Definition of the target group(s)

Special education in the school education system is provided to the following groups of children and young people:

- **disabled** children and young people:
  - with a mild intellectual disability;
  - with a moderate intellectual disability;
  - with a severe intellectual disability;
  - deaf;
  - with hearing impairment;
  - blind;
  - with visual impairment;
  - with a motor disability, including aphasia;
  - with autism, including Asperger’s syndrome;
  - with multiple disabilities;

- **socially maladjusted** children and young people

- children and young people **at risk of social maladjustment**, who require special organisation of the learning process and work methods.

Special education is provided to pupils/students on the basis of a certificate recommending SEN provision, issued by an assessment committee from a public counselling and guidance centre, including a specialised centre.

*(Regulation of the Minister of National Education of 24 July 2015 on the conditions for providing education and care to disabled and socially maladjusted children and youth and those at risk of social maladjustment; Journal [1]of Law, item 1113 [1], and 2017, item 1652;)*

The term ‘multiple disabilities’ refers to one of the following types of disability:

- deafness;
- hearing impairment;
- blindness;
- visual impairment;
- a motor disability;
- an intellectual disability; or
- autism,

combined with at least one of the disabilities listed above.
Children and young people with a profound intellectual disability attend rehabilitation-and-education classes/activities (Regulation of the Minister of National Education of 23 April 2013 on the conditions and organisational arrangements for rehabilitation-and-education classes for children and young people with a profound intellectual disability; Journal of Law, item 529).

Children and young people attend rehabilitation-and-education activities on the basis of a certificate recommending such individualised or group activities, issued by an assessment committee in a public counselling and guidance centre, including a specialised centre.

If, due to their health condition, children or young people are unable to attend a nursery school, an alternative pre-school education setting or a school, they follow an individualised one-year pre-school preparatory education programme or an individualised learning programme.

(Nursery schools, primary schools and post-primary schools: Regulation of the Minister of National Education of 9 August 2017 on individual compulsory one-year pre-school preparatory education for children and individualised learning programmes for children and young people; Journal of Law, item 1616)

(Regulation of the Minister of National Education of 28 August 2014 on individualised education programmes for children and young people; Journal of Law item 1157, and 2017, item 1656).

Children and young people follow an individualised one-year pre-school preparatory education programme or an individualised learning programme on the basis of a certificate recommending such a programme, issued by an assessment committee in a public counselling and guidance centre, including a specialised centre.

The school education system provides early development support to children. It includes integrated problem-prevention, diagnostic and therapeutic activities for children with development disfunctions. Activities are aimed at stimulating functions responsible for their psychological and motor development and communication.

Early development support is provided:

- from the time when a disability is diagnosed till the time of entry into primary education;
- on the basis of a statement / opinion recommending early development support.

(Regulation of the Minister of National Education of 24 August 2017 on early development support; Journal of Law item 1635).

Statements / opinions recommending early development support are issued by assessment committees working in public counselling and guidance centres.
Specific learning difficulties are understood as learning difficulties experienced by pupils/ students who fulfil the intellectual norms, but who have problems with learning the contents taught due to their specific perceptive, physical and cognitive characteristics which are not related to any neurological problems.

Specific learning difficulties are identified and confirmed in a statement / opinion issued by specialists working in a counselling and guidance centre.

**Statements/opinions confirming specific learning difficulties** are issued by:

- public counselling and guidance centres; and
- non-public counselling and guidance centres established under Art. 82 of the School Education Act and employing specialists with qualifications required of those working in public counselling and guidance centres.

Statements/opinions confirming specific learning difficulties may be issued to pupils:

- not earlier than after grade III of the primary school;
- not later than upon completion of primary education.

In duly justified cases, such a statement/opinion can also be issued to students in lower and upper secondary schools.

Particularly gifted children and young people may follow:

- an **individualised learning programme**; or
- an **individualised learning path**,

with a permission given by the head of a school.

(Regulation of the Minister of National Education of 9 August 2017 on the conditions and procedures for granting permission to follow an individualised learning programme or learning
Permission is granted:

- at the request or with the consent of an adult learner or of a child’s parents;
- after consultation with the school’s teaching council and a public counselling and guidance centre, including a specialised centre;
- upon completion of at least one year of education, or after the pupil’s/student’s mid-year assessment and in duly justified cases.

Psychological and educational support / counselling and guidance is provided to all pupils/students who have been found to be in need of such support. All institutions in the school education system are required to provide psychological and educational support.

Although the legislation does not define special educational needs (SEN), the term is understood very broadly, and its meaning is determined by the needs of a child, pupil/student or learner. The need to provide support may result both from the difficulties that children or young people face in the education process and from their particular aptitudes or talents.

Pupils/students with SEN require additional support in the process of education in order to be able to fulfil the requirements of the core curriculum or develop special talents and achieve the best possible learning outcomes extending beyond the core curriculum.

This list of special educational needs is non-exhaustive. They may result, in particular, from:

- disability;
- social maladjustment;
- risk of social maladjustment;
- behavioural or emotional disorders;
- special talents;
- specific learning difficulties;
- competence deficits and verbal communication disorders;
- a long-lasting illness;
- crisis or traumatic situations;
- school failure;
- child neglect resulting from the financial situation of the pupil/student and his/her family, ways of spending free time and contacts in the home environment;
- adaptation difficulties due to cultural differences or to the change of the educational environment, e.g. upon return from abroad.

Psychological and educational support is provided to the child on the basis of:

- **identification** of the child’s needs by the teacher conducting classes, class tutor or a specialist;
- a **statement / opinion** recommending such support, issued by a public or non-public counselling and guidance centre;
- a **certificate** recommending such support, issued by an assessment committee in a public
counselling and guidance centre.

Such support can also be requested by parents or pupils/students themselves, and by other people familiar with the child’s problems or those of his/her family:

- the head of the nursery school/school/institution;
- a teaching assistant;
- a Roma education assistant;
- an educational nurse or a school nurse;
- a social worker;
- a probation officer appointed by a court of justice;
- a family assistant;
- a non-governmental organisation;
- another institution or entity working for family, children and young people.

The following arrangements are in place for children who are required to participate in one-year preparatory pre-school education and for pupils/students who find it difficult to function in a peer group, despite being able to attend, respectively, a nursery school or another pre-school education setting, or a school:

- an individualised path for compulsory one-year preparatory pre-school education;
- an individualised learning path.

In order to follow an individualised path, pupils should have a statement / opinion from a counselling and guidance centre recommending this type of support.

An individualised path is not available to children and school pupils participating in special education who may take classes on an individual basis or in a group of up to 5 participants, based on an individual educational-and-therapeutic programme.

(Regulation of the Minister of National Education of 9 August 2017 on the rules for the provision and organisation of psychological and educational support in public nursery schools, schools and institutions; Journal of Law, item 1591, and 2018, item 1647)

(Regulation of the Minister of National Education of 30 April 2013 on the rules for the provision and organisation of psychological and educational support in public schools and institutions; Journal of Law, item 532, and 2017, item 1643).

**Specific support measures**

**Early development support**

**Counselling and guidance**

Counselling and guidance (referred to as psychological and pedagogical / educational support) is provided by nursery schools, all types of schools and other educational institutions.

Each institution in the school education system (a nursery school, alternative preschool education setting, school or another establishment) is required to provide counselling and guidance to children and young people attending them, and their parents and teachers, in line with individual needs. Such support is also offered by counselling and guidance centres (referred to as psychological and pedagogical centres).
Counselling and guidance in public nursery schools, schools and other public establishments is provided by:

- teachers,
- class / group tutors,
- specialists, including, in particular, psychologists, pedagogues, speech therapists, educational therapists and careers advisers.

In consultation with the body managing a given school (nursery school or institution), the school head employs teachers and specialists providing psychological and educational support, based on the previously identified needs.

When identifying the need to provide a pupil/student with psychological and educational support, teachers, class / group tutors or specialists immediately offer such support during ongoing work with the pupil/student and inform the person responsible for coordination of support:

- the pupil’s/student’s class tutor: in schools and institutions within which a school operates;
- the head of the nursery school or institution: in nursery schools or institutions which do not comprise a school.

The head of the school (nursery school or institution) may also appoint another person whose responsibilities will include support planning and coordination.

These responsibilities include identifying the forms of support to be provided, its duration and the number of hours for each form.

The need to provide psychological and educational support to a pupil/student is communicated to his/her parents or to the adult learner concerned.

Support offered by all types of public institutions in the school education system is offered on a free-of-charge and voluntary basis.

