



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

Country: Denmark

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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

The educational system consists of ten years of public school (folkeskole), three years of youth education (high school, vocational or special needs), 2-5 years of further education and different forms of adult education.

There is a general obligation to make educational institutions physically accessible. But as many buildings are older than this, the problems are often solved individually. So the disabled student can attend all his classes, but large parts of the institution may be closed for him.

The public school has three ways of offering special needs education: just over 3% of the pupils receive it for some hours weekly besides their ordinary class, another just over 3% of the pupils receive it in special classes in ordinary schools, while 2% receive it in special schools or institutions. Some of them are intellectually disabled. A larger group of pupils have learning problems where the background is predominantly social.

Research shows that special needs education in the public school is functioning well in many schools, but not given high enough priority in many others (1). There is a lack of trained teachers and of supervision. And the young people who leave it have often learned too little of reading, writing and maths considered their abilities.

In high school and in vocational youth education the schools have an obligation to provide special pedagogical aids such as accessible books for the pupils, and to organise education in the home or in the hospital in case of illness. For the young people who because of intellectual disability or other problems are not able to take one of these education routes, there has recently been established a special needs youth education pathway. Because of the heterogeneity of this group, this education is individually designed.

In further education there has, since the 1990s, been special pedagogical aids available for students who need them, in the form of sign language interpretation, study support hours, IT aids, study materials in Braille, secretarial and practical help, instruction, elucidation, ergonomic aids and other things. Since 2004 there has also been a disability supplement to the ordinary study support. The largest group of recipients have psychical disabilities. These provisions are administered by the same agency that administers the study support to all other students.

In adult education there is no general system to compensate for disabilities. As adult education is linked to employment, there is the same scheme of personal assistance in adult education as there is in employment. In some of the educations it is also possible to get special pedagogical aids (2).



Section 2: Legal and policy context

There are a number of relevant laws:

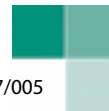
- Folkeskoleloven – The public school law (3)
- Gymnasieloven – The grammar school law (4)
- Lov om Institutioner til almengymnasiale uddannelser – Law on institutions for secondary education (5)
- Lov om Ungdomsuddannelse for unge med særlige behov – Law on youth education for young people with special needs (6)
- Lov om Erhvervsuddannelser – Law on vocational educations (7)
- Universitetsloven – University law (8)
- Lov om Special needspædagogisk støtte ved videregående uddannelser – Law on special needs educational support in further education (9)
- SU-loven – The educational support law (10)
- Lov om kompensation til handicappede i erhverv – Law on compensation for disabled people in employment (11)
- Lov om åben uddannelse – Law on open education (12)
- Bygningsreglementet – The building regulation (13)

The public school law (3) has since 1958 included special needs education, and since 1962, the law has said that disabled children should be educated to the same standards as non-disabled children. Disabled children are in ordinary classes if possible, in special needs classes on ordinary schools, or in special needs schools. Special pedagogical support may start before school age and last for up to 12 years. Most schools are run by the municipalities, but national or regional special needs schools are run by the regions. Children who cannot come to school may be educated in their home or in the institution, where they live. If a school contains special needs classes, the school board must contain at least one parent of a special needs class child. A member of the council for quality development of the public school is appointed by the disability organisations.

The grammar school law (4) says that disabled pupils who have special needs may have special needs education or support. It is possible to prolong the education from 3 to 4 years if that is necessary. Pupils who, because of sickness, are not able to follow the education for a period must be offered sick education.

The Law on institutions for secondary education (5) says that the minister of education may give special needs financial support for the expenses to special needs education. So the institution need not fear for its budget because of large expenses to a small number of students with disabilities.

The Law on youth education for young people with special needs (6) states in its purpose that it is a youth education for young people who do not have the possibility to take another youth education. Intellectually disabled young people are mentioned as an example.



The purpose of the education is stated as giving personal, social and technical competences for as much independent and active participation in adult life as is possible and, possibly, for further education and employment. This education will serve as an example of good practice in section 5 of this paper.

The Law on vocational education (7) and The University law (8) do not contain anything on disability. The students in these educations are, however, covered by other legislation.

