentur für Arbeit<sup>13</sup>) assists young disabled people before they leave school by offering services for career orientation and advice in the transition from school to work, such as, for example, in-depth career orientation in cooperation with special needs schools. If, due to disability, vocational education and training is not possible immediately after leaving school, vocational preparation schemes are offered.

The particular scheme offered in individual cases is usually modular, flexible and adapted to personal needs. The focus is on proximity to the labour market and employability. In-company VET is given priority in principle. If young disabled people cannot be trained in enterprises, where private employers do not accept them as trainees, then the following options are offered: non-company VET programmes organised close to the residence of the person concerned or programmes in a vocational training centre. The system of non-company VET programmes is called "Überbetriebliche Ausbildung", ie. it is vocational training that offers recognised training occupations according to the federal regulations, but is organised by non-profit (charity) organisations and/or local authorities and financed by public money.

The national Framework Act on Higher Education, the "Hochschulrahmengesetz" also stipulates that universities have to ensure that students with disabilities are not discriminated against, have access to all academic services and courses, and get support according to their special needs in order to pass exams and meet requirements (§ 2 paragraph 4, sentence 2, § 16 sentence 4 HRG). All federal states have adopted respective provisions in their higher education laws (Bundesministerium für Arbeit und Soziales 2009a, 39f.; Deutsches Studentenwerk e.V. o. J.-d).

Although the Federal Republic of Germany has signed (2007) and ratified (2009) the UN Convention and its Optional Protocol, and there is public debate about the implications of this Convention, the implementation process has only recently begun. The issue of education is a hot topic, anyway, in this country, and federal states as well as local authorities shrink back from drawing the consequences of international human rights legislation, although it is binding for all political authorities. For instance, North Rhine-Westphalia has yet to implement the right to inclusive education at all levels as provided by the UN Convention, there is no legislation of this federal state which formally guarantees this right.

The issue at stake is whether integrative education is sufficient or whether school policy should aim at implementing inclusive education, i.e. a schooling system in which disabled children take full part right from the first place instead of being "integrated" at a later stage on special grounds.

---

<sup>13</sup> <http://www.arbeitsagentur.de/>



The school laws of most federal states allow the option of integrative schooling or even formulate it as a priority, but the right to inclusive education is either ignored or disputed, as this would involve completely transforming the existing schooling structures in which currently a high degree of differentiation and segregation still prevails. Even the right to integrative education is granted only on condition: federal states will put this into practise only if human and material resources are available and if organizational conditions allow.

Roughly speaking, the level of integrative and/or inclusive schooling is dependent on party politics and cultural traditions.

Federal states which are ruled by coalitions of Social Democrats and/or the Green Party tend to more favourable for the idea of inclusion, whereas conservative governments are mainly proponents of special schools. For this reason, federal states in the north and west of Germany are more advanced in their integrated school systems; federal states in the south and east cling to dividing pupils along traditional paths and existing schemes.

In the wake of the UN Convention a new social movement of parents and experts has started which is fighting for "one school for all children".<sup>14</sup> Two conferences on this issue, which took place at the University of Cologne in 2008 and 2010, met much public interest, but in practise it has proven very difficult for parents to persuade school authorities to follow the concept of inclusive education.

Not only are federal states and local authorities reluctant, but the national government is not fostering the concept, either. It contends that existing laws are already in concordance with the "minimum requirements" of the UN Convention (Bundesministerium für Arbeit und Soziales 2009a, 37).

In an answer to a recent parliamentary question from the Green Party (Deutscher Bundestag 2010, 2019) the government points to the exclusive legislative responsibility of federal states and a working group which was set up in 2008 by the Standing Conference of the Ministers of Education and Cultural Affairs (Ständige Konferenz der Kultusminister der Länder). This working group is supposed to revise, taking into account recent debates and developments, the concept of special educational needs whose current version stems from May 1994. So far no results have been presented.

Within the system of vocational education and training, there are many programmes, but not yet a clear-cut, consistent concept of prioritizing the equality and inclusion of young people with disabilities. The German government has committed itself on several occasions to focus its employment policies on young people and helping them to find their way from school through vocational education and training into workplaces.

---

<sup>14</sup> <http://www.eine-schule-fuer-alle.info/>

The so-called "Qualification Initiative" (Qualifizierungsinitiative<sup>15</sup>) launched in 2008 by the Federal Ministry of Labour and Social Affairs (BMAS) and the Federal Ministry of Education and Research (BMBF) aims at young people with learning difficulties and other special needs as well as young migrants. It seeks to support them in finding regional training places, preferably in private companies, and completing their training successfully. (Bundesministerium für Bildung und Forschung 2009)

Federal government and federal states also committed themselves, in 2008, to increase the numbers of pupils with special needs who leave school with at least a Hauptschule qualification (the basic school leaving qualification in Germany) and to improve measures of vocational preparation during the last school years (Bundesministerium für Arbeit und Soziales 2009a, 38f., 44). The Ministries of Labour and Social Affairs of the federal states have suggested establishing regular so-called vocational clearing actions in schools, which should take place two years before pupils leave school, and aim at developing ideas about, and plans for, possible working life careers for each individual student (Bundesministerium für Arbeit und Soziales 2009a, 45). The Federal Employment Agency plans to win more in-company training places for disabled young people and uses various funding instruments to achieve this goal (Federal Ministry of Education and Research 2009).

The Act on the Promotion of Severely Disabled People's Vocational Training and Employment (Deutscher Bundestag 2006) aims at improving the employment of disabled persons. Its target group are mainly young people with severe disabilities. For example, subsidies are paid to employers who offer vocational training. The legislation also requires the Integration Services (Integrationsfachdienste<sup>16</sup>) and the Integration Offices (Integrationsämter<sup>17</sup>) to cooperate more closely. (Bundesministerium für Arbeit und Soziales 2009a, 50, 51)

At the end of 2008 legislation on supported employment was introduced (§ 38a SGB IX). Supported employment is a new social service and offers disabled people individualized support in gaining a suitable job position. It aims at integrating them into the open labour market. The individual gains access to a work place in a private company that fits his/her qualification and training. When starting work the person receives individualized training and support as long as necessary until all parties agree that a job contract can be entered into. The service includes two main phases: first individual training on the job, second continual support in the job if required. (Bundesministerium für Arbeit und Soziales 2009a, 48)

Also in 2008, the Federal Employment Agency (Bundesagentur für Arbeit<sup>18</sup>) introduced a new instrument for assessing the employability of clients with disabilities who will leave school soon and are about to enter the labour market.

<sup>15</sup> <http://www.bmbf.de/de/12042.php>

<sup>16</sup> <http://www.ifd-bw.de/>

<sup>17</sup> <http://www.integrationsaemter.de/>

<sup>18</sup> <http://www.arbeitsagentur.de/>

The so-called "Diagnose der Arbeitsmarktfähigkeit besonders betroffener behinderter Menschen – DIA-AM"<sup>19</sup> (employability testing of disabled people with special needs) considers individual abilities, competences, and resources, and estimates personal opportunities to get an occupation on the regular labour market or in some form of supported/sheltered employment (Bundesministerium für Arbeit und Soziales 2009a, 45).

