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"The system shows us how bad it feels": special educational needs assessment in North Rhine-Westphalia, Germany

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**ABSTRACT**

In the context of the North Rhine-Westphalian school reform towards an inclusive education system, this article problematises the practice of categorisation. Our research aims to investigate the assessment of special educational needs (SEN) and thereby enrich the discussion of the relation between inclusion and diagnostics. For this study, we interviewed 14 SEN investigators and five decision-makers. We discuss the results on the basis of a qualitative content analysis and against the background of Fleck’s concept of thought styles. We mainly found inertia in special education traditions, expressed in the use of intelligence tests, the dominance of SEN teachers in the assessment process and the lack of participation of parents and pupils. We conclude that it is necessary to reform the SEN assessment rules. At the same time, we see major challenges in transforming existing thought styles into a more flexible and decategorising approach.

**Introduction**

In recent years, the special education support system in some German states has undergone considerable change as a consequence of the UN Convention on the Rights of Persons with Disabilities (CRPD) and with a focus on inclusion. In the state of North Rhine-Westphalia (NRW), one of the largest German states in terms of area and population, the 9\textsuperscript{th} School Law Amendment Act was passed in 2013 with the goal of implementing an inclusive education policy. As a result, a large number of special schools were merged or closed down. In the context of this law reform, government guidelines on special education support now highlight regular schools as responsible for the education of children with disabilities (Ministerium für Schule und Weiterbildung des Landes Nordrhein-Westfalen 2016).

This development towards a more inclusive education system is accompanied by a continuous increase in the total number of pupils with SEN in years 1–10: from 4.4 per cent in 1991 to 5.0 per cent in 2001, then to 6.5 per cent in 2011, and finally to 7.8 per cent in 2017 (Ministerium für Schule und Bildung des Landes Nordrhein-Westfalen 2016).
of those pupils, 4.6 per cent were in special schools – a higher percentage than in 1991.

The dilemma between labelling pupils and gathering resources is an international phenomenon (Norwich 2013). As well, in Germany, the ‘labelling-resources dilemma’ (Füssel and Kretschmann 1993) has been intensively discussed. In response, NRW introduced ‘budgeting’, aiming at allocating resources for the most common SEN support categories at the regular school and of which is no longer tied to the individual pupil. However, so far, there has been no decrease in SEN categorisations and only a moderate decline in the number of pupils at special schools.

In this context, an analysis of diagnostic and categorisation processes in schools is highly relevant. This case study aims to investigate SEN assessment practice in the German state of NRW. In our research, we draw attention to transformative processes and inertia within the education system. Based on empirical findings, the outcome of our investigation will enrich the discourse regarding the relationship between inclusion and diagnostics. Specifically, the research addresses four main questions:

(1) What characterises SEN assessment from the perspectives of pedagogical investigators and decision-makers?
(2) How do these professionals describe the role of standardised tests, in particular the significance of intelligence tests, in the assessment?
(3) What are the patterns of cooperation between different professionals during the assessment? and
(4) What is the significance of the participation of parents and pupils in the assessment?

Our research is relevant for an international audience because it exemplifies fundamental questions concerning the relationship between SEN categorisation and inclusion. From a wider perspective, the article discusses tensions and dilemmas in SEN assessment and labelling as they are internationally debated (e.g. Norwich 2013). Thus, our study contributes to a discussion about the current test culture in relation to the policy of inclusion, constituting at the same time an extension of our previous research (Barow and Östlund 2018).

Inclusion, special education and SEN assessment

So far, no generally accepted definition of inclusion exists. In our research, we draw on the definition of inclusion given in the UNESCO policy guidelines (2009, 16), which implies ‘shift from seeing the child as a problem to seeing the education system as the problem that can be solved through inclusive approaches’.

The question whether diagnostics in education are necessary, useful, objective, fair, stigmatising, etc. has been discussed for decades. Over time, the approach of labelling and categorising specific pupils has been criticised in the literature, above all with regard to inclusion and based on different models of disability (e.g. Thomas and Loxley 2007; for Germany in particular, Hinz and Köpfer 2016). In a European context, Watkins (2007) has observed greater consideration of the learning environment and an increased impact of mainstream teachers and pupils in SEN assessment.
For combining teaching and continuous diagnostic observations in the classroom, a large number of methods and techniques are available (e.g. Schäfer and Rittmeyer 2015; Amrhein 2016). Already in the late 1980s, approaches assessing the child in relation to the social environment and with a focus on support were demanded (e.g. Eggert 1988).

