

# **COUNTRY SYSTEM MAPPING**

## **Country Report: Spain**

**European Agency for Special Needs and Inclusive Education**



The European Agency for Special Needs and Inclusive Education (the Agency) is an independent and self-governing organisation. The Agency is co-funded by the ministries of education in its member countries and by the European Commission via an operating grant within the European Union (EU) education programme.



Co-funded by  
the European Union

Funded by the European Union. Views and opinions expressed are however those of the author(s) only and do not necessarily reflect those of the European Union or the European Commission. Neither the European Union nor the European Commission can be held responsible for them.

The views expressed by any individual in this document do not necessarily represent the official views of the Agency, its member countries or the European Commission.

© **European Agency for Special Needs and Inclusive Education 2023**

This publication is an open-access resource. This means you are free to access, use and disseminate it with appropriate credit to the European Agency for Special Needs and Inclusive Education. Please refer to the Agency's Open Access Policy for more information: [www.european-agency.org/open-access-policy](http://www.european-agency.org/open-access-policy).

You may cite this publication as follows: European Agency for Special Needs and Inclusive Education, 2023. *Country System Mapping Country Report: Spain*. Odense, Denmark

The information in this document was current in May 2023.

This country report has been drafted by Eloy Rebollo Píriz for the Agency in co-operation with the Spain Team:

Representative Board member: Juan Carlos Parodi Román

National Co-ordinator: Montse Pascual Contreras

Country Analyst: Juana María Hernández Rodríguez



This work is licensed under a [Creative Commons Attribution-NonCommercial-NoDerivatives 4.0 International License](https://creativecommons.org/licenses/by-nc-nd/4.0/).

You may not modify or translate this publication without the Agency's approval.

With a view to greater accessibility, this report is available in accessible electronic format on the Agency's website: [www.european-agency.org](http://www.european-agency.org)

#### **Secretariat**

Østre Stationsvej 33

DK-5000 Odense C Denmark

Tel.: +45 64 41 00 20

[secretariat@european-agency.org](mailto:secretariat@european-agency.org)

#### **Brussels Office**

Rue Montoyer 21

BE-1000 Brussels Belgium

Tel.: +32 2 213 62 80

[brussels.office@european-agency.org](mailto:brussels.office@european-agency.org)



---

# CONTENTS

---

INTRODUCTION	5
SECTION 1. BACKGROUND TO THE INCLUSIVE EDUCATION SYSTEM	9
SECTION 2. THE EDUCATION SYSTEM	14
SECTION 3. LEGISLATIVE AND POLICY FRAMEWORK	30
SECTION 4. SYSTEM GOVERNANCE	44
SECTION 5. QUALITY ASSURANCE AND ACCOUNTABILITY	52
SECTION 6. STAKEHOLDER COLLABORATION, CO-OPERATION AND EFFECTIVE COMMUNICATION	59





---

## INTRODUCTION

---

The goal of the Country System Mapping (CSM) activity is to identify, map and analyse the key features that impact the effective implementation of inclusive education policy in practice in all Agency member countries' education systems. In a departure from previous thematic activities undertaken by the European Agency for Special Needs and Inclusive Education (the Agency), CSM considers the **whole** education system from the perspective of implementing policy for inclusive education in practice. However, within this system-wide view, there is a focus on the specific priorities Representative Board members (RBs) have already identified in relation to monitoring and evaluation, cross-sector working and quality assurance.

The main output from the CSM work is a systematic mapping of information on each country's education system.

Information from the individual CSM Country Reports has been analysed in two ways:

- **Thematic Analysis** to highlight issues (challenges and opportunities) emerging from the reports to use as the starting point for the Agency's Thematic Country Cluster Activities (TCCA).

Challenges for inclusion are defined as things the country needs to work on to reach an inclusive education system. Strengths for inclusion are things that encourage and reinforce inclusive practice in the country and could potentially be shown as an example to other countries.

- **Mapping** to inform TCCA groupings, based on the system structures and processes countries have (or do not have) in common.

The agreed goal for the mapping element of the CSM analysis work was to highlight parameters, or comparative factors, that indicate which country systems are structured and/or working in different – or similar – ways.

The information from the CSM work will be used within the remainder of the [Multi-Annual Work Programme 2021–2027](#) (MAWP). As of autumn 2024, country cluster activities will be organised which are closely aligned to individual country approaches to key issues for inclusive education, as well as system structures and processes countries have in common.



---

## Work within a shared vision for inclusive education systems

---

All Agency work is aligned with the [position on inclusive education systems](#). This agreed position states that the ultimate vision for inclusive education systems is to ensure that:

All learners of any age are provided with meaningful, high-quality educational opportunities in their local community, alongside their friends and peers ([European Agency, 2022, p. 1](#))<sup>1</sup>.

Agency work focuses on supporting the development of inclusive education systems in member countries to ensure every learner's right to inclusive and equitable educational opportunities. This aim is directed at all learners. However, all aspects of Agency work clearly recognise that some groups of learners face obstacles and barriers that mean they should be considered **learners vulnerable to exclusion from inclusive education in mainstream schools in their local community, alongside their friends and peers**.

UNESCO identifies the possible obstacles and barriers to education learners may face as arising from:

... gender, remoteness, wealth, disability, ethnicity, language, migration, displacement, incarceration, sexual orientation, gender identity and expression, religion and other beliefs and attitudes ([UNESCO, 2020, p. 4](#))<sup>2</sup>.

Many learners may face a combination of these factors and the intersectional (inter-connected) nature of learners' needs must be acknowledged. Every learner has their own unique experiences of discrimination and/or barriers to learning. Everything and anything that can marginalise learners and increase their chances of exclusion from mainstream inclusive education must be understood and recognised.

All Agency member countries are committed to working towards ensuring more inclusive education systems. They do so in different ways, depending on their past and current contexts and histories. Inclusive education systems are a vital component within the wider aspiration of more socially inclusive societies that all countries align themselves with, both ethically and politically. However, all Agency work clearly recognises that countries have differences in their ways of thinking about, identifying and making provision for different groups of learners who may be considered vulnerable to exclusion from inclusive education.

All countries have undergone key conceptual changes in their thinking and policy priorities for developments as they move towards inclusive education as an approach that ensures high-quality education for all learners. Across countries, the first shift was made from the concept of special educational needs to special needs education. This shift represented a focus away from the learner (identified as having special educational needs) towards a focus on the provision they receive (special needs education for learners who experience difficulties at school). The term 'special needs education' has also widened the focus

---

<sup>1</sup> European Agency for Special Needs and Inclusive Education, 2022. *Agency Position on Inclusive Education Systems*. Odense, Denmark

<sup>2</sup> UNESCO, 2020. *Global Education Monitoring Report: Inclusion and education: all means all*. Paris: UNESCO



beyond learners with disabilities to include learners who appeared to be failing in school for a wide variety of reasons.

It is worth emphasising here that there have never been agreed definitions of the concepts of special educational needs or special needs education that can be consistently used across countries. The groups of learners considered as having special educational needs which require additional provision largely differ across countries.

The most recent shifts emphasise a move away from a concern with types of special needs or the categories a learner may or may not fall into, towards thinking of inclusion and inclusive education as an approach for all learners. They emphasise the barriers experienced by learners and focus overall on learners who may be vulnerable to exclusion from educational opportunities for different reasons.

Agency work focuses on supporting the development of inclusive education systems in its member countries to ensure every learner's right to inclusive and equitable educational opportunities. This aim is directed at all learners, while recognising the need to specifically address learners who may be vulnerable to exclusion from inclusive education.

## Overview of the Country System Mapping

---

The information collected in the CSM activity aims to provide evidence of and reflection on **where countries currently are** in their inclusive thinking, policy and provision for all learners, but in particular for those learners vulnerable to exclusion from inclusive education.

CSM work focuses on the **whole** education system and how certain structures, mechanisms and processes may impact on the implementation of policy for inclusive education in practice. It aims to get insights into how the needs of all learners – including individuals or groups of learners vulnerable to exclusion from inclusive education – are being considered. Many questions refer to learners vulnerable to exclusion from inclusive education. Countries have opportunities to clarify what 'learners vulnerable to exclusion from inclusive education' means for them and their systems.

However, it is acknowledged that it may not be possible for countries to provide information covering all learners and all learner groups.

The questions specifically focus on four priorities RBs have identified for wider future Agency work in relation to:

- Monitoring and evaluation
- Cross-sector working
- Quality assurance
- Effective policy implementation.

There are six main sections:

Section 1. Background to the inclusive education system

Section 2. Overview of the education system

Section 3. Legislative and policy framework



Section 4. System governance

Section 5. Quality assurance and accountability

Section 6. Stakeholder collaboration, co-operation and effective communication

In each of these sections, relevant information was collected covering International Standard Classification of Education (ISCED) levels 02 (pre-primary education) to 3 (upper-secondary education).

All questions were rephrased into statements for the purpose of this report.

### **System description**

Sections 1 to 6 include specific questions that aim to provide a factual description of key aspects of the legislation and policy framework for inclusive education in the country. The system information aims to accurately describe the relevant policy frameworks in countries.

Different types of questions are used to collect information that describes important system features – structures, mechanisms and processes – relating to governance, monitoring, quality assurance and collaboration. The descriptive information includes sources of original material and, where possible, is supported with quotes and citations from relevant policy documents and published work.

The descriptive information will be analysed to highlight parameters, or comparative factors, that indicate how countries are structured and/or working. This mapping will be used to inform country cluster groupings based on system structures and processes that countries have in common.

The descriptive information will also be used to prepare thematic cluster activities with Agency member countries. These activities will elaborate and collect even more detailed country information for the different priority areas from 2023 onwards.





---

## SECTION 1. BACKGROUND TO THE INCLUSIVE EDUCATION SYSTEM

---

This section provides key background information in relation to inclusive education in the country.

### 1.1 Overview of the historical development of inclusive education

---

In Spain, inclusive education has come a long way since 1985. Particularly throughout the last two decades, the country has taken great leaps in this regard, spearheaded by a number of diversity management plans and the establishment of the principle of integration by default (i.e. unless it is expressly discouraged by an authorised body or agent).

The most recent Education Act (2020) constitutes the latest and, arguably, the most concrete commitment to the effective management of diversity in the classroom, insofar as it sets out to provide mainstream schools with the necessary measures to care for and accommodate the needs of students with disabilities. Education administrations will continue to provide the necessary support to special education centres so that these, in addition to providing schooling for learners with highly specialised needs, can adequately support mainstream schools.

Despite these important legislative developments, key challenges remain on the implementation side. Most significantly, mainstream schools could benefit from increased resources, tools and know-how to carry out the necessary changes to their routine practices. As a result, a truly inclusive environment cannot be achieved, and students with special education needs (SEN) and their relatives continue to experience challenges when it comes to accessing education and care that is adapted to their needs. The decentralised nature of the Spanish education system (whereby the regions retain significant control over the implementation of education policies) constitutes a further challenge, insofar as it constitutes an additional layer of complexity when it comes to seeking consensus to undertake decisive reforms. Support is therefore needed to build truly inclusive education facilities, in co-operation with all relevant education actors in the country, so that all students can access the education and care that they need, regardless of their educational level and the disabilities that they might present.

In summary and as stated in the preamble of the Education Law (LOMLOE 2020), the adoption of the approaches proposed by the law has as its ultimate objective to strengthen equity and the inclusive capacity of the system, whose main backbone is comprehensive education. This makes effective the right to inclusive education as a human right for all people, so that this right reaches those in situations of greater vulnerability.

[\(Preamble LOMLOE\)](#)



## 1.2 Legislation and policy definitions linked to key concepts within inclusive education systems

---

### Inclusive education

The Organic Act of Modification of LOE (LOMLOE, 2020) proposes a transversal approach aimed at ensuring that all learners have guarantees of success in education through a dynamic of continuous improvement of educational centres and greater personalisation of learning (Preamble).

One of the main principles of the Spanish education system established in LOMLOE is Equity, which guarantees equal opportunities for the full development of the personality through education, educational inclusion, equal rights and opportunities (also between women and men) that help to overcome any discrimination. It ensures universal accessibility to education, and that acts as a compensating element of personal inequalities, cultural, economic and social, with special attention to those derived from any type of disability, in accordance with the provisions of the Convention on the Rights of Persons with Disabilities, ratified by Spain in 2008 (Article 1).

The Organic Act of Modification of LOE (LOMLOE, 2020) recognises the right to inclusive education as a human right for all people, recognised in the Convention on the Rights of Persons with Disabilities, ratified by Spain in 2008, so that this right reaches those in situations of greatest vulnerability (Preamble).

The Law includes the children's rights approach among the guiding principles of the system, as established in the United Nations Convention on the Rights of the Child (1989), recognising the best interests of the child, their right to education and the obligation of the state to ensure the effective fulfillment of their rights (Preamble).

Strategies and programmes:

The Ministry of Education and Vocational Training works together with other Ministries on:

- Spanish Strategy on Disability 2022–2030 for the access, enjoyment and enjoyment of human rights of people with disabilities
- National Strategy for the Prevention and Fight against Poverty and Social Exclusion 2019–2023
- National Strategy for the Equality, Inclusion and Participation of the Roma People 2021–2030
- Strategic Framework for Citizenship, Inclusion, Against Xenophobia and Racism 2021–2025
- Action Plan of the European Child Guarantee in Spain
- Comprehensive Plan to Combat Trafficking in Human Beings
- II National Accessibility Plan
- I National Plan for the Healthy Well-being of Persons with Disabilities
- Early Care Technical Group



Source: European Agency, Legislative Definitions around Learners Vulnerable to Exclusion – [Spain](#)

### **Special needs education**

The Organic Act of Modification of LOE (LOMLOE, 2020)

The schooling of learners with special educational needs should preferably be provided in mainstream schools, adapting programmes to each learner. Schooling in special schools will only take place when learners' needs cannot be met in mainstream schools.