The programme "Job – Jobs without Barriers" is an initiative for the training and employment of persons with disabilities. The programme is conducted by the Federal Ministry of Labour and Social Affairs (Bundesministerium für Arbeit und Soziales). It began in 2004 and will run until 2010. In its latest disability report the German government mentions that "Job" has been evaluated; it describes the programme as "successful" and refers to "15 activities" (Bundesministerium für Arbeit und Soziales 2009a, 54), but neither evaluation reports nor concrete output data have so far been presented to the public. As part of this programme the EON company has offered training and apprenticeships for young persons with severe disabilities. In 2005 the first ten persons were accepted and started their vocational training; in 2008 the total number of apprenticeships for disabled young people amounted to 50 (E.ON 2010). After the training, EON is offering regular jobs to the participants. As part of the same programme METRO Group started cooperation with vocational training centres, during which the trainees of the centres are offered more in-company experience. The idea of building up closer links between vocational training centres and private companies is to provide disabled apprentices with more insight into "normal" working life conditions and increase their chances of a regular job after the training (Bundesministerium für Arbeit und Soziales 2009a, 47; 54), but it does not solve the problem that more willingness is needed amongst private business to accept young disabled people as contract partners in their regular training programmes.

The labour market programme "Job4000", launched in 2007 and to end in 2013, aims at creating 500 new training places for young persons with severe disabilities. Private companies that create extra training places for disabled apprentices will get a bonus of €3,000; if they offer a working contract after the training is finished, they will receive another €5,000. By the end of 2008, 323 additional places in vocational training had been created as outcomes of this programme (Bundesministerium für Arbeit und Soziales 2009a, 55; Wendt 2010, 40f.). Of these, 143 places went to male and 87 to female applicants; only seven of them did not have German citizenship, they belonged to the residential population of migrants (Wendt 2010, 41).

---

<sup>19</sup> [http://www.ifd-wuerzburg.de/ifdwuerzburg/index.php?option=com\\_content&view=article&id=67:diam&catid=36:fschule-beruf&Itemid=73](http://www.ifd-wuerzburg.de/ifdwuerzburg/index.php?option=com_content&view=article&id=67:diam&catid=36:fschule-beruf&Itemid=73)

Individual federal states have also set up specific school-to-work transition programmes for disabled young people. In Rheinland-Pfalz pupils who attend the eighth class in special schools receive early employment and career counselling, are offered in-company internships, and will, once they have left school, get support from the Integration Service (Bundesministerium für Arbeit und Soziales 2009a, 43). Similar measures are reported from Brandenburg and Bavaria. The latter federal state focuses on pupils with cognitive disabilities who are to be offered options outside sheltered workshops (Bundesministerium für Arbeit und Soziales 2009a, 43f.).

In 2007 North Rhine-Westphalia has established a programme for additional training places for disabled young people, of which 1,000 are to be created in the next ten years. Each year 100 young people who have either learning difficulties, in combination with other impairments, or are physically disabled or have psychological problems are offered training contracts for a duration of two or three years, either for programmes with standard requirements or for those which are adjusted to special needs. The contract partners are vocational training centres, but they cooperate with private companies that offer the main part of practical training. The cooperation is intended to increase disabled apprentices' chances of a regular job after the training. (Muth/Osterholt 2009, 4)

In higher education, the restructuring of university courses and their requirements in concordance with the principles of the Bologna declaration has created new problems for students with disabilities. As the new university programmes tend to be overloaded with modules, exams, and assessments, and also demand strict time management, they have proven difficult for disabled students to follow. In principle, disabled students can receive the Integration Support of Social Code Book XII (social assistance) which provides disability-related assistance and financial support during education and training towards employment. However, social assistance authorities consider a bachelor degree as the first certificate that qualifies for a job and, for this reason, disabled students who want to go on to a Masters course are facing the reduction of their benefits financed by the Integration Support. When the Green Party confronted the German government with this practise in a recent parliamentary inquiry, the government denied that there was any conflict with Article 24 of the UN Convention (Deutscher Bundestag 2010, 2019).

The Standing Conference of University Presidents has issued a recommendation called "A University for Everybody" ("Eine Hochschule für Alle"<sup>20</sup>) on April 21, 2009 and thus committed all vice chancellors to the right of students with disabilities to higher education. Since January 2008 the issue of disability-related equality is also to be considered as a criterion of assessment in peer review procedures for new university programmes and courses, but doubts remain, whether these measures will be effective.

---

<sup>20</sup> [http://www.hrk.de/109\\_4945.php](http://www.hrk.de/109_4945.php)

They may, rather, turn out as lip-services. As German universities have in recent years gained more and more autonomy in academic, administrative and financial affairs, it has increasingly proven difficult for disabled students to claim their special needs support as officially acknowledged in the Federal Framework Act on Higher Education and respective state laws.

### Section 3: Evidence of outcomes and progress towards inclusion

In Germany, major investments are still made in segregated learning institutions, and frequently the advocates of inclusive education are confronted with the argument that there are no additional resources available. A recent study has calculated the overall cost of the existing special school system. In 2007/2008 on the national scale special schools spent the total sum of €2.6 billion for teaching staff. If this money was invested in inclusive education, each pupil with special needs could receive 2.4 extra hours of tuition per week. In a class with four disabled students, this would amount to 10 weekly tuition hours in addition to the regular class hours. On top of that, non-teaching staff at special schools would also be available and could be employed in inclusive school settings; there would be further savings in the public transport to special schools. (Klemm 2009, 17)

Considering the whole of Germany and the number of all children going to school, the overall rate of pupils with special educational needs amounted to 5.8% in 2007/2008; in comparison with the 1999/2000 rate of 5.1% one can witness a clear increase over recent years, which is attributed to growing numbers of pupils with very severe and complex impairments or psychological problems (Bundesministerium für Arbeit und Soziales 2009a, 33; Klemm 2009, 22).

As mentioned above, in Germany the majority of children with special educational needs attend special schools, but since 1994 a greater emphasis on integrative education has been established, and due to public pressure federal states have adapted their school policy accordingly (Kultusministerkonferenz 2008, XIII). Now, there are not only special schools, but also pupils with special needs who attend regular schools. However, empirical data clearly shows that education in special institutions is still dominant. In 2007/2008 the official report of the Standing Conference of the Ministers of Education and Cultural Affairs counted 458,088 pupils with special educational needs in the whole of Germany. Of this group 400,399 were placed in special schools, and only 84,689 pupils learned in integrative settings (Kultusministerkonferenz 2009a; Kultusministerkonferenz 2009b).

The current so-called "integration rate" is said to be 15.7%; ie., less than 16% of all disabled students have access to regular school settings. Children with special educational needs in integrative education mostly attend primary schools (61.9%); another large group (16.6%) attends a "Hauptschule", and 6.4% attend a "Gesamtschule" (Kultusministerkonferenz 2008, XIII). Whereas pupils with cognitive disabilities have great difficulties in getting access to regular schools, children with speech impairments and specific learning difficulties are amongst those, along with children with physical or visual impairments, who are more likely to be accepted (Kultusministerkonferenz 2008, XIV).

The situation of children and young people who have a migrant background deserves special consideration. In the latest government report on disability it is mentioned that valid data on the situation of migrants who have a disability status is still missing (Bundesministerium für Arbeit und Soziales 2009a, 63).

There is also a large number of children who come from migrant families, but have German citizenship and are therefore not counted as migrants. For this reason the number of unreported cases will be high, but existing figures already show a worrying picture.