**Categorisation in German special education**

Today’s system of different support categories in Germany has its origin in the tradition of various special schools and different subject areas in universities, based on a medical model of disability, and has been fully established since the 1960s. Examples are special schools for ‘mentally disabled’ or ‘learning disabled’ children. In the German context, the latter category was defined as ‘a general and total failure in academic achievement combined with an IQ of between approximately 55 and 85’ (Prücher and Langfeldt 2002, 399–400). Until the early 1990s, the diagnostic process concentrated on the pupil’s shortcomings, leading to the generic term, ‘having to attend a special school type’ (Sonderschulbedürftigkeit) (Richardson and Powell 2011, 220).

Negative effects of labelling, such as stigmatisation, were already drawing criticism in the 1970s (Opp 2016), finally resulting in 1994 in the establishment of support categories. From that time, SEN was unlinked from special schooling. In the terminology of the field, the needs and challenges came within the focus of the new support categories (Förderschwerpunkt). The reformed classifications were ‘intellectual development’ instead of ‘intellectual disability’, ‘learning’ instead of ‘learning disability’, etc. The SEN assessment was to include the interaction between the child and the environment.

For decades, the most common support category, ‘learning’ – and previously ‘learning disability’ – has provoked much scrutiny (Pfahl and Powell 2011). Often, there was no clarity as to whether the school’s failure was caused by the characteristics of the students or by poor teaching. Moreover, as Werning (2016) pointed out, pupils in need of help in the area of ‘learning’ often come from socioeconomically disadvantaged families and/or have a migration background.

Today’s legal frameworks for SEN assessment vary between the German federal states (Sälzer et al. 2015), and empirical research is inconsistent. Ricken and Schuck (2016) conclude that for the city-state of Hamburg, intelligence tests are still the most frequently used instrument when assessing SEN. Analyses of pupils’ capabilities, classroom observations or discussions with parents or pupils are, however, seldom taken into account. Almost no suggestions have been made regarding the need for institutional changes. In contrast, Heimlich noted that SEN teachers themselves find complex diagnostic tests nowadays ‘more questionable’ (Heimlich 2016, 133).

**Inclusion policy and SEN assessment in North Rhine-Westphalia**

The previous red–green government of NRW, in office from 2010 to 2017, was ambitious in implementing inclusive education structures. In both urban and rural areas of the federal state, several special schools were closed. Other special schools serving pupils in various support categories were merged into larger entities. After the change of government in 2017, one of the first decisions of the new conservative–liberal administration
was to stop the closure of special schools. The political ambition was to maintain a double system of education, even though such a structure was not foreseen in the CRPD and, furthermore, is expensive (Klemm and Preuss-Lausitz 2011; Lütje-Klose, Neumann, and Streese 2017).

Today’s policy in NRW on SEN, including assessment, is enshrined in ‘Training regulations for special needs education’ (Ausbildungsordnung sonderpädagogische Förderung, abbr. AO-SF; Ministerium für Schule und Weiterbildung des Landes Nordrhein-Westfalen 2016). The AO-SF regulates the formal procedure, but hardly any constraints exist in terms of assessment methods. Already since 2005, the SEN teacher and regular school teacher serve formally equal as SEN investigators during the assessment process. When the school administration finds it appropriate, a medical examination can be conducted. Other professionals, e.g. psychologists or therapists, can have a consulting function if the parents supply their consent. Nowadays, seven support categories exist in NRW: 1) learning; 2) speech; 3) emotional and social development; 4) hearing and communication; 5) sight; 6) intellectual development; and 7) physical and motoric development. Even though these support categories are paramount, older categories, such as ‘mental disability’ and ‘learning disability’, still appear in this document. The support categories ‘learning’ and ‘intellectual development’ demand a differentiated curriculum. The SEN investigators recommend a support category, if any, and sign the assessment report. The school administration then determines the question of the pupil’s SEN and future placement.

Together with the policy’s focus on inclusion, the strengthened role of parents is the most striking change in the current AO-SF. Nowadays, at least at the policy level, parents are expected to initiate SEN assessment, and they are entitled to choose a special school as an alternative for their child. However, this right of parents to select a school is to some extent restricted. The reformed Education Act gives school authorities the right to decide about the placement, taking into account staff prerequisites and material resources. In the interests of education reform, experts have recommended replacing bureaucratic SEN attribution with a more flexible process, including diagnostic and immediate support (Klemm and Preuss-Lausitz 2011).

