

COMPENSATION FOR DISADVANTAGES

Information for students with a disability and/or chronic illness, staff of the Examination Office,
teaching staff and examination committee chairpersons of the University of Würzburg

KIS Disability Resource Centre

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FOREWORD

The University of Würzburg is an internationally renowned university with a broad spectrum of subjects. First founded in 1402, it today offers its over 28,000 students in 10 faculties around 250 degree programmes in the humanities and social sciences, the natural and life sciences, medicine and selected areas of engineering. In line with its guiding principle of “*Science for Society*”, the University of Würzburg conducts research and teaching with active responsibility towards issues concerning society.

We want to give people with health conditions access to our university and a career.

A survey conducted in 2016 by the German National Association for Student Affairs – DSW showed that approximately 11% of all students in Germany are restricted by a disability or chronic illness. The number of these students who have a non-visible disability or chronic illness is very high. These include, for example, impaired mobility, musculoskeletal conditions, skin complaints, allergies, diseases of the internal organs, dyslexia and metabolic disorders, such as diabetes mellitus, or mental illnesses, such as anxiety disorders or depression.

In many cases, studying with a disability or chronic illness is not easy. For example, adhering to the deadline for a term paper can be extremely strenuous and tedious if you are obliged to undergo medical treatment for several hours a week or are only able to read very slowly. However, physical impairments or psychological problems must not be an obstacle to successful studying! That is why measures that give people with such health conditions access to our university and a career are particularly important to us.

In 2016, the University of Würzburg was awarded the “*Accessible Bavaria*” seal by the Bavarian State Government’s Commissioner for Matters Relating to Persons with Disabilities for its efforts to create the best possible conditions for students and staff with physical or mental constraints. This made us the first university in Bavaria to delight in this award. This brochure especially presents the measures we are taking to establish equal examination conditions for all our students.

If you have any questions or require assistance, please contact our counsellors at KIS Disability Resource Centre in confidence. We also strive to offer individual solutions. Sandra Mölter and her team will be happy to give you advice and support.

Professor Paul Pauli

President of the University of Würzburg

INTRODUCTION

Compensation for disadvantages is a manifestation of Article 3 of the Basic Law for the Federal Republic of Germany, which, among other things, prohibits any form of discrimination. It is an instrument to protect persons with a health condition from discrimination and to ensure equal opportunities. Compensatory support measures are intended to offset disadvantages caused by a disability.

What is meant here is situation- and case-specific measures related above all to access to university, studying in itself and examination conditions. Compensation for disadvantages must be designed fully individually depending on the person's health condition. It is possible, for example, to grant a longer processing time for term papers or to allow a notebook for written tests, a separate exam room or more time to write the exam.

If an examinee only asks for their disability to be taken into account after they have already taken the exam, the exam cannot be reassessed retrospectively.

Applying for compensation for disadvantages in exams and for modifying the formal and time-related rules of the study and examination regulations do not require a "*Severely Disabled Person's Pass*". The pass alone does not justify compensation for disadvantages because not every disability compromises students in the completion of their studies.

PART 1 – GENERAL INFORMATION

To ensure equal study and examination conditions for students with disabilities and/or chronic illnesses, all offers at the university related to studying are to be as accessible as possible. One goal in this context is to create equal opportunities for students with disabilities and/or chronic illnesses to access and participate in exams.

1. DATA

The Social Surveys of the German National Association of Student Affairs – DSW have gathered data over many years on the situation of students whose health conditions have a negative impact on their studies. According to the survey, 11% of students have health conditions that make studying difficult, whereby these conditions are heterogeneous. Over half of these students (53%) have mental illnesses that make studying more difficult – and this figure is rising. For 20%, chronic somatic disorders (e.g. multiple sclerosis, rheumatism or epilepsy) have a negative effect on their studies. For 10% it is mobility and sensory impairments, for 4% dyslexia and other partial performance disorders and for 6% other conditions. 96% state that their condition is not immediately visible to third parties. Less than a third (29%) of students have claimed compensation for disadvantages at least once, most frequently for specific exam situations. On average, 62% of applications were approved. Three out of four users (73%) rate the measures as helpful. Some students forego compensation for disadvantages because they find the eligibility requirements unclear, have inhibitions or do not want to lay claim to “*special treatment*”.

FURTHER READING: German National Association for Student Affairs – DSW (2018): beeinträchtigt studieren. Daten zur Situation von Studierenden mit Behinderung und chronischer Erkrankung.

Downloadable from: https://www.studentenwerke.de/sites/default/files/dsw-best2_barrierefrei_neu.pdf

2. DISABILITY/SEVERE DISABILITY – DEFINITIONS

There are different approaches to defining the term “disability”.