Between 1998 and 2003 the numbers of students at special schools who had a formal status as "foreigners" increased from 59,300 to 68,700, but between 2003 and 2006 it sank to 62,300. However, given the general decline in (special) school places, the percentage rates are clearer: during the period 1998-2006 the overall percentage of "foreign" pupils at special schools increased from 14.5% to 15.3%. There is one specific aspect which is indeed striking: the rate of students who have formal status as "foreigners" and go to a school for learning difficulties is remarkably high in comparison with German students. In 2006, 64.4% (36,800) of the students with foreigner status and special educational needs attended such a school, whereas only 51.1% of the German pupils with special educational needs attended a school for learning difficulties. (Kultusministerkonferenz 2008, XV, 9). When it comes to integrative schooling, data also show that students with migrant background receive the diagnosis of special educational needs relatively often, but in recent years are also increasingly offered regular schools. The numbers of these students rose from 5,000 to 7,300 between 2001 and 2006 (Kultusministerkonferenz 2008, 113), and amounted to 7,900 in the school year 2007/2008 (Kultusministerkonferenz 2009a, table 2).

What school leaving qualifications do German pupils with disabilities get? First of all, it needs to be mentioned that disabled pupils who learn in integrative settings have the opportunity of gaining a regular school leaving qualification, but there is no federal state that offers children with cognitive disabilities who attend special schools an opportunity to pass a school leaving exam at least equivalent to that of "Hauptschule". In ten federal states this is also the case when it comes to leavers from schools for learning difficulties. However, these two groups make up the vast majority of pupils attending special schools. (Bundesministerium für Arbeit und Soziales 2009a, 36)

Against this background, data shows that, in 2006 over 77% of all special school leavers did not have a school leaving qualification when they finished their education at school (Bundesministerium für Arbeit und Soziales 2009a, 36). It is worth noting that this picture has been persistent over decades; in other words, in Germany since the 1970s roughly 75-80% of school leavers who have finished a special school have not received a formal educational qualification (Powell/Pfahl 2008). When one compares special schools with regular schools, one can notice a remarkable difference. In 2006, only 7.9% of the pupils at regular schools did not have a school leaving qualification when they finished their education at school. In the same year, only 20.5% of the special school leavers gained the qualification of "Hauptschule", but at regular schools 24.6% gained this qualification. Only 2.2% of the special school leavers gain the qualification of "Realschule", but 40.8% (sic!) of the regular school leavers did so.

Only 0.008% of the special school leavers passed the exam for attending a university of applied sciences, and only 0.2% gained the "Abitur" for general university studies, but at regular schools 1.5% passed the exam for attending a university of applied sciences, and 25.2% (sic!) received access to university via passing the "Abitur" (Kultusministerkonferenz 2008, XV).

Consequently, as various studies have shown, there are striking differences between disabled and non-disabled people concerning the level of school leaving qualifications. The "Mikrozensus"<sup>21</sup>, a regular, official survey, which is representative of the German residential population and also covers the issue of disability (Pfaff/Mitarbeiterinnen 2006, 1272f.), showed that in 2005 28% of disabled people did not have a school leaving qualification (non-disabled people: 14%). 62.1% (42.1% non-disabled) had only the lowest German school leaving qualification (Hauptschulabschluss). Only 12% of people with disabilities had reached the qualification for entrance to higher education (Hochschulreife), whereas up to 25% of non-disabled people had left school with this qualification. While 10.8% of non-disabled people aged 30-45 were able to gain a university degree, only 3.2% of disabled people were able to do the same (Deutsche Bundesregierung 2008, 164). Although one has to consider that these figures probably include disabled adults who were not disabled when they went to school or college, the differences are still remarkable.

One also has to note that people with cognitive and learning disabilities tend to be unrepresented in population studies; the number of disabled people without any qualification may therefore be even higher (Bundesministerium für Familie, Senioren, Frauen und Jugend 2009, 60). Additionally, gender and age seem to be relevant factors: Women tend in general to have higher levels of education (Bundesministerium für Familie, Senioren, Frauen und Jugend 2009, 61); but disabled women seem to lack behind this general trend:

The picture of younger age groups shows that non-disabled women continue to improve their educational qualifications, whereas disabled women have not been so successful in recent years to keep pace. However, men with disabilities are the social group with the lowest qualification levels in education (Bundesministerium für Familie, Senioren, Frauen und Jugend 2009, 62).

With regard to the intersections of disability and migration status, data shows that generally the school leaving qualifications of migrants are lower than those of other groups (Bundesministerium für Familie 2009, 107). When comparing vocational qualifications, one finds a similar situation: Migrants more often do not have a VET qualification (Bundesministerium für Familie, Senioren, Frauen und Jugend 2009, 108). The situation of young people with a family background of migration shows a similar picture to that of young disabled people:

---

<sup>21</sup>[http://www.destatis.de/jetspeed/portal/cms/Sites/destatis/Internet/DE/Presse/abisz/Mikrozensus,te\\_mplateld=renderPrint.psm1](http://www.destatis.de/jetspeed/portal/cms/Sites/destatis/Internet/DE/Presse/abisz/Mikrozensus,te_mplateld=renderPrint.psm1)



Their school leaving qualifications are lower, and they are considerably under-represented in VET programmes. In addition, their transition processes from school to training and work are more difficult and protracted. Many of these young people do not succeed in gaining any vocational qualification at all (2007: 39.4% vs. 11.8% of young people of German origin) (Federal Ministry of Education and Research 2009, 20). When one compares the empirical data of these two groups, one can conclude that young disabled people who come from migrant families are most likely to have serious problems in gaining adequate education and training.

In summary: concerning education, people with disabilities in Germany reach significantly lower qualification levels (see also Powell/Pfahl 2008). Given the fact that education is considered as a crucial factor for a high degree of social participation and inclusion, and is essential what regards employment opportunities, the present situation is not satisfactory at all. When it comes to vocational education and training, the picture is rather unclear, as general and comprehensive data about school to training transitions and the outcomes of VET for disabled young people is lacking. Empirical evidence about the vocational education and training situation does not cover those people with disabilities who are considered to be not suitable for VET, but are offered places in sheltered workshops (Deutscher Bundestag 2005, 30); for this reason we deal with the workshops separately.

The Federal Employment Agency reported for 2003/2004 that 740,165 young people had applied for an apprenticeship in the "Duale Ausbildung" (dual system) according to the Vocational Training Act and the Trade and Crafts Code. Of these young people 5.1% were classified as having a disability (23,969 men, 13,802 women). The comparison with the year before indicated an increase in 5.4% of disabled applicants (non-disabled: 2.7%) (Deutscher Bundestag 2005, 26).

Official data also indicates that the vast majority of young people with disabilities are offered some form of VET.

The numbers of successful placements are impressive, but should be viewed with a critical eye, as statistics count not only contracts with private companies as successful cases, but any form of VET, i.e. also non-company VET programmes, programmes organised close to the residence of the person concerned, programmes in schools or in a vocational training centre. (Deutscher Bundestag 2005, 29)

In 2003/2004 72.9% (27.526) of the disabled applicants got a VET offer (non-disabled: 48.1% resp. 337.594) (Deutscher Bundestag 2005, 26). 3.3% of the disabled school leavers went into programmes of vocational preparation, and 3.7% decided to continue school education. 5.6% of them started working without training and thus joined the unskilled labour force; data indicates that this number is increasing. There are 11.9% who decided to follow other options, such as the army, voluntary social service, leaving Germany etc. Official statistics report that 97.4% of disabled applicants for VET could be offered concrete opportunities, and only 2.6% remained without any option. (Deutscher Bundestag 2005, 26ff.)