Learners with special educational needs will be evaluated regarding the objectives and content modifications made through individualised curricular adaptations. This makes it possible for these learners to pass and qualify.

Provisions for learners with special educational needs are governed by principles of normalisation and inclusion, and ensure non-discrimination and real equality in access to the education system and continued attendance, allowing flexibility in the different stages of their education when necessary. The schooling of these learners in special schools or units, which may be extended to the age of 21, will only take place when their needs cannot be met by the special needs provisions available in mainstream schools.

Source: European Agency's Country information for Spain (updated in August 2022).

### **Learners vulnerable to exclusion from inclusive education**

The law includes learners with other specific educational support needs: due to maturation delay, disorders of language and communication development, attention or learning disorders, serious lack of knowledge of the language of learning, being in a situation of socio-educational vulnerability. They will have attention in order that they can achieve the maximum possible development of their personal abilities and, in any case, the objectives established in general for all students (LOMLOE art. 71).

#### [The Organic Act of Modification of LOE \(LOMLOE, 2020\)](#)

##### Art. 80.1

Support will be provided to students in situations of socio-educational and cultural vulnerability to promote their maximum educational and social development, so that they can access inclusive education, on equal terms with others.

##### Art. 80.2

Compensation policies shall strengthen the action of the education system in such a way as to avoid inequalities arising from social, economic, cultural, geographical, ethnic or other factors.

Strategies and programmes:

The State Observatory for Co-existence, which is an advisory body, has an Action Plan for the Improvement of Co-existence.

Source: European Agency, Legislative Definitions around Learners Vulnerable to Exclusion – [Spain](#).



## Learners with special educational needs

According to the 1990 LOGSE, special education is no longer understood as education for a different kind of learner, but begins to be understood as the set of material and human resources available to the education system in order to meet the needs, whether temporary or permanent, that some of the learners may have.

At present, the Organic Act of Modification of LOE (LOMLOE, 2020) follows the inclusive education criteria developed by the LOE. It proposes a transversal approach aimed at ensuring that all learners have guarantees of success in education through a dynamic of continuous improvement of educational centres and greater personalisation of learning, in order to eliminate the barriers that limit their access, presence, participation and learning. The ultimate goal is to strengthen equity and the inclusive capacity of the system.

Schooling for these learners will be based on the principles of inclusion and participation, quality, equity, non-discrimination and effective equality in access and permanence in the educational system and universal accessibility for all learners.

According to the General Law (LOMLOE, 2020), the education system will have the necessary resources for the early detection of students with special, temporary or permanent educational needs, and so that they can achieve the objectives established in general for all students. To this end, the Educational Administrations will provide these students with the necessary support from the moment of their schooling or the detection of their need at all pre- and post-compulsory educational levels.

The Organic Act of Modification of LOE (LOMLOE, 2020) (Article 71 , 73, 74 y 75)

The Educational Administrations will have the necessary means for all students to achieve maximum personal, intellectual, social and emotional development, as well as the objectives established in general.

Students who have special educational needs are those who face barriers that limit their access, presence, participation or learning, derived from disability or serious disorders of behaviour, communication and language, for a period of their schooling or throughout it, and who require certain supports and specific educational attention for the achievement of the learning objectives appropriate to their development.

It will tend to the schooling and educational attention of students with special educational needs in the most inclusive modality.

Strategies and programmes:

- Forum for the educational inclusion of students with disabilities (Advisory body)
- [Territorial Co-operation Programmes](#):
  - (PROA+) Programme for Orientation, Advancement and Educational Enrichment, (UAO) Programme of Units of Accompaniment and Orientation of Vulnerable Students and Their Families, (MUS-E) Programme of Artistic Teaching and Music in multicultural schools
  - Inclusive Education Programme.



Source: European Agency, Legislative Definitions around Learners Vulnerable to Exclusion – [Spain](#).

### **1.3 Individuals or groups of learners vulnerable to exclusion from inclusive education focused on in the report**

---

**Learners with specific educational support needs:** due to special educational needs, maturation delay, disorders of language and communication development, attention or learning disorders, serious lack of knowledge of the language of learning, being in a situation of socio-educational vulnerability, high intellectual abilities, late entry into the educational system or personal conditions or school history.

### **1.4 Development of thinking around learners vulnerable to exclusion from inclusive education**

---

Early detection and intervention follow the principles of normalisation and inclusion.

There will be the teaching staff of the corresponding specialties and qualified professionals, as well as the means and materials necessary for the adequate attention to these students (LOMLOE art. 71 y 72).

### **1.5 Future education system developments that may impact positively or negatively on inclusive education**

---

**Fourth additional provision.** Evolution of the schooling of students with special educational needs. (LOMLOE)

The government, in collaboration with the autonomous communities, will develop a plan so that, in accordance with article 24.2.e) of the United Nations Convention on the Rights of Persons with Disabilities and in compliance with the fourth Sustainable Development Goal of the 2030 Agenda, ordinary schools have the necessary resources to be able to assist students with disabilities in the best conditions. The education authorities will continue to provide the necessary support to special education centres so that, in addition to schooling learners who require very specialised attention, they play the role of reference and support centres for ordinary schools.

**Third additional provision.** Extension of early childhood education. (LOMLOE)

The government, in collaboration with the autonomous communities, shall draw up an eight-year plan for the extension of the first cycle of early childhood education so as to move towards a sufficient and affordable public offer with equity and quality and guarantee its educational character.

**Fifth additional provision.** Priorities in territorial co-operation programmes. (LOMLOE)

One of the strategic lines of territorial co-operation programmes will be inclusive education.

Source: [LOMLOE](#)



---

## SECTION 2. THE EDUCATION SYSTEM

---

This section provides information on the structures and features of the whole education system that influence the development and implementation of inclusive education in the country.

### 2.1 Overview of the education system

---

The Spanish education system comprises:

- the education authorities, education professionals and other public and private actors who perform regulatory, financing or service provision functions for the exercise of the right to education included in the 1978 Spanish Constitution;
- those entitled to the right to education;
- the set of relations, structures, measures and actions being implemented in order to ensure it.

The Organic Law on Education 2/2006 ([LOE](#)), in force since 2006, was modified by the Organic Law 3/2020 ([LOMLOE](#)) passed in 2020. The implementation of the amendments introduced by the LOMLOE started in the academic year 2020/21 and will end in the academic year 2023/24.

This reform acknowledges the best interests of the child and places children's rights among the guiding principles of the system, promotes gender equality, encourages the continuous improvement of schools and the individualisation of learning, gives a central role to the development of digital competences and recognises the importance of education for sustainable development.

#### **Decentralisation: Main characteristic of the administration of the education system**

Educational competences are shared between the General State Administration (Ministry of Education and Vocational Training) and the authorities of the autonomous communities (Departments for Education):

- the central education administration executes the general guidelines of the government on education policy and regulates the basic elements or aspects of the system;
- regional education authorities develop the state regulations and have executive and administrative competences for managing the education system in their own territory.

Schools have pedagogical, organisational and managerial autonomy for their resources.

Participation of the education community in the schools' organisation, governance, running and evaluation.



### **Training offer in the Education System (until upper secondary education)**

Early childhood education lasts until the age of 6. Although it is not a compulsory stage of education, the second cycle is free of charge in all institutions receiving public funding (public and publicly funded private institutions). The public institutions that provide this education are called nursery schools, and those which also offer primary education are called early childhood and primary schools.

Basic education is compulsory and provided free of charge in publicly funded institutions. It comprises ten years of schooling and consists of the following:

- Primary education, provided in primary schools. It consists of six academic years, normally between the ages of 6 and 12.
- Compulsory Secondary Education (ESO), which is provided in secondary schools between the ages of 12 and 16. At the end of this stage, students receive their first official qualification, the Compulsory Secondary Education Graduate diploma (Graduado en Educación Secundaria Obligatoria), which gives them access to upper secondary education or to the labour market.

Basic-level training cycles, which are offered in secondary education high schools between the ages of 15 and 17. Students who complete these courses receive a diploma as a Graduate in Compulsory Secondary Education and the qualification of Basic Technician in the corresponding specialisation.

Upper secondary education is also mainly provided in secondary education high schools. It lasts two academic years, generally attended between the ages of 16 and 18. It offers students two possibilities, bachillerato (general option) and intermediate vocational training (vocational option). The latter is also offered in integrated vocational training institutions and in national reference centres.

### **Lifelong learning**

All persons should have the possibility of lifelong training, within and outside the education system, in order to acquire, update, complete and expand their capacities, knowledge, skills, aptitudes and competences for their personal and professional development. The education system must facilitate and public administrations must promote that the entire population has access to post-compulsory secondary education training or equivalent ([LOMLOE art. 5](#)).

### **Non-formal education**

Non-formal education within the framework of a culture of lifelong learning shall include all those activities, means and areas of education which take place outside formal education and that are aimed at persons of any age (with a special interest in childhood and young people), which have educational value in themselves and have been specifically organised to meet educational objectives in various areas of social life. This includes personal training, promotion of community values, socio-cultural animation, social participation, improvement of living conditions, artistic, technological, recreational or sports, among others. The articulation and complementarity of formal and non-formal education will be promoted with the purpose of contributing to the acquisition of skills for a full development of the personality ([LOMLOE Article 5a \(new\)](#)).



## Statistics on educational institutions

This section provides the most recent available data on the number of educational institutions at early childhood, primary and secondary education levels (ISCED levels 0–3). Statistics on numbers and characteristics of higher education institutions (ISCED levels 5–8) can be found in the European Tertiary Education Register ([ETER](#)). A general overview of the categories of institutions providing adult education and vocational training can be found in the chapter on the [main providers of adult education](#). The notes below the tables provide methodological explanations necessary for a good interpretation of data.

The data in the tables was collected on the basis of accounting by institution, understood as legal entities.

Primary education institutions: institutions with primary education students (International Standard Classification of Education – [ISCED](#) – 1), although they may also have early childhood education children (ISCED 0).

Primary and compulsory secondary education institutions: institutions with primary education (ISCED 1) and compulsory secondary education (ISCED 2 and 3) students, although they may also have early childhood education students (ISCED 0).

Secondary education institutions: institutions enrolling students in one or more of the ESO (compulsory secondary education) programmes (ISCED 2 and 3), bachillerato studies (ISCED 3) and vocational education and training cycles (ISCED 3 and 5).

Primary and secondary education institutions: institutions with students in primary education (ISCED 1), secondary education (ISCED 2 and 3) and students in one or more of the following programmes: bachillerato (ISCED 3) and vocational training cycles (ISCED 4 and 5); they may also have learners in pre-primary education (ISCED 0).

**Table 1. Statistics on educational institutions providing regular education, [School year 2019/2020](#)**

Type of educational institution	ISCED levels provided	Main orientation of the programmes provided	Total number of educational institutions	Public educational institutions	Government -dependent private educational institutions	Private independent educational institutions
Early childhood education institutions	0	–	9,115	4,538	1,608	2,969
Primary education institutions	0,1	–	10,288	9,794	363	131





Type of educational institution	ISCED levels provided	Main orientation of the programmes provided	Total number of educational institutions	Public educational institutions	Government-dependent private educational institutions	Private independent educational institutions
Primary and compulsory secondary education institutions	0,1,2,3	General	2,048	527	1,451	70
Secondary education institutions	2,3	General, Vocational	5,027	4,080	450	497
Primary and compulsory secondary education institutions	0,1,2,3	General, Vocational	1,559	5	1,236	318

**Table 2. Statistics on separate educational institutions providing special needs education, [School year 2019/2020](#)**

Type of educational institution	ISCED levels provided	Main orientation of the programmes provided	Total number of educational institutions	Public educational institutions	Government-dependent private educational institutions	Private independent educational institutions
Specific separate special education needs schools	1	–	471	196	270	5

Sources : [Eurydice : Spain – Overview](#); [Euridice: Spain – Statistics](#)

## **2.2 Specific features that are present within the education system**

**Early tracking of learners into a particular educational pathway (i.e. streaming learners by abilities into different types of provision or school; this includes placing children into separate schools)**

The LOMLOE law is a complete overhaul of the education system. It addresses early drop-out, grade repetition and school segregation.

Early detection of and intervention for learning difficulties are important. Schools must prepare re-inforcement plans to improve the level of competence of the learners who



need it (which will be further regulated by the autonomous communities or local authorities).

Source: European Agency, Country information for Spain (updated in August 2022)

Primary education, compulsory secondary education and basic training cycles constitute basic education. It comprises 10 years of schooling and develops, on a regular basis, between 6 and 16 years of age. However, learners shall have the right to remain in the ordinary regime attending basic education until the age of 18.

Throughout basic education, a common education is guaranteed for all learners, and inclusive education shall be adopted as a fundamental principle, in order to meet the diversity of the needs of all learners, both those with special learning difficulties and those who have greater capacity and motivation to learn ([LOMLOE art. 3 and 4](#)).

### **‘Double-shift’ patterns to the school day (i.e. learners attend for either a morning or afternoon session)**

No information.