Article 1 Sentence 2 of the UN Convention on the Rights of Persons with Disabilities states:

“Persons with disabilities include those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others.”

Based on this, Section 2 Paragraph 1 of Germany’s Social Code Book IX defines “disability” as follows:

“Persons with disabilities are persons who have physical, mental, intellectual or sensory impairments which, in interaction with attitudinal and environmental barriers, are likely to prevent them from participating in society on an equal basis with others for longer than six months.

An impairment according to Sentence 1 exists if the physical and health condition deviates from the condition typical for the person’s age.

People are considered 'severely disabled' if they have a degree of disability of at least 50 and are legally resident, habitually resident or employed within the meaning of Section 156 of Social Code Book IX within the jurisdiction of this code."

As varied as the nature and severity of a disability can be, so too are its causes. Some disabilities are congenital, others occur as the result of an accident or an illness in the course of a person's life.

Longer lasting illnesses or episodic disorders such as chronic intestinal conditions, diabetes, epilepsy, mental illnesses (e.g. depression, anxiety disorders, psychoses) can be disabilities if they significantly compromise social participation. Such conditions are not usually visible, but often greatly compromise those affected because they oblige them, for example, to closely align their everyday studies with their way of life, such as calculating rest breaks or taking medication that interferes with their performance, concentration and staying power.

3. LEGAL BASIS GOVERNING COMPENSATION FOR DISADVANTAGES IN EXAMINATION PROCEDURES

The right to compensation for disadvantages derives directly from Article 3, Paragraph 1 and Paragraph 3, Sentence 2 of the Basic Law for the Federal Republic of Germany, irrespective of whether laws or examination regulations contain rules on compensation for disadvantages.

In addition, there are specific rules for students with disabilities and/or chronic illnesses:

According to Germany's Framework Act for Higher Education, examination regulations must take the special concerns of students with disabilities into account in order to respect their equality of opportunity. The Bavarian Higher Education Act obliges higher education institutions to ensure that students with disabilities are not disadvantaged in their studies and are able to take advantage of the offers made available by the higher education institution without outside assistance as far as possible.

Section 28 of the General Academic and Examination Regulations for Bachelor's and Master's Degree Programmes (ASPO), the General Academic and Examination Regulations for Teaching Degree Programmes (LASPO) and Section 12 of the General Academic and Examination Regulations for the Law Degree leading to the First State Examination in Law at the University of Würzburg govern the implementation of these instructions as follows:

"If a student demonstrates credibly that they are unable, due to a disability or chronic illness, to take an examination in whole or in part in the designated form or within the examination time limits specified in these regulations, the chairperson of the examination committee may, upon application by the student concerned, extend the processing time for such examinations or the time limits for taking examinations or allow equivalent examinations in a form appropriate to the student's needs.

The application for compensation for disadvantages according to Sentence 1 must be submitted at the latest four weeks before the date of the examination for which it is intended to apply.

To claim recognition of a disability or chronic illness, proof must be presented. The application must be submitted in writing and at the latest four weeks before the examination concerned or, in the case of several examinations, before the first examination. Certificates from public health authorities, public health officers or consultant physicians are to be submitted as proof

within the meaning of Sentence 1. The student is obliged to report any changes in their fulfilment of the conditions without delay.

The Commissioner or KIS Disability Resource Centre is to be involved in decisions made by the chairperson of the examination committee in accordance with Paragraph 2.”

4. CONDITIONS FOR THE GRANTING OF COMPENSATION FOR DISADVANTAGES

There are three requirements that must be met in order for compensation for disadvantages in the examination procedure to be granted:

A) Existence of a disability or chronic illness

Cf. Definitions under 2

These must be health conditions with a diagnosis according to a recognised classification system. The “International Statistical Classification of Diseases and Related Health Problems, 10th Revision, German Modification” (ICD-10-GM) is the official system in Germany for coding diagnoses.

FURTHER READING: DIMDI medizinwissen, https://www.bfarm.de/DE/Kodiersysteme/Klassifikationen/ICD/ICD-10-GM/_node.html

B) A specific disadvantage or difficulty exists as a result, insofar as an examination must be taken under the conditions that apply for all examinees

To clarify whether and which specific disadvantages or difficulties exist, the interactions of individual impairments and the conditions prevailing in the respective subject or module should be considered.

It is therefore necessary to clarify the following:

a) In relation to which examination format an impairment exists

b) How long and why examinations cannot be taken or cannot be taken in the generally usual way or time

Neither a diagnosis nor a degree of disability provides information about the specific interactions between individual impairments and examination conditions.