Latest data indicate that this picture has remained quite stable in recent years (2006/2007 and 2007/2008), and there is even a positive trend concerning the rate of applicants who are not provided for. In 2007/2008 nearly 99% of disabled school leavers were reported to have gained some form of vocational education and training (Bundesministerium für Arbeit und Soziales 2009a, 45). The figure of 99% seems to be too good to be true; and it should be mentioned that official data on the quality of the offered programmes or on actual outcomes are not available.

The German government itself draws a sceptical conclusion in an official report of 2005. It presents the following calculation: If one takes the official number of 27,526 disabled persons, who were successfully placed in VET, and subtracts the following groups who attend specially organized, publicly financed measures from it: trainees in vocational training centres, trainees in programmes organised close to the residence of the person, and trainees in other non-company programmes, there only remain around 13,100 young people with disabilities who have started a regular in-company VET as part of the dual system. In other words, only 50% of the applicants become integrated in normal vocational education and training. In comparison, 90% of the young people without disabilities do their VET in regular in-company programmes, and only 10% attend other programmes (Deutscher Bundestag 2005, 29f.).

The Government Reports on Vocational Education and Training for the years 2009 and 2010 present these figures: In 2009 an average of 42,234 disabled persons enrolled in employment promotion schemes with the aim of acquiring vocational qualifications (2007: 54,713; 2008: 42,686).

Another 17,406 young people (2007: 18,254; 2008: 17,278) were enrolled in vocational preparatory schemes or in programmes designed to assess the applicants' aptitude and employability. If a job in the general labour market was not or not yet seen as an option, they were considered for admission to a sheltered workshop. In 2009 a total of 23,075 disabled persons (2008: 27,350) were sponsored during the introductory process and the VET courses of such a workshop. (Bundesministerium für Bildung und Forschung 2010, 40f.; Federal Ministry of Education and Research 2009, 25)

It is worth noting that disabled young women have caught up with VET participation in the last decade; their rate of 40% successful transitions is nearly equivalent to their percentage of 42% in the group aged 15 to 25 years. (Bundesministerium für Arbeit und Soziales 2009a, 46) There is one group which raises problems currently not yet solved: Young people with psychological problems are lacking VET options suitable for their needs, eg. local programmes of vocational preparation and training, since placements in sheltered workshops would not be fitting for them, either. (Deutsche Akademie für Rehabilitation e.V. 2009, 176)

Vocational training centres (Bundesarbeitsgemeinschaft der Berufsbildungswerke<sup>22</sup> (BAG BBW e.V. o. J.) offer vocational preparation as well as VET programmes which operate either on regular standards or on disability adjusted requirements. Currently there are 52 vocational training centres in the whole of Germany, mainly non-profit (charity) organisations. They offer over 14,000 places and provide VET in over 240 different trades and crafts. They are special institutions, which have been set up since the beginning of the 1970s, with the aim of offering disabled trainees not only recognised vocational training but also additional services such as medical treatment, psychological counselling, and social support. In their majority they are combined with a boarding house, but they are also open for local applicants. (Bundesministerium für Arbeit und Soziales 2009a, 46) During the three-year period of 2005 to 2007 nearly 12,000 trainees in total started their programmes in vocational training centres; the rate of female trainees amounted to 33% in each year (Bundesministerium für Arbeit und Soziales 2009a, 46). It seems that figures have decreased, since for the two years 2002 to 2003 the number of 10,769 starts were reported. (Deutscher Bundestag 2005, 30)

Additional to the residential centres there is another option for those young people with disabilities who do not need the comprehensive support which is offered by the centres, but are not regarded as able to manage in-company training, either. This concerns mainly young people with learning difficulties. They form the clientele of the programmes organised close to the residence of the person.

These programmes offer vocational counselling and preparation, training in recognised trades and crafts, support during transition to a job after the training, and support by social workers. Around 10,000 young disabled people, of which 35% are young women, are reported to be in these programmes. They can choose amongst 150 trades and crafts, and they train in environments which are both local and in cooperation with companies, although the programmes are not in-company trainings, but organised and financed by the non-profit sector, local authorities, and the Federal Employment Agency. (Bundesarbeitsgemeinschaft der Wohnortnahen Beruflichen Rehabilitationseinrichtungen – BAG WBR o. J.; Bundesministerium für Arbeit und Soziales 2009a, 47)

A third option for disabled young people are sheltered workshops. Their clientele are mainly people with cognitive disabilities and behavioural problems, who are considered to be not fit for VET in in-company programmes, vocational training centres or local VET programmes. About 80% of the disabled people working in sheltered workshops have cognitive impairments (Detmar u.a. 2008, 59). Special schools as well as parents and experts often regard the sheltered workshop as the only option for these disabled people; for this reason a nearly automatic transition operates in the case of young people with cognitive disabilities: First they go to a special school, which they leave, secondly, only for a sheltered workplace (ISB – Gesellschaft für Integration 2008). 90% of school leavers with cognitive disabilities start training and working in a sheltered workshop. (Deutscher Bundestag 2005, 10)

---

<sup>22</sup> <http://www.bagbbw.de/>

The workshops provide not only employment but also vocational orientation and preparation. In 2007, the Federal Employment Agency financed 26,752 of these programmes (Deutsche Bundesregierung 2008, 159). Figures show an overall trend: Sheltered workshops are increasingly used for placing people in some form of vocational training (Deutsche Akademie für Rehabilitation e.V. 2009, 51). However, in actual fact, if a person is put in a sheltered workshop for this reason, there is no big chance of getting out again. During the years 2002 to 2006 only 20% to 25% of the workshops reported at least one (sic!) person per year leaving the institution for some more integrated form of employment (Bundesministerium für Arbeit und Soziales 2009a, 60).

With reference to the numbers of sheltered workplaces in total there are several sources available, which differ remarkably in their figures, but all reports show a significant increase over recent years. As reported by the sheltered workshops in 2003 163,863 people worked in sheltered workshops, 171,614 did so in 2004, 177,952 in 2005, and 184,727 in 2006 (Detmar u.a. 2008, 38). Between 2001 and 2006 the increasing rate was 23% (in total: 34,500 persons). (Detmar u.a. 2008, 37) The German government gave higher figures in its official disability reports of 2004 and 2009:

In 2002 about 227,000 persons worked in sheltered workshops (Deutscher Bundestag 2004, 89), in 2003 there were 235,756 places, and in 2007 there were 275,492 disabled people in sheltered workshops (Bundesministerium für Arbeit und Soziales 2009a, 60). Nearly 11% of them are reported to belong to the age group of 18 to 25 years (Detmar u.a. 2008, 56), about 41% are women. (Detmar u.a. 2008, 38)

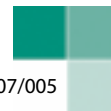
Turning to higher education, the following data about disabled students is available. In 2006 the rate of students with disabilities was reported to be nearly 19%. In comparison to the year 2000 for which the rate of 15% is reported, one can witness an increase. The absolute figures were 327,000 in 2006 and 240,000 in 2000. 56% (2000: 61%). Of these students report no big problems due to their impairments, but 44% say that they are facing disability related barriers and difficulties.