When planning to provide a pupil/student with psychological and educational support, the class / group tutor or the head of a school (nursery school or institution) collaborates with the pupil’s/student’s parents or with the adult learner. Depending on the pupil’s/student’s or adult learners needs, the school head or the class tutor also collaborates with:

- other teachers, tutors and specialists working with the pupil/student/adult learner,
- a counselling and guidance centre,
- an educational nurse,
- a school nurse,
- a Roma education assistant,
- a teaching assistant,
- a social worker,
- a probation officer appointed by a court of justice,
- non-governmental organisations,
- other institutions and entities working for families, children and young people.

In the case of pupils/students who have a special education certificate, counselling and guidance/psychological and educational support activities are planned and coordinated by a team of teachers, class tutors and specialists working with pupils/students.

The coordination of support is a responsibility of class tutors or other staff appointed by the head of a
given school (nursery school or institution). The team meets whenever necessary.

**Nursery schools** provide psychological and educational support as part of ongoing work with their pupils/students and in the following forms:

- classes/activities developing aptitudes or talents;
- specialised classes, including corrective and compensatory classes, speech therapy classes, classes/activities developing emotional and social competences and other therapeutic activities;
- an individualised path for compulsory one-year preparatory pre-school education;
- guidance and counselling sessions.

**Schools** provide psychological and educational support as part of ongoing work with pupils/students and in the following forms:

- classes/activities developing aptitudes or talents;
- classes/activities developing learning skills;
- educational support and remedial classes;
- specialised classes, including corrective and compensatory classes, speech therapy classes, classes/activities developing emotional and social competences and other therapeutic activities;
- education and career planning classes: for primary and post-primary school pupils, and for students in lower and upper secondary schools until these types of schools are phased out;
- an individualised learning path;
- therapeutic classes;
- workshops;
- guidance and counselling sessions.

**Classes developing aptitudes or talents:**

- are organised for particularly gifted pupils;
- may have up to 8 participants;
- are conducted by teachers, class tutors and specialists holding qualifications required for a given type of classes.

**Corrective and compensatory classes:**

- are organised for pupils/students with developmental disorders or deviations, including specific learning difficulties;
- may have up to 5 participants.

**Speech therapy classes:**

- are organised for pupils/students with competence deficits and language disorders;
- may have up to 4 participants.

**Classes/activities developing emotional and social competences:**

- are organised for pupils/students with difficulties in social functioning;
- may have up to 10 participants unless a larger number is justified by pupils’/students’ needs;
- are conducted by teachers, class tutors and specialists with qualifications required for a given type of activities.

**Other therapeutic activities:**
are organised for pupils/students with developmental disorders or deviations who have problems with functioning in their nursery school, school or institution, and with active and full participation in the life of their nursery school, school or institution; may have up to 10 participants.

**Classes/activities developing learning skills:**

- are organised in order to enhance the effectiveness of pupils’/students’ learning;
- have no upper limit for the number of pupils/students set by the national legislation, with organisational arrangements being left to heads of schools (nursery schools or institutions).

**Educational support and remedial classes:**

- are organised for pupils/students with learning difficulties, in particular in meeting educational requirements specified in the core curriculum for general education at a given stage;
- may have up to 8 participants.

**Education and career planning courses:**

- are organised to support pupils/students in making their education and career choices;
- are conducted using active learning methods;
- are conducted by teachers, class tutors and specialists, in particular by careers advisers.

One hour of classes developing aptitudes or talents, specialised classes, classes developing learning skills, educational support and remedial classes, and education and career planning classes lasts 45 minutes.

Where justified by pupils’/students’ needs, the duration of individual classes may be shorter, but the total weekly duration of these classes, as set for the pupil/student concerned, should be respected.

Such classes/activities are conducted using active learning methods.

Classes are conducted by teachers, class tutors and specialists who have qualifications required for a given type of classes/activities.

**Individualised path for compulsory one-year pre-school preparatory education and individualised learning path for school education**

- Individualised programmes are taken by individual pupils/students with special educational needs (SEN) who are able to attend a (nursery) school but – due to difficulties in functioning which result from their health condition or for other reasons – are unable to participate in all preschool education or school classes/activities together with their (nursery) school class and require adjustments to the organisation and process of teaching.
- Individualised programmes comprise all preschool education or school classes/activities, but SEN pupils/students take some of them together with their (nursery) school class and other on an individual basis.
- Individualised programmes are a way of implementing a preschool education or school curriculum, with implementation methods and forms adapted to the pupil’s/student’s individual developmental and educational needs and psychological and physical abilities.
- Individualised programmes are provided at the request of the pupil’s/student’s parents or the adult learner, on the basis of a statement from a counselling and guidance centre recommending this type of support.
- Before giving its statement, in collaboration with the pupil’s/student’s (nursery) school and
parents or the adult learner, the centre conducts an assessment of the pupil’s/student’s functioning/performance which takes into consideration outcomes of psychological and educational support provided so far by the (nursery) school.

- Individualised programmes are provided for a period of up to one school year.
- The (nursery) school head determines the weekly number of hours for preschool education or school classes to be taken by the pupil/student on an individual basis; the head takes into account the limitations that the pupil/student faces in his/her functioning, as identified in the statement/opinion from the centre, and the need for the pupil/student to follow the core curriculum.
- Teachers working with the pupil/student who benefit from this type of support are required to undertake activities aimed at improving the pupil’s/student’s functioning in the (nursery) school.
- This type of support is not provided to pupils/students participating in special education or following an individual compulsory one-year pre-school preparatory education programme, or an individual education programme; they may follow individualised programmes in accordance with other regulations.

**Therapeutic classes:**

- Classes are organised for pupils/students who require adjustments to the organisation and process of teaching and long-term specialised support due to difficulties in functioning in the school or class, resulting from developmental disorders or health condition.
- Classes can also be attended by pupils/students from other schools, upon approval from the body managing a given school.
- A pupil/student is included in a therapeutic class on the basis of a statement/opinion recommending this type of support, issued by a counselling and guidance centre.
- The teaching process in therapeutic classes is based on the curriculum implemented in a given school, with implementation forms and methods adapted to pupils’/students’ individual developmental and educational needs and psychological and physical abilities.
- Education is provided until problems in the pupil’s/student’s functioning in the school or class, which were the reasons behind such support, are mitigated or eliminated.
- Classes are conducted by teachers teaching the corresponding classes.
- A therapeutic class may have up to 15 pupils/students.

Psychological and educational support is also offered to pupils’/students’ parents and teachers in the form of:

- counselling and guidance sessions;
- workshops;
- training sessions.

In organising psychological and educational support, (nursery) school heads collaborate with:

- counselling and guidance centres, including specialised centres;
- pupils’/students’ parents;
- in-service teacher training institutions;
- other nursery schools, schools and educational institutions;
- non-governmental organisations and other institutions working for families, children and young people;

based on the terms and conditions of collaboration agreed with these entities.
Counselling and guidance sessions, workshops and training sessions are conducted by teachers, class tutors and specialists.

Heads assist their nursery schools, schools and institutions in performing psychological and educational support tasks by planning and taking measures which are aimed at improving the quality of the support provided.

(Regulation of the Minister of National Education of 9 August 2017 on the rules for the provision and organisation of psychological and educational support in public nursery schools, schools and institutions; Journal of Law, item 1591)

(Regulation of the Minister of National Education of 30 April 2013 on the rules for the provision and organisation of psychological and educational support in public schools and institutions; Journal of Law, item 532, and 2017, item 1643)

As regards alternative preschool education settings, their managing bodies identify:

- objectives and tasks of a nursery school centre or unit;
- the method for achieving the objectives and implementing the tasks, taking into consideration individual development support for pupils/students and support for families in the process of educating children and preparing them for school, with special regard to the type and degree of their disability in the case of disabled children;
- the scope of teachers’ responsibilities covering:
  - pedagogical observation aimed at the identification of children’s developmental needs and abilities;
  - assessment of children’s readiness for school;
  - collaboration with specialists providing psychological and educational support and health care.

Teachers conducting classes in alternative preschool education settings:

- observe pupils/students to assess their developmental potential and needs through pedagogical observation;
- assess children’s school readiness in the school year preceding the school year when children participating in compulsory one-year pre-school preparatory education should enter the primary school;
- assess school readiness of 5-year-olds who may enter the primary school at the age of 6 at the request of their parents;
- collaborate with specialists providing counselling and guidance / psychological and educational support and health care to children;
- provide guidance to, and advise, parents on working with children.

(Regulation of the Minister of National Education of 28 August 2017 on the types of alternative preschool education settings, the conditions for the establishment and organisation of such settings and their operational arrangements; Journal of Law, item 1657)

Teachers are free to choose textbooks, learning materials and resources, curricula, and teaching methods and approaches. However, they should take into consideration individual developmental and educational needs, and psychological and physical abilities of pupils/students with special educational needs. Teachers may also choose not to use textbooks in the teaching process.