C) No underperformance, only an obstacle to performance

This means that it is not the intellectual performance or actually solving the task which is compromised but its demonstration/verification that encounters obstacles.

“Underperformance” is understood as cognitive deficits in the narrower sense (exam nerves, poor concentration, etc.). For these impairments, compensation for disadvantages is excluded because an examination also serves the purpose of clarifying whether an examinee is capable of finding an appropriate solution in stressful situations and under time pressure (cf. Ennuschat, p. 105).

“Performance obstacles”, on the other hand, include, for example, understanding the task, presenting the solution, physical or speech impairments, and the like.

If these requirements are met, the examination committee chairpersons responsible must approve compensation for disadvantages. The “whether” of the claim for compensation is thus imposed by law.

With regard to the “how”, the examination committees responsible have a margin of discretion. The appropriateness of compensation for disadvantages must always be based on the specific impairments with a view to the respective examination.

No opposition to the purpose of the examination:

- The nature and scale of measures as compensation for disadvantages must be aligned in such a way that they fully compensate for the impairment. The benchmark here is the conditions for examinees without impairments.
- Measures as compensation for disadvantages must not lead to a privileging overcompensation at the expense of equal opportunities for other examinees.

5. APPLICATION PROCEDURE FOR COMPENSATION FOR DISADVANTAGES

Students who require compensation for disadvantages in examinations (including theses/dissertations) must submit an application, using the respective form and including corresponding proof.

A) Proof

The application for compensation for disadvantages must be accompanied by a medical certificate from a public health officer or a consultant physician, detailing the effect of the student's health condition on the examinations. The certificate should be recent (not older than 6 months). It should be submitted in the original and include the following:

1. **Stamp** of the medical/psychotherapeutic practice, name and signature of the attending physician/therapist, as well as the date of issue.
2. Description of the **functional limitations** in relation to academic performance, in particular perception, cognition, behaviour and physical functionality depending on the health condition (the diagnosis can be indicated).
3. Description of the **likely development** of the disability/chronic disease.
4. If it is a **permanent** condition with a constant functional impairment, this should be noted in the medical certificate.
5. If possible, a recommendation on suitable measures as compensation for disadvantages.

The following supplementary proof can be included with the application for compensation for disadvantages:

- Disability assessment notification from the Pension Office or severely disabled person's pass
- School report in the case of dyslexia
- Medical report (e.g. after inpatient treatment)
- Statement or report by a rehabilitation provider
- Statement by KIS Disability Resource Centre at the University of Würzburg

B) To whom should an application for compensation for disadvantages be submitted?

An application for compensation for disadvantages must be submitted using the respective form together with corresponding proof (see A) by email (stud.mail address) to the examination committee chairperson.

C) By when must an application for compensation for disadvantages be submitted?

An application for compensation for disadvantages must be submitted at the latest four weeks before the date of the examination for which it is intended to apply; in the case of several examinations, at the latest four weeks before the first examination.

D) What are the next steps?

- a) When applying, please use the form that can be downloaded from the websites of the Examination Office and KIS Disability Resource Centre. Students are at liberty to seek advice from KIS beforehand. This is voluntary.
- b) In line with the examination regulations, KIS should be involved in decisions on compensation for disadvantages.
- c) The examination committee chairperson reaches a decision and notifies the student, the Examination Office and KIS.

In the event of a negative decision, the examination committee chairperson forwards the application documents to the Examination Office, stating the reasons. The Examination Office issues a decision, including instructions for the applicant on the legal remedies available. If your application is rejected, you can take legal action. Independently thereof, you have the possibility to make a counterstatement to the examination committee chairperson. KIS can help you to have any negative decision reconsidered.

Please note that this procedure has no influence on the time limit for taking legal action.

See also the diagram on page 12.

APPLYING FOR COMPENSATION FOR DISADVANTAGES AT THE UNIVERSITY OF WÜRZBURG

The following is an overview of the application procedure.

INITIAL ADVICE FROM KIS
(voluntary, but recommended)

APPLICATION FOR COMPENSATION FOR DISADVANTAGES TO THE EXAMINATION COMMITTEE CHAIRPERSON IN ACCORDANCE WITH THE EXAMINATION REGULATIONS
by email, using the respective form

DECISION BY THE EXAMINATION COMMITTEE CHAIRPERSON + NOTIFICATION OF THE DECISION TO THE STUDENT, THE EXAMINATION OFFICE AND KIS
The Disability Commissioner or KIS should be involved, in line with the examination regulations.