The Law on special needs educational support in further education (9) states as its purpose to make sure that students with physical or psychical limitations who are enrolled in a further education course will be able to accomplish the education on an equal footing with others. This is done by offering special needs educational support. The scheme is administered by the Danish Educational Support Agency, which is set up to administer the general financial support that is given to all students.

According to this law, special needs educational support can be given to a student who has need, because of physical or psychical limitations, is enrolled in an education, is a Danish citizen or in a country where we have international agreement, is active in the study and does not exceed the scheduled time with necessary addition related to disability. The support may be exported if the student has lived in Denmark for 2 years out of the last 10.

The law contains very detailed regulation of the time limits for support, depending on which education the student takes. Likewise the definition of active study is detailed. The support is applied for at the educational institution, and the institution is paid the expenses that the decision defines. The Danish Educational Support Agency is entitled to receive information from all public authorities when they decide. There is however no mention of concrete ways of supporting the student. It may be with aids, sign language interpretation, Braille printing etc.

The educational support law (10) contains, since 2004, a supplement for students with disabilities. Most non-disabled students supplement their study support with a study job. If the disabled student is not able to have such a study job alongside with the study, they will be entitled to get a supplement instead. The ordinary study support is €723 /month, whereas the disability supplement is €1,028 /month. Just as the ordinary study support, the disability support is applied for at the Danish Educational Support Agency.

The Law on compensation for disabled people in employment (11) contains a paragraph on personal assistance in a job. Since 2004 this law has applied to adult education as well. The personal assistant must be approved by the disabled person, and the assistant is employed by the municipal job centre.

The Law on open education (12) concerns adult education and post-school education.



The law on study support does not encompass these educations, and as the provisions for disabled students are linked to the system of study support, they do not apply to these types of education. This means that there are no means for special pedagogical support in these educations. The educational support law applies only to a few of these educations.

The building regulation (13) applies to all buildings that are used by educational institutions. Since 1995 they demand that buildings are accessible. Most educational institutions are, however, from earlier years where the regulation was much weaker. In 2001 the building standard "Accessibility for all – DS3028"¹ has been produced by Danish Standard (developed in collaboration with disability organizations). It is recommended, but has no legal force.

The Ombudsman monitors all state and municipal authorities and other public authorities. He handles complaints about their decisions and manages their treatment of citizens and cases. In addition, he may take up test cases on his own initiative. Finally, the Parliamentary Ombudsman can inspect any agency within his domain

The development of mainstreaming in education has been driven by the Central Disability Council², which was established in 1980 with Niels Erik Bank-Mikkelsen as its first secretary. Half of the members are representatives from disability organisations, half are state representatives, and a chairman is appointed by the government. The development took primarily place in the last half of the 1990s.

According to my judgement criticism could be uttered as to the conditions for students in further education with psychical difficulties. Most study environments are structured so as to make such problems worse than they need to be. Often these problems are first discovered in the study time, or provoked by the study environment, and often they make it difficult to carry through the study.

Another criticism could be uttered to the fact that the law on open education does not give equal rights to disabled participants, because there are not the same means for special pedagogical assistance as in ordinary further education. The Centre for Equal Opportunities has criticised this in a report from 2008 (2), but the problem remains.

In most other respects it is my judgement that we are living up to the UN Convention in general outline.

¹ <http://tilgaengelighed.emu.dk/tilgaengelighed/fysisk/love/standard3028.html>

² <http://www.dch.dk/index.htm>



Section 3: Evidence of outcomes and progress towards inclusion

It is not possible to find much evidence on outcomes of education for young people with disabilities. There is, however, an evaluation of the effect of special needs education made by The Institute of Applied Municipal Research (1).

The research was conducted during the period from 2005 to 2009 and encompasses 128 young persons who in 2006 and 2007 left public school.

This study finds that young people who had attended a special needs class or school had experienced it as a relief to be placed there and had liked going to school. In the special needs class or school they were not being constantly subjected to demands which they were unable to meet, and they were not exposed to the same degree of bullying as when they were in an ordinary class.

The young people themselves, their parents and the schools all experienced it as a problem that the same special needs class contained pupils with very different types of learning difficulties and functional levels. Some children can cause a lot of disturbance for the others, and very varied demands are made on the knowledge and skills of the teacher.