Students also report on the following forms of health-related impairments: allergies and respiratory conditions (60%), visual impairments (16%), skin conditions (14%), problems connected with the musculoskeletal system and supporting apparatus (13%), inner organs, chronic metabolism problems (13%), mental illness (11%), hearing impairments (4%), central nervous system disorders (3%), throat and nasal conditions (2%), other health related problems (8%). There are some gender differences with regard to various types of health-related impairment, but in total there are minor differences between the proportions of men and women (19% vs. 18%). (Bundesministerium für Bildung und Forschung 2007a, 393ff.; Bundesministerium für Bildung und Forschung 2007b, 40f.)

Data indicate that disabled students need more time for their studies: 20% of them take breaks during their time at university, whereas only 13% of the non-disabled students do so.

They also change their courses (23% vs. 19%) and/or the university (18% vs. 16%) more often than students without disabilities. (Bundesministerium für Bildung und Forschung 2007a, 393ff.; Bundesministerium für Bildung und Forschung 2007b, 40f.). As mentioned before, there is no official data available about the effects and outcomes of the VET system for disabled people. We cannot provide information about how many people not only start programmes, but also finish them with a formal qualification. There is no information, either, about the period of transition from the education and training system to the labour market, and how young people cope with the challenge of entering jobs. However, we can present the following figures about unemployment: The "Mikrozensus" of 2005 (Pfaff/Mitarbeiterinnen 2006, 1272) shows that in the group aged 15 to 25 years 14.1% of disabled people and 15.4% of people without disabilities were registered as unemployed. The unemployment rate of young disabled women is not presented in this statistics, but it is remarkable that in 2005 the unemployment rate of young disabled men (14.7%) was lower than the one of non-disabled men (16.3%).

In comparison with the group aged 25 to 45 years there are also some differences: In 2005 15.2% of the disabled and 10,3% of the non-disabled people were unemployed. The unemployment rate of disabled men of this age group (15.9%) was higher than the one of non-disabled men (10.3%). Disabled women (14.2%) were more often unemployed than non-disabled women (10.2%).



#### **Section 4: Types of support for students and trainees**

The German education system clearly differentiates between regular and special schools, and university programmes for future teachers correspond with the segregative system. As teaching training programmes are the responsibility of the federal states, it is difficult to provide a full overview, as there is considerable diversity. The general picture is this: Students who want to become teachers have to decide beforehand what kind of teacher they want to be. Teaching in primary school requires a university course which is different from the courses for future teachers in "Hauptschule/Realschule" or for "Gymnasium".

Additionally there are different university courses for special school teachers whose programmes focus on impairment-specific knowledge (such as special didactics etc.) according to the existing types of special schools. In North Rhine-Westphalia, at present future special school teachers are attending obligatory courses on learning difficulties; additionally they study another special educational need (such as the pedagogy of children with hearing impairments, visual impairments, speech impairments, cognitive disabilities, physical disabilities or behavioural problems) as their second main subject. In recent years efforts have been made to include issues of special education and disability in the curriculum of regular teacher training courses. Due to an election in May 2010 and a resulting change in the government of this federal state, changes in education policy are likely to occur in the near future.

In inclusive educational settings teachers receive classroom support from qualified special education teachers; i.e. there is team teaching in the classroom, and didactics are oriented at the principles of diversity and individuality. If appropriate, the class may be divided into several groups of learners during certain periods. Other forms of integrative education cover (former) special schools which offer places for non-disabled pupils, classes of special schools taking place in regular schools and cooperation in the class room. (Bundesministerium für Arbeit und Soziales o. J.)

If a school decides to offer integrative education, it can apply for public funding of adjustments which provide the accessibility of the building, for additional teaching support and other non-teaching staff. (Bundesministerium für Arbeit und Soziales 2009b, 36f.)

Similar schemes apply for the system of vocational education and training. Government training programmes are usually well adapted to the needs of disabled trainees; a private business that is willing to take on disabled apprentices can apply for a subsidy or a credit for technical and buildings adjustments of individual training or work places. (Bundesministerium für Arbeit und Soziales 2007, 23f.)

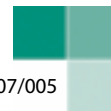
For employers, it is also possible to make a claim for financial subsidy of wages. According to § 235a SGB III (employment insurance and support) employers can get financial support for an individual apprentice's monthly pay: The funding can amount to 80% or even 100% under special circumstances.

In 2008 due to this programme 1,347 training places were supported (Bundesministerium für Arbeit und Soziales 2009a, 46). Adjustments and subsidies are paid either by the Federal Employment Agency or by local job services. Another possibility for employers is a bonus system which was introduced in 2008. If an employer makes a training contract with a person who has unsuccessfully been searching for an apprenticeship for a long time and additionally has no school leaving certificate, or only a certificate from "Hauptschule" or a special school, this employer will be given a bonus of 4,000, 5,000 or 6,000 Euro depending on the individual situation; an extra of 30% is given in the case of the apprentice being disabled (Bundesministerium für Arbeit und Soziales 2009a, 46).

When applying for a place at a university, the national authority which is responsible for the allocation of university places will grant disabled applicants privileged access to their university of first choice according to their special needs.

When leaving either school or vocational training, there are Integration Services which offer counselling and support for people with severe disabilities. In actual fact, however, young pupils and students do not constitute a big group of the clients of these services: In 2007 their rate amounted only to 2.4% (in numbers: 1,396) (Bundesministerium für Arbeit und Soziales 2009a, 52). The majority of this group is addressed by the Federal Employment Agency, when Social Code Book III (employment insurance and support) applies, and by local job services, when the basic security for job seekers scheme (Social Security Code II) is relevant.

When seeking a place in a VET programme or looking for a job, the individual person can claim several types of support, such as funding of applications, mobility support, personal assistance etc. (§ 33 SGB IX; Bundesministerium für Justiz 2001).



## Section 4a: Financial support for learning

The German welfare state differentiates between the general right of disabled people to have access to education, and the social right to claim special needs which are disability related. The first right is provided by the state and prescribed in the Disability Equality Act (Gesetz zur Gleichstellung behinderter Menschen, 2002; Bundesministerium für Justiz 2002). The social rights are addressed by the social assistance scheme (Social Code Book XII).

In Germany, there are no grants or bursaries offered specifically or only to disabled trainees and/or students. If accepted at a programme, trainees get the same normal allowance as everybody else for their living, or they apply for a state grant according to the Federal Training Assistance Act (Bundesausbildungsförderungsgesetz – BAföG). This also applies to students who have the following possibilities to secure their living: They can either rely on their parents, look for a part-time job, claim one of the grants offered by several private foundations or go in for a general university grant which is based on the above named federal law and is open for everybody provided they meet eligibility criteria, such as a low family income.

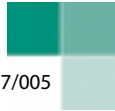
If disabled trainees and students make a claim for a BAföG grant their disability-related needs will be considered and may result in a more generous means testing of the family income, the prolongation of the maximum period of funding, and the adaptation of repayment conditions; disability-related extra costs are covered by the Integration Support. (Deutsches Studentenwerk e.V. o. J.-c) Grants for university studies usually involve the possibility to spend one or two terms at a university abroad. They are only available for students who belong to the residential population. (Deutsches Studentenwerk e.V. o. J.-b)

Disabled students are exempted from tuition fees or the fees are at least reduced at those German universities where they are collected. (Deutsches Studentenwerk e.V. o. J.-e)

Disabled people who need financial support or benefits in kind in order to participate in school, university or vocational training have the right to claim general Integration Support ("Eingliederungshilfe") according to Social Code Book XII (Bundesministerium für Justiz 2003). The so-called Integration Support is offered as part of the social assistance system (Social Code Book XII § 54) and addresses in principle all people with severe disabilities. This follows the principle of subsidiarity, which means that, in general, disabled people have to undergo a means test before they are eligible for this support. However the principle of means testing does not apply in the case of assistance in the work place, in vocational training programmes, and schools.