Teachers are obliged **to adjust educational requirements** to individual developmental and educational needs, and psychological and physical abilities of pupils/students with a
Educational requirements are also adjusted on the basis of:

- special education certificates and arrangements recommended in a pupil’s/student’s individual educational-and-therapeutic programme;
- statements/certificates recommending individualised learning;
- the need for individualised learning as identified by teachers and specialists working with the pupil/student;
- a medical doctor’s opinion/statement on the pupil’s/students’ limitations in performing specific physical exercises during physical education classes.

For example, the following adjustments can be made to methods and forms of working with children to address their needs resulting from difficulties or developmental problems:

- adjusting the method of communicating with children;
- extending working hours where necessary;
- dividing the material into smaller segments, reducing the number of tasks to be performed, and increasing the number of exercises and revisions;
- making frequent references to concrete examples, and applying a heuristic method which promotes multi-sensory cognition;
- using additional teaching resources and equipment;
- repeating rules applicable in the classroom, setting clear limits or boundaries and ensuring that they are respected.

At each stage of education and in any type of school, particularly gifted pupils may follow:

- an individualised learning programme for one, more or all subjects/types of classes included in the school timetable for a given year;
- an individualised learning path leading to completion of education in any school within a shorter period.

(Regulation of the Minister of National Education of 9 August 2017 on the conditions and procedure for granting permission for an individualised learning programme or learning path and related organisational arrangements; Journal of Law, item 1569)

(Regulation of the Minister of National Education and Sport of 19 December 2001 on the conditions and procedure for granting permission for an individualised learning programme or learning path and related organisational arrangements: [Journal of Law 2002, No 3, item 28](#))

An individualised learning programme:

- is developed by the teacher who conducts classes at a given school and will supervise the pupil/student concerned, or is developed outside of a given school and approved by that teacher;
- is adapted to pupils’/students’ aptitudes or talents, interests and educational abilities;
- enables developing their knowledge in the fields where they demonstrate above-average learning ability;
- is implemented as part of classes at school.

An individualised learning path:
Pupils/students following individualised learning paths may:

- attend selected classes in a given grade or in a higher grade at their school or at another one;
- attend selected classes at a higher-level school;
- follow the curriculum in full or in part on their own;
- follow the curriculum for two or more grades during one school year;
- undergo assessment and be promoted at any time throughout the school year.

Chronically ill children

Depending on their health, chronically ill children may require various types of measures:

- compulsory one-year preschool preparatory classes, full-time or part-time compulsory education provided as individualised one-year preschool preparatory classes or individualised learning when they receive home care and their ill health hinders them in, or prevents them from, attending a nursery school, alternative preschool education setting or school;
- education at a special nursery school or school within a healthcare institution where the child is staying (e.g. in a hospital, sanatorium or health resort);
- treatment at their nursery school, alternative preschool education setting, school or institution (e.g. injections) or regular application of medication when the child is able to attend a nursery school, alternative preschool education setting or school;
- emergency assistance when the symptoms of an illness worsen or in the case of an accident.

Nursery schools, schools and other educational institutions should be prepared to meet the needs of chronically ill children in all those situations.

Heads of (nursery) schools/institutions should provide:

- adequate conditions for all, including chronically ill, children during the time they spend in a (nursery) school/institution;
- safe and healthy conditions for their participation in classes/activities organised by the (nursery) school/institution outside its premises;
- care to pupils/students, and conditions for their harmonious psychological and physical development through active health-promoting activities;
- facilities for first aid in emergency within their (nursery) school/institution;
- organisational arrangements which take into account the need to provide assistance to chronically ill children; this includes:
  - employing trained staff;
  - defining the responsibilities of staff;
  - staff training;
  - for schools and institutions: recruiting an educational nurse in consultation with the competent National Health Service centre.

Public schools are required to provide **preventive healthcare and pre-medical care** to
pupils/students.

Educational nurses or school nurses / hygienists are not school employees but only provide preventive health care on school premises.

The need for a pupil/student to follow individualised one-year preschool preparatory classes or an individualised learning path / programme for health reasons is identified in a certificate issued by an assessment committee based in a public counselling and guidance centre.

Individualised preschool preparatory classes and individualised learning are organised in such a way as to ensure that the recommendations made in a certificate are implemented at the place of the pupil’s/student’s stay, and in particular at his/her home.

Individualised preschool preparatory classes and classes as part of individualised learning are conducted by a teacher or teachers on an individual basis and in direct contact with the pupil/student.

The scope and duration of individualised preschool preparatory classes and individualised learning are determined by:

- the nursery school head; or
- the school head; or
- the person managing an alternative preschool education setting,

in consultation with the body managing a given (nursery) school/institution.

Heads/managers consults the pupil’s/student’s parents or the adult learner about the duration and timing of classes conducted as part of an individualised pre-school preparatory programme or individualised learning.

**Individualised preschool preparatory classes:**

- Classes cover the core curriculum contents for preschool education; however, at the teacher’s written request, the nursery school head may decide not to cover some contents of the core curriculum considering the child’s psychological and physical abilities and the conditions in the place where such classes are conducted.
- Classes are conducted by one or two teachers.
- The *weekly number of hours* for individual preschool preparatory classes conducted on an individual basis with the child:
  - ranges from 4 to 6 hours, spread over at least 2 days;
  - may be higher than 6 hours, with the consent given by the nursery school managing body;
  - may be lower than 4 hours, where requested by parents in cases duly justified by the child’s ill health; however, the pupil should learn the contents covered by the core curriculum for preschool education.

**Individualised learning:**

- Individualised learning covers compulsory subjects/classes included in the outline timetables for a given type of school. However, at the teacher’s request, the school head may decide not to cover some contents considering the child’s psychological and physical abilities and the conditions in the place where such classes are conducted.
- Classes are provided by:
  - one or two teachers in grades I to III of the primary school,
school teachers who are appointed by the school head to conduct such classes;

- in justified cases and based on the school head’s decision: a teacher employed in another
  nursery school, preschool education setting or school.

- The **weekly number of hours** for classes conducted with the pupil/student on an individual
  basis varies depending on the type of school and the grade:
  - 6 to 8 hours for pupils in grades I to III of the primary school;
  - 8 to 10 hours for pupils in grades IV to VI of the primary school;
  - 10 to 12 hours for pupils in grades VII and VIII of the primary school and students in the
    lower secondary school;
  - 12 to 16 hours for students in post-primary and upper secondary schools;
  - may be higher than the maximum number of hours, where consent is given by the
    managing body;
  - may be lower than the minimum number of hours, where requested by parents in cases
    duly justified by the child’s ill health; however, the pupil/student should learn the contents
    covered by the core curriculum.

Teachers conducting individualised pre-school preparatory classes or an individualised learning
programme observe how the pupil/student functions as regards his/her participation in the nursery
school or school life in order to:

- ensure full personal development of the pupil/student;
- ensure his/her integration in the nursery school or school environment;
- facilitate his/her return to the peer group after completion of the individualised programme.

The (nursery) school head takes measures to ensure that the pupil/student following an individualised
pre-school preparatory or learning programme keeps in contact with peers:

- taking into consideration the pupil’s/student’s current health condition and findings from the
  observation by teachers working with him/her;
- in consultation with the pupil’s/student’s parents or the adult learner.

The head organises various forms of participation for pupils/students whose ill health hinders them in
attending the (nursery) school or participating in (nursery) school life; in particular, they can
participate in:

- classes/activities developing interests and aptitudes or talents;
- (nursery) school celebrations and events;
- selected pre-school education or school classes.

In addition to the weekly number of hours for individualised pre-school preparatory classes or an
individualised learning programme, the following classes/activities are organised:

- rehabilitation classes/activities for disabled pupils/students;
- careers guidance classes;
- forms of psychological and educational support.

(Regulation of the Minister of Education of 9 August 2017 on individualised compulsory one-year pre-
school preparatory classes for children and individualised learning for children and young people:
Journal of Law, item 1616).

(Regulation of the Minister of Education of 28 August 2014 on individualised learning for children and
young people: Journal of Law, item 1157, and 2017, item 1656).
**Special education**

Disabled children may receive pre-school education in alternative preschool education settings, mainstream, integration and special nursery schools and pre-school classes in primary schools, including mainstream, integration and special classes.

Special classes in mainstream nursery schools are not established for children with a mild intellectual disability. Children with this type of disability are provided with preschool education in mainstream and integration classes.

Special education for disabled children, socially maladjusted children and children at risk of social maladjustment is provided in all types of schools, and in mainstream, integration and special classes and special institutions.

Mainstream schools may establish integration and special classes. As an exception, however, a special class may not be established in mainstream schools for socially maladjusted pupils/students or those at risk of social maladjustment. They may attend mainstream and integration classes and special schools and institutions.