Previous research on SEN assessment in NRW found that the workplace of the investigating SEN teacher had an impact on his or her recommendations regarding the future placement of the assessed pupil (Mand 2002). SEN teachers based at special schools tended to recommend special schools, whereas SEN teachers from regular schools preferred regular schools. A comprehensive case study (Kottmann 2006) pointed out that 90 per cent of assessments regarding the support category ‘learning’ led to SEN. In line with previous research, Kottmann found an overrepresentation of socially disadvantaged pupils and/or pupils with a migration background, in particular boys. Intelligence tests had a major effect on the outcome of the assessments. Parents hardly influenced the procedure and pupils’ voices scarcely appeared. A hierarchy gap between the SEN teacher and regular school teacher was also detected.

Theoretical framework

We base our research on Fleck’s theoretical concept of thought styles, and our aim is to apply his approach to the field of education. Fleck defines thought style as readiness for ‘direct perception, with corresponding mental and objective assimilation of what has been so perceived’
Characteristic of a thought style are, according to Fleck, common features regarding the problems of interest to a thought collective and the judgement that this collective considers evident. Finally, a thought style needs common scientific methods in terms of gaining new knowledge. Thought styles exist not only in a scientific context but also, inter alia, in professional thought communities. Fleck (1979, 107) argues that the ‘more specialised a thought community is and the more restricted in its content, the stronger will be the particular thought nexus among the members’.

Referring to natural sciences, Fleck problematises the existence of such thought styles as an obstacle for new development. In contrast, innovations emerge owing to the scientific discourse and cooperation of scientists representing different thought collectives. According to Fleck (1979, 92) all ‘empirical discovery can [...] be construed as a supplement, development, or transformation of the thought style’. We proceed on the assumption that a change of thought styles in principle follows a similar logic in other contexts where cooperation exists.

In this study, we assume that pedagogical investigators and decision-makers form thought collectives that are characterised by specific thought styles. In relation to older approaches and the need to attend special schools in case of SEN, we consider the concept of support categories as a supplement of the thought style. Questioning intelligence testing and concentrating on specific learning needs we see as further development. Finally, the transformation of the thought style implies regarding each child as having individual learning needs.

Method

Our research interest in the inner procedures of SEN assessment and the thought styles of investigators and decision-makers required a qualitative approach, specifically in the form of semi-structured interviews. We constructed an interview guide for both professional groups featuring questions regarding the procedure and structure of their investigations. We conducted a test interview with one SEN teacher and afterwards adapted some of the interview questions. For recruitment of interviewees, we initially made telephone contact, followed up with an information letter, with primary schools, special schools and the district school administrations in six municipalities of NRW (with regard to its urban and rural geographic structure). All interviewees were informed about the research ethics policy applied in this project. We received permission from five municipalities to conduct semi-structured interviews. In total, we conducted 12 interviews during the school year 2016/17, with individuals or small groups, depending on the local circumstances. It was easily feasible to recruit SEN teachers (14) and decision-makers (five, one in each municipality) from the school administration for interviews. In contrast, and contrary to our original intention, only two primary school teachers participated in the study. Twelve of the SEN teachers were based at special schools (three of them working in school management) but also had some experience teaching at regular schools; the other two SEN teachers were working at primary schools. We recorded and transcribed the interviews (in total, approximately 14 hours of taped material), resulting in 200 pages of transcriptions (Barow 2018). We conducted a qualitative content analysis by identifying central subjects and themes (Bryman 2016).
Results

In the results, we can identify four main themes in the perspectives of SEN investigators and decision-makers: 1) the nature and logic of the assessment; 2) the role of intelligence tests; 3) cooperation between professionals; and 4) participation of parents and pupils.

The nature and logic of the assessment

In recent years, the increase in the number of pupils with SEN in NRW has made it challenging to implement policies of inclusion. This has led to ambivalent developments, articulated at a certain length by the interviewees of this study.