Amongst other benefits the Integration Support includes assistance for adequate education, support for school training with the aim of adequate qualification, including university studies, support in vocational training programmes aiming at adequate employment, and support for employment in a sheltered workshop.



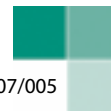


Ultimately, the Integration Support aims at securing education, vocational training and employment as well as participation in the community. The financial benefits and social services based on the social assistance system are provided by local authorities.

Equipment and assistance at the work place are financed by the agencies that administer the system of vocational rehabilitation, mainly the so-called “Integration Services” (Integrationsämter<sup>23</sup>).

---

<sup>23</sup> <http://www.integrationsaemter.de/>



## **Section 4b: Practical assistance with learning**

In principal, personal assistance is available for use in schools, universities and vocational training. All persons with severe disabilities and in need for comprehensive assistance are entitled to it. If the support is financed through Integration Support, which is mostly the case, it is offered as part of the social assistance system.

As mentioned above, in the case of basic and higher education, vocational training and employment the general principle of means testing does not apply. § 53 SGB XII (Social Code Book XII), which defines the eligibility criteria, is phrased in a rather general manner. Basically, a potential recipient needs to be officially registered as a severely disabled person, and the general aim of social integration with a focus on securing employment in later life must be addressed. Integration Support and thus also personal assistance are only available to somebody who belongs to the residential population.

However, there is one restriction which proves detrimental to disabled people who would like to follow an academic career. As mentioned above, social assistance authorities consider a bachelor degree as the first certificate that qualifies for a job and, for this reason, disabled students who want to go on to a Masters course are facing the reduction of their benefits financed by the Integration Support.

As personal assistance is highly individualised, it is difficult to specify details. Research and evaluation studies about the recipients, quality, outcomes, economic costs or benefits of this type of support with regard to the field of learning are not available.

Additionally, most universities have set up special disability services for their students which offer counselling, mobility support, assistive technologies (especially for blind or visually impaired students) etc. (Deutsches Studentenwerk e.V. o. J.-a).

### **Equipment and accessibility for learning**

In Germany disabled people are offered support for assistive equipment and adaptations to increase independence and accessibility in daily life. This kind of support is available not only in private homes, but also at work as well as in education and training. In principal, all apprentices and students with severe disabilities and in need for assistive equipment and adaptations are entitled to this type of support.

In the case of students who enter university directly after their school exams, and have not had a job before, the support is mostly financed through the Integration Support, it is offered as part of the social assistance system. If assistive equipment and adaptations are financed through the social assistance system, which is implemented by local and regional government, the type and level of support may vary as a result of moving from one part of the country to another.

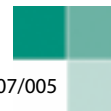
Assistive equipment and adaptations at training places are covered as part of the vocational rehabilitation system. The funding is available via different rehabilitation services (such as work accident and old age insurances), local job services, and the Federal Employment Agency (Bundesagentur für Arbeit 2010).

If the support is needed in order to enable a disabled person to participate in a VET programme, there is no means testing, but the disabled person will have to pay a personal contribution which varies depending from the overall costs; there are no flat rates.

It is also possible to include study and training-related assistive equipment and adaptations in personal budgets which vary from 400 to 1,300 Euro per month depending on the individual cases, the impairments involved and the types of assistance which are needed. If a person chooses the personal budget, the usual conditions of this type of support apply (Waldschmidt 2009, 9). There are financial limits to the amount of support someone can receive, but they vary according to the legal and administrative frameworks relevant for the individual cases. (Federal Ministry of Labour and Social Affairs 2009, 9)

Support for assistive equipment for the purposes of training and learning is only available to someone who is legally resident in Germany.

As the support for assistive equipment and technologies is highly individualized, it is difficult to specify details. Research and evaluation studies about the recipients, quality, outcomes, economic costs or benefits of this type of support with regard to the field of learning are not available.



## Section 5: Evidence of good practice

The Federal Ombudsperson on Behalf of Disabled People, the “Bertelsmann Stiftung”<sup>24</sup>, a private foundation, and the German UNESCO Commission (Deutsche UNESCO-Kommission e.V.) are awarding a prize for inclusive schools. The award is named after the German professor Jakob Muth (1927-1993) who was very active for inclusive education. All schools that think they offer best practice for inclusive education for children with and without disabilities can apply for this prize. The three awardees will each receive €3,000. In 2009 144 schools applied, and in 2010 the prize will be awarded for a second time. (Bertelsmann Stiftung o. J.)

The "Hildegardis-Verein", a private association which supports women in their university studies and academic careers, offers a mentoring programme for 60 female students with disabilities. The programme runs for three years since 2008 and is financed in cooperation with the "Conterganstiftung für behinderte Menschen", the German foundation for thalidomide victims, but mentees can have all forms of impairments. The mentors who are living with or without disabilities accompany their mentees for one year. During the third and last project phase (2011) students without disabilities can also participate as mentees; they will be accompanied by a mentor who is disabled. (Hildegardis-Verein e.V. o. J.)

---

<sup>24</sup> <http://www.bertelsmann-stiftung.de/>

## Section 6: References

Bertelsmann Stiftung. (o. J.). Jakob Muth-Preis. Link: [http://www.bertelsmann-stiftung.de/cps/rde/xchg/bst/hs.xsl/prj\\_91621.htm](http://www.bertelsmann-stiftung.de/cps/rde/xchg/bst/hs.xsl/prj_91621.htm) (10.05.2010)

Bundesagentur für Arbeit. (2010). Menschen mit Behinderung. Link: [http://www.arbeitsagentur.de/nn\\_26198/Navigation/zentral/Buerger/Behinderungen/Behinderungen-Nav.html](http://www.arbeitsagentur.de/nn_26198/Navigation/zentral/Buerger/Behinderungen/Behinderungen-Nav.html) (18.05.2010)

Bundesarbeitsgemeinschaft der Berufsbildungswerke (BAG BBW) e.V. (o. J.). Ausbildung. Wir bilden aus. Link: <http://www.bagbbw.de/die-bag-bbw/angebote-der-berufsbildungswerke/ausbildung/> (06.05.2010)

Bundesarbeitsgemeinschaft der Wohnortnahen Beruflichen Rehabilitationseinrichtungen – BAG WBR. (o. J.). Angebote Beruflicher Rehabilitationseinrichtungen. Link: <http://www.bag-wbr.de/angebote.html> (06.05.2010)

Bundesinstitut für Berufsbildung. (2006). Rahmenrichtlinien für Ausbildungsregelungen nach § 66 BBiG und § 42m HwO für behinderte Menschen. Empfehlung des Hauptausschusses des Bundesinstituts für Berufsbildung. Link: [http://www.bibb.de/dokumente/pdf/pr\\_empfehlung\\_ha\\_pm\\_20-2006.pdf](http://www.bibb.de/dokumente/pdf/pr_empfehlung_ha_pm_20-2006.pdf) (18.05.2010)