Education and care for disabled children and young people is provided in mainstream nursery schools and schools and alternative pre-school education settings which are as close to their homes as possible. The states which have ratified the Convention on the Rights of Persons with Disabilities are required by its Article 24 to provide inclusive education at all levels.


Where the need for special organisation of the learning process and special working methods (special education) is identified, the following support instruments are used:

- entry into compulsory full-time education may be deferred until the child reaches the age of 9 (optionally, depending on the child’s needs);
- an **individual educational-and-therapeutic programme** is developed and implemented; it includes **rehabilitation classes** for disabled children, pupils/students, with the weekly number of hours not being lower than specified in the national legislation (a statutory task of a nursery school, school or centre attended by the child);
- support provided by additional staff employed: a teacher holding a special education qualification, a specialist or teacher assistant (such support is provided on a mandatory basis by some types of institutions or to pupils/students with specific types of disability; in other cases, it is provided depending on the pupils’/students’ needs);
- the commune (**gmina**) (the local government unit at the lowest level) where the child lives provides free transport and care during transport to the nearest institution (nursery school, another preschool education setting, school or rehabilitation-and-education centre), or reimburses the costs of transport for the child and his/her carer as stipulated in an agreement between the head of a commune or **mayor / president of a town / city** and parents if transport is provided by parents (only for disabled children and pupils/students; the age limit for pupils/students entitled to free transport is specified in the legislation);
- the duration of education at a given stage may be extended or shortened.

**Responsibilities of the institutions concerned**

Providing special education in a nursery school, an alternative pre-school education setting, a mainstream or integration primary school or a mainstream and integration lower secondary school
(the type of schools currently being phased out) is a statutory task of communes (gmina) (the lowest-level local government unit).

The responsibility for implementing recommendations made in a special education certificate rests with the head of a nursery school, school or institution or the person managing an alternative pre-school education setting, as appropriate.

The body managing a given school or institution takes responsibility for the latter’s activities. This includes:

- providing conditions for special organisation of the teaching and learning process and working methods for children and young people receiving special education;
- providing the school or institution with educational resources and equipment which are necessary to ensure full implementation of curricula and educational programmes, conduct tests and examinations, and perform other statutory tasks.

Mainstream and integration nursery schools, alternative pre-school education settings, schools and classes provide the following to children in special education:

- conditions for the implementation of recommendations made in a special education certificate;
- conditions for learning, specialist equipment and educational resources which are suited to children’s individual developmental and educational needs and psychological and physical abilities;
- classes suited to children’s individual developmental and educational needs and psychological and physical abilities, including:
  - rehabilitation classes/activities for disabled children and young people;
  - resocialisation/social rehabilitation classes/activities for socially maladjusted children and young people;
  - social therapy classes/activities for children and young people at risk of social maladjustment;
  - psychological and educational support classes/activities, including specialised classes / activities;
- integration with peers, including non-disabled children;
- preparation for independence in adult life.

**Individual educational-and-therapeutic programme**

An **individual educational-and-therapeutic programme** is developed for each pupil/student holding a special education certificate. The programme takes into account recommendations made in such a certificate and is adapted to each pupil’s/student’s individual developmental and educational needs and psychological and physical abilities.

An individual educational-and-therapeutic programme is developed:

- by a team of teachers and specialists working with the pupil/student;
- after a multifaceted specialist assessment of the pupil’s/student’s functioning / performance;
- where necessary, in collaboration with a counselling and guidance centre, including a specialised centre;
- jointly with parents or an adult disabled student if they wish so.

Parents and adult students receive a copy of the programme.

An individual educational-and-therapeutic programme identifies:
• the scope of, and adjustments to be made to, the preschool education curriculum and educational requirements to address the pupil’s/student’s individual developmental and educational needs and psychological and physical abilities, in particular by applying appropriate methods and forms of working with the pupil/student;

• integrated activities undertaken by teachers and specialists working with the pupil/student, including:
  ○ rehabilitation classes/activities for a disabled pupil/student;
  ○ social rehabilitation classes/activities for a socially maladjusted pupil/student;
  ○ social therapy classes/activities for a pupil/student at risk of social maladjustment;

  which are aimed at:

  ○ improving the functioning of the pupil/student, including their communication with the environment, using alternative augmentative communication (AAC) methods;
  ○ enhancing the pupil’s/student’s participation in the life of their nursery school or school;

• forms in which, and the period during which, psychological and educational support is provided to the pupil/student, and the number of hours for each form of support;

• support offered to the pupil’s/student’s parents;

• the following types of classes/activities:
  ○ rehabilitation classes/activities;
  ○ social rehabilitation classes/activities;
  ○ social therapy classes/activities;
  ○ other activities in line with the pupil’s/student’s individual needs;
  ○ education and career planning classes conducted as part of psychological and educational support (compulsory in lower secondary schools now being phased out, and for upper secondary and post-secondary schools)
  ○ career guidance classes: for pupils/students in grades VII and VIII of the primary school, and post-primary schools, including stage I sectoral vocational schools, general secondary schools and technical secondary schools;

• the scope of collaboration between teachers and specialists and the pupil’s/student’s parents in the performance of special education tasks by the educational institution attended by the pupil/student.

Depending on the needs, the programme also identifies:

• the scope of collaboration with:
  ○ counselling and guidance centres, including specialised centres;
  ○ in-service teacher training institutions;
  ○ non-governmental organisations;
  ○ other institutions working for families, children and young people;
  ○ in the case of mainstream and integration institutions: additionally, special school centres for education and care, youth education centres and youth social therapy centres;

• the form of, and adjustments to be made in, the organisational conditions for the education process, including the use of technologies supporting teaching and learning, depending on the type of the pupil’s/student’s disability;

• selected pre-school education or educational classes/activities which are conducted on an individual basis with the pupil/student or in a group of up to 5 pupils/students if this is recommended in the special education certificate or the multi-faceted specialist assessment of the pupil’s/student’s functioning/performance.
Such programmes are developed for the period:

- for which a special education certificate is issued;
- which cannot exceed the length of a given stage of education.

The implementation of an individual educational-and-therapeutic programme and the progress made by the pupil/student in special education are regularly monitored by a team of teachers, a class tutor and specialists working with the pupil/student.

Rehabilitation classes / activities

Rehabilitation classes/activities are conducted for disabled pupils/students, regardless of the type of school they attend.

Rehabilitation classes/activities:

- comprise therapy and rehabilitation activities;
- are conducted by teachers and specialists who are trained to work with children with a given type of disability and to conduct a given type of classes;
- may be conducted on an individual basis or for a group of children, depending on their needs.

The type, duration and form of rehabilitation classes/activities are specified in an individual educational-and-therapeutic programme.

The programme of rehabilitation classes/activities should focus, in particular, on the development of the pupil’s/student’s communication skills through the following types of activities:

- for blind pupils/students: learning spatial orientation and movement, the Braille alphabet or other communication methods;
- for disabled pupils/students with speech disorders or inability to speak: learning the sign language or other communication methods, and in particular, alternative augmentative communication (ACC) methods;
- for pupils/students with autism, including Asperger’s syndrome: activities developing social skills, including communication skills.

(Regulation of the Minister of National Education of 9 August 2017 on the conditions for the provision of education and care to children and young people who are disabled, socially maladjusted or at risk of social maladjustment; Journal of Law, item 1578, and 2018, item 1485 [3])

The minimum compulsory number of class hours for such activities in a school, depending on its type, is laid down in the legislation.

The minimum number of rehabilitation class hours for disabled pupils/students attending mainstream or integration classes at individual stages of education is 2 hours per pupil/student. The legislation does not specify the form of such classes / activities. This means that they may be conducted as individual or group activities; the form and type of classes / activities should be chosen so as to address the needs of the pupil/student as identified in his/her educational-and-therapeutic programme.

(Regulation of the Minister of National Education of 28 March 2017 on the outline timetables for public schools; Journal of Law, item 703).

The minimum number of rehabilitation class hours for disabled students attending mainstream
or integration classes in lower secondary schools, and upper secondary and post-secondary schools is as follows:

- 190 hours per student in lower secondary schools and basic vocational schools;
- 180 hours per student in general upper secondary schools;
- 240 hours per student in technical upper secondary schools.

(Regulation of the Minister of National Education of 7 February 2012 on the outline timetables for public schools: Journal of Law, item 204, as subsequently amended)

Rehabilitation classes/activities for disabled children with a special education certificate are also compulsory in nursery schools and alternative preschool education settings, but the legislation does not stipulate the minimum weekly number of hours for such classes/activities. The number of hours allocated to such classes should be adjusted to the child’s individual needs.

The outline timetable also includes the following elements:

- the minimum weekly number of hours for career guidance classes;
- counselling/psychological and educational support classes/activities;
- classes in a national or ethnic minority language or the regional language and in the history and culture of the minority/regional language community;
- classes in the geography of the country which national minority pupils/students identify themselves in cultural terms;
- sporting activities in sport classes and schools and sport championship classes and schools;
- additional educational classes and sign language classes where the body managing a given school/institution has allocated hours to such classes.