### **Grade retention (i.e. holding learners back to repeat school years, instead of providing flexible support that enables learners to progress with their peers)**

The LOMLOE law is a complete overhaul of the education system. It addresses early drop-out, grade repetition and school segregation.

Measures to lower the high repetition rate include:

- Primary education (6–12 years) will be organised in cycles of two school years. This favours greater adaptation to learning rhythms, as the objectives can be achieved during a cycle. In addition, it will only be possible to repeat at the end of each cycle (second, fourth and sixth years of primary education).
- In secondary education (ESO) (12–16 years), the decision to repeat a year will be made scholastically. Learners who fail more than two subjects may still pass a course if the teaching team considers that they will be able to successfully follow the next course.
- Decisions regarding repetition must be accompanied by a specific individualised plan. This must include the educational measures necessary to ensure the learner overcomes their difficulties during the repeated year.

Sources: European Agency, Country information for Spain (updated in August 2022); [LOMLOE chapters 1–4](#)

### **Multiple languages of instruction**

The Organic Act of Modification of LOE (LOMLOE, 2020) considers the following types of specific educational support needs:

- Learners with special educational needs, associated physical, intellectual or sensory disability, severe communication and language disorders, or serious behavioural disorder.



- Learners with other specific educational support needs associated with: developmental delay, developmental language and communication disorders, high-ability learners, late entries into the Spanish education system, attention or learning disorders, severe ignorance of the language of learning, situation of socio-educational vulnerability, personal circumstances or past school records.

Among the ordinary measures (offered to all learners) contemplated by the education system for attending to diversity, the following must be mentioned: (...) the organisation of reinforcement and support activities in educational establishments, a very generalised measure of attention to diversity which is usually aimed at the instrumental areas (mathematics and language); (...)

Regarding learners who enter the Spanish education system late, the LOMLOE stipulates that it is the responsibility of the education administrations to develop specific programmes for learners who have serious language problems or lack basic competences and knowledge, in order to facilitate their inclusion into the corresponding academic year.

#### *Special teaching methods and materials*

Learners with auditory disabilities have to learn to communicate by alternative means: sign language, bimodal system, etc., which have their own methodological guidelines. Spanish legislation gives parents and learners the possibility to choose between sign language and oral language (with or without support).

Source: European Agency, Country information for Spain (updated in August 2022)

In order to strengthen educational inclusion, education authorities may incorporate Spanish sign languages into their educational offer ([LOMLOE art. 75](#)).

#### **Specific policies on access to compulsory education in local schools (i.e. school selection policies)**

Schooling will be governed by the principles of inclusion and normalisation and will grant non-discrimination and effective equality in access to the education system and attendance at school.

At present, the Organic Act of Modification of LOE (LOMLOE, 2020) follows the inclusive education criteria developed by the LOE. It proposes a transversal approach aimed at ensuring that all learners have guarantees of success in education, through a dynamic of continuous improvement of educational centres and greater personalisation of learning in order to eliminate the barriers that limit their access, presence, participation and learning.

**Early childhood education and care (ECEC)** is the educational stage (International Standard Classification of Education level 0) prior to basic and compulsory education, which starts at the age of 6 years.

Children aged 0 to 5 years are enrolled in this stage, including those with [special educational needs](#) and those who are socially disadvantaged. ECEC is governed by the principles of normalisation and inclusion, ensuring non-discrimination and equal access to and continuance in the education system.

Parents or guardians can choose the preferred school for their children, either public or private. There is only one access criterion: the child's year of birth.



**Primary education** is regulated by Organic Law 2/2006 on Education ([LOE](#)), as amended by Organic Law 3/2020 (LOMLOE). Along with compulsory secondary education ([ESO](#)) and the basic training cycles, it constitutes the basic, compulsory and cost-free education of the education system.

The provision of **secondary and post-secondary non-tertiary education** is regulated by Organic Law 2/2006 on Education ([LOE](#)), as amended by Organic Law 3/2020 (LOMLOE).

General lower secondary education (ISCED 2) corresponds to the first three years of compulsory secondary education, from age 12 to 15. Access takes place after having completed primary education.

General upper secondary education (ISCED 3) corresponds to the fourth year of compulsory secondary education and bachillerato, and vocational upper secondary education (ISCED 3) comprises the training cycles of basic vocational training and intermediate vocational training.

Compulsory secondary education (ESO) is carried out on a regular basis until the age of 16. However, exceptionally, whenever the teaching team considers that this measure favours the acquisition of the competences established at this stage, students will have the right to remain in the ordinary system until they reach the age of 18 (during the year in which the school year ends).

Basic vocational training cycles correspond to a professional profile, so their curricula must comply with the requirements of the [National System of Qualifications and Vocational Training](#).

Sources: European Agency, Country information for Spain (updated in August 2022): [Eurydice: Spain – Early Childhood Education and Care](#); [Eurydice: Spain – Primary Education](#); [Eurydice: Spain – Secondary and Post-Secondary Non-Tertiary Education](#)

CHAPTER II. Equity and compensation for inequalities in education Article 81. Schooling. It is the responsibility of the education authorities to ensure preventive and compensatory action by guaranteeing the most favourable conditions for the schooling of all children whose personal or social conditions imply an initial inequality in accessing the different stages of education. The schooling of students in situations of socio-educational vulnerability shall be governed by the principles of participation and inclusion and shall ensure their non-discrimination or segregation and effective equality in access to and permanence in the education system.

Article 82. Equal opportunities in rural areas.

The education authorities will pay special attention to educational establishments in rural areas, considering the peculiarities of their educational environment and the need to promote the permanence in the educational system of students from rural areas beyond basic education. The education authorities will facilitate the provision of rural schools with sufficient human resources and will promote the specific training of teachers in rural areas, favoring their link and identification with the educational projects of the



centre. They will also provide the rural school with learning materials and educational resources on the internet. Source: [LOMLOE](#)

## 2.3 Public and private authorities responsible for different types of provision

---

### Spanish educational institutions

According to [Article 27.6](#) of the Spanish Constitution, individuals and legal entities are free to create educational institutions, subject to observance of the constitutional principles.

Non-university educational institutions, according to their ownership and source of funding, can be classified as:

- **public schools:** they are owned by the public education administration and publicly-funded;
- **private schools:** they are owned by a private natural or legal person and privately funded;
- **publicly funded private schools:** they are owned by a private individual or legal entity, but they can be publicly funded through a regime of agreements.

At the same time, names of non-university educational institutions according to the education provided can be:

- early childhood education and care (ECEC) settings which:
  - are attended by ECEC learners;
  - can provide the whole level (0–6 years old) or just the first cycle (0–3 years old);
- primary education schools (CEP), attended by primary school learners;
- pre-primary and primary schools (CEIP), attended by pre-primary and primary school learners;
- secondary education institutions (IES), which can offer:
  - compulsory secondary education and/or bachillerato studies;
  - vocational training cycles;
- vocational training institutions, which only offer vocational training programmes;
- integrated vocational training centres, which offer all vocational training courses;
- special education centres, which provide schooling for learners with special educational needs that cannot be addressed within the framework of the measures for attending to diversity in ordinary institutions;
- adult education centres, which offer education for adults;
- adult education classrooms, which:
  - are integrated within primary schools and/or secondary schools, although they can also belong to city councils and local corporations;



- provide adult education;
- Gathered rural schools (CRA), which:
  - are groups of several schools in neighbouring areas gathered in a single school working jointly;
  - are located in rural areas needing this kind of school group due to their socio-demographic characteristics.

It is the responsibility of the education administrations to determine the name of those public institutions that offer education combined in a different way to the above.

Vocational training is provided both in public and private educational institutions, authorised by the relevant education authority, and also in institutions specifically. These are the [national reference institutions](#). They are public institutions specialised in the different productive sectors, carrying out innovation and experimentation action in terms of vocational training.

#### *Requirements of private institutions*

Private institutions must fulfil the same requirements as all the educational institutions, regardless of their source of funding. These requirements are established by the Ministry of Education in collaboration with the [regional education authorities](#).

Source: Eurydice

## **2.4 Levels of autonomy open to educational institutions – schools, local authorities, school maintainers, etc. – within the system**

---

The 1978 [Spanish Constitution](#) established a decentralised and symmetrical state model that distributes the exercise of educational competences among all administrative levels, so that they are basically the same throughout the whole country.

The role of local authorities focuses on educational management, mainly through education councils. [Regional education authorities](#) assign to municipalities the exercise of functions in areas that directly affect their interests. Therefore, local authorities do not have the status of education administration, although they participate in the educational management carried out in their territory. In this respect, educational provision aimed at people of compulsory school age by local authorities or other public institutions, as well as any actions with educational purposes or consequences for the education of minors, must be carried out in co-ordination with the corresponding [education administration](#). Furthermore, the education authorities and local corporations must co-ordinate their actions, each within the scope of their competences, in order to achieve a greater efficiency of the resources allocated to education and to contribute to the educational goals established in the regulations in force.

In turn, educational institutions also collaborate in the management of education thanks to their autonomy, adjusting their resources and adapting their pedagogic action, organisation and operational rules to the specific needs of their students and the characteristics of the school environment.



## Administration and governance at local level

The [autonomous communities](#) can agree on the delegation of management competences for certain education services in the municipalities or groups of municipalities, in order to favour a greater effectiveness, co-ordination and social control in the use of the resources.

There is not a common structure for all the local authorities responsible for carrying out their education functions. Although most municipalities have an education department, the structure of these departments varies depending on aspects such as the size of the municipalities or their budgets.

Municipalities assume the competences related to:

- the creation, building, maintenance and monitoring of those buildings for public institutions of ECEC, primary and special education;
- the collaboration with the corresponding [education authorities](#) in obtaining the necessary site to build the new educational institutions;
- ensuring compliance with compulsory schooling and provision of the education service.

Local corporations are also empowered to set up municipal school councils. Their participation in education also entails representation in the school councils of the autonomous communities and the school councils of non-university educational institutions.

On the other hand, municipal authorities may use the educational institutions dependent on the [autonomous communities](#) for educational, cultural, sport or social activities outside school hours. Such use is subject to the needs derived from the planning of the activities of these schools.

The Ministry of Education and Vocational Training ([MEFP](#)) and the Spanish Federation of Municipalities and Provinces ([FEMP](#)) have signed several collaboration agreements. In 2004, the Ministry of Education and Vocational Training signed the first framework agreement for collaboration with the Spanish Federation of Municipalities and Provinces, whose main purpose was to achieve the full integration of educational action into local life. Subsequently, in 2010, a second agreement emphasised the numerous educational programmes that went beyond these legal requirements and illustrated the local authorities' commitment to education. Then, in 2017, an agreement with the aim of developing the 2017–2020 Plan for the Promotion of Reading was signed. Again, in July 2021, a nominative subsidy [agreement](#) was signed for the implementation of joint activities at local level.

## Administration at institutional level

The process of decentralisation of educational powers has extended to non-university educational institutions.

The autonomy of the institutions is intended to enable them to adapt their actions to their specific circumstances and to the characteristics of their students, with the aim of achieving educational success for all students. The regulations establish the common rules that all schools have to observe, as well as the degree of autonomy to be granted to them.



Schools have pedagogical, organisational and management autonomy within the framework of the legislation in force. In this sense, they have the autonomy to draw up, approve and implement the following aspects:

- their educational project;
- the rules for organising and running the school, within the framework established by the state and regional regulations;
- their management plan.

The [education administrations](#) strengthen and promote the autonomy of the institutions, so that their economic, material and human resources can be adapted to the work and organisation plans they draw up, once they have been properly evaluated and assessed.

The institutions, in the exercise of their autonomy, may adopt experimentation, Training Projects in Centres, pedagogical innovations, educational programmes, work plans, forms of organisation, rules of co-existence or extension of the school calendar or of the teaching timetable for fields, areas or subjects. This must follow the terms established by each [education administration](#) and within the possibilities allowed by the applicable regulations, including labour legislation. Under no circumstances may this entail discrimination of any kind, the imposition of contributions on families or demands on the education administrations. Where these experiments, work plans or forms of organisation affect the attainment of academic or professional qualifications, they must be duly authorised by the government.

It is possible to distinguish four areas where educational institutions enjoy a wide degree of autonomy:

#### *1. Pedagogical and curricular organisation*

The school development plan sets out the values, goals and priorities for action of the institution, within the framework of some strategic lines of action. In addition, it develops the principles, objectives and methodology of competence-based learning oriented towards the exercise of active citizenship. It must observe the principles of non-discrimination and educational inclusion as fundamental values. Public and publicly funded private schools have to make it public.

#### *2. Organisational management*

The role of the [education administrations](#) is to facilitate that, within the framework of autonomy, schools prepare their own organisation and running rules. They are also responsible for regulating the protocols for dealing with signs of bullying, cyberbullying, sexual harassment, gender-based violence and any other manifestation of violence, as well as the requirements and functions to be carried out by the welfare and protection co-ordinator, who must be appointed in all schools regardless of their ownership. School heads must ensure that the educational community is informed of the existing action protocols, as well as the implementation and monitoring of the actions foreseen in these protocols. In all cases, the rights of those affected must be guaranteed. The law has included the figure of the Emotional Well-being Co-ordinator.





### *3. Management of resources*

The financial management made by public educational institutions is in line with the exercise of their own autonomy, but must always comply with what is established by Organic Law 2/2006 on Education ([LOE](#)) and the specific regulations of every [education administration](#) or of their governing bodies.