Bundesministerium für Arbeit und Soziales. (2007). Bericht der Bundesregierung über die Wirkungen der Instrumente zur Sicherung von Beschäftigung und zur betrieblichen Prävention. Link: [http://www.bmas.de/coremedia/generator/3066/property=pdf/2007\\_\\_06\\_\\_27\\_\\_bericht\\_\\_instrumente\\_\\_beschaeftigungssicherung\\_\\_und\\_\\_betriebliche\\_\\_praevention.pdf](http://www.bmas.de/coremedia/generator/3066/property=pdf/2007__06__27__bericht__instrumente__beschaeftigungssicherung__und__betriebliche__praevention.pdf) (30.07.2009)

—. (2009a). Behindertenbericht 2009. Bericht der Bundesregierung über die Lage von Menschen mit Behinderungen für die 16. Legislaturperiode. Link: [http://www.bmas.de/portal/3524/property=pdf/a125\\_\\_behindertenbericht.pdf](http://www.bmas.de/portal/3524/property=pdf/a125__behindertenbericht.pdf) (11.05.2010)

—. (2009b). Ratgeber für Menschen mit Behinderung. Link: [http://www.bmas.de/portal/3132/property=pdf/a712\\_\\_ratgeber\\_\\_fuer\\_\\_behinderte\\_\\_mens\\_\\_390.pdf](http://www.bmas.de/portal/3132/property=pdf/a712__ratgeber__fuer__behinderte__mens__390.pdf) (06.05.2010)

—. (o. J.). Gemeinsamer Unterricht. Link: [http://www.einfach-teilhaben.de/cIn\\_093/DE/StdS/Schule\\_Studium/so\\_paed\\_foerderung/gemeins\\_unterricht/gemeins\\_unterricht\\_node.html#doc567404bodyText1](http://www.einfach-teilhaben.de/cIn_093/DE/StdS/Schule_Studium/so_paed_foerderung/gemeins_unterricht/gemeins_unterricht_node.html#doc567404bodyText1) (06.05.2010)

Bundesministerium für Bildung und Forschung. (2007a). Die wirtschaftliche und soziale Lage der Studierenden in der Bundesrepublik Deutschland 2006. 18. Sozialerhebung des Deutschen Studentenwerks durchgeführt durch HIS Hochschul-Informationen-System. Link:

<http://www.studentenwerke.de/se/2007/Hauptbericht18SE.pdf> (25.03.2010)

—. (2007b). Economic and Social Conditions of Student Life in the Federal Republic of Germany in 2006. 18th Social Survey of the Deutsches Studentenwerk Conducted by HIS Hochschul-Informationen-System. Selected Results. Link:

[http://www.studentenwerke.de/se/2007/kurzfassung\\_engl.pdf](http://www.studentenwerke.de/se/2007/kurzfassung_engl.pdf) (25.03.2010)

—. (2009). Aufstieg durch Bildung. Die Qualifizierungsinitiative für Deutschland. Link: [http://www.bmbf.de/pub/qualifizierungsinitiative\\_breg.pdf](http://www.bmbf.de/pub/qualifizierungsinitiative_breg.pdf) (20.04.2010)

—. (2010). Berufsbildungsbericht 2010. Link: [http://www.bmbf.de/pub/bbb\\_2010.pdf](http://www.bmbf.de/pub/bbb_2010.pdf) (03.05.2010)

Bundesministerium für Familie, Senioren, Frauen und Jugend (Hrsg.). (2009). Lebenslagen behinderter Frauen in Deutschland. Auswertung des Mikrozensus 2005. Berlin (Eigenverlag).

Bundesministerium für Justiz. (2001). Sozialgesetzbuch (SGB) Neuntes Buch (IX) – Rehabilitation und Teilhabe behinderter Menschen. Link:

[http://bundesrecht.juris.de/sgb\\_9/](http://bundesrecht.juris.de/sgb_9/) (12.05.2010)

—. (2002). Gesetz zur Gleichstellung behinderter Menschen. Link:

<http://www.gesetze-im-internet.de/bgg/index.html> (29.11.07).

—. (2003). Sozialgesetzbuch (SGB) Zwölftes Buch (XII) – Sozialhilfe. Link:

[http://bundesrecht.juris.de/sgb\\_12/](http://bundesrecht.juris.de/sgb_12/) (28.04.2010)

Detmar, Winfried / Gehrman, Manfred / König, Ferdinand / Momper, Dirk / Piedad, Bernd / Radatz, Joachim. (2008). Entwicklung der Zugangszahlen zu Werkstätten für behinderte Menschen. Im Auftrag des Bundesministeriums für Arbeit und Soziales. Link: [http://www.bmas.de/portal/29698/property=pdf/f383\\_\\_forschungsbericht.pdf](http://www.bmas.de/portal/29698/property=pdf/f383__forschungsbericht.pdf) (27.04.2010)

Deutsche Akademie für Rehabilitation e.V. (Hrsg.). (2009). Stellungnahme der wissenschaftlichen Fachgruppe RehaFutur zur Zukunft der beruflichen Rehabilitation in Deutschland. Bonn (Eigenverlag).

Deutsche Bundesregierung. (2008). Lebenslagen in Deutschland. Der 3. Armuts- und Reichtumsbericht der Bundesregierung. Link:

[http://www.bmas.de/coremedia/generator/26742/property=pdf/dritter\\_\\_armuts\\_\\_und\\_\\_reichtumsbericht.pdf](http://www.bmas.de/coremedia/generator/26742/property=pdf/dritter__armuts__und__reichtumsbericht.pdf) (30.06.08).

Deutscher Bundestag. (2004). Unterrichtung durch die Bundesregierung. Bericht der Bundesregierung über die Lage behinderter Menschen und die Entwicklung ihrer Teilhabe (15. Wahlperiode) vom 16.12.2004. Link: <http://dip21.bundestag.de/dip21/btd/15/045/1504575.pdf> (19.05.2010)

—. (2005). Unterrichtung durch die Bundesregierung. Bericht der Bundesregierung über die Situation behinderter und schwerbehinderter Frauen und Männer auf dem Ausbildungsstellenmarkt. Drucksache 15/5922 vom 14.07.2005 (15. Wahlperiode). Link: <http://dipbt.bundestag.de/doc/btd/15/059/1505922.pdf> (25.03.2010)

—. (2006). Gesetz zur Förderung der Ausbildung und Beschäftigung schwerbehinderter Menschen. Link: [http://www.bmas.de/coremedia/generator/2912/property=pdf/gesetz\\_\\_zur\\_\\_foerderung\\_\\_der\\_\\_ausbildung\\_\\_und\\_\\_beschaeftigung\\_\\_schwerbehinderter\\_\\_menschen.pdf](http://www.bmas.de/coremedia/generator/2912/property=pdf/gesetz__zur__foerderung__der__ausbildung__und__beschaeftigung__schwerbehinderter__menschen.pdf) (20.05.2010)

—. (2010). Stenografischer Bericht 23. Sitzung. Plenarprotokoll 17/23 vom 24. Februar 2010 (17. Wahlperiode). Berlin (Eigenverlag).