Social rehabilitation or social therapy classes / activities

Young people who are socially maladjusted or at risk of social maladjustment attend social rehabilitation or social therapy classes, respectively, and participate in other therapeutic activities. Such classes/activities develop life skills which help them function properly in family and social contexts.

Additional staff

The school education legislation provides for the employment of staff supporting special education:

- teachers trained in special education;
- specialists;
- teaching assistants.

Mainstream nursery schools with integration classes, integration nursery schools, mainstream schools with integration classes and integration schools additionally employ teachers trained in special education. Their task is to support integration education which takes into account the recommendations made in special education certificates.

Mainstream nursery schools, alternative preschool education settings and mainstream schools providing special education to children and pupils/students with a special education certificate because of:
autism, including Asperger’s syndrome, multiple disabilities, are required to employ additional staff.

Depending on the needs of pupils/students with the above-mentioned disabilities and taking into consideration the recommendations made in special education certificates, the following staff are employed:

- a teacher with qualifications in special education; or
- a specialist; or
- a teaching assistant.

Additional staff may be employed with the consent of the body managing a given (nursery) school/setting:

- when a mainstream nursery school, alternative preschool education setting or school is attended by a child with a special education certificate because of another type of disability;
- additionally, for schools only: when a mainstream school is attended by a socially maladjusted pupil/student or a pupil/student at risk of social maladjustment.

Additional teaching staff holding qualifications in special education:

- conduct classes;
- conduct integrated activities and classes as specified in an individual educational-and-therapeutic programme;
- conduct educational activities for pupils/students;

...together with other teachers and specialists...

Furthermore, where necessary, additional teaching staff:

- participate in classes and integrated activities / classes which are included in an individual educational-and-therapeutic programme and are conducted by teachers and specialists;
- support teachers and specialists in choosing forms and methods of working with pupils in special education.

Heads of (nursery) schools or persons managing alternative preschool education settings identify classes, integrated activities / classes, as specified in individual educational-and-therapeutic programmes, which are conducted by additional teaching staff together with other teachers, or those in which additional teaching staff participate.

In identifying such classes and activities, heads take into account individual developmental and educational needs and psychological and physical abilities of disabled and socially maladjusted pupils/students or of pupils/students at risk of social maladjustment.

Specialists and teaching assistants perform tasks assigned to them by the head of a (nursery) school, or the person managing an alternative preschool education setting.

Teaching assistants should be employed in special classes of mainstream nursery schools and grades I to IV of primary schools for pupils with:

- a moderate or severe intellectual disability;
- a physical/motor disability;
- autism; or
- multiple disabilities.

With the consent of the managing body, teaching assistants may also be employed in other (nursery) school classes attended by disabled pupils/students.

In agreement with their managing body and in accordance with the Labour Code, the head of a (nursery) school or the person managing an alternative preschool education setting may employ non-educational staff also in other cases justified by pupils'/students' needs and define their responsibilities. These may include specific tasks and activities for pupils/students with special educational needs attending mainstream nursery schools and schools.

Moreover, the parents of disabled children may submit a request to the local welfare centre to employ a disabled person's assistant (Regulation of the Minister of Labour and Social Policy of 7 August 2014 on the classification of occupations and specialisms for the labour market and the scope of its applicability; Journal of Law 2018, item 227).

The tasks of a disabled person's assistant are to:

- facilitate participation in social life for the disabled person;
- provide care services;
- offer assistance to the disabled person's family.


Disabled persons’ assistants are not employees of an educational institution. They may only perform their tasks on its premises in agreement with the head of the institution.

Each institution in the school education system (a nursery school, an alternative preschool education setting, a school or another institution) is required to provide counselling and guidance (referred to as psychological and educational support) to children and young people attending them, and their parents and teachers, in line with individual needs. Such support is also offered by counselling and guidance centres (referred to as psychological and pedagogical centres).

Counselling and guidance in public nursery schools, schools and other public establishments is provided by:

- teachers,
- class / group tutors,
- specialists, in particular psychologists, pedagogues, speech therapists, educational therapists and careers advisers.

In consultation with the body managing a given school (nursery school or institution), the head of a school (nursery school or institution) employs teachers and specialists providing psychological and educational support, based on the previously identified needs.

When identifying the need to provide a pupil/student with psychological and educational support, teachers, class / group tutors or specialists immediately offer such support during ongoing work with the pupil/student and inform the person responsible for coordination of support:
• the pupil’s/student’s class tutor: in schools and institutions within which a school operates;
• the head of the nursery school or institution: in nursery schools or institutions which do not comprise a school.

The head of the school (nursery school or institution) may also appoint another person whose tasks will include support planning and coordination.

These tasks include identifying the forms of support to be provided, its duration and the number of hours for each form.

The need to provide psychological and educational support to a pupil/student is communicated to his/her parents or to the adult learner concerned.

Support offered by all types of public institutions in the school education system is offered on a free-of-charge and voluntary basis.

When planning to provide a pupil/student with psychological and educational support, the class tutor or the head of a school (nursery school or institution) collaborates with the pupil’s/student’s parents or with the adult learner. Depending on the pupil’s/student’s or adult learners needs, the head or the class tutor also collaborates with:

• other teachers, tutors and specialists working with the pupil/student/adult learner,
• a counselling and guidance centre,
• an educational nurse,
• a school nurse,
• a Roma education assistant,
• a teaching assistant,
• a social worker,
• a probation officer appointed by a court of justice,
• non-governmental organisations,
• other institutions and entities working for families, children and young people.

In the case of pupils/students who have a special education certificate, counselling and guidance/psychological and educational support activities are planned and coordinated by a team of teachers, a class tutor and specialists working with pupils/students.

The coordination of support is a responsibility of class tutors or other staff appointed by the head of a given school. The team meets whenever necessary.

**Nursery schools** provide psychological and educational support as part of ongoing work with their pupils/students and in the following forms:

• classes/activities developing aptitudes or talents;
• specialised classes/activities, including corrective and compensatory classes, speech therapy classes, classes/activities developing emotional and social competences and other therapeutic activities;
• an individualised path for compulsory one-year preparatory pre-school education;
• guidance and counselling sessions.

**Schools** provide psychological and educational support as part of ongoing work with pupils/students and in the following forms:

• classes/activities developing aptitudes or talents;
• classes/activities developing learning skills;
• educational support and remedial classes;
• specialised classes, including corrective and compensatory classes, speech therapy classes, classes/activities developing emotional and social competences and other therapeutic activities;
• education and career planning classes: for primary and post-primary school pupils, and for students in lower and upper secondary schools until these schools are phased out;
• an individualised learning path;
• therapeutic classes;
• workshops;
• guidance and counselling sessions.

Other educational institutions provide psychological and educational support as part of ongoing work with pupils/students and in the following forms:

• classes/activities developing aptitudes or talents;
• specialised classes, including corrective and compensatory classes, speech therapy classes, classes/activities developing emotional and social competences and other therapeutic activities;
• guidance and counselling sessions.

Classes developing aptitudes or talents:

• are organised for particularly gifted pupils;
• may have up to 8 participants;
• are conducted by teachers, group tutors and specialists holding qualifications required for a given type of classes.

Corrective and compensatory classes:

• are organised for pupils/students with developmental disorders or deviations, including specific learning difficulties;
• may have up to 5 participants.

Speech therapy classes:

• are organised for pupils/students with competence deficits and language disorders;
• may have up to 4 participants.

Classes/activities developing emotional and social competences:

• are organised for pupils/students with difficulties in social functioning;
• may have up to 10 participants unless a larger number is justified by pupils’/students’ needs;
• are conducted by teachers, group / class tutors and specialists with qualifications required for a given type of activities.

Other therapeutic activities:

• are organised for pupils/students with developmental disorders or deviations who have problems with functioning in their nursery school, school or institution, and with active and full participation in the life of their nursery school, school or institution;
• may have up to 10 participants.

Classes/activities developing learning skills:
are organised in order to enhance the effectiveness of pupils’/students’ learning;
• have no upper limit for the number of pupils/students set by the national legislation, with
organisational arrangements being left to heads of schools (nursery schools or institutions).

Educational support and remedial classes:
• are organised for pupils/students with learning difficulties, in particular in meeting educational
requirements specified in the core curriculum for general education at a given stage;
• may have up to 8 participants.

Education and career planning courses:
• are organised to support pupils/students in making their education and career choices;
• are conducted using active learning methods;
• are conducted by teachers, class / group tutors and specialists, in particular careers advisers.

One hour of classes developing aptitudes or talents, specialised classes, classes developing learning
skills, educational support and remedial classes, and education and career planning classes lasts 45
minutes.