IN THE EVENT OF REJECTION BY THE EXAMINATION COMMITTEE CHAIRPERSON:
SUBMISSION OF THE APPLICATION DOCUMENTS TO THE EXAMINATION OFFICE FOR THE ISSUE OF A DECISION, INCLUDING INSTRUCTIONS ON LEGAL REMEDIES

IN THE EVENT OF A NEGATIVE DECISION, CONTACT TO KIS OR LEGAL ACTION AS NECESSARY

6. POSSIBLE MEASURES AS COMPENSATION FOR DISADVANTAGES

To decide on appropriate measures as compensation for disadvantages, the interactions between individual impairments and relevant study and examination conditions must always be considered. General recommendations on modifications are not possible.

Impairments due to a disability or chronic illness are always individual. This means that different measures as compensation for disadvantages can be considered, depending on the point in time when the impairment was acquired (e.g. from birth or a few months ago), the special features of the degree programme (e.g. languages or natural sciences) or the staff or technical support individually available.

Examples of possible measures:

- Extension of processing time for coursework and examinations (e.g. written tests, term papers and dissertations/theses) with a time limit
- Interruption of coursework and examinations with a time limit (especially work done under supervision) by individual breaks, which do not count towards the (possibly extended) processing time allowed, or breaks for medical care (e.g. in the case of diabetes)
- Substitution of written by oral work, and vice versa
- Admission of staff or technical support for written tests or oral examinations e.g. scribe, sign language interpreters, assistive technologies such as a notebook or a magnifying glass
- Conducting the examination in a separate room, especially for students with epilepsy or autism spectrum disorder
- Modification of assignments (e.g. in terms of font, font size, e.g. enlarging the task description to A3 or presenting it in an accessible format)

7. SUBSTITUTION OF EXAMINATION FORMATS WITH EQUIVALENT ALTERNATIVES

The substitution of an examination format with an equivalent alternative is the last resort if all other possibilities do not lead to appropriate compensation. It must also be possible for students to achieve the qualification or learning objectives with the replacement format. To gauge this, consulting the Subject-specific Regulations is recommended.

8. OPPOSING REASONS?

The purpose of the examination is in opposition to compensation for disadvantages if, after an overall consideration of all the circumstances of the individual case, any measure as compensation for disadvantages is entirely incompatible with the purpose of the examination. This is particularly the case if compensation for disadvantages defeats the purpose of the examination. A lack of resources for implementing measures as compensation for disadvantages is not a compelling reason.

If examinations are related to a profession, the requirements of the profession, on the one hand, and the existing possibilities for compensation in the profession itself, e.g. Section 164 Paragraph 4 of Social Code Book IX, on the other hand, must be included when determining the purpose of the examination and thus in the overall consideration.

9. LIMIT OF COMPENSATION FOR DISADVANTAGES

The limit of compensation for disadvantages is found in the principle of equal opportunities for all examinees, which is safeguarded by constitutional law in Article 3 Paragraph 1 in conjunction with Article 12 Paragraph 1 of the Basic Law for the Federal Republic of Germany.

Overcompensating or undercompensating for performance obstacles is not permitted.

Inadmissible are, for example:

Additional attempts at examinations, waiving of academic achievements without compensation, waiving of tasks as an alternative to additional processing time, the linguistic simplification of tasks or changes to assessment standards.

FURTHER READING: Ennuschat, Jörg (2019); ed. German National Association for Student Affairs – DSW, Studying with Disabilities – Information and Advice Centre – IBS: Legal report “Nachteilsausgleiche für Studierende mit Behinderungen – Prüfungsrechtliche Bausteine einer inklusiven Hochschule”

Gattermann-Kasper, Maike (2018); ed. German National Association for Student Affairs – DSW, Studying with Disabilities – Information and Advice Centre – IBS: Nachteilsausgleiche für Studierende mit Behinderungen. Arbeitshilfe

PART 2 – SELECTED PATHOLOGIES AND POSSIBLE ADJUSTMENTS TO DESIGNATED EXAMINATION FORMATS AND SETTINGS

1. DYSLEXIA

A) Definition

According to the ICD-10, the international classification system of the World Health Organization (WHO), a “*reading and spelling disorder*” (RSD) exists when persistent and clear weaknesses in reading and spelling CANNOT be attributed to any of the following:

- Developmental age
- Below-average IQ
- Inadequate schooling
- Mental disorder
- Brain trauma

B) Features

The ICD-10 of the WHO distinguishes between the following classifications:

F81.0 – Specific reading disorder

The main feature of this disorder is a significant impairment in the development of reading skills, which is reflected in deficits in reading comprehension, the ability to recognise written words, oral reading skills, and generally in all areas requiring reading skills. Reading difficulties are mostly accompanied by spelling difficulties.