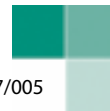
The schools also mentioned that they found it difficult to provide the teachers with sufficient creative dialogue and supervision in relation to the often very great demands that are made on their professional skills by a pupil group of such varied composition. The schools also found it difficult to obtain suitable qualified teachers.

Some of the former pupils report a really good special needs education that had been adjusted to their needs, but others find that they have learned nothing, because the teaching was on far too low a level. When they went to the classes they did not demand much, but after they have left the public school they realise that an elementary knowledge of reading, writing and math is necessary.

After school the young persons' education, training and employment were characterised by instability and repeated or frequent change with periods without occupation or studies. They stop their activities because of being bored, because their social competences do not suffice, because their reading or their ability to work independently are not sufficient. The course of events after school depends on their abilities, but also much on chance. Support from their environment is very important.

There are a few success stories among them. One of the young people achieves with no difficulty a grade on a trade school, another gets an apprenticeship. But they are exceptions.

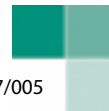
Most of the former special needs class pupils are rapidly changing interests or meeting obstacles that force them to try something new, time and again.



The evaluation ends up with a number of questions to the current system of special needs education, concerning heterogeneity of the classes, regular reassessment, better education of teachers, need of supervision, and the problem of stigmatisation that is experienced by the pupils because they are in a special needs class.

After the special needs 10 class, where the pupils typically are 17-18 years old, the evaluation stresses the importance of reading ability of the young people, or compensation by using a computer.

Furthermore, it is important that the young people are confident in themselves and receive support and attention from their parents. They also need guidance from the same adult throughout the first 2-3 years after leaving school, and work experience placements with employers who give them comprehensive back-up.



Section 4: Types of support for students and trainees

Disability issues are not included in the general curriculum of university training for school teachers. The curriculum consists of a few mandatory subjects (pedagogic, psychology, didactics) and a number of choice subjects (Danish, Maths, etc). Since 2009 special needs education has been offered as one of these choice subjects (14).

As this education has not existed, the teachers in special needs education generally do not have any specific training or qualification for the job, but only an ordinary school teacher education. This problem has often been indicated, but nothing has really been made to solve it.

In the school year 2008/2009 49,441 school children received special needs education, corresponding to 8.4 % of all school children (15). Of them, 18,940 remained in their original classes while receiving the special needs education. Other 18,493 school children got their education in special needs classes in ordinary schools, while 9,003 school children went to special needs schools. Finally, 3,005 children got their school education on an institution.

Children who receive special needs education in their original class ordinarily receive 5 hours or less special needs education a week, most often because of reading and writing problems. Nearly two thirds of these children are boys. The children in special needs classes are often there because of general learning problems (nearly 1/3), or developmental disturbances (1/6). Here more than 70% are boys. In the institutions more than $\frac{3}{4}$ of the children are boys.

As many school buildings are old, a municipality may have only one or few schools that are accessible for a child in wheelchair, but it is obliged to offer one. Likewise the schools are offering educational materials as sound files or in Braille for blind children. Deaf children are sent to special needs schools. Now there is a problem that many deaf children get Cochlear Implants, which in a few years will reduce the sign language environments they are able to offer.

In colleges and universities and in other vocational educations there is special pedagogical support available, which is administered by the Danish Educational Support Agency³.

³ <http://www.su.dk/English/Sider/agency.aspx>



Section 4a: Financial support

Danish citizens or citizens from countries there are agreements with can receive financial support for studies for a period. For university studies the normal length of the study is 5 years, and the support may be received up to 6 years, so that the student has one year for delays. The general study support is €723 per month for a student in further education who lives independently in their own household (16).

Students with disabilities can get a disability supplement of €1,028. The motivation for this supplement is that most students supplement their study support with some job incomes, which the disabled students are not necessarily able to do. The disability supplement is paid to the student together with the ordinary study support. The study support is administered by the Danish Educational Support Agency.