While some of the decision-makers from the school administration saw budgeting of staff resources as a tool for avoiding SEN categorisation, at least during the school entry phase, SEN investigators experienced financial cutbacks, growing difficulties in approving SEN provision and weaknesses within the inclusive support system. Another factor was the choice of parents concerning the future placement of their child at regular or special schools. A deputy head of a special school recognised that the parents’ preference receives the support of the school administration:

Well, in our municipality, there are actually still tendencies, where they say, before we approve the application to assess special educational needs [...], the child has to go through a support plan, a support concept at regular school, by some principals at primary schools cynically called an ‘AO-SF prevention concept’ [...]. We perceive, meanwhile, though, that the parents realise it does not work at regular school, and [they] wish the change [of school] to us – and this becomes increasingly complicated.

SEN investigators report that the regular schools’ initial reports for starting the assessment are ‘now’ of ‘quite good quality’. This corresponds to the emergence and spreading of different types of support documentation in regular schools, partly resulting in screenings in kindergarten and the early years of school. In particular, primary schools with special education staff are appreciated for their well-prepared applications. Sometimes, a request to examine SEN can be ‘almost a complete assessment report’, just as one decision-maker stated. At the end of the school entry phase, one colleague observed a ‘catch-up effect’ for SEN applications in terms of the support category of learning. The rise in the number of pupils with SEN was interpreted by another decision-maker as a way by which the ‘system shows to us how bad it feels’, illustrating the experienced lack of staff resources.

The conduct of an SEN assessment mandated by the school administration includes certain recurring key elements: a description of the pupil’s school performance, classroom observations, talks with parents concerning anamnestic issues and different types of tests. The assessment process often starts in February and lasts for several months so that the outcome can be considered for the planning of the following school year. The SEN teachers make it clear that they work under pressure of time when carrying out investigations (e.g. classroom observations may last between 30 and 90 minutes only). For the interpretation of assessment results, SEN investigators frequently employ the metaphors, ‘puzzle’ or ‘overall picture’, to describe their attempts to merge the outcomes and account for possible inconsistencies. Finally, the investigators have a discussion with the parents about their findings and the suggested SEN support
category, if any. Usually, they also offer their view on opportunities for future education and document the preferences of the parents.

After that discussion, the SEN investigators finalise and submit their assessment report to the school administration. Here, the decisions are made as to (1) whether and in which support category (or categories; with one main category) SEN has to be approved, and (2) the setting, be it continuing at the same regular school, changing to another regular school or changing to a special school. With respect to the school administration, a decision is reached based on the advice of ‘reading groups’ (usually other SEN teachers) and taken by the school inspector. The interviewees emphasised that they usually reach a consensus with the parents.

In one of the municipalities, the decision-maker – who is personally convinced of the value of inclusive settings – has forbidden SEN investigators to make any comment on future placement in the assessment report. This local rule implies that investigators from special schools are trying to maintain their own system by ‘giving fitting advice to parents, and by offering relief to regular schools’, as the interviewee expressed. Not surprisingly, this decision-maker reported many conflicts with special schools and cited the use of the expression, ‘needs a small group’ (a synonym for ‘special school’), in the assessment reports to describe the desirable learning environment.

Only seldom has the categorisation process itself been criticised as being counter-productive for inclusion. One decision-maker bemoaned the ‘madness of labelling’, e.g. when parents want to secure their child’s enrolment in a specific secondary school that has a number of ‘reserved’ places for pupils with SEN. One teacher from a special school analysed the SEN assessment as being outside ‘the framework of individual support for every child’ because special needs are still in focus.

The role of intelligence tests

As central parts of the assessment, different school achievement tests, rating scales and intelligence tests are in use. The interviewees mentioned, e.g. reading and writing tests, behaviour-rating scales and various intelligence tests. In particular, the last-named instruments are widespread in the context of assessing the support category ‘learning’. The function of these tests is to distinguish between average intelligence and support categories, such as ‘intellectual development’ or ‘emotional and social development’. However, perspectives vary on intelligence tests and their significance in the assessment. In one of the five municipalities, the local school administration stipulates in the course of ‘standardisation’ that one of three given German versions of the tests be conducted: WISC-IV, KABC-II or the non-verbal, SON-R. In the other municipalities, these or other intelligence tests (e.g. CFTI) are utilised, albeit with requirements that are less strict. ‘But without a test, there is no assessment’, as one decision-maker put it. When it comes to the support category ‘learning’ this decision-maker’s colleague expected ‘a standardised intelligence diagnostic, in general’. Other decision-makers had a critical view of the testing practice. In cases of school failure, based on a pupil’s low school performance along with the classroom observations of the investigator, one decision-maker in particular expressed disinterest ‘in the intelligence quotient’ because ‘intelligence says nothing about school grades’. Another was critical of the test result
interpretation, mentioning that in situations of an IQ of, e.g. 77, investigators inappro-
priately alleged such a ‘child cannot learn’.