Deutsches Studentenwerk e.V. (o. J.-a). Assistenzen und technische Hilfsmittel. Link: <http://www.studentenwerke.de/main/default.asp?id=06404> (10.05.2010)

—. (o. J.-b). Finanzierung Auslandsstudium. Link: <http://www.studentenwerke.de/main/default.asp?id=06503> (10.05.2010)

—. (o. J.-c). Finanzierung des Allgemeinen Lebensunterhalts. Finanzielle Eigenmittel – BAföG – SGB II und SGB XII – Stipendien – Studienkredite. Link: <http://www.studentenwerke.de/main/default.asp?id=06201> (10.05.2010)

—. (o. J.-d). Nachteilsausgleiche im Studium und bei Prüfungen. Link: <http://www.studentenwerke.de/main/default.asp?id=06401> (10.05.2010)

—. (o. J.-e). Studiengebühren. Nachteilsausgleiche für behinderte Studierende bei Einführung von allgemeinen Studiengebühren bzw. -beiträgen (Stand April 2007). Link: <http://www.studentenwerke.de/main/default.asp?id=06204> (10.05.2010)

E.ON. (2010). Gleiche Chancen für alle. Link: <http://www.eon.com/de/careers/25882.jsp> (18.05.2010)

Federal Ministry of Education and Research. (2009). Report on Vocational Education and Training for the Year 2009. Link: [http://www.bmbf.de/pub/bbb\\_09\\_eng.pdf](http://www.bmbf.de/pub/bbb_09_eng.pdf) (05.05.2010)

Federal Ministry of Labour and Social Affairs. (2009). 2009 Disability Report. Report on the Situation of Persons With Disabilities Submitted by the German Federal Government for the 16th Legislative Period. Link: [http://www.bmas.de/coremedia/generator/34616/property=pdf/a126\\_\\_2009\\_\\_Disability\\_\\_Report.pdf](http://www.bmas.de/coremedia/generator/34616/property=pdf/a126__2009__Disability__Report.pdf) (10.05.2009)

Hildegardis-Verein e.V. (o. J.). Das bundesweit erste Mentoring-Programm für Studentinnen mit Behinderung. Link: <http://www.mentoring-projekt.de/> (10.05.2010)

ISB – Gesellschaft für Integration, Sozialforschung und Betriebspädagogik. (2008). Entwicklung der Zugangszahlen zu Werkstätten für behinderte Menschen. Im Auftrag des Bundesministeriums für Arbeit und Soziales. Link: [http://www.bmas.de/portal/29698/property=pdf/f383\\_\\_forschungsbericht.pdf](http://www.bmas.de/portal/29698/property=pdf/f383__forschungsbericht.pdf) (12.04.2010)

Klemm, Klaus. (2009). Sonderweg Förderschulen: Hoher Einsatz, wenig Perspektiven. Eine Studie zu den Ausgaben und zur Wirksamkeit von Förderschulen in Deutschland. Im Auftrag der Bertelsmann Stiftung. Gütersloh (Eigenverlag).

Kultusministerkonferenz. (2007). Schüler, Klassen, Lehrer und Absolventen der Schulen 1997 bis 2006. Dokumentation Nr. 184. Link: [http://www.kmk.org/fileadmin/veroeffentlichungen\\_beschluesse/2007/2007\\_11\\_01-Schueler-Klassen-Lehrer-97-06.pdf](http://www.kmk.org/fileadmin/veroeffentlichungen_beschluesse/2007/2007_11_01-Schueler-Klassen-Lehrer-97-06.pdf) (21.04.2010)

—. (2008). Sonderpädagogische Förderung in Schulen 1997 bis 2006. Dokumentation Nr. 185. Link: <http://www.kmk.org/fileadmin/pdf/PresseUndAktuelles/Dok185.pdf> (21.04.2010)

—. (2009a). Sonderpädagogische Förderung in allgemeinen Schulen (ohne Förderschulen) 2007/2008. Link: [http://www.kmk.org/fileadmin/pdf/Statistik/Aus\\_SoPae\\_Int\\_2007\\_Werte\\_01.pdf](http://www.kmk.org/fileadmin/pdf/Statistik/Aus_SoPae_Int_2007_Werte_01.pdf) (21.04.2010)

—. (2009b). Sonderpädagogische Förderung in Förderschulen (Sonderschulen) 2007/2008. Link: [http://www.kmk.org/fileadmin/pdf/Statistik/Aus\\_SoPae\\_2007\\_Werte.pdf](http://www.kmk.org/fileadmin/pdf/Statistik/Aus_SoPae_2007_Werte.pdf) (21.04.2010)

Landesbetrieb Information und Technik Nordrhein-Westfalen. (2009). Einwohnerzahl und Bevölkerungsdichte in NRW. Link: <http://www.it.nrw.de/statistik/a/daten/eckdaten/r311dichte.html> (05.05.2010)

Ministerium für Schule und Weiterbildung des Landes Nordrhein-Westfalen. (2009). Verordnung sonderpädagogische Förderung, Hausunterricht und Schule für Kranke (Stand: 01.07.2009). Link: [http://www.schulministerium.nrw.de/BP/Schulrecht/APOen/AO\\_SF.pdf](http://www.schulministerium.nrw.de/BP/Schulrecht/APOen/AO_SF.pdf) (28.04.2010)

—. (2010a). Die Förderschulen. Link: <http://www.schulministerium.nrw.de/BP/Schulsystem/Schulformen/Foerderschulen/index.html> (10.05.2010)



—. (2010b). Schulgesetz NRW (Stand: 15.02.2010). Link:  
[http://www.schulministerium.nrw.de/BP/Schulrecht/Gesetze/SchulG\\_Info/Schulgeseztz.pdf](http://www.schulministerium.nrw.de/BP/Schulrecht/Gesetze/SchulG_Info/Schulgeseztz.pdf) (28.04.2010)

Muth, Josef / Osterholt, Richard. (2009). Förderaktion „100 zusätzliche Ausbildungsplätze für behinderte Jugendliche und junge Erwachsene in Nordrhein-Westfalen“. Zwischenbilanz zum 31. Dezember 2008. Link:  
[http://www.gib.nrw.de/service/downloads/Arbeitspapiere\\_28.pdf](http://www.gib.nrw.de/service/downloads/Arbeitspapiere_28.pdf) (12.04.2010)

Pfaff, Heiko / Mitarbeiterinnen. (2006). Lebenslagen der behinderten Menschen. Ergebnis des Mikrozensus 2005. In: Wirtschaft und Statistik, Wiesbaden, o. Jg., H. 12, S. 1267 - 1277, Link:  
<http://www.destatis.de/jetspeed/portal/cms/Sites/destatis/Internet/DE/Content/Publikationen/Querschnittsveroeffentlichungen/WirtschaftStatistik/Sozialleistungen/Lebenslagenbehinderte05,property=file.pdf>, (10.05.2010).

Powell, Justin J. W. / Pfahl, Lisa. (2008). Sonderschule behindert Chancengleichheit. WZBrief Bildung 04/2008. Link:  
<http://www.wzb.eu/publikation/wzbriefbildung.de.htm> (01.06.2010)

Waldschmidt, Anne. (2009). ANED Country Report on the Implementation of Policies Supporting Independent Living for Disabled People. Link: [http://www.disability-europe.net/content/pdf/DE-8-ANED%202009%20Task%205%20Request-07%20Independent%20living%2009-06-26\\_to%20publish%2017-08-09\\_to%20EC.pdf](http://www.disability-europe.net/content/pdf/DE-8-ANED%202009%20Task%205%20Request-07%20Independent%20living%2009-06-26_to%20publish%2017-08-09_to%20EC.pdf) (01.06.2010)

Wendt, Sabine. (2010). Bessere Teilhabechancen im Arbeitsleben durch das Programm Job4000. Gesamtbetreuung Job4000 legt Zwischenbericht vor. In: Teilhabe. Die Fachzeitschrift der Lebenshilfe, 49. Jg., H. 1, S. 38-43.