Where justified by pupils’/students’ needs, the duration of individual classes may be shorter, but the
total weekly duration of these classes, as set for the pupil/student concerned, should be respected.

Such classes/activities are conducted using active learning methods.

Classes are conducted by teachers, class tutors and specialists who have qualifications required for a
given type of classes/activities.

Individualised path for compulsory one-year pre-school preparatory education and
individualised learning path for school education

• Individualised programmes are taken by individual pupils/students with special educational
needs (SEN) who are able to attend a (nursery) school but – due to difficulties in functioning
which result from their health condition or for other reasons – are unable to participate in all
preschool education or school classes/activities together with their (nursery) school class and
require adjustments in the organisation and process of teaching.
• Individualised programmes comprise all preschool education or school classes/activities, but
SEN pupils/students take some of them together with their (nursery) school class and other on
an individual basis.
• Individualised programmes are a way of implementing a preschool education or school
curriculum, with implementation methods and forms adjusted to the pupil’s/student’s individual
developmental and educational needs and psychological and physical abilities.
• Individualised programmes are provided at the request of the pupil’s/student’s parents or the
adult learner, on the basis of a statement from a counselling and guidance centre
recommending this type of support.
• Before giving its statement, in collaboration with the pupil’s/student’s (nursery) school and
parents or the adult learner, the centre conducts an assessment of the pupil’s/student’s
functioning/performance which takes into consideration outcomes of psychological and
educational support provided so far by the (nursery) school.
• Individualised programmes are provided for a period of up to one school year.
• The (nursery) school head determines the weekly number of hours for preschool education or
school classes to be taken by the pupil/student on an individual basis; the head takes into
account the limitations that the pupil/student faces in his/her functioning, as identified in the
statement/opinion from the centre, and the need for the pupil/student to follow the core curriculum.

- Teachers working with the pupil/student benefitting from this type of support are required to undertake activities aimed at improving the pupil’s/student’s functioning in the (nursery) school.
- This type of support is not provided to pupils/students participating in special education or following an individual compulsory one-year pre-school preparatory education programme, or an individual education programme; they may follow individualised programmes in accordance with other regulations.

Therapeutic classes:

- Classes are organised for pupils/students who require adjustments to the organisation and process of teaching and long-term specialised support due to difficulties in functioning in the school or class, resulting from developmental disorders or health condition.
- Classes can also be attended by pupils/students from other schools, upon approval from the body managing a given school.
- A pupil/student is included in a therapeutic class on the basis of a statement/opinion recommending this type of support, issued by a counselling and guidance centre.
- The teaching process in therapeutic classes is based on the curriculum implemented in a given school, with implementation forms and methods adapted to pupils’/students’ individual developmental and educational needs and psychological and physical abilities.
- Education is provided until problems in the pupil’s/student’s functioning in the school or class, which were the reasons behind such support, are mitigated or eliminated.
- Classes are conducted by teachers teaching the corresponding classes.
- A therapeutic class may have up to 15 pupils/students.

Psychological and educational support is also offered to pupils’/students’ parents and teachers in the form of:

- counselling and guidance sessions;
- workshops;
- training sessions.

In organising psychological and educational support, (nursery) school heads collaborate with:

- counselling and guidance centres, including specialised centres;
- pupils’/students’ parents;
- in-service teacher training institutions;
- other nursery schools, schools and educational institutions;
- non-governmental organisations and other institutions working for families, children and young people;

based on the terms and conditions of collaboration agreed with these entities.

Counselling and guidance sessions, workshops and training sessions are conducted by teachers, class tutors and specialists.

Heads assist their nursery schools, schools and institutions in performing psychological and educational support tasks by planning and taking measures which are aimed at improving the quality of the support provided.

(Regulation of the Minister of National Education of 9 August 2017 on the rules for the provision and
organisation of psychological and educational support in public nursery schools, schools and institutions; Journal of Law, item 1591)

(Regulation of the Minister of National Education of 30 April 2013 on the rules for the provision and organisation of psychological and educational support in public schools and institutions; Journal of Law, item 532, and 2017, item 1643)

As regards alternative preschool education settings, their managing bodies identify:

- objectives and tasks of a nursery school centre or unit;
- the method for achieving the objectives and implementing the tasks, taking into consideration individual development support for pupils/students and support for families in the process of educating children and preparing them for school, with special regard to the type and degree of their disability in the case of disabled children;
- the scope of teachers’ responsibilities covering:
  - pedagogical observation aimed at the identification of children’s developmental needs and abilities;
  - assessment of children’s readiness for school;
  - collaboration with specialists providing psychological and educational support and health care.

Teachers conducting classes in alternative preschool education settings:

- observe pupils/students to assess their developmental potential and needs through pedagogical observation;
- assess children’s school readiness in the school year preceding the school year when children participating in compulsory one-year pre-school preparatory education should enter the primary school;
- assess school readiness of 5-year-olds who may enter the primary school at the age of 6 at the request of their parents;
- collaborate with specialists providing counselling and guidance / psychological and educational support and health care to children;
- provide guidance and advise parents on working with children.

(Regulation of the Minister of National Education of 28 August 2017 on the types of alternative preschool education settings, the conditions for the establishment and organisation of such settings and their operational arrangements; Journal of Law, item 1657, and 2017, item 2446)

Teachers are free to choose textbooks, learning materials and resources, curricula, and teaching methods and approaches. However, they should take into account individual developmental and educational needs, and psychological and physical abilities of pupils/students with special educational needs. Teachers may also choose not to use textbooks in the teaching process.

Teachers are obliged to adjust educational requirements to individual developmental and educational needs, and psychological and physical abilities of pupils/students holding a statement/certificate confirming specific learning difficulties or any other statement/certificate recommending such adjustments, issued by a counselling and guidance centre, including a specialised centre.

Educational requirements are also adjusted on the basis of:

- special education certificates, and arrangements recommended in a pupil’s/student’s individual educational-and-therapeutic programme;
statements/certificates recommending individualised learning;
the need for individualised learning as identified by teachers and specialists working with the pupil/student;
a medical doctor’s opinion/statement on the pupil’s/students’ limitations in performing specific physical exercises during physical education classes.

For example, the following adjustments can be made in methods and forms of working with children to address their needs resulting from difficulties or developmental problems:

- adjusting the method of communicating with children;
- extending working hours where necessary;
- dividing the material into smaller segments, reducing the number of tasks to be performed, and increasing the number of exercises and revisions;
- making frequent references to concrete examples, and applying a heuristic method which promotes multi-sensory cognition;
- using additional teaching resources and equipment;
- repeating rules applicable in the classroom, setting clear limits or boundaries and ensuring that they are respected.

At each stage of education and in any type of school, particularly gifted pupils may follow:

- an individualised learning programme for one, more or all subjects/types of classes included in the school timetable for a given year;
- an individualised learning path leading to completion of education in any school within a shorter period.

(Regulation of the Minister of National Education of 9 August 2017 on the conditions and procedure for granting permission for an individualised learning programme or learning path and related organisational arrangements; Journal of Law, item 1569)

(Regulation of the Minister of National Education and Sport of 19 December 2001 on the conditions and procedure for granting permission for an individualised learning programme or learning path and related organisational arrangements; Journal of Law 2002, No 3, item 28 [5])

An individualised learning programme:

- is developed by the teacher who conducts classes at a given school and will supervise the pupil/student concerned, or is developed outside of a given school and approved by that teacher;
- is adjusted to pupils’/students’ aptitudes or talents, interests and educational abilities;
- enables developing their knowledge in the fields where they demonstrate above-average learning ability;
- is implemented as part of classes at school.

An individualised learning path:

- concerns one, several or all compulsory subjects/classes;
- is followed by the pupil/student based on arrangements other than attendance at compulsory classes included in the school timetable for a given class;
- may be based on a curriculum which is part of the set of school curricula or on an individualised learning programme developed by the responsible teacher or in collaboration with other teachers, including a teacher from a higher-level school, methodological advisers, psychologists, pedagogues or even the pupil/student himself/herself.
Pupils/students following individualised learning paths may:

- attend selected classes in a given grade or in a higher grade at their school or at another one;
- attend selected classes at a higher-level school;
- follow the curriculum in full or in part on their own;
- follow the curriculum for two or more grades during one school year;
- undergo assessment and be promoted at any time throughout the school year.

**Chronically ill children**

Depending on their health, chronically ill children may require various types of measures:

- compulsory one-year preschool preparatory classes, full-time or part-time compulsory education provided as individualised one-year preschool preparatory classes or individualised learning when they receive home care and their ill health hinders them in, or prevents them from, attending a nursery school, alternative preschool education setting or school;
- education at a special nursery school or school within a healthcare institution where the child is staying (e.g. in a hospital, sanatorium or health resort);
- treatment at their nursery school, alternative preschool education setting, school or institution (e.g. injections) or regular application of medication when the child is able to attend a nursery school, an alternative preschool education setting or a school;
- emergency assistance when the symptoms of an illness worsen or in the case of an accident.