The management of school resources must also contribute to the promotion of the quality of education, as well as to equal opportunities regarding access to education. Therefore, the funding of the [education authorities](#) may be bigger in the case of public educational institutions or publicly funded private schools whose project might require it or whose population has specific needs. This allocation is subject to accountability and proof that the resources have been properly used.

### *4. Organisation of actions aimed at promoting the quality of educational institutions*

These actions to promote quality comprise honorary measures aimed at the recognition of schools, as well as educational quality actions aimed at fostering and promoting quality in schools.

The implementation of such quality actions is subject to the accountability of the educational institution.

## **Governance at institutional level**

The governance of public non-university institutions is entrusted to the following bodies:

- mixed-membership bodies
  - management team
  - school council
  - teachers' assembly
  - other teaching co-ordination bodies
  - participation bodies
    - students' participation
    - student parents' associations;
- single-member bodies
  - school head
  - head of studies
  - secretary
  - any others established by the [education administrations](#).

Source: [Eurydice: Spain – Administration and-governance, local/institutional level](#)



---

## 2.5 General mechanisms for funding schools

---

The Spanish education system has a **decentralised management and administration model**. Educational powers are shared between:

- the state general administration: Ministry of Education and Vocational Training ([MEFP](#)) and [Ministry of Universities](#);
- the autonomous communities (Departments for Education).

The general system for the transfer of funding to each autonomous community is settled by means of a multi-lateral agreement between regional governments and the state, which guarantees, through a series of mechanisms, solidarity between territories and a certain level of expenditure for the provision of the basic public service of education throughout the country.

The autonomous communities enjoy a high degree of management autonomy and they are therefore entitled to approve their own annual budget and to decide on the distribution of their resources.

Most of the investment in education is public, representing 86% of the total spending on education in 2018, in lower levels than higher education and a 66% in tertiary education.

Private expenditure comes mainly from household spending (13%), particularly in non-university education, where household spending is equal to the total expenditure.

**Public expenditure** on education refers to the amounts targeted by public authorities. Most of it is assumed by the education authorities (the Ministry of Education and Vocational Training, the Ministry of Universities and the Departments for Education in each autonomous community), whereas the rest is provided by other authorities.

**Private funding** comes exclusively from private sources:

- **non-university education in public schools and publicly funded private schools:** it supplements public expenditure and covers expenses such as books and school materials, meals, transport or extra-curricular activities. In **private non grant-aided schools**, families must pay for registration and tuition fees;
- **university education:** in public universities, private funding comes mainly from registration and tuition fees paid by students, the organisation of specialised courses and agreements signed with private corporations, as well as from other sources such as legacies, donations or subsidies granted by private institutions.

The **annual expenditure, both public and private, per student by educational institutions** is the result of dividing the total expenditure on education by the total number of students in Spain. This expenditure per student, **expressed as a percentage of GDP per capita**, reflects the effort made by the country in relation to its level of development.

Tertiary education students are the ones generating the highest cost, followed by secondary and primary education students.

Public educational expenditure in 2019 reached around EUR 53.09 billion, representing 4.26% of the GDP, and was mainly distributed among pre-primary and primary



education (34.7%), secondary education and vocational training (30.1%) and university education (19.5%).

**Table 3. Distribution of public expenditure on education according to educational activity, 2019 (in EUR thousand)**

<b>Educational activity</b>	<b>Amount (in EUR thousand)</b>	<b>Percentage</b>
Pre-primary and primary education	15,975,437.6	30.1%
Secondary education and vocational training	15,219,732.5	28.7%
University education	9,991,789.8	18.8%
<a href="#">SPECIALISED education</a>	1,158,878.6	2.2%
Special education	1,564,294.4	2.9%
Adult education	379,199.4	0.7%
Education abroad	103,770.7	0.2%
Supplementary services	1,166,394.4	2.2%
Compensatory education	284,358.5	0.6%
Extra-curricular and additional activities	574,857.3	1.1%
Teacher training and re-training	171,816.1	0.3%
Educational research	43,297.6	0.1%
General administration	1,032,006.8	1.9%
Other higher education	18,983.8	0.0%
Occupational training	857,858.3	1.6%
Grants and financial support	2,080,172.6	3.9%
Allocated social contributions	4,509,000.0	8.5%
<b>Total</b>	<b>53,087,461.8</b>	<b>100.0%</b>

Public spending on education is directed at students of the different educational stages in both public and publicly funded private schools, by means of educational agreements and grants and financial support. In 2019, around EUR 6.65 billion were allocated to publicly



funded private schools offering pre-primary and/or primary education, secondary education, special education, other types of education and university education.

**Table 4. Public expenditure allocated to agreements, 2019 (in EUR thousand):**

Education type	Amount
Pre-primary and primary education	3,250,424.2
Secondary education	2,919,486.9
Special education	407,715.4
Other types of provision	21,085.2
University education	53,886.7
<b>Total</b>	<b>6,652,598.3</b>

Sources: [Eurydice: Spain – Funding education; Facts and figures. 2022/2023 school year](#) (there is a MEFP publication in English with the most up-to-date data)

## **2.6 Specific mechanisms for funding the inclusion of learners vulnerable to exclusion from inclusive education**

Public funds earmarked to finance Spanish education are mainly provided by the Ministry of Education and Vocational Training as well as the education authorities of the corresponding autonomous communities. Other ministries and other local and regional authorities also provide funding.

Regardless of the authority providing funding, public spending is not earmarked for public education only, but is also allocated to subsidise private establishments and finance learner scholarships and grants.

Education funding comes from the following sources:

- national budget, which includes the Ministry budget
- autonomous communities.

The general system for the transfer of funding to each autonomous community is settled by means of a multi-lateral agreement between regional governments and the state, which guarantees, through a series of mechanisms, solidarity between territories and a certain level of expenditure for the provision of the basic public service of education throughout the country.

The autonomous communities enjoy a high degree of management autonomy and they are therefore entitled to approve their own annual budget and to decide on the distribution of their resources.



The Budget for Special Education covers the following items:

- Staff expenses
- Operational expenses
- Furniture and inventoried equipment expenses
- Expenses for alterations
- Grants to non-governmental organisations
- Grants to private schools with an educational co-operation with the Ministry
- School canteens
- Hostels located inside schools
- Financial support for mainstream schools with inclusion of learners with special educational needs
- School transportation
- New building improvement
- Removing physical architectural barriers.

The autonomous communities finance special education in a similar way.

There are also Territorial Co-operation Programmes financed by the Ministry of Education and Vocational Training in order to contribute to inter-territorial solidarity and balance in compensation for inequalities.

Related to students vulnerable to exclusion are:

- Programme of orientation, advancement and educational enrichment (PROA+)
- Programme of Accompaniment and Orientation units of educationally vulnerable students and their families (UAO)
- Inclusive Education Programme.



---

## SECTION 3. LEGISLATIVE AND POLICY FRAMEWORK

---

This section provides information on the overall framework of legislation and policy governing the whole of the education system in the country.

### 3.1 Is there a single legislation and policy framework covering all learners in all educational settings?

---

Yes.

#### 3.1a Description of the single legislation and policy framework

*LOMLOE, 2020: New current education law*

The legislative framework governing and guiding the Spanish education system comprises the Spanish Constitution (1978), the Organic Act on the Right to Education (LODE, 1985), the Organic Act on Education (LOE, 2006) and the Organic Act of Modification of the LOE 3/2020 of 29 December (LOMLOE, 2020), which develops the principles and rights established in it.

The Spanish Constitution recognises the right to education as one of the essential rights that public powers must guarantee to every citizen.

The LOMLOE offers (at national level) the legal framework to provide and assure the right to education. The autonomous communities can regulate the adaptation of this Act to their territories.

The Spanish education system, set up in accordance with the values of the Constitution and based on respect for the rights and liberties recognised therein, is inspired by the following principles:

(a) The effective implementation of the rights of the child in accordance with the Convention on the Rights of the Child, adopted by the United Nations on 20 November 1989 and ratified on 30 November 1990, and its Optional Protocols, recognising the best interests of the child, his or her right to education, not to be discriminated against and to participate in decisions affecting them and the state's obligation to ensure his or her rights.

(a bis) The quality of education for all students, without any discrimination on the grounds of birth, sex, racial, ethnic or geographical origin, disability, age, illness, religion or belief, sexual orientation or sexual identity or any other personal or social condition or circumstance.

(b) Equity, which guarantees equal opportunities for the full development of the personality through education, educational inclusion, equal rights and opportunities, including between women and men, which help to overcome any discrimination and universal accessibility to education, and to act as a compensating element for personal, cultural, economic and social inequalities,



with special attention to those arising from any type of disability, in accordance with the provisions of the Convention on the Rights of Persons with Disabilities, ratified in 2008 by Spain. (Chapter I: Principles and Aims of Education, Article 1: Principles)

Source: European Agency, Country information for Spain (updated in August 2022)

### **3.1b Overview of the general education legislation and policy framework guiding the whole system**

Not applicable.

### **3.1c Overview of the specific education legislation and policy framework impacting on the inclusion of learners who are vulnerable to exclusion from inclusive education**

The LOMLOE law is a complete overhaul of the education system. It addresses early drop-out, grade repetition and school segregation. It introduces several changes related to diversity and inclusion:

- Universal design for learning (UDL) is established as a basic principle of education with the aim of promoting school inclusion.
- The ‘specific culture of children’, as established by the United Nations Convention on the Rights of the Child, is respected at the early childhood stage. Pedagogy is reinforced in the first cycle (0–3 years) and schools must prepare a pedagogical proposal.
- Early detection of and intervention for learning difficulties are important. Schools must prepare reinforcement plans to improve the level of competence of the learners who need it (which will be further regulated by the autonomous communities or local authorities).
- Measures to lower the high repetition rate include:
  - Primary education (6–12 years) will be organised in cycles of two school years. This favours greater adaptation to learning rhythms, as the objectives can be achieved during a cycle. In addition, it will only be possible to repeat at the end of each cycle (second, fourth and sixth years of primary education).
  - In secondary education (ESO) (12–16 years), the decision to repeat a year will be made scholastically. Learners who fail more than two subjects may still pass a course if the teaching team considers that they will be able to successfully follow the next course.
  - Decisions regarding repetition must be accompanied by a specific individualised plan. This must include the educational measures necessary to ensure the learner overcomes their difficulties during the repeated year.
- Subjects can be integrated by areas during the first three courses of compulsory secondary education to give better attention to diversity.



- Recovery of the Curricular Diversification Programmes of 2006. These allow modification and adaptation of the curriculum in the third and fourth years for learners with ‘relevant learning difficulties’, and lead to a degree.
- Maintains the Basic Vocational Training (FPB) programmes which learners can access at the age of 15 after completing the third year of ESO or, exceptionally, after the second year. It modifies the evaluation and qualification criteria to facilitate obtaining the qualification: success in all areas in a basic degree cycle will lead to the Compulsory Secondary Education (CSE) certificate. It is a second chance for some learners to get their CSE certificate.
- The new law enables prolonging school for three years – instead of the usual two courses – in upper secondary education (16–18 years). Exceptionally, this can also lead to the ‘Bachillerato’ certificate with a failed subject.
- University entrance tests will be carried out, taking all necessary steps to ensure non-discrimination of students with specific educational support needs and universal accessibility for people with disabilities.
- Diagnostic tests will be carried out in the fourth year of primary and the second year of ESO, prohibiting the publication of the test results to avoid school rankings.
- The schooling of learners with special educational needs should preferably be provided in mainstream schools, adapting programmes to each learner. Schooling in special schools will only take place when learners’ needs cannot be met in mainstream schools.
- In a period of ten years, special educational establishments aim to progressively become open educational resource centres for the professionals working in local mainstream schools.
- Learners with special educational needs will be evaluated regarding the objectives and content modifications made through individualised curricular adaptations. This makes it possible for these learners to pass and qualify.
- The law also indicates that special arrangements will be taken to adapt assessments to the needs of learners with specific or educational support needs.

Sources: European Agency, Country information for Spain (updated in August 2022); [LOMLOE 2020](#)

*Examples of regulatory frameworks from the autonomous communities*

**Aragón:** [DECREE 188/2017, by which regulates the inclusive educational response and the coexistence in the educational communities](#); [ORDER ECD/1005/2018, regulating inclusive educational intervention actions](#).

**Cantabria:** [Decree 78/2019, organisation of attention to diversity in public and private subsidised centres that teach non-university education](#).

**Castilla-La Mancha:** [Decree 85/2018, which regulates the educational inclusion of students](#)

**C. Valenciana:** [Decree 104/2018, which develops the principles of equity and inclusion](#)





**Catalonia:** [Decree 150/2017, on educational attention to students within the framework of an inclusive educational system.](#)

**Galicia:** [ORDER of 8 September 2021 by which develops the Decree 229/2011, by which regulates the attention to the diversity of the students](#)

### **3.2 Is there a single curriculum framework covering all learners in all educational settings?**

---

No.

#### **3.2a Description of the single curriculum framework**

Not applicable.

#### **3.2b Overview of the general curriculum framework**

The LOMLOE has introduced important modifications in the organisation of the Spanish education system with the aim of modernising it, restoring the system's equity and inclusiveness, improving results and increasing school success, as well as consolidating the education system as a basic pillar of knowledge policies. Among the most important changes affecting the organisation, the following stand out:

- provision for an increase in the number of public places in the first cycle of pre-primary education (ISCED 01) to meet all schooling requests and regulation of the curriculum and minimum requirements for the entire stage;
- curricular diversification programmes and basic training cycles from third year of ESO onwards, leading to the award of the ESO graduate certificate;
- changes in the administration and management of the education system: curriculum and distribution of competences, participation in the running and governance of schools, school autonomy, collegiate governing and co-ordinating bodies, management of public schools and evaluation of the education system.