F81.1 – Specific spelling disorder

This disorder is characterised by deficits in the ability to spell orally and in writing words correctly. This type of disorder occurs in isolation, i.e. independently and without observable difficulties with reading.

C) Distinction between dyslexia and reading and spelling disorder (RSD)

Experts, physicians and some of Germany’s federal states (as legislators of decrees related to dyslexia) distinguish between the terms “reading and spelling disorder” and “dyslexia”. However, the basis for this differentiation is not heterogeneous and often causes confusion. It is therefore not surprising that the terms “dyslexia”, “reading and spelling difficulties”, “reading and spelling disorder” (RSD) mean the same thing for many people and are thus often used synonymously.

The University of Würzburg therefore uses the terms “dyslexia” and the clearly definable term “reading and spelling disorder” synonymously for severe reading and/or spelling difficulties that meet the ICD-10 criteria.

POSSIBLE ADJUSTMENTS TO DESIGNATED EXAMINATION FORMATS AND SETTINGS FOR STUDENTS WITH DYSLEXIA

Written test: Extension of processing time, use of a PC with spell checker (helpful in the case of spelling difficulties), use of text-to-speech software (helpful in the case of reading difficulties)

Term papers: Extension of processing time

D) Problems with studying due to dyslexia

Students with dyslexia need considerably more time to read and comprehend questions and problems and to absorb and process information from texts before they can find a solution.

NOTE

If spelling and grammar are explicitly the subject of examinations, which is often the case especially in examinations in language and linguistics degrees, measures as compensation for disadvantages are relevant to the examination in terms of its contents and therefore not permitted.

MANY GERMAN COURTS HAVE ALREADY CONFIRMED THE RIGHT TO COMPENSATION FOR DISADVANTAGES FOR STUDENTS WITH DYSLEXIA, FOR EXAMPLE:

Decision of the Higher Administrative Court of Schleswig-Holstein of 19.8.2002/ 3 M 41/02; BecksRS 2009, 41443

Ruling by the Bavarian Administrative Court of 19.11.2018 – 7 B 16.2604; BecksRS 2018, 3068

Decision of the Higher Administrative Court of Kassel of 3.1.2006 – 8TG3292/05

E) Proof

Proof of dyslexia can be provided as follows:

Statements by:

- Consultant physicians in psychiatry
- Physicians for child and adolescent psychiatry
- Dyslexia therapy centres
- Qualified specialists for child and adolescent psychotherapy
- Therapists with proven special experience in learning therapy or dyslexia

Since health insurers only fund the diagnosis of dyslexia up to the age of 21 and, according to experience, psychiatrists charge adult patients over the age of 21 €200, statements older than 6 months are also accepted.

2. DEPRESSION

The number of students with mental illnesses, above all depression, anxiety disorders or OCD (Obsessive-Compulsive Disorder), is rising continuously. Such illnesses often occur in phases, i.e. the disorder can often be expected to flare up again after an initial illness and sometimes long phases of stability. To reduce this risk, long-term medication is necessary in many cases, which can be accompanied by considerable side effects, such as fatigue or poor concentration. This alone already has a first and frequent impact on studying. Both longer lasting acute phases of the illness as well as diminished performance as a consequence can hold up studies.

Typical emotional symptoms of depression are feelings of guilt or worthlessness, melancholy, irritability or emptiness. Cognitive symptoms can be poor attention and concentration, but also indecisiveness (even with simple decisions), negative thoughts about the future, self-doubt or suicidal thoughts.

However, physical symptoms can also occur, such as insomnia, loss of appetite, weight loss, inner restlessness, dizziness, gastrointestinal ailments.

A distinction is made between different degrees of severity:

Mild depressive episode: Everyday life, studies and other tasks are only manageable with great effort.

Moderate depressive episode: Ability to work and study is severely restricted, social contacts increasingly diminish.

Severe depressive episode: Ability to work and study usually no longer exists, everyday activities, e.g. household or leisure, are no longer possible either, or only to a very limited extent, suicidal thoughts.

POSSIBLE ADJUSTMENTS TO DESIGNATED EXAMINATION FORMATS AND SETTINGS FOR STUDENTS WITH DEPRESSION

Written test: Breaks, separate room

Oral exam: Different timing on the scheduled day, e.g. in the afternoon

Term paper: Additional processing time

Internship: Modified conditions, such as part-time, splitting, postponing to later semesters

3. ATTENTION DEFICIT HYPERACTIVITY DISORDER (ADHD)

ADHD is anything but a “fashionable ailment”. It is assumed nowadays that its main causes lie in changes in the way the brain functions. The basic intelligence of people with ADHD is not compromised.