The decision-maker in the municipality where intelligence tests are required was
sceptical when it came to the suggested consequences of the test:

There is zero interpretation. I would like to give back [the assessment report to the
investigator]. But what can I learn from the test regarding the social interaction with the
child? Furthermore, what kind of support opportunities can be developed?

The investigating SEN teacher is usually responsible for the choice of tests. Factors in the
selection are the special teacher training of the investigator, local traditions at schools
and the availability of tests. While many special schools have a number of tests, regular
schools feature very limited resources in this field. One decision-maker cited the lending
opportunities at the municipal media centre, but the special needs teacher interviewed
at the regular school found the process too cumbersome and therefore preferred less
sophisticated instruments ‘only to confirm expected results’.

Almost all the investigators interviewed highlighted the need for intelligence tests,
even though they had different motivations. Some interviewees described these tests as
a piece of the ‘puzzle’ and as an affirmation of previous observations. The test was seen
to yield important information about the overall situation of the pupil. A primary school
teacher pointed out that the test results confirmed previous observations as ‘true, after
all, and that the children have shortcomings where they need special support’. In one
municipality, intelligence tests have sometimes already been carried out in the course of
applying for an AO-SF assessment. The headmaster of a special school claimed erro-
nuously that the Education Act stipulates these tests in cases of the suspected support
category ‘learning’. A SEN teacher pointed out the significance of the aggregated test
values, motivating this in terms of lack of time:

I am only one day in the school, or maximally two days. Therefore, I need something
standardised, unbiased. This is really important to me.

However, another investigator was sceptical about the ‘limited use’ of aggregated test
values, emphasising instead the significance of subtests and their qualitative interpreta-
tion in the context of the pupil’s school performance. His colleague saw the opportunity
to distinguish between an ‘intelligence retardation’ and a lack of learning opportunities.
Waiving an intelligence test was only an option when other institutions, e.g. child and
youth psychiatry, had used the instrument recently, and when the results could be
employed in the assessment. At one special school only, an interviewee put forth that
intelligence tests were ‘not at all mandatory according to the AO-SF’. Instead, he
preferred classroom ‘observations and systematic activities’.

Cooperation between professionals

The intention embodied in the AO-SF is for there to be a joint assessment report from
two teachers: one SEN teacher and one teacher from a regular school (usually the class
teacher of the pupil concerned). In daily practice, however, it is obvious that the SEN
teacher leads this work. The investigators we interviewed stressed that the SEN teacher
was primarily responsible for the content of the assessment report, and in particular for
conducting the tests. A number of interviewees found that regular school teachers often had neither the time nor the interest to play a more active role. In some cases, they wanted to get rid of the pupil in question, according to interviewees. The task of the regular school teacher was seen mainly as writing the proposal suggesting a SEN assessment. Even though there were conversations between the SEN teacher and regular school teacher, the former predominated, as was made clear in the statement of this SEN teacher who described the process of writing the assessment report:

And then, I don’t expect more, because I take over anyhow […]. They don’t co-write and I send it only for proofreading.

A colleague saw the regular school teacher as a ‘second investigator’, a role that was not foreseen in the AO-SF. Another SEN teacher reported the practice in his municipality, where the regular school teacher signs the assessment report only with the remark ‘taken note of’. This might mirror the actual work process, but it runs contrary to the objective of the AO-SF to include the regular school teacher in the assessment.

Another SEN teacher experienced the assessment process as having become ‘more dialogical’. However, his reflections on the writing process indicated that he had a superior attitude towards the other people involved. The SEN teacher asked the colleague from the regular school to fill in a questionnaire regarding the pupil’s behaviour. Sometimes, the SEN teacher received only keywords, although he had expected a continuous text:

And this colleague, who just gives me keywords, I say very clear, ‘This is not optimal. […] It is not my task to formulate this. I have done it now, but please, next time a continuous text’.