#### *Distribution of educational powers in the design of the curriculum for non-university education*

The [MEFP](#) is responsible for:

- establishing, in relation to the objectives, competences, contents and assessment criteria, the basic aspects of the curriculum. In the case of vocational training courses, the learning outcomes are considered part of the basic aspects of the curriculum;
- establishing 50 per cent of the school timetables for the autonomous communities that have a co-official language and 60 per cent for those that do not;
- validating the certificates corresponding to regulated types of provision;
- establishing mixed curricula for different types of provision of the Spanish and other education systems.



In turn, the **departments of education of the [autonomous communities](#)** are responsible for:

- establishing the curriculum of the different non-university education programmes, which must include the basic aspects of the curriculum established by the [MEFP](#);
- determining the percentage of the school timetables of the educational institutions within their area of management in order to guarantee the integrated development of all the competences in the educational stage and the incorporation of contents of a cross-curricular nature in all areas, subjects and fields;
- periodically reviewing the curricula in order to adapt them to the advances in knowledge, as well as to the changes and new demands of their local area, of Spanish society and of the European and international context;
- issuing the diplomas of regulated studies.

Finally, **educational institutions** have the responsibility to develop and complete, where appropriate, the curriculum of the different stages and cycles in the use of their autonomy – a specification set and approved by the teaching staff.

Lastly, it should be noted that the [Spanish Constitution](#), as well as subsequent educational laws, have guaranteed, encouraged and arbitrated the **participation** of all sectors of the educational community in the organisation, governance, operation and evaluation of educational institutions, and in the general programming of education.

Source: [Eurydice: Spain – Organisation and governance](#)

The Ministry has developed the part that corresponds to the curricula of the different stages:

- Royal Decree 95/2022, which establishes the planning and minimum education requirements of Early Childhood Education
- Royal Decree 157/2022 which establishes the planning and minimum education requirements of Primary Education
- Royal decree 217/2022, by which establishes the planning and minimum education requirements of Compulsory Secondary Education
- Royal decree 243/2022 by which establishes the planning and minimum education requirements of the Bachillerato

Source: [Educagob](#)

The autonomous communities are in the process of developing their corresponding part of the curriculum.

Source: [Educagob](#)

### **3.2c Overview of specific curriculum framework(s) for different groups of learners who are vulnerable to exclusion from inclusive education**

Curricular adaptations are made for one specific learner. When the learner has special educational needs that, in view of their permanent nature, source or type, require



modification of central features of the curriculum followed by the majority of the learners of that age, significant curricular adaptations may be carried out. The application of these extraordinary measures involves the change of contents, objectives and assessment criteria of the mainstream curriculum. The necessary point of departure for such measures is a previous psycho-pedagogical assessment (performed by the specialised guidance services) and an on-going follow-up that allows the learner access to the standardised curriculum whenever possible.

### *Special adaptations to the curriculum*

Schooling at the various levels and stages of the system for learners with SEN linked to personal disabilities will begin and end at the ages set down by the education regulations. The necessary adaptations or modifications within the established curriculum are carried out so that learners with special educational needs may achieve the objectives and contents generally laid down. These adaptations may take two different forms: curriculum access adaptations (modifications or predictions related to spatial resources, introduction of new materials and use of additional communication systems) and curricular adaptations, such as modifications in objectives, contents, methodology, activities and assessment criteria and procedures, which are carried out within the classroom planning. Curricular adaptations may, in turn, be grouped into two large areas: significant and non-significant adaptations. The former do not affect basic teaching, whereas the latter involve eliminating certain basic teaching included in the official curriculum (objectives, contents and assessment criteria). Some of the latter adaptations require additional human and material resources to carry out adaptations which entail changes in the organisation of educational establishments and methodology, substitution or introduction of new areas or subjects, contents and objectives.

The link-up and co-ordination between mainstream schools integrating learners with special educational needs and in specific special education establishments is one of the principles guiding school inclusion. The aim is for special educational establishments to progressively become open educational resource centres for the professionals working in the local mainstream establishments.

Source: European Agency, Country information for Spain (updated in August 2022)

The Ministry has included provisions related to 'Attention to individual differences' in the articles of each curriculum.

Source: [Educagob](https://www.educagob.es/)

## **3.3 Is there a single legislation and policy framework for all teacher education and professional development?**

---

Yes for non-university teachers.

### **3.3a Description of the single legislation and policy framework for teacher education and professional development**

In the Spanish education system, teachers can be **non-university** and **university**, depending on the type of provision they teach.



The main Act regulating **non-university** teaching staff is the Organic Law 2/2006 on Education ([LOE](#)), as amended by Organic Law 3/2020 ([LOMLOE](#)). In addition, teachers in private and publicly funded private schools are governed by their collective agreements:

- educational institutions supported fully or partially by public funds (publicly funded private schools): [7th Collective Bargaining Agreement for private education companies fully or partially supported by public funds](#);
- educational institutions without any educational agreement or public financial support (private schools): [10th National Collective Bargaining Agreement for general regime private institutions or formal education institutions without any educational agreement or public financial support](#);

Source: [Eurydice: Spain – Teachers and education staff](#)

At this moment, the Ministry has prepared a Reform proposal for the improvement of the teaching profession. Document for discussion: 24 reform proposals for the improvement of the teaching profession.

Source: [Educagob](#)

### **3.3b Overview of the general legislation and policy framework for teacher education and professional development**

Not applicable.

### **3.3c Overview of specific legislation and policy framework for teacher education and professional development and what and who this specific framework focuses on**

#### *Initial teacher training required*

Article 13 of [Royal Decree 276/2007](#) sets the criteria for approving admission, access and the acquisition of new specialities in the teaching profession, as well as the initial training required to teach at each of the educational levels.

#### *Continuing professional development*

It is a right and a professional responsibility of non-university teachers.

Article 103 of the [LOE](#) establishes that the education authorities shall plan teacher training activities, guarantee a diversified and free offer of these activities, and establish the appropriate measures to encourage the participation of teachers.

The [LOE](#) and [LOMLOE](#) set a series of guidelines that must be respected by the continuing professional development programmes offered by the education authorities responsible for planning and organising them in their jurisdiction. They must provide teachers with a diversified offer of activities and cater for their training needs, as well as establishing other training priority guidelines. This legislation stresses the need to improve the processes of initial training and access to the teaching profession, as well as teachers' continuing professional development.

The [Ministry of Education and Vocational Training \(MEFP\)](#), through the [National Institute of Educational Technologies and Teacher Training \(INTEF\)](#), establishes on a yearly basis the priority areas to which continuing teacher training plans must adhere.



It also offers state continuing professional development programmes and it establishes the appropriate agreements with other institutions to this end.

Source: [Eurydice: Spain – Teachers and education staff](#)

All the autonomous communities have established annual training plans for teachers within the framework of their management competences.

### **3.4 Is there a single legislation and policy framework to ensure support for all learners throughout their school careers?**

---

Yes.

#### **3.4a Description of the single legislation and policy framework that ensures support for all throughout their school careers**

LOMLOE proposes a transversal approach aimed at ensuring that all students have guarantees of success in education through a dynamic of continuous improvement of schools and greater personalisation of learning (Preamble).

Article 1 states:

a bis) The quality of education for all learners, without any discrimination on grounds of birth, sex, racial, ethnic or geographical origin, disability, age, illness, religion or belief, sexual orientation or sexual identity or any other personal or social condition or circumstance.

b) Equity, which guarantees equal opportunities for the full development of the personality through education, educational inclusion, equal rights and opportunities, including between women and men, which helps to overcome any discrimination and universal accessibility to education, and which acts as a compensating element for personal inequalities – cultural, economic and social, with special attention to those arising from any type of disability.

And in article 4, it indicates that:

Without prejudice to the fact that throughout basic education a common education is guaranteed for all students, inclusive education will be adopted as a fundamental principle, in order to meet the diversity of the needs of all students, both those with special learning difficulties and those who have greater capacity and motivation to learn. When such diversity requires it, the pertinent organisational, methodological and curricular measures will be adopted, according to the provisions of this law, in accordance with the principles of Universal Learning Design, guaranteeing in any case the rights of children and facilitating access to the supports that students require.

Source: [LOMLOE 2020](#)



### **3.4b Overview of the general legislation and policy framework that ensures support for the majority of learners throughout their school careers**

Not applicable.

### **3.4c Overview of the specific legislation and policy framework that ensures support for learners who are vulnerable to exclusion from inclusive education throughout their school careers**

The Organic Act of Modification of LOE (LOMLOE, 2020) considers the following types of specific educational support needs:

- Learners with special educational needs, associated physical, intellectual or sensory disability, severe communication and language disorders, or serious behavioural disorder.
- Learners with other specific educational support needs associated with: developmental delay, developmental language and communication disorders, high-ability learners, late entries into the Spanish education system, attention or learning disorders, severe ignorance of the language of learning, situation of socio-educational vulnerability, personal circumstances or past school records.

#### **Specific support measures:**

##### *Appropriate school building facilities*

All educational establishments must meet the hygienic, acoustic, habitability and security conditions stipulated in the current legislation. They will also have the necessary architectural conditions to facilitate access, movement and communication, in accordance with the legislation regarding the promotion of accessibility and elimination of barriers.

##### *Special adaptations to the curriculum*

Schooling at the various levels and stages of the system for learners with SEN linked to personal disabilities will begin and end at the ages set down by the education regulations. The necessary adaptations or modifications within the established curriculum are carried out so that learners with special educational needs may achieve the objectives and contents generally laid down. These adaptations may take two different forms: curriculum access adaptations (modifications or predictions related to spatial resources, introduction of new materials and use of additional communication systems) and curricular adaptations, such as modifications in objectives, contents, methodology, activities and assessment criteria and procedures, which are carried out within the classroom planning.

##### *Additional support provided by specialist teachers*

The guidelines on the most suitable educational treatment to offer (types of schooling, curricular adaptations, etc.) is made subsequent to a diagnosis and is the responsibility of the services established by each autonomous community to respond to the educational and psycho-pedagogical counselling demands of schools, learners and teachers.

For learners with special educational needs, the education system offers teachers help through specialists in special education, speech therapy and qualified professionals.



Apart from the guidance teams working for the educational establishments of a district or area (zone or sector teams), specialised specific teams and early intervention teams have been set up in some autonomous communities. Regardless of the education authority to which they report, guidance teams have among their duties the detection, assessment and diagnosis of special educational needs, as well as counselling, collaborating and participating in the educational process of learners with special educational needs.

#### *Special teaching methods and materials*

There are more specific guidelines according to the learner's type of special educational needs. In the case of those with sensory alterations (visual, auditory), priority must be placed on: strategies aimed at fostering and promoting alternative means; strategies which enable learners to relate, in an explicit way, learning experiences; spatial organisation; learners grouping, in order to make the most of their visual and auditory possibilities; and teacher–learner and learner–learner interaction.

Furthermore, space must be arranged according to their needs and adapted to the instruments, equipment and technical aids required by these learners, allowing for the possibility of creating different layouts and functional arrangements in order to promote interaction and communication with adults and among themselves.

#### *Teaching methods and materials*

Methodological assistance for these learners must comply with the educational principles established for the school-age population in general – taking the learner's level of development as a starting point. This means accommodating each learner's intellectual, communicational–linguistic, social–affective and motor characteristics, since here diversity prevails.

#### *Reduced class sizes*

The number of learners integrated in mainstream classrooms may be lower than that established in general in order to attend to their educational support needs.

In special education classrooms, whether in specific special education or mainstream establishments, the number of learners will be reduced.

#### *Special arrangements for evaluation or progress through education*

What exactly is to be assessed is determined by the mandatory assessment criteria established by the autonomous communities. In the case of learners with special educational needs, such criteria must be amended in conjunction with the objectives and curricular content adjustments made through curricular adaptations.

Assessment entails determining the most suitable tools and procedures on one hand, and the possible adaptations of these commonly used tools on the other hand. The use of varied and diverse assessment tools and procedures is recommended, since a single procedure, such as a written or oral test, entails serious difficulties for some learners with motor functional difficulties or with problems in expressing themselves. Moreover, the exclusive use of this kind of testing for assessment provides only limited information on learners' comprehension of curricular content. Consequently, it is necessary to use other tools that provide information on various aspects that are difficult to assess by oral or



written means. These include observation, questionnaires, interviews, analysis of class work, etc. The use of testing and tools adapted to the real-life classroom is likewise recommended, such as, for example, pedagogical tests, observation records and follow-up sheets.

#### *Separate special provision*

Special schools are intended for learners who cannot be included in mainstream schools but who follow compulsory teaching. When there are no special education centres in the area, these learners receive their schooling in special education units within mainstream centres.

Learners are enrolled in separate special education units or schools only when there is sound reason to believe that their needs cannot be suitably met in a mainstream school. There are also specific special education establishments that enrol learners with special educational needs associated with a very specific type of disability.

#### *High-ability learners*

Regarding high-ability learners, the LOMLOE stipulates:

- It is the responsibility of the education administrations to adopt the necessary measures to identify high-ability and gifted learners and assess their needs as early as possible. Moreover, they should introduce appropriate action plans to meet these needs and curricular enrichment programmes to allow learners to develop their abilities to a higher degree.
- The government, after consultation with the autonomous communities, will establish the regulations to allow for flexibility in the length of each stage of the education system in the case of high-ability learners, independently of their age.