ADHD symptoms can be divided into three main areas:

- Inattentiveness and poor concentration
- Impulsive behaviour
- Pronounced restlessness

Nowadays, it is often the case that ADHD is first suspected upon the transition to adulthood and the start of university. It is not uncommon that above all mildly to moderately affected individuals with higher intelligence are largely inconspicuous in the school environment, while previously unknown problems often seem to develop when they start university. Changes in living and everyday circumstances, on the one hand, and the sudden need to organise learning, work and everyday life independently and without fixed structural rules from outside, on the other, trigger mostly unaccustomed and multiple types of stress in many areas for new students. And if they leave home when they start university, the structural support provided by their parents is also missing from then on.

The main problems of students with ADHD manifest themselves in a frequent lack of self-organisation, poor concentration, high distractibility, forgetfulness, problems with setting priorities as well as possible comorbidities and procrastination. In view of these difficulties, the demands that studying places on students represent a disproportionately higher burden for persons affected by ADHD than for persons unaffected by it and therefore also necessitate that those affected make a far greater effort to adapt in order to counteract decompensation.

Among the common and ADHD-correlated difficulties experienced by affected students in practice are also:

- Frittering away time between several tasks
- Persistent daytime fatigue and exhaustion
- Putting off work for a long time
- Very slow processing of tasks
- Leaping back and forth between different tasks
- Frequent interruptions due to other spontaneous activities
- Forgetting appointments and errands
- Avoiding tasks that require sustained and greater attention
- Non-adherence to deadlines
- Avoiding uninteresting activities
- Frequent mental digression in lectures and private study
- Low frustration tolerance, quick to resign as a result and frequent thoughts about dropping out of university
- Problems with remembering what they have read

In addition, individuals with ADHD often have difficulties in coping with and organising everyday life by themselves as well as in social contexts, which is why difficulties in terms of the limitations caused by ADHD often mutually exacerbate each other. Difficulties in social contexts and in areas of everyday life that often go hand in hand also often include difficulties in fitting into group situations, in planning time wisely or problems in organising one's own household (untidiness).

POSSIBLE ADJUSTMENTS TO DESIGNATED EXAMINATION FORMATS AND SETTINGS FOR STUDENTS WITH ADHD

Written test: Separate room, privacy screen

Term papers: Extension of processing time

4. AUTISM SPECTRUM DISORDER

Autism is a complex and radical neurological developmental disorder that is often detected in the first three years of life. People with autism have difficulties in interacting and communicating with others and often need fixed structures. Some individuals with autism also have difficulty interpreting and recognising gestures and facial expressions, which makes any kind of communication difficult. In addition, they have problems processing sensory perceptions. We could also call this a kind of “impaired stimulus filtering”, meaning that people with autism perceive all the stimuli in their environment in an undamped way and are incapable of blocking out unimportant stimuli. This leads to a permanent sensory overload. They also often have problems with fine motor skills and processing stress. These problems can necessitate compensation for disadvantages in examinations.

POSSIBLE ADJUSTMENTS TO DESIGNATED EXAMINATION FORMATS AND SETTINGS FOR STUDENTS WITH AUTISM SPECTRUM DISORDER

Written test: Separate room, breaks if required, extension of processing time, use of a notebook

Oral exam: Individual exam, accompanying person

Laboratory class: Assistance if required

FURTHER READING: Autismus Deutschland e. V., www.autismus.de, ed.: autismus Deutschland e. V., Bundesverband zur Förderung von Menschen mit Autismus

5. ANXIETY DISORDERS

Everyone knows the feeling of fear. It is part of life and fulfils an important function. Fear can signal to us that a situation is potentially dangerous and that we need to be cautious.

Fear triggers biological reactions that prepare the whole organism to react quickly in a dangerous situation. To a bearable degree, fear is healthy because it protects us from danger.

Too much fear, however, can be severely compromising. It can paralyse us, minimise our performance and take away our pleasure in life.

We talk of an “anxiety disorder” when fear reactions are excessive in their intensity or duration without there being a concrete danger or threat. In many cases, a fear of fear (anticipatory anxiety) develops, which can be so pronounced that the person affected increasingly withdraws from their social environment and strictly avoids situations that induce anxiety.

What makes people anxious varies from person to person. Nevertheless, there are disorders which are combined with specific symptoms for those affected.

A DISTINCTION IS MADE BETWEEN THE FOLLOWING DISORDERS:

Phobia:

Irrational fear of certain objects, situations and places, accompanied by avoidance behaviour (e.g. fear of crowds, sight of blood, injections).