Nursery schools, schools and other educational institutions should be prepared to meet the needs of chronically ill children in all those situations.

Heads of (nursery) schools/institutions should provide:

- adequate conditions for all, including chronically ill, children during the time they spend in a (nursery) school/institution;
- safe and healthy conditions for their participation in classes/activities organised by the (nursery) school/institution outside its premises;
- care to pupils/students, and conditions for their harmonious psychological and physical development through active health-promoting activities;
- facilities for first aid in emergency within their (nursery) school/institution;
- organisational arrangements which take into account the need to provide assistance to chronically ill children; this includes:
  - employing trained staff;
  - defining the responsibilities of staff;
  - staff training;
  - for schools and institutions: recruiting an educational nurse in consultation with the competent National Health Service centre.

Public schools are required to provide **preventive healthcare and pre-medical care** to pupils/students.

Educational nurses or school nurses / hygienists are not school employees but only provide preventive health care on school premises.

The need for a pupil/student to follow **individualised one-year preschool preparatory classes or an individualised learning path / programme** for health reasons is identified in a certificate issued by an assessment committee based in a public counselling and guidance centre.
Individualised preschool preparatory classes and individualised learning are organised in such a way as to ensure that the recommendations made in a certificate are implemented at the place of the pupil’s/student’s stay, and in particular at his/her home.

Individualised preschool preparatory classes and classes as part of individualised learning are conducted by a teacher or teachers on an individual basis and in direct contact with the pupil/student.

The scope and duration of individualised preschool preparatory classes and individualised learning are determined by:

- the nursery school head; or
- the school head; or
- the person managing an alternative preschool education setting,

in consultation with the body managing a given (nursery) school/institution.

Heads/managers consults the pupil’s/student’s parents or the adult learner about the duration and timing of classes conducted as part of an individualised pre-school preparatory programme or individualised learning.

**Individualised preschool preparatory classes:**

- Classes cover the core curriculum contents for preschool education; however, at the teacher’s written request, the nursery school head may decide not to cover some contents of the core curriculum considering the child’s psychological and physical abilities and the conditions in the place where such classes are conducted.
- Classes are conducted by one or two teachers.
- The weekly number of hours of individual preschool preparatory classes conducted on an individual basis with the child:
  - ranges from 4 to 6 hours, spread over at least 2 days;
  - may be higher than 6 hours, where the consent is given by the nursery school managing body;
  - may be lower than 4 hours, where requested by parents in cases duly justified by the child’s ill health; however, the pupil should learn the contents covered by the core curriculum for preschool education.

**Individualised learning:**

- Individualised learning covers compulsory subjects/classes included in the outline timetables for a given type of school. However, at the teacher’s request, the school head may decide not to cover some contents considering the child’s psychological and physical abilities and the conditions in the place where such classes are conducted.
- Classes are provided by:
  - one or two teachers in grades I to III of the primary school,
  - school teachers who are appointed by the school head to conduct such classes;
  - in justified cases and based on the school head’s decision: a teacher employed in another nursery school, preschool education setting or school.
- The weekly number of hours for classes conducted with the pupil/student on an individual basis varies depending on the type of school and the grade:
  - 6 to 8 hours for pupils in grades I to III of the primary school;
  - 8 to 10 hours for pupils in grades IV to VI of the primary school;
10 to 12 hours for pupils in grades VII and VIII of the primary school and students in the lower secondary school;
12 to 16 hours for students in post-primary and upper secondary schools;
may be higher than the maximum number of hours, where the consent is given by the managing body;
may be lower than the minimum number of hours, where requested by parents in cases duly justified by the child’s ill health; however, the pupil/student should learn the contents covered by the core curriculum.

Teachers conducting individualised pre-school preparatory classes or an individualised learning programme observe how the pupil/student functions as regards his/her participation in the nursery school or school life in order to:

- ensure full personal development of the pupil/student;
- ensure his/her integration in the nursery school or school environment;
- facilitate his/her return to the peer group after completion of the individualised programme.

The (nursery) school head takes measures to ensure that the pupil/student following an individualised pre-school preparatory or learning programme keeps in contact with peers:

- taking into consideration the pupil’s/student’s current health condition and findings from the observation by teachers working with him/her;
- in consultation with the pupil’s/student’s parents or the adult learner.

The head organises various forms of participation for pupils/students whose ill health hinders them in attending the (nursery) school or participating in (nursery) school life; in particular, they can participate in:

- classes/activities developing interests and aptitudes or talents;
- (nursery) school celebrations and events;
- selected pre-school education or school classes.

In addition to the weekly number of hours for individualised pre-school preparatory classes or an individualised learning programme, the following classes/activities are organised:

- rehabilitation classes/activities for disabled pupils/students;
- careers guidance classes;
- forms of psychological and educational support.

(Regulation of the Minister of Education of 9 August 2017 on individualised compulsory one-year pre-school preparatory classes for children and individualised learning for children and young people: Journal of Law, item 1616).

(Regulation of the Minister of Education of 28 August 2014 on individualised learning for children and young people: Journal of Law, item 1157, and 2017, item 1656).

**Adjustments to external examinations**

Adjustments to the conditions in which external examinations (including the eighth-grader exam, the maturity exam and exams confirming vocational qualifications) are conducted can be made for pupils/students and school leavers with special education needs (SEN); adjustments in the form of the external examinations can be additionally made for disabled pupils and school leavers.
The form of an external examination is adapted to the needs of disabled pupils and school leavers so that they use separate examination sheets which are suitable for a particular kind of disability. However, no separate examination sheets are prepared for school leavers holding a special education certificate because of a mild intellectual disability (this concerns the maturity exam and exams confirming vocational qualifications).

**Adjustments to the conditions** consist in:

- minimising limitations related to a disability, social maladjustment or risk of social maladjustment;
- providing an appropriate place of work adapted to the educational needs and psychological and physical abilities of exam takers;
- using suitable specialised equipment and educational resources;
- extending the duration of the exam;
- determining the rules for assessing solved tasks, while taking into account the educational needs and psychological physical abilities of exam takers;
- during examinations: ensuring the presence and assistance of a teacher who helps with writing and reading, depending on the type of disability, social maladjustment or the risk thereof, if it is necessary to communicate with the exam taker or to use specialist equipment and resources; the presence of a specialist in a particular type of disability, if it is necessary to communicate with the exam taker or to use specialist equipment and resources.

Pupils/students with a mild intellectual disability are exempt from an exam in a modern foreign language at the extended level. However, they may take such an exam at their parents’ request.

Children and young people with a moderate, severe and profound intellectual disability do not take external examinations.

**Buildings** which house nursery schools, schools and other educational institutions within the school education system should comply with technical specifications for public utility buildings. Such specifications refer to, among other things, access for disabled persons (Regulation of the Minister of Infrastructure of 12 April 2002 on technical specifications to be complied with by buildings and their localisation: Journal of Law 2015, item 1422, and 2017, item 2285).

Requirements concerning the premises for alternative preschool education settings are set out in detail in the legislation. (Regulation of the Minister of National Education of 28 August 2017 on the types of alternative preschool education settings, conditions for the establishment and organisation of such settings and their organisational arrangements; Journal of Law, item 1657, and 2017, item 2446).

Mainstream public and non-public nursery and primary schools may also provide early development support for children if they:

- employ staff with qualifications required to conduct early support classes;
- have premises to conduct early support classes on an individual basis and in groups, fitted with specialist equipment and educational resources suited to children’s developmental and educational needs and physical and psychological abilities.

(Regulation of the Minister of National Education of 24 August 2017 on the provision of early development support for children; Journal of Law, item 1535).

**Monitoring and assessment of effectiveness of special education**
The team of teachers, a class / group tutor and specialists working with a pupil/student participating in special education meets to discuss the pupil’s/student’s progress. The frequency of meetings depends on the needs, but they are held at least twice in a school year.

The work of the team is coordinated by the class / group tutor or another teacher or specialist working with the child or pupil/student, appointed by the head of the nursery school, school or institution or the person managing an alternative preschool education setting.

Team meetings may be attended by:

- parents or the adult learner concerned;
- a representative of a counselling and guidance centre or a teaching assistant, at the request of the head of the nursery school, school or institution or the person managing the alternative preschool education setting;
- other persons, in particular a medical doctor, psychologist, pedagogue, speech therapist or another specialist, at the request of, or with the consent from, the pupil’s/student’s parents or the adult learner concerned.

At least twice in a school year, the team conducts a **periodical multi-faceted specialist assessment of the pupil’s/student’s functioning/performance** and, where necessary, revises the educational-and-therapeutic programme developed, taking into consideration its effectiveness.