Cooperation between SEN investigators and school psychologists take place just sporadically, according to one interviewee, based on professional secrecy. A medical report from the school doctor was taken into account only when the school administration assumed a medical background for SEN. Decision-makers bemoaned cases where school doctors concluded that the pupil should attend a special school. Somewhat regularly, the SEN investigators mentioned using reports from other experts, e.g. speech therapists, for the assessment. Direct consultation between different experts seems to be the exception. Overall, a picture emerges of SEN teachers leading the assessment process, accompanied by regular school teachers in different ways and at varying levels of intensity. A deeper cooperation, incorporating expertise from various professionals, hardly exists.

Participation of parents and pupils

The 2013 reform of the Education Act led to changes regarding the position of parents at the beginning and end of the assessment. In principle, it is parents who should apply for the conduct of an AO-SF. As became clear in the interviews, however, and hardly surprisingly, the initiative in this direction usually originates from schools even though parents formally sign the application. At the final stage of the assessment, in the case of ascertained SEN, parents can express their wishes regarding future schooling (i.e., regular school or special school). In most cases, the decision-makers accept the wishes of the parents. This increased freedom of choice has obviously reduced potential
conflicts between schools and parents. This effect became particularly clear in the statement of a SEN teacher from a regular school to the effect that there was ‘less resistance’ provided the child could stay at a regular school.

Apart from the parents’ wishes, the interviewees made very little mention of the perspectives of parents on the education of their child. One decision-maker stated that the parents’ viewpoints were ‘not pivotal, in no way’; instead, the SEN teacher was seen as having ‘special expertise’. In certain interviews, social distance between the school and parents became visible, e.g. when SEN teachers claimed a lack of cooperation from parents. In explanation, they cited a ‘migration background’ or ‘extremely uneducated parents’.

Some interviewees mentioned that a trend is once more emerging for parents to opt for special schools for their children. They elucidated this in terms of the quality deficits of inclusion in a regular school, e.g. in cases of bullying. However, some decision-makers cited as problematic the process of counselling by SEN teachers from special schools, as these schools depend on a minimum number of pupils to secure their existence. One decision-maker took up the theme of subtle rejection at regular schools:

Sometimes, there are parents telling you, ‘I have been at two regular schools, and we simply did not feel welcome. And then I have been at the special school, and that was good’! This is not about the support, or so. It is more about, ‘We as a family: our child is at the right place’ […] I believe that the parents are rejected much more subtly than in previous years.

The pupils’ participation in the assessment process is neglected. Only exceptional SEN investigators mentioned incorporating the perspective of the child into the assessment report; others saw the pupil’s viewpoint as important but seemed to address this more in the context of teaching rather than SEN assessment. One decision-maker did not believe that the perspective of pupils plays a large role: ‘I do not know of any school which has institutionalised this’. The low impact of the pupils’ perspective can to some degree be explained by the young age of children in the SEN process, but it also has to do with lack of awareness. The AO-SF does not demand the pupil’s perspective, and SEN investigators seldom seek it.

Discussion

By analysing SEN assessment practice in the German state of NRW, we aimed to enrich the debate concerning the relationship between inclusion and categorisation practices. With regard to the limited empirical material from five municipalities, there are certain limitations on the generalisability of our results. However, some tendencies emerge reasonably clearly and are in line with previous research in the German context.

From the results of our study, there emerged an overall picture of continuity as being far more visible than changes in SEN assessment. The nature and logic of this process, as enshrined in the AO-SF, constitute a continuation of traditional procedures. The concept of support categories is deeply embedded into the tradition of special schools in Germany. The AO-SF procedures are partly unclear and leave room for different interpretations. Some interviewees were aware of a tension between categorisation practices and an inclusive school approach (Hinz and Köpfer 2016). With regard to the support category ‘learning’ in particular, the significance of intelligence tests for SEN assessment became obvious. Pertaining to this connection, a thought style regarding SEN has
become apparent, according to which tests were seen as a scientifically based, objective and fair instrument. This is in line with the findings of Kottmann (2006) and Ricken and Schuck (2016). Even though Heimlich (2016) conjectured somewhat more critical attitudes of SEN teachers regarding testing, his remarks might reflect the diversity of the German school system, organised at the federal state level and characterised by various peculiarities. Most striking in our findings were the varying interpretations of the need to conduct psychometric tests: the local school authority’s demand for specific intelligence tests in one municipality; more autonomous judgement on the part of the investigator; and the perspectives, to some extent, critical, of the decision-makers. Hence, for a small number of the interviewees, a development, if not a transformation, in thought style can be observed. At the same time, this demonstrates the significance of local traditions that are influenced at the school level by stakeholders and the district level by the administration.