People with a social phobia are afraid of embarrassing themselves in front of others or of being judged badly. Particularly in the university context, social phobias can limit a student’s potential performance when it comes, for example, to giving a presentation.

Free-floating anxiety:

Anxiety occurs without an external cause, without a stressful situation and without a specific trigger.

Panic disorder:

Abrupt onset of episodes of intense anxiety that peak within 5-10 minutes and last 10-20 minutes ("panic attack"). There is a wide variety of physical symptoms, e.g. rapid heartbeat, trembling, profuse sweating, shortness of breath, chest pain, dizziness, nausea, vomiting. Emotionally, people are often convinced that they are dying or going insane. Panic is often connected with agoraphobia – the fear of suffering a panic attack in the presence of others or situations where the patient cannot escape or get help, e.g. on public transport or in elevators, large crowds or big lecture halls.

The anxiety disorder can also relate exclusively to exams, this is known as "**exam psychosis**". The anxiety disorder can also be extensive and thus occur, among other things, in the stressful situation of an exam.

An anxiety disorder unrelated to the subject matter of the examination is eligible for compensation for disadvantages.

What is referred to as "exam psychosis" is only relevant if the threshold to a disability or illness has been crossed, whereas according to prevailing case law "normal" exam nerves, which affect every examinee to a greater or lesser extent, are not taken into consideration.

POSSIBLE ADJUSTMENTS TO DESIGNATED EXAMINATION FORMATS AND SETTINGS FOR STUDENTS WITH ANXIETY DISORDERS

Written test: Separate room, breaks if required

Oral examination: Individual examination, accompanying person

Laboratory class: Assistance if necessary

Presentation: Exclusion of the audience

Internship: Adjusted conditions, e.g. postponement to later semesters, substitute achievement if necessary

PART 3 – APPLYING FOR COMPENSATION FOR DISADVANTAGES IN STATE EXAMINATIONS

In general, to apply for compensation for disadvantages, students must submit an informal application and present a medical certificate from a public health officer.

1. FOR EXAMINATIONS IN TEACHING DEGREES

Applications for compensation for disadvantages by students with a disability and/or chronic illness in the case of state examinations for teaching at state-run schools.

- a. Students sign and submit an informal application for compensation for disadvantages together with a medical certificate from a public health officer to the Examination Office at the Bavarian State Ministry of Education and Cultural Affairs.
- b. Teaching degree students send their applications to the following address: Bavarian State Ministry of Education and Cultural Affairs – Examination Office – Salvatorstr. 2, 80327 Munich.
- c. The deadlines for applying for compensation for disadvantages are as follows: Examination date in the autumn: by 01.06. of the respective year at the latest; examination date in the spring: by 01.12. of the previous year at the latest.

The State Ministry's incoming post stamp counts as date of receipt

- d. The deadlines for submitting applications for compensation for disadvantages can be found in the corresponding announcement by the Bavarian State Ministry of Education and Cultural Affairs for the respective examination date.

<https://www.km.bayern.de/ministerium/termine/1-staatspruefung-anmeldung-pruefungen.html>

- e. When applying for compensation for disadvantages in state examinations, a medical certificate from a public health officer is always required. A copy of the severely disabled person's pass can additionally be submitted as an attachment to the application.
- f. The medical from the public health officer must certify that the student's ability to produce the exam work is considerably compromised due to a disability and/or chronic illness. Furthermore, the certificate should state by what percentage the processing time should be extended, if applicable, or what other measures are recommended as compensation for disadvantages.

Contact at the State Ministry: Ulrich Lutz, Ulrich.Lutz@stmbw.bayern.de – 089/2186-0 (switchboard)

1. FOR EXAMINATIONS IN MEDICINE AND DENTISTRY

A) The legal basis for granting compensation for disadvantages for disabled or chronically ill students is Section 11a, Licensing Regulations for Physicians or Section 22, Licensing Regulations for Dentists.

B) In general, students submit an informal application for compensation for disadvantages in writing, together with the application documents needed to register for exams within the registration deadlines for the respective examinations at the examination offices responsible.

C) A recent medical report from a consultant physician in combination with the severely disabled person's pass is generally sufficient. In cases of doubt, it might be necessary to submit additional medical certificates including, where applicable, ones from a public health officer.

State Examination Office for Medicine, Pharmacy and Psychotherapy

https://www.regierung.oberbayern.bayern.de/ueber_uns/zentralezustaendigkeiten/landespruefungsamt/

D) The medical report should indicate the nature of the illness and its impact on the student's ability to take the examinations.