#### *Late entries into the Spanish education system*

Regarding learners who enter the Spanish education system late, the LOMLOE stipulates:

- It is the responsibility of the public authorities to ensure the incorporation into the Spanish education system of learners who arrive from other countries or who enter the education system late for any reason. This will be guaranteed, at least, for compulsory school age.
- The education administrations will guarantee that the enrolment of late entries into the Spanish education system is adapted to the circumstances, knowledge, age and academic record of these learners to ensure they are incorporated into the academic year which is best suited to their characteristics and previous knowledge, with the relevant support to ensure that they will pursue their education as successfully as possible.
- It is the responsibility of the education administrations to develop specific programmes for learners who have serious language problems or lack basic competences and knowledge, in order to facilitate their inclusion into the corresponding academic year.





- The development of these programmes will be simultaneous, in all cases, with the learners' attendance of normal classes, according to their level and progress.
- It is the responsibility of the education administrations to adopt the necessary measures to ensure that the parents or guardians of learners who enter the education system late receive the relevant information and advice concerning the rights, obligations and opportunities which incorporation into the Spanish education system entails.

Sources: European Agency, Country information for Spain (updated in August 2022); [LOMLOE](#)

Article 71 of Organic Law 2/2006 on Education ([LOE](#)) as amended by Organic Law 3/2020 ([LOMLOE](#)), establishes that educational administrations shall provide the necessary means for all students to achieve the maximum personal, intellectual, social and emotional development. Furthermore, they must ensure the necessary resources so that learners who require different educational attention from the ordinary one can achieve the maximum possible development of their personal abilities and, in any case, the objectives established in general for all learners.

Article 72 of the [LOE](#) as amended by the [LOMLOE](#) defines the resources that educational administrations must have available in schools to provide for learners with educational support needs:

- teaching staff in the corresponding specialities and qualified professionals, as well as the means and materials necessary for the appropriate care of these learners;
- provision of the necessary resources for the institutions to adequately assist these learners;
- schools will have the appropriate academic organisation and will make the necessary curricular adaptations and diversifications to facilitate the achievement of the established goals for all learners;
- promotion of the training of teachers and other professionals related to the care of learners with specific educational support needs;
- collaboration with other administrations or public or private entities, institutions or associations, to facilitate schooling and a better incorporation of these learners into the educational institution, as well as the promotion of educational success and the prevention of early school drop-out.

Article 71 of the [LOE](#) as amended by the [LOMLOE](#) also establishes the target groups of learners who require educational attention different from the ordinary one:

- learners with special educational needs (learners with disabilities or severe behavioural, communication and language disorders);
- learners with developmental delay;
- learners with language and communication development disorders;
- learners with attention or learning disorders;
- learners with a severe lack of knowledge of the working language;



- learners in a situation of socio-educational vulnerability;
- learners with high intellectual capacities;
- learners who have enrolled late in the education system;
- learners with personal or academic background issues.

Sources: [Eurydice: Spain – Educational support and guidance](#); [LOMLOE art. 71–80](#)

### **3.5 Is there a single legislation and policy framework to ensure support for all learners at times of transition between phases of education and into adult life?**

---

Yes.

#### **3.5a Description of the single legislation and policy framework that ensures support for all learners at times of transition between phases of education and into adult life**

CHAPTER I. Early childhood education:

- Article 14. Ordering and pedagogical principles. 8. To guarantee the continuity of the training process and a transition and positive evolution of all students, the necessary continuity between this stage and Primary Education will be reflected in the curricular development, which will require close co-ordination between the teachers of both stages. To this end, at the end of the stage the tutor will issue a report on the development and needs of each student.
- Article 15. Offer of places and gratuity. 5. The education authorities shall ensure co-ordination between the pedagogical teams of the centres currently offering different cycles and of these with the primary schools.

CHAPTER II. Primary education

- Article 20. Evaluation during the stage. 4. In order to guarantee the continuity of the training process of the students, each student will have at the end of the stage a report on their evolution and the competences developed, as provided by the education authorities. Likewise, the education authorities will establish the relevant co-ordination mechanisms between primary and compulsory secondary education centres.

CHAPTER III. Compulsory secondary education

- Article 28. Evaluation and promotion. 9. At the end of the second year, the parents or legal guardians of each student will be given a guiding advice. This council will include a report on the degree of achievement of the objectives and the acquisition of the corresponding competences, as well as a proposal to parents or legal guardians – or, where appropriate, to the student – of the most appropriate option to continue their training, which may include incorporation into a curricular diversification programme or a basic-level training cycle.

Source: [LOMLOE](#)



The transition between phases of education is also included in the decrees on the planning and minimum requirements of each of them.

- Royal Decree 95/2022, which establishes the planning and minimum education requirements of Early Childhood Education
- Royal Decree 157/2022 which establishes the planning and minimum education requirements of Primary Education
- Royal decree 217/2022, by which establishes the planning and the minimum education requirements of the Compulsory Secondary Education
- Royal decree 243/2022 by which establishes the planning and the minimum education requirements of the Bachillerato

Source: [Educagob](#)

The autonomous communities are in the process of developing their corresponding part of the curriculum.

Source: [Educagob](#)

### **3.5b Overview of the general legislation and policy framework that ensures support for the majority of learners at times of transition between phases of education and into adult life**

Not applicable.

### **3.5c Overview of the specific legislation and policy framework that ensures support for learners who are vulnerable to exclusion from inclusive education at times of transition between phases of education and into adult life**

The measures indicated in section 3.5 that also include vulnerable students enrolled in mainstream schools.

For students enrolled in specific special education centres, special schools offer two education levels:

- Compulsory Basic Education (from age 6–16);
- Transition into Adulthood Programmes (from age 16–19, learners can attend school up to age 21).

These schools also provide the second cycle of pre-primary education (from age 3–6).

The schooling of these students in special education units or centres, which may extend up to 21 years, will only be carried out when their needs cannot be met within the framework of the measures of attention to the diversity of ordinary centres.

Teachers engaging in basic education in specific special schools are generally teachers specialised in special education and/or hearing and speech. In complementary vocational training or programmes for transition to adult life, learners receive instruction from technical teachers of vocational training, who teach technical/practical courses, as well as from the aforementioned basic education teachers.

Source: European Agency, Country information for Spain (updated in August 2022)



---

## SECTION 4. SYSTEM GOVERNANCE

---

This section provides information on aspects of governance across and between different system levels, bodies and stakeholders in the country.

### 4.1 Shared responsibilities across and between central and local government

---

#### Distribution of powers between decision-making bodies in the field of non-university education in Spain

The Spanish Government, through the [MEFP](#), is responsible for:

- the general organisation of the Spanish education system;
- general planning for education;
- the establishment of the basic aspects of the curriculum;
- the regulation of the conditions for the obtaining, issuing and recognition of academic and vocational qualifications, and of the basic rules for the development of the right to education;
- the evaluation and innovation of the studies integrating the Spanish education system;
- the Higher Education Inspectorate;
- the regulation, as a minimum, of the modalities and amounts of the general system of scholarships and study grants, the economic and academic conditions to be met by beneficiaries, as well as the cases of incompatibility, revocation, reimbursement and any other requirements necessary to ensure equal access to the aforementioned scholarships and grants;
- the promotion of equality, non-discrimination and universal accessibility policies in the field of their competences;
- the creation or withdrawal of teaching specialities, their basic regulation and the preparation of the basis of the legal system of teachers civil service;
- the basic aspects which educational agreements with private institutions must be subject to.

In turn, the **departments of education of the [autonomous communities](#)** are responsible for:

- the legislation development of state rules and the regulation of non-basic elements or aspects of the education system;
- the executive and administrative competences for managing the education system in its own territory;
- the definition of the curriculum for their territorial area of competence on the basis of the basic aspects of the curriculum established for the whole country;



- the regulation of the structure and functioning of the bodies they establish for the performance of educational inspection in their respective territorial areas;
- the necessary regulations for the development of the system of educational agreements with private institutions.

And, in turn, **local authorities** are responsible for:

- the conservation, maintenance and monitoring of the buildings for public institutions of ECEC, primary and special education;
- the collaboration with the corresponding education authorities in obtaining the necessary site to build the new public educational institutions;
- the management of certain educational services, in order to promote greater efficiency, co-ordination and social control in the use of resources, by delegation of the departments of education of those autonomous communities that so agree.

Finally, the **educational institutions**, within the framework established by state and autonomous community regulations, have the autonomy to draw up, approve and implement:

- their educational project;
- their management plan;
- their organisational and operational rules.

Sources: [Eurydice: Spain – Organisation and governance](#); [Educagob](#)

## 4.2 Specific areas for shared responsibilities across and between central and local government

---

### Policy development, implementation and co-ordination

Organic Law 2/2006 on Education ([LOE](#)) and Organic Law 3/2020 amending it ([LOMLOE](#)) establish the educational competences exercised by the government and the autonomous communities and the distribution of these competences regarding the design of the curriculum for ECEC, primary education, compulsory secondary education (ESO), bachillerato, vocational training (VT) and [specialised education](#).

With this decentralisation model, the curriculum of non-university education is drawn up in a set of levels of curricular development:

1. The Central Administration (central level), through the [MEFP](#), establishes, in relation to the objectives, competences, contents and assessment criteria, the basic aspects of the curriculum, which constitute the minimum teaching requirements for the whole state. In the case of vocational training courses, the learning outcomes are considered part of the minimum teaching. Additionally, it establishes 50 per cent of the school timetables for the autonomous communities that have a co-official language and 60 per cent for those that do not. Also, within the framework of international co-operation in the field of education, it can establish mixed curricula of teachings from the Spanish education system and from other education systems, leading to the respective degrees.



2. The [autonomous communities](#) (regional level) establish the official curriculum, which must include the minimum teaching requirements set by the [MEFP](#). They also determine the percentage of the school timetables of the educational institutions within their area of management in order to guarantee the integrated development of all the competences in the educational stage and the incorporation of contents of a cross-curricular nature in all areas, subjects and fields. In addition, they must periodically review the curricula in order to adapt them to the advances in knowledge, as well as to the changes and new demands of their local area, of Spanish society and of the European and international context.
3. Educational institutions (local level) develop and complete the curriculum of the different stages and cycles in the use of their autonomy – a specification set and approved by the teaching staff. The result is reflected in the school development plan.

Source: [Eurydice: Spain – Administration and governance: Central/regional level](#)

### **Identification of needs / referral for services**

Extraordinary measures or those involving specific or singular resources are aimed at responding to specific needs for educational support and they complement ordinary measures. The implementation of these measures requires a previous diagnosis of the student's educational needs, through the psycho-pedagogic evaluation carried out by the guidance specialised services. In addition, continuous monitoring is necessary for adapting the decisions taken and allowing the access of these students to the curriculum and the ordinary education to the greatest extent possible. These extraordinary measures are only applied in compulsory education (students from 6–16 years old) and are determined by the education authorities.

Source: [Eurydice: Spain – Special education needs provision within mainstream education](#)

Article 74 of the [LOE](#) as amended by the [LOMLOE](#) establishes that the schooling of learners with special educational needs in special education units or institutions will only be carried out when their needs cannot be met within the framework of the measures for attending to diversity in ordinary schools. In order to determine the type of schooling for these students, a psycho-pedagogical assessment must be carried out:

- the services responsible for carrying out the student's psycho-pedagogical evaluation are also in charge of setting the most suitable educational modality, taking into account the parents and legal guardians' opinion;
- when parents or legal tutors do not agree with the proposal for school attendance from guidance services, the decision remains with the inspectorate services after listening to the family or legal guardians' opinion.

The education authorities will regulate the procedures that allow the resolution of any discrepancies that may arise, always taking into account the best interests of the minor and the will of the families that show their preference for the most inclusive regime (LOMLOE art. 74.2).

Source: [Eurydice: Spain – Separate special education needs provision early childhood](#)



## Data collection and sharing

[Subdirectorato General of Statistics and Studies of Ministry of Education and Vocational Training](#)

## Monitoring and evaluation

The evaluation of the educational system has two differentiated pathways: educational inspection and evaluation.

### *Educational inspection*

In accordance with the decentralised nature of the Spanish education system, it is organised into two levels:

- the Educational Inspectorate, which has the legal authority and the duty to inspect and authorise the education system at national level. It has the power to supervise all types of education, both non-university and university, ensuring compliance with the regulations established by the state in all the autonomous communities. It is present in the 17 autonomous communities;
- the educational inspection of non-university education, which is organised, regulated and conducted by the education authorities of the autonomous communities in their respective regions.

### *Educational evaluation of non-university levels*

It is regulated by Law 2/2006 on Education ([LOE](#)), modified by Education Law 3/2020 (LOMLOE). It is organised into three levels, with the addition of the National Institute for Educational Evaluation:

- the state is responsible for the co-ordination of the general evaluation of the education system;
- regional education authorities carry out that evaluation in their respective management areas;
- educational institutions develop internal evaluation mechanisms with the support of the education authorities.

Source: [Eurydice: Spain – Quality assurance](#)

## Quality assurance and accountability

The bodies responsible for the evaluation of the quality of the education system in pre-primary, primary and secondary education are the following:

- state Educational Inspectorate;
- National Institute for Educational Evaluation, reporting to the Ministry of Education, and Vocational Training;
- educational inspection bodies of the autonomous communities;
- bodies for the evaluation of the education system in the autonomous communities.