In 2008 183,000 students in further education received state study support, 61% women and 39 % men (17). Of them, 1,911 received the disability supplement, 71% women and 29% men. The number of disability supplements has been rapidly growing since the scheme was introduced in 2004. 45% of the recipients have some sort of psychic functional limitation, 16% mobility and 12% a neurological conditions.

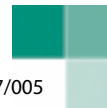
Study support, including disability supplement, is decided by the Danish Educational Support Agency. In this connection they have the right to get the necessary information from other public agencies. The study support is paid by the state.

The Danish Educational Support Agency publishes statistics on the support⁴. The only things that are reported about the disability support are the number, distribution on type of disability, age, and educations. The scheme is too new to evaluate its effectiveness.

The disability supplement is, on the same conditions as the ordinary study support, available to a student who is studying in another country. It is also available for a disabled student from another country who is studying in Denmark, if this student is citizen in a country there is an agreement with, e.g. an EU country or an EEA country.

Before, a young disabled person such as a wheelchair user could get a disability pension and then begin study in a university or a college. Since 2003 it is, however, no longer possible to obtain a disability pension just because one has a disability. Now a disability pension presupposes that there is a working ability under 1/3. Therefore the wheelchair user who is able to carry through a study must apply for study support just as the non-disabled student. It will, however, be possible to receive the study support with disability supplement for a year or two more.

⁴ http://www.sustyrelsen.dk/index.html?/stud_tal/statistikker/default.html



Section 4b: Personal assistance, equipment and adaptations

Students who need it, because of physical or psychical functional limitations, can receive practical assistance for their studies (16). The assistance is applied for at the educational institution and decided by the Danish Educational Support Agency. There is no ceiling for the assistance.

According to the statistics of the Danish Educational Support Agency there is provided support in the form of (mentioned in order of size of the amount) sign language interpretation, study support hours, IT aids, study materials in Braille, secretarial and practical help, instruction, elucidation, ergonomic aids and other things (17).

The total amount was €7.4 millions in 2008, of which 29% was used for sign language interpretation, 23% to study support hours, 18% to IT aids and 16% to study materials. The expenses for this support have been growing, and the growth from 2007 to 2008 was 19%. Practical support was received by 1,906 persons in 2008.

The students were receiving support because of (in the order of number) reading- and writing difficulties (1,283 persons), mobility (231 persons), psychic problems (126 persons), vision (85 persons) and hearing (78 persons). 103 persons received support for other reasons, comprehending among other things developmental disturbances.

The support is not given as a budget which the student can administer her/himself.

There is not much published evidence about the equity or effectiveness of practical assistance with learning in further education.

The practical assistance is not available to a disabled student who is studying in another country, even in case that this is only part of the study. It is available to a disabled student from another country who is studying in Denmark, if this student is entitled to receive study support.



Section 5: Evidence of good practice

As an example of good practice I have selected the Law on youth education for young people with special needs, which has been in force since August 2007 (6). With this new education the requirement that the UN Convention poses of an education for all is fulfilled for the group of intellectually disabled young persons, although it does not move as far as inclusive education for all in the mainstream.

As mentioned in section 2 of this report, this law states in its purpose that there should be a youth education for young people who do not have possibility to take another youth education. Intellectually disabled young people are mentioned as an example. The purpose of the education is stated as giving personal, social and technical competences for an independent and active participation in adult life as possible and possibly for further education and employment.

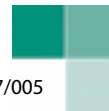
Young intellectually disabled people and other young people with special needs have a right to youth education, and the municipality must offer them a youth education of 3 years duration when they finish the ordinary school, which for this group may be later than for most young people. The young person is proposed to the education by the Youth Education Guidance (Ungdommens Uddannelsesvejledning⁵), which provides guidance to all young people about education and training.

As the target group is very heterogeneous, the youth education for young people with special needs does not have a fixed curriculum, but the content varies from person to person. It is begun with a clarification process of up to 12 weeks. In this course the Youth Education Guidance together with the young person and the parents prepare an individual education plan, which contains an overview of activities, including counseling interviews and internships, which the young person should be offered.

The education may include elements that are delivered by afterschools, domestic schools, craft schools, folk high schools, production schools, institutions that deliver vocational education, day high schools, workshops (including sheltered workshops) and other institutions. The teaching in youth education for young people with special needs in these institutions is financed in the same way as their ordinary teaching, whereas a possible pupil payment is paid by the municipality.