2. FOR STATE EXAMINATIONS IN LAW (FIRST STATE EXAMINATION IN LAW)

A) Students may submit an informal application for compensation for disadvantages for state examinations in law (First State Examination in Law) to the State Judicial Examination Office.

B) Applications can be submitted in writing or by email. The contact details can be found on the website of the State Judicial Examination Office under "Contacts".

<https://www.justiz.bayern.de/landesjustizpruefungsamt/ansprechpartner/>

C) The application must arrive no later than six weeks before the beginning of the written examination (Section 13 Paragraph 2, Training and Examination Regulations for Law).

D) In all cases, proof must be provided by presenting a certificate from a medical officer of a district court or a public health office (Section 13 Paragraph 2 Sentence 3, Training and Examination Regulations for Law). In general, the medical officer of the district court or the public health office at the applicant's place of residence is responsible for this.

E) The medical report should indicate the nature of the illness and its impact on the student's ability to take the examinations.

NOTE

It is helpful to bring and present existing medical documents and decisions on any compensation for disadvantages already approved by the University of Würzburg (if available) to the medical examination with the public health officer so that they can better gauge possible measures as compensation for disadvantages.

PART 4 – TIME EXTENSION OF STUDY PERIODS AND FOR ACHIEVEMENT OF MINIMUM ECTS SCORE REQUIREMENT/CORRESPONDING STATUS CHECK

To extend study periods, students must show that their health condition in interaction with general conditions related to studying has significantly prolonged it. Students can do this, for example, by documenting the course of their own studies.

If the application relates to the extension of study periods or for the achievement of minimum ECTS score requirement/corresponding status check, a personal timetable should be agreed together with the academic advisors, the Examination Office and KIS.

PART 5 – ADVICE ON COMPENSATION FOR DISADVANTAGES IN EXAMINATION PROCEDURES AT THE UNIVERSITY OF WÜRZBURG

COMMISSIONER FOR STUDENTS WITH A DISABILITY AND/OR CHRONIC ILLNESS

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REFERENCES

Barkley, Russell A., Das große Handbuch für Erwachsene mit ADHS, Huber, Bern, 2012

Bavarian Higher Education Act (BayHSchG) of 23 May 2006 (Law and Ordinance Gazette, p. 245) BayRS 2210-1-1-WK Full citation pursuant to the Guidelines for Drafting and Editing Legislation (RedR): Bavarian Higher Education Act (BayHSchG) of 23 May 2006 (Law and Ordinance Gazette, p. 245, BayRS 2210-1-1-WK), last amended by Section 1 Subsection 186 of the Act of 26 March 2019 (Law and Ordinance Gazette, p. 98).

<https://www.gesetze-bayern.de/Content/Document/BayHSchG> (Date: 03.08.2020)

Ennuschat, Jörg (2019); ed. German National Association for Student Affairs – DSW, Studying with Disabilities – Information and Advice Centre – IBS: Legal report “Nachteilsausgleiche für Studierende mit Behinderungen – Prüfungsrechtliche Bausteine einer inklusiven Hochschule”

Gattermann-Kasper, Maike (2018); ed. German National Association for Student Affairs – DSW, Studying with Disabilities – Information and Advice Centre – IBS: Nachteilsausgleiche für Studierende mit Behinderungen. Arbeitshilfe

University of Hamburg, Gattermann-Kasper, Maike (2020); Nachteilsausgleiche für Studierende mit Behinderungen:

https://www.studentenwerke.de/sites/default/files/views_filebrowser/2020_gattermann-kasper_vortrag_nachteilsausgleiche_ibs_hannover.pdf (Date: 03.08.2020)

Middendorf, E. et al. (2017): Die wirtschaftliche und soziale Lage der Studierenden in Deutschland 2016. 21st Social Survey of the German National Association for Student Affairs – DSW, conducted by the German Centre for Higher Education Research and Science Studies (DZHW), Berlin: Federal Ministry of Education and Research 2017, Main Report and Differentiated Analyses by Gender and for the Federal States

<http://www.sozialerhebung.de/sozialerhebung/archiv>

Fischer/Jeremias/Dieterich (2022): Prüfungsrecht. 8th edition, fully revised, Munich

Poskowsky, J. et al. (2018): beeinträchtigt studieren – best2: Datenerhebung zur Situation Studierender mit Behinderung und chronischer Krankheit 2016/2017, ed. German National Association for Student Affairs – DSW, Berlin 2018

Compensation for Disadvantages

Information for students with a disability and/or chronic illness, staff of the Examination Office, teaching staff and examination committee chairpersons of the University of Würzburg

Legal notice

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