Source: [Eurydice: Spain – Quality assurance early childhood and school education](#)

### **Funding**

The Spanish education system has a decentralised management and administration model. Educational powers are shared between:

- the state general administration: Ministry of Education and Vocational Training ([MEFP](#)) an [Ministry of Universities](#);
- the autonomous communities (Departments for Education).

The general system for the transfer of funding to each autonomous community is settled by means of a multi-lateral agreement between regional governments and the state, which guarantees, through a series of mechanisms, solidarity between territories and a certain level of expenditure for the provision of the basic public service of education throughout the country.

The autonomous communities enjoy a high degree of management autonomy and they are therefore entitled to approve their own annual budget and to decide on the distribution of their resources.

Source: [Eurydice: Spain – Funding education](#)

## **4.3 Formal and informal collaboration across ministries**

---

The Ministry of Education and Vocational Training maintains preferential co-ordination with the Ministries of Health and the Ministry of Social Rights. It provides information on the projects that these departments carry out when they concern children with educational needs.

The Ministry of Education and Vocational Training works together with other Ministries in:

- Spanish Strategy on Disability 2022–2030 for the access, enjoyment and enjoyment of human rights of people with disabilities
- National Strategy for the Prevention and Fight against Poverty and Social Exclusion 2019–2023
- National Strategy for the Equality, Inclusion and Participation of the Roma People 2021–2030
- Strategic Framework for Citizenship, Inclusion, Against Xenophobia and Racism 2021–2025
- Action Plan of the European Child Guarantee in Spain
- Comprehensive Plan to Combat Trafficking in Human Beings
- II National Accessibility Plan
- I National Plan for the Healthy Well-being of Persons with Disabilities
- Early Care Technical Group.





## 4.4 Specific mechanisms for formal and informal collaboration that impact on inclusive education

---

### Development of a shared vision for inclusive education

Forum for the educational inclusion of persons with disabilities (advisory body).

### Policy development, implementation and co-ordination

Article 72 of the [LOE](#) as amended by the [LOMLOE](#) defines the resources that educational administrations must have available in schools to provide for learners with educational support needs:

- teaching staff in the corresponding specialities and qualified professionals, as well as the means and materials necessary for the appropriate care of these learners;
- provision of the necessary resources for the institutions to adequately assist these learners;
- schools will have the appropriate academic organisation and will make the necessary curricular adaptations and diversifications to facilitate the achievement of the established goals for all learners;
- promotion of the training of teachers and other professionals related to the care of learners with specific educational support needs;
- collaboration with other administrations or public or private entities, institutions or associations, to facilitate schooling and a better incorporation of these learners into the educational institution, as well as the promotion of educational success and the prevention of early school drop-out.

Source: [Eurydice: Spain – Educational support and guidance](#)

### Identification of needs / referral for services

The LOMLOE (2020) stipulates that, in the case of learners with special educational needs, the identification and evaluation of their needs will be carried out, as early as possible, by teams of professionals with different qualifications, and in the way education administrative authorities determine. These professionals will establish performance plans with regard to each learner's educational needs. At the end of each year, the evaluation team will assess the extent to which the objectives set out in the plan have been achieved. This will facilitate the introduction of the necessary adaptations and changes in the intervention plans, so as to facilitate their access to or permanence in the most inclusive system.

Source: European Agency, Country information for Spain (updated in August 2022); LOMLOE

### Data collection and sharing

Subdirector General of Statistics and Studies of Ministry of Education and Vocational Training.



## Monitoring and evaluation

The LOMLOE (2020) establishes that learners with SEN should attend mainstream schools and programmes, by adapting such programmes to each learner's individual capacities. Their schooling in special education units or establishments, or combined schooling, will only take place when learners' needs cannot be met in mainstream schools. This situation will be periodically revised in order to promote, if possible, increased inclusion.

The LOMLOE (2020) stipulates that, in the case of learners with special educational needs, the identification and evaluation of their needs will be carried out, as early as possible, by teams of professionals with different qualifications, and in the way education administrative authorities determine. These professionals will establish performance plans with regard to each learner's educational needs. At the end of each year, the evaluation team will assess the extent to which the objectives set out in the plan have been achieved. This will facilitate the introduction of the necessary adaptations and changes in the intervention plans, so as to facilitate their access to or permanence in the most inclusive system.

Source: European Agency, Country information for Spain (updated in August 2022)

## Quality assurance and accountability

At **state level**, the education system is evaluated through:

- the National System of Education Indicators;
- external end-of-stage diagnostic evaluations;
- the participation in international educational evaluation projects, led by different supranational bodies (OECD, PISA, IEA, European Commission).

At **regional level**, each education authority:

- may conduct additional external diagnostic evaluations within the scope of its competences;
- carries out plans for the evaluation of their educational institutions, and conducts assessments of the managerial function and teachers in order to learn about the situation of educational institutions and students in its region and propose improvement plans;
- participates in international assessment projects through INEE.

Finally, **educational institutions** may design and carry out their own internal or external evaluations.

Source: [Eurydice: Spain – Quality assurance early childhood and school education](#)

## Funding

The Spanish education system has a decentralised management and administration model. Educational powers are shared between:

- the state general administration: Ministry of Education and Vocational Training ([MEFP](#)) and [Ministry of Universities](#);



- the autonomous communities (Departments for Education).

The general system for the transfer of funding to each autonomous community is settled by means of a multi-lateral agreement between regional governments and the state, which guarantees, through a series of mechanisms, solidarity between territories and a certain level of expenditure for the provision of the basic public service of education throughout the country.

The autonomous communities enjoy a high degree of management autonomy and they are therefore entitled to approve their own annual budget and to decide on the distribution of their resources.

Source: [Eurydice: Spain – Funding education](#)



---

## SECTION 5. QUALITY ASSURANCE AND ACCOUNTABILITY

---

This section provides information on the general and specific quality assurance and accountability frameworks and mechanisms informing the country's education system.

### 5.1 School inspection processes and structures for all forms of educational provision

---

Inspection must be conducted on all elements and aspects of the education system, in order to ensure compliance with the law, the guarantee of rights and duties of those participating in the teaching and learning processes, the improvement of the education system, and the quality and equity of education.

In accordance with the decentralised nature of the Spanish education system, it is organised into two levels:

- the Educational Inspectorate, which has the legal authority and the duty to inspect and authorise the education system at the national level. It has the power to supervise all types of education, both non-university and university, ensuring compliance with the regulations established by the state in all the autonomous communities. It is present in the 17 autonomous communities;
- the educational inspection of non-university education, which is organised, regulated and conducted by the education authorities of the autonomous communities in their respective regions.

Source: [Eurydice: Spain – Quality assurance](#)

### 5.2 Other quality assurance processes for all forms of educational provision

---

The evaluation of the educational system aims at contributing to quality and equity improvement in education, orienting educational policies, increasing the transparency and efficiency of the educational system, offering information on the degree of fulfilment of the improvement objectives established by the educational administrations, and providing information on the degree of achievement of the Spanish and European educational objectives.

To this end, the education system has two differentiated pathways: educational inspection and evaluation.

#### Evaluation

Evaluation in the education system is considered to be an essential element in order to improve the transparency of the education system, and should therefore cover all its areas. The evaluation, then, must provide relevant information on the degree to which the



education system achieves the goals established by the Ministry of Education and Vocational Training ([MEFP](#)) and the autonomous communities.

It must be carried out for:

- learning processes and students' results;
- teachers' activity;
- educational processes;
- the managerial function;
- the running of schools, inspection and education authorities themselves.

#### *Educational evaluation of non-university levels*

This is regulated by Law 2/2006 on Education ([LOE](#)), modified by Education Law 3/2020 (LOMLOE). It is organised into three levels:

- the state is responsible for the co-ordination of the general evaluation of the education system;
- regional education authorities carry out that evaluation in their respective management areas;
- educational institutions develop internal evaluation mechanisms with the support of the education authorities.

Source: [Eurydice: Spain – Quality assurance](#)

## **5.3 Evaluation mechanisms used to monitor outcomes at different system levels**

---

### **General outcomes (academic, social, well-being, etc.) for all learners**

Each autonomous community is responsible for the design and implementation of the mechanisms for the external evaluation of the schools within its territory and, in addition, can establish its own self-evaluation or internal evaluation model. Because of their complementarity, they are jointly regulated in several regions.

In addition, some of communities draw up external evaluation plans including other mechanisms. Although these differ between the education authorities, their most characteristic features are the following:

- Their frequency varies, but often coincides with the period covered by the school management.
- The responsible body, which is normally the Inspectorate, in some cases in collaboration with the bodies for evaluation and educational quality of the autonomous communities, defines the areas to be evaluated and normally establishes indicators.
- Contextual aspects, resources, processes and educational outcomes are evaluated. In some cases, other aspects, such as equity conditions, are assessed.



Source: [Eurydice: Spain – Quality assurance early childhood and school education](#)

### **Specific outcomes (academic, social, well-being, etc.) for learners vulnerable to exclusion**

The National System of Education Indicators ([SEIE](#)) is a synthesis of educational data in Spain drawn up by the National Institute for Educational Evaluation, together with the Subdirector General for Statistics and Studies, with the aim of providing an overview of education in Spain. It:

- contributes to knowledge on the education system, as well as informing decision-making by educational institutions and all the sectors involved in education;
- presents the results of the main educational statistics, both at national level and broken down into autonomous communities;
- provides international data, placing the country in the framework of the OECD and the European Union.

Its first version was published in 2000 and, since then, 15 editions have been released, the latest in 2021.

At present, the SEIE comprises 21 indicators, which are in turn divided into sub-indicators corresponding to three dimensions. Their update varies and depends on the availability of new data:

1. Schooling and educational environment
2. Educational funding
3. Educational outcomes:
  - basic skills in the 4th year of Primary Education
  - basic skills in the 2nd year of Compulsory Secondary Education
  - key skills at the age of 15
  - minimum level of proficiency in reading and mathematics
  - students' age suitability
  - early drop-out in education and training
  - graduation rates
  - level of training of adult population
  - activity and unemployment rates according to level of training
  - income according to level of training.

Source: [Eurydice: Spain – Quality assurance early childhood and school education](#)

### **Outcomes for schools (professional development, staff and personal well-being, etc.)**

Headteachers will be evaluated at the end of their mandate (Article 139, Organic Law 2/2006). The same in LOMLOE art. 139



Source: European Agency, [Supporting Inclusive School Leadership](#) project – Country survey (Spain)

### **Outcomes for parents and families (support, participation, family well-being, etc.)**

Educational centres will carry out an evaluation of all their students in the fourth year of Primary Education and in the second year of Compulsory Secondary Education (ESO), as provided by the educational administrations. The purpose of this evaluation will be diagnostic and it will verify at least the degree of mastery of the competence in linguistic communication and mathematical competence. These evaluations will be informative, formative and guiding for the centres, for the teachers, for the students and their families, and for the entire educational community. The educational centres will take into account the results of these evaluations in the design of their improvement plans.

Source: [Eurydice: Spain – Quality assurance early childhood and school education](#)

## **5.4 Evaluation mechanisms used to monitor the effectiveness of processes at different system levels**

---

### **Effectiveness of teaching and learning processes**

The education authorities of the autonomous communities must draw up plans for the evaluation of the teaching staff in the civil service in order to improve the quality of education and the work of teachers.

Plans for the evaluation of the teaching staff in the civil service must:

- be drawn up with the participation of teachers and be public;
- include the aims and assessment criteria, as well as the way in which teachers, the educational community and the administration participate in the evaluation process;
- encourage voluntary teacher evaluation;
- establish the necessary procedures so that the results of these assessments, together with in-service training, research and innovation activities, are taken into account in competitions for transfers and career advancement.

The participation in international evaluation programmes such as TALIS helps to obtain information on teachers and compare it with other countries.

Source: [Eurydice: Spain – Quality assurance early childhood and school education](#)

### **Effectiveness of school management processes**

The education authorities of the autonomous communities may draw up plans for the assessment of the managerial function.

Source: [Eurydice: Spain – Quality assurance early childhood and school education](#)



### **Effectiveness of teacher professional development processes**

The education authorities of the autonomous communities must draw up plans for the evaluation of the teaching staff in the civil service in order to improve the quality of education and the work of teachers. Plans for the evaluation of the teaching staff in the civil service must establish the necessary procedures so that the results of these assessments, together with in-service training, research and innovation activities, are taken into account in competitions for transfers and career advancement.

Source: [Eurydice: Spain – Quality assurance early childhood and school education](#)

### **Efficiency and effectiveness of funding mechanisms**

The National System of Education Indicators ([SEIE](#)) is a synthesis of educational data in Spain drawn up by the National Institute for Educational Evaluation, together with the Subdirector General for Statistics and Studies, with the aim of providing an overview of education in Spain. At present, the SEIE comprises 21 indicators, which are in turn divided into sub-indicators corresponding to three dimensions. Their update varies and depends on the availability of new data:

1. Schooling and educational environment
2. Educational funding:
  - total expenditure on education
  - expenditure on education per student
3. Educational outcomes.

Source: [Eurydice: Spain – Quality assurance early childhood and school education](#)

### **Effectiveness of (vertical) co-operation between stakeholders at different system levels**

The bodies responsible for the evaluation of the quality of the education system in pre-primary, primary and secondary education are the following:

- State Educational Inspectorate
- National Institute for Educational Evaluation, reporting to the Ministry of Education and Vocational Training
- educational inspection bodies of the autonomous communities
- bodies for the evaluation of the education system in the autonomous communities.