The multi-faceted specialist assessment of the pupil’s/student’s functioning/performance:

- is conducted as often as necessary, but at least twice in a school year, also at the request of the pupil’s/students’ parents or the adult learner concerned
- is conducted, where necessary, in cooperation with a counselling and guidance centre, including a specialised centre;
- provides the basis for any necessary adjustments to the individual educational-and-therapeutic programme (for an individual educational-and-therapeutic programme, see above).

The assessment takes into consideration, in particular, the following elements:

- individual developmental and educational needs, strengths, predispositions, interests and aptitudes or talents of the pupil/student;
- the scope and nature of support provided by teachers, specialists, teacher assistants or teaching assistants, depending on the pupil’s/student’s needs;
- reasons behind academic failures or difficulties in the pupil’s/student’s functioning, including barriers and constraints which make it difficult for the pupil/student to function and participate in the life of the nursery school or school;
- for the pupil/student taking selected pre-school education or educational classes/activities on an individual basis or in a group of up to 5 pupils/students: additionally, difficulties faced in ensuring the participation of the pupil/student in classes/activities conducted together with a preschool or school class or group in an alternative pre-school education setting; and outcomes of activities undertaken to address such difficulties.

Parents and adult learners receive a copy of the multi-faceted specialist assessment of performance/functioning.

Parents and adult learners may participate in:

- the team’s meetings;
- the development of the programme for the pupil/student;
- revision of the programme;
- the multi-faceted specialist assessment.

**Duration of special education**

**Special education** is provided to disabled and socially maladjusted pupils/students or those at risk of social maladjustment in mainstream and integration schools until the end of the school year in the calendar year when they reach:

- 20 years of age: in the case of primary schools;
- 24 years of age: in the case of post-primary schools.

**Size of classe**

The number of pupils in mainstream groups or classes is specified in the national legislation only for alternative pre-school education settings, and preschool classes and grades I to III in the primary school.

The number of pupils in an alternative preschool education setting ranges between 3 and 25.

(Regulation of the Minister of National Education of 28 August 2017 on the types of alternative preschool education settings, the conditions for the establishment and organisation of such settings and their operational arrangements; Journal of Law, item 1657, and 2017, item 2446)

The number of children per class of a mainstream nursery school may not exceed 25. A nursery school class consists of children of similar ages; consideration is given to children’s needs, interests, abilities and the type of disability.

(Regulation of the Minister of National Education of 17 March 2017 on the detailed organisational arrangements for public schools and nursery schools; Journal of Law, item 649)

The number of children per mainstream class for grades I to III of the primary school may not exceed 25.

Where a pupil living in the school’s catchment area should join a class of 25 pupils, the school head splits the class after informing the parents’ council of the class.

The school head does not have to split the class in case:

- a request to this effect is submitted by the parents’ council of the class;
- the body managing the school gives its consent;
- the number of pupils will not exceed 27.

There are no regulations on the size of mainstream classes for grades IV to VIII of the primary school, post-primary schools, nor for lower secondary schools and upper secondary schools which are currently being phased out.

Mainstream nursery schools and schools of all types may also establish integration classes and special classes.

An **integration class** in a nursery school or school is a class where disabled pupils/students with special education certificates learn together with their non-disabled peers. The maximum number of pupils in an integration class is 20, including up to 5 disabled pupils/students.
An integration (nursery) school is an institution which has only integration classes. Mainstream schools and nursery schools with integration classes are those which have both mainstream and integration classes.

In the school year 2017/2018, there were:

- 310 integration nursery schools (3% of all nursery schools);
- 175 integration schools (0.49% of all schools), including:
  - 69 primary schools (0.48% of all primary schools);
  - 52 lower secondary schools (0.69% of all lower secondary schools);
  - 12 basic vocational schools (0.75% of all basic vocational schools);
  - 13 stage I sectoral vocational schools (0.86% of all stage I sectoral vocational schools);
  - 4 technical upper secondary schools (0.21% of all technical upper secondary schools);
  - 25 general upper secondary schools (0.68% of all general upper secondary schools).

- 380 mainstream nursery schools with integration classes (3.1% of all nursery schools);
- 1,554 mainstream schools with integration classes (4.4% of all schools), including:
  - 951 primary schools (6.64% of all primary schools);
  - 476 lower secondary schools (6.29% of all lower secondary schools);
  - 27 basic vocational schools (1.69% of all basic vocational schools);
  - 23 stage I sectoral vocational schools (1.53% of all stage I sectoral vocational schools);
  - 18 technical upper secondary schools (0.95% of all technical upper secondary schools);
  - 58 general upper secondary schools (1.58% of all general upper secondary schools);
  - 1 post-secondary school (0.05% of all post-secondary schools).

Special classes in mainstream nursery schools and schools are established only for disabled pupils/students with special education certificates, except for pupils/students with a mild intellectual disability for whom such classes are not established in nursery schools.

The number of pupils/students in special classes in mainstream nursery schools and schools varies depending on the type of disability and is equal to the number of pupils/students in such classes in special nursery schools or schools respectively.

In the school year 2017/2018, there were:

- 41 mainstream nursery schools with special classes (0.34% of all nursery schools);
- 110 mainstream schools with special classes (0.31% of all schools), including:
  - 62 primary schools (0.43% of all primary schools);
  - 36 lower secondary schools (0.48% of all lower secondary schools);
  - 5 basic vocational schools (0.31% of all basic vocational schools);
  - 7 stage I sectoral vocational schools (0.47% of all stage I sectoral vocational schools).

Although, pursuant to the legislation, such schools may be established, there are no mainstream general upper secondary schools, technical upper secondary schools or post-secondary schools with special classes within the school education system (data for the school year 2017/2018).

The school education system may also include nursery schools and schools which have both integration and special classes. They are, however, fewer in number than other types of institutions. In the school year 2017/2018, there were:

- 88 mainstream nursery schools with integration and special classes (0.72% of all nursery
Core curriculum

Disabled children follow the same core curriculum for pre-school education as non-disabled children.

(Annex No. 1 to the Regulation of the Minister of National Education of 14 February 2017 on the core curriculum for preschool education and the core curriculum for general education in primary schools, incl. for pupils with moderate and severe intellectual disabilities, and for general education in stage I sectoral vocational schools, general education in special schools preparing for employment, and general education in post-secondary schools; Journal of Law, item 356, and 2018, item 1679).

Disabled children whose intellectual development corresponds to their age or children with a mild intellectual disability follow the same core curricula as their non-disabled peers: the core curriculum for general education in primary schools and post-primary schools of a given type, and the core curriculum for vocational education in vocational schools.

Students in lower secondary, upper secondary and post-secondary schools (being phased out as part of the on-going reform) follow the core curricula established earlier for these types of schools.

(Annexes 2, 4 and 6 to the Regulation of the Minister of National Education of 14 February 2017 on the core curriculum for preschool education and the core curriculum for general education in primary schools, incl. for pupils with moderate and severe intellectual disabilities, and for general education in stage I sectoral vocational schools, general education in special schools preparing for employment, and general education in post-secondary schools; Journal of Law, item 356, and 2018, item 1679).

(Annexes 4 to 6 to the Regulation of the Minister of National Education of 27 August 2012 on the core curriculum for pre-school education and general education in individual types of schools; Journal of Law, item 977, as subsequently amended)

(Regulation of the Minister of National Education of 31 March 2017 on the core curriculum for training for individual occupations; Journal of Law, item 860, and 2018, item 744)

(Regulation of the Minister of National Education of 7 February 2012 on the core curriculum for training for individual occupations; Journal of Law, item 184, as subsequently amended)

Pupils/students with a moderate or severe intellectual disability follow a separate core curriculum for general education in primary schools and special schools preparing for employment.

(Annexes 3 and 5 to the Regulation of the Minister of National Education of 14 February 2017 on the core curriculum for preschool education and the core curriculum for general education in primary schools, incl. for pupils with moderate and severe intellectual disabilities, and for general education in stage I sectoral vocational schools, general education in special schools preparing for employment, and general education in post-secondary schools; Journal of Law, item 356, and 2018, item 1679)

Rehabilitation-and-education classes / activities

Children and young people with a profound intellectual disability participate in compulsory one-year pre-school preparatory classes and full-time and part-time compulsory education provided in the form of rehabilitation-and-education classes / activities conducted in a group or on an individual basis. Such classes / activities may also be conducted in mainstream nursery schools and schools. However, they
are not conducted as part of integrated education for disabled and non-disabled peers jointly.

(Regulation of the Minister of National Education of 23 April 2013 on the conditions and organisational arrangements for rehabilitation-and-education classes for children and young people with a profound intellectual disability; Journal of Law, item 529).

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