The youth education contains elements of teaching and practical activities, including practise in enterprises and institutions, and including live teaching (learning how to live a daily life). It shall promote the young persons development and ability to take active part in social life, have an independent and active leisure, and develop competences that can be used in education and employment.

⁵ http://www.ug.dk/flereomraader/ungdommens_uddannelsesvejledning.aspx

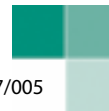


The municipality pays the conveyance and teaching resources must be free. When the education finishes the municipality issues a competence paper, which must contain a description of the competences that the young person has reached.

The decisions on offering or refusing a youth education for young people with special needs to a person, and the decisions on the content of such an education may be tried for the Appeal board for extensive Special needs Education, which also investigates complaints in relation to special needs education in the school. The disability organisations are represented in this appeal board.

The home page of the Ministry of Education⁶ informs that 417 young persons have signed up for youth education for young people with special needs in 2009, whereas 42,669 have signed up for high school and 16,279 for vocational youth education. But as the youth education for young people with special needs is a very new education, I should expect this number to grow during the coming period. The chairman of the Autism Association has, among many other parents, his own son in the youth education for young people with special needs. He has praised this education and warmly recommended it, which no doubt will contribute to its popularity.

⁶ <http://www.undervisningsministeriet.dk/>



Section 6: References

- (1) Mehlbye, Jill: Specialundervisningens effekt - elevernes uddannelsesforløb efter folkeskolen (*The effect of the special needs education – the educational course of the pupils after public school*). København: AKF 2009.
<http://www.uvm.dk/Uddannelse/Folkeskolen/Specialundervisning.aspx>
- (2) Lene Maj Pedersen, Signe Stensgaard, Tina Mou Jakobsen og Kira Hallberg: Voksen-, efter- og videreuddannelse – også for mennesker med funktionsnedsættelse? (*Adult education and after-education – also for disabled people?*). Center for Ligebehandling af Handicappede, 2008.
http://www.vanfoerefonden.dk/fileadmin/templateclh/filer/rapporter_og_notater/Videreuddannelse/videreudd.pdf
- (3) Folkeskoleloven: <https://www.retsinformation.dk/Forms/R0710.aspx?id=125580>
- (4) Gymnasieloven: <https://www.retsinformation.dk/Forms/R0710.aspx?id=120624>
- (5) Lov om Institutioner til almengymnasiale uddannelser:
<https://www.retsinformation.dk/Forms/R0710.aspx?id=120859>
- (6) Lov om Ungdomsuddannelse for unge med særlige behov:
<https://www.retsinformation.dk/Forms/R0710.aspx?id=25361>
- (7) Lov om Erhvervsuddannelser:
<https://www.retsinformation.dk/Forms/R0710.aspx?id=105174>
- (8) Universitetsloven: <https://www.retsinformation.dk/Forms/R0710.aspx?id=127797>
- (9) Lov om Socialpædagogisk støtte ved videregående uddannelser:
<https://www.retsinformation.dk/Forms/R0710.aspx?id=25295>
- (10) SU-loven: <https://www.retsinformation.dk/Forms/R0710.aspx?id=125699>
- (11) Lov om kompensation til handicappede i erhverv:
<http://w0.dk/~chlor/www.retsinformation.dk/lov/l114656.html>
- (12) Lov om åben uddannelse:
<https://www.retsinformation.dk/Forms/R0710.aspx?id=127240>
- (13) Bygningsreglementet:
<https://www.retsinformation.dk/Forms/R0710.aspx?id=122792>
- (14) The home page of the Ministry of Education:
<http://www.uvm.dk/service/Statistik/Folkeskolen%20og%20frie%20skoler/Elever/FTU.aspx>



(15) Special needs education:

<http://www.uvm.dk/Uddannelse/Folkeskolen/Specialundervisning.aspx>

(16) SU homepage: www.su.dk

(17) SU statistik:

http://www.sustyrelsen.dk/index.html?stud_tal/statistikker/default.html

(web pages last accessed March 2010)