Source: [Eurydice: Spain – Quality assurance early childhood and school education](#)

### **Effectiveness of (horizontal) co-operation between ministries and ministerial departments**

The bodies responsible for the evaluation of the quality of the education system in pre-primary, primary and secondary education are:

- State Educational Inspectorate





- National Institute for Educational Evaluation, reporting to the Ministry of Education and Vocational Training
- educational inspection bodies of the autonomous communities
- bodies for the evaluation of the education system in the autonomous communities.

Source: [Eurydice: Spain – Quality assurance early childhood and school education](#)

## **5.5 Specific monitoring mechanisms relating to learners vulnerable to exclusion from inclusive education**

---

The Order of the Ministry of Education of 25 November 1985 assumes the preparation of statistics corresponding to non-university education. From the process of transferring competences in educational matters from the Ministry to the autonomous communities, the aforementioned statistics are carried out by the Subdirectorate General for Statistics and Studies of the Ministry in co-operation with the statistical services of the Departments of Education of the autonomous communities.

This statistical operation is part of the National Statistical Plan and provides annual information on the educational activity of public and private educational institutions, their human resources, the characteristics of the students enrolled and the academic results of all non-university General Regime education, Special Regime and Adult Education.

### **Non-university education. Students with specific educational support needs**

This section presents the statistical information referring to students with specific needs who receive educational support, from the Statistics of Non-University Education carried out by the General Subdirectorate of Statistics and Studies of the Ministry in co-operation with the statistical services of the Ministries / Departments of Education of the autonomous communities. Since the 2011/2012 academic year, information is provided on students with special educational needs, high intellectual abilities, late integration into the Spanish education system and other categories of specific educational support needs, according to different characteristics of these students for non-university General Regime teaching.

Source: Ministry of Education and Vocational Training ([Education Statistics](#))

## **5.6 Specific evaluation mechanisms relating to learners vulnerable to exclusion from inclusive education**

---

No information.

## **5.7 Specific accountability mechanisms to ensure the inclusion of learners vulnerable to exclusion from inclusive education**

---

This data collection also includes the type of education ('Educación Special' referring to students in specific centres and specific units in ordinary centres, and 'Integrated



---

students' as those who, having special educational needs associated with disability or serious disorders, are enrolled in ordinary centres and are sharing a classroom with other students).

The evolution of the data on the enrolment of learners with special educational needs in ordinary schools can be verified, and has increased from 78.5% (2011/12) to 83% (2020/21).

Source: [Ministry of Education – statistics](#)



---

## SECTION 6. STAKEHOLDER COLLABORATION, CO-OPERATION AND EFFECTIVE COMMUNICATION

---

This section provides information on the structures, mechanisms and opportunities for stakeholder collaboration and co-operation in the country.

### 6.1 Does the legislation and policy framework specify learner voices are used to inform the development of learning and teaching environments?

---

Yes.

#### 6.1a Description of the legislation and policy framework around the use of learner voice

In order to fully implement the principle of active participation and democratic management of non-university educational institutions, other channels have been developed through which parents and students can take part in a collegiate manner in the control and management of education.

##### Students' participation

Although there are variations in the different [autonomous communities](#), the class delegate role is very widespread in levels above primary education. They are elected by the students in each class and are usually responsible for the following functions:

- to promote co-existence among the students of the group;
- to collaborate with the group's teachers on issues affecting the group's functioning;
- to act as their representative, look after the materials and facilities, and perform any other tasks established by the school rules.

In addition, students may join associations, depending on their age, creating organisations in accordance with the regulations in force. Student associations shall have, among others, the following goals:

- to express the opinion of the student body on all matters affecting their situation in the schools;
- to collaborate in the educational work of the schools and in their complementary and extra-curricular activities;
- to promote student participation in the school's collegiate bodies;
- to carry out cultural and sporting activities and to promote co-operative action and teamwork.

The [education authorities](#) must facilitate the exercise of students' right to association, as well as the forming of federations and confederations.

Source: [Eurydice: Spain – Administration and governance, local/institutional level](#)



---

## 6.2 Does the legislation and policy framework ensure curriculum development processes take account of all learners and their communities?

---

Yes.

### 6.2a Description of how the legislation and policy framework around curriculum development processes take account of all learners and their communities

LOMLOE states that:

a bis) The quality of education for all learners, without any discrimination on grounds of birth, sex, racial, ethnic or geographical origin, disability, age, illness, religion or belief, sexual orientation or sexual identity or any other personal or social condition or circumstance.

b) Equity, which guarantees equal opportunities for the full development of the personality through education, educational inclusion, equal rights and opportunities, including between women and men, which helps to overcome any discrimination and universal accessibility to education, and which acts as a compensating element for personal inequalities – cultural, economic and social, with special attention to those arising from any type of disability, in accordance with the provisions of the Convention on the Rights of Persons with Disabilities, ratified in 2008, by Spain.

Although it only ensures curriculum development processes for learners with special needs:

So, curricular adaptations are made for one specific learner. When the learner has special educational needs that, in view of their permanent nature, source or type, require modification of central features of the curriculum followed by the majority of the learners of that age, significant curricular adaptations may be carried out. The application of these extraordinary measures involves the change of contents, objectives and assessment criteria of the mainstream curriculum. The necessary point of departure for such measures is a previous psycho-pedagogical assessment (performed by the specialised guidance services) and an on-going follow-up that allows the learner access to the standardised curriculum whenever possible.

#### *Special adaptations to the curriculum*

Schooling at the various levels and stages of the system for learners with SEN linked to personal disabilities will begin and end at the ages set down by the education regulations, with the exceptions listed below. The necessary adaptations or modifications within the established curriculum are carried out so that learners with special educational needs may achieve the objectives and contents generally laid down. These adaptations may take two different forms: curriculum access adaptations (modifications or predictions related to spatial resources, introduction of new materials and use of additional communication



systems) and curricular adaptations, such as modifications in objectives, contents, methodology, activities and assessment criteria and procedures, which are carried out within the classroom planning. Curricular adaptations may, in turn, be grouped into two large areas: significant and non-significant adaptations. The former do not affect basic teaching, whereas the latter involve eliminating certain basic teaching included in the official curriculum (objectives, contents and assessment criteria). Some of the latter adaptations require additional human and material resources to carry out adaptations which entail changes in the organisation of educational establishments and methodology, substitution or introduction of new areas or subjects, contents and objectives.

The link-up and co-ordination between mainstream schools integrating learners with special educational needs with specific special education establishments is one of the principles guiding school inclusion. The aim is for special educational establishments to progressively become open educational resource centres for the professionals working in the local mainstream establishments.

Sources: European Agency, Country information for Spain (updated in August 2022); [LOMLOE 2020](#)

### **6.3 Does the legislation and policy framework support the active involvement of different stakeholders in ensuring inclusive learning environments?**

---

#### **Parents and families**

Yes. Promote collaboration with families, institutions and organisms that can ease the relation of the school with the surrounding environment, and promote a school environment which fosters study and the development of any action which favours an integral education in knowledge and values in the students (LOMLOE art. 132).

Source: European Agency, [Supporting Inclusive School Leadership](#) project – Country survey (Spain)

3: The education authorities will promote, within the scope of their competence, the effective exercise of the participation of students, teachers, families and administrative and service personnel in educational centres.

4: In order to make effective the co-responsibility between teachers and families in the education of their children, the education authorities will adopt measures that promote and encourage effective collaboration between the family and the school.

Source: (LOMLOE art. 118)

In order to fully implement the principle of active participation and democratic management of non-university educational institutions, other channels have been developed through which parents and students can take part in a collegiate manner in the control and management of education.

#### *Participation of students' families through student parents' associations*

Students' families are guaranteed freedom of association in the educational sphere.



Student parents' associations have, among others, the following purposes:

- to assist parents or guardians in all matters concerning their children's education;
- to collaborate in the education activities of the school;
- to promote the participation of learners' parents in the management of the school.

Each school may have more than one parents' association. These associations may use the premises of the educational institutions to carry out their own activities, for which purpose those in charge of the schools must facilitate the integration of these activities into school life, taking into account its normal running.

In turn, the [education authorities](#) shall encourage the exercise of the right of parents to form associations, as well as the forming of federations and confederations.

Source: [Eurydice: Spain – Administration and governance, local/institutional level](#)

### **School-leaders/leadership teams, teachers and specialist staff**

Yes. Promote collaboration with families, institutions and organisms that can ease the relation of the school with the surrounding environment, and promote a school environment which fosters study and the development of any action which favours an integral education in knowledge and values in the students (LOMLOE art. 132).

Source: European Agency, [Supporting Inclusive School Leadership](#) project – Country survey Spain

The education authorities will promote, within the scope of their competence, the effective exercise of the participation of students, teachers, families and administrative and service personnel in educational centres ([LOMLOE art.118](#)).

### **Stakeholders in the local communities**

Yes. Article 72 of the [LOE](#) as amended by the [LOMLOE](#) defines the resources that educational administrations must have available in schools to provide for learners with educational support needs:

- collaboration with other administrations or public or private entities, institutions or associations, to facilitate schooling and a better incorporation of these learners into the educational institution, as well as the promotion of educational success and the prevention of early school drop-out.

Source: [Eurydice: Spain – Educational support and guidance](#)

Promote collaboration with families, institutions and organisms that can ease the relation of the school with the surrounding environment, and promote a school environment which fosters study and the development of any action which favours an integral education in knowledge and values in the students (Article 1, section 81, Organic Law 8/2013) (LOMLOE art. 132).

Source: European Agency, [Supporting Inclusive School Leadership](#) project – Country survey Spain

The education authorities shall guarantee the active participation of the educational community in the relevant issues of the organisation, governance, operation and



evaluation of schools, encouraging such participation especially in the case of students, as part of their training process. 2: The educational community will participate in the governance of the centres through its School Council. The teaching staff will also participate in the pedagogical decision-making that corresponds to the senate, to the teaching co-ordination bodies and to the teams of teachers who teach in the same course or cycle ([LOMLOE art 119](#)).

### **Local-level decision-/policy-makers**

Yes. Article 72 of the [LOE](#) as amended by the [LOMLOE](#) defines the resources that educational administrations must have available in schools to provide for learners with educational support needs:

- collaboration with other administrations or public or private entities, institutions or associations, to facilitate schooling and a better incorporation of these learners into the educational institution, as well as the promotion of educational success and the prevention of early school drop-out.

Source: [Eurydice: Spain – Educational support and guidance](#)

g) Promote collaboration with families, institutions and organisms that can ease the relation of the school with the surrounding environment, and promote a school environment which fosters study and the development of any action which favours an integral education in knowledge and values in the students (LOMLOE art. 132)

Source: European Agency, [Supporting Inclusive School Leadership](#) project – Country survey Spain

The education authorities shall guarantee the active participation of the educational community in the relevant issues of the organisation, governance, operation and evaluation of schools, encouraging such participation especially in the case of students, as part of their training process. 2: The educational community will participate in the governance of the centres through its School Council. The teaching staff will also participate in the pedagogical decision-making that corresponds to the senate, to the teaching co-ordination bodies and to the teams of teachers who teach in the same course or cycle (LOMLOE art 119).

### **Non-governmental organisations, disabled people’s organisations or other organisations representing vulnerable groups**

Yes. Article 72 of the [LOE](#) as amended by the [LOMLOE](#) defines the resources that educational administrations must have available in schools to provide for learners with educational support needs:

- collaboration with other administrations or public or private entities, institutions or associations, to facilitate schooling and a better incorporation of these learners into the educational institution, as well as the promotion of educational success and the prevention of early school drop-out.

Source: [Eurydice: Spain – Educational support and guidance](#)

g) Promote collaboration with families, institutions and organisms that can ease the relation of the school with the surrounding environment, and promote a school



---

environment which fosters study and the development of any action which favours an integral education in knowledge and values in the students ([LOMLOE art. 132](#)).

Source: European Agency, [Supporting Inclusive School Leadership](#) project – Country survey Spain

## **6.4 Does the legislation and policy framework ensure that curriculum development processes involve the participation and contribution of different stakeholders?**

---

Yes.

### **6.4a Description of the legislation and policy framework ensuring the involvement of stakeholders in curriculum development processes**

Extraordinary measures, or those with specific or singular resources, consist of the provision of augmentative or alternative communication systems, singular materials, support products, the intervention of a specialised professional or the establishment of differentiated organisational measures that affect space and time ([LOMLOE Art. 74.2](#))

- Curricular diversification programmes:
  - The curriculum is modified and adapted from the third year of compulsory secondary education for students who require so after the appropriate assessment. In this case, the objectives of the stage and the corresponding skills are achieved with a specific methodology through an organisation of the curriculum into areas of knowledge, practical activities and, where appropriate, subjects, different to those generally established.
  - They are oriented towards the attainment of the Compulsory Secondary Education Graduate certificate, by those who present relevant learning difficulties after having received, where appropriate, support measures in the first or second year, or those for whom this measure of attention to diversity favours the attainment of the certificate.
  - At the end of the second year, those who are not in a position to progress to the third year may join a curricular diversification programme, once the learner and their parents or legal guardians have been heard, following the appropriate assessment.

Source: [Eurydice: Spain – Special education needs provision within mainstream education](#)

A Territorial Co-operation Programme (UAO) is also being developed to accompany educationally vulnerable students and their families.

Source: [Subdirectorato General for Territorial Co-operation and Educational