Concerning cooperation between different professions in the assessment, the intention behind the AO-SF is that regular school teachers and SEN teachers will participate jointly. However, our results indicate – in accordance with previous German research (Kottmann 2006; Ricken and Schuck 2016) – the dominance of SEN teachers. For many of those teachers, a thought style emerged such that they regarded themselves as more competent in assessment, in some cases exhibiting haughty attitudes towards their colleagues from regular school. Even though some SEN teachers talked about a ‘dialogical’ process, attitudes such as treating regular school teachers as proofreaders revealed this as lip service. The assessment also falls short of the international standards that seek to avoid ‘snapshots’ taken by external professionals (Watkins 2007), not least with regard to the SEN teachers’ limited time resources – in various cases, a classroom observation takes only 30 minutes. This underscores the need to develop in-depth cooperation between teachers from regular schools and other experts.

As a consequence of the 2013 education reforms, parents secured a strengthened position, both when applying to conduct an AO-SF and with respect to their child’s future placement. Our results show, however, that in practice, the initiative to commence a SEN assessment remains squarely with the schools. Nowadays, it has become easier to convince parents that SEN categorisation is appropriate because they can be relatively confident that they can select a school for their child.

In the course of the SEN assessment, the investigators had very little to report concerning the parents’ perspectives on the learning process of their child. Moreover, the viewpoints of pupils were hardly taken into consideration. This indicates a lack of connection between SEN investigators, on the one hand, and parents and their children on the other. Some interviewees underlined their expert knowledge and maintained a social distance from the parents. In this respect, serious doubts exist regarding the counselling of parents. More or less aware, SEN investigators represent the interests of their respective schools (Mand 2002). Future research should further examine the relationship between the categorisation system and increase in the number of pupils with SEN. There is reason to believe that the new system of budgeting will inevitably fail if this rise persists. A way of thinking and acting occurs where the experienced lack of staff resources is dealt with by more AO-SF procedures despite the fact that no increase in resources is to be expected.
With regard to the debate on decategorisation and inclusion (Hinz and Köpfer 2016), there is little evidence so far for any impact on the practice of SEN assessment. The procedure, as stipulated in the Education Act and AO-SF, has a clear focus on the individual pupil. The AO-SF rules are very much in agreement with specific German traditions in special education. The interviewees are members of a thought collective, many of them convinced by the SEN concept of support categories and the need to assess a pupil’s individual shortcomings. Only in exceptional cases did interviewees talk about the ‘madness of labelling’ and deficiencies in the learning environment or in teaching. Drawing on Fleck (1979), we understand the introduction of support categories in the 1990s as a supplement to the SEN thought style. The present AO-SF, characterised by the inclusion of the regular teacher in the assessment and by the greater influence it bestows parents with, might be seen as a slight further development. However, a full transformation of the thought style, in terms of respecting the individual needs of all children, has yet to come.

Conclusions

Problematising as it does the maladjusted education system and not the child (UNESCO 2009), SEN assessment in NRW is hardly compatible with inclusion. The AO-SF investigation process continues to follow the same trajectory it has been in recent decades (Eggert 1988; Kottmann 2006). The nature and logic of the support categories implies an underlying concept of disability with its roots in the tradition of special schools (Pfahl and Powell 2011), but the scientific basis of this is questionable. In many cases, the thought styles of SEN investigators and decision-makers are ingrained in the attitude that the pupil, in terms of learning and/or behaviour, deviates negatively from the norm.

For the future, two major challenges arise. First, it is necessary to develop a set of rules for an instrument that supports the ongoing analysis of pupils’ learning processes, not least by including the viewpoints of parents and pupils (Watkins 2007). This requires significant effort in the fields of education policy and practice; it implies the development of a flexible assessment and support system within regular schools. There is no doubt that SEN teachers can contribute to this development. Second, it is necessary to transform the dominant thought style in terms of adapting teaching and the learning environment to the individual needs of each child. Such approaches have been described (e.g. Schäfer and Rittmeyer 2015; Amrhein 2016; Hinz and Köpfer 2016), but they are obviously difficult to implement. This demonstrates the inertia of school systems when confronted with new concepts. The implementation of an assessment that fosters inclusion is a long-term project that primarily requires further education of regular and special teachers. In the end, this may lead to a decategorisation in education, and may also represent an opportunity for further professionalisation of different teacher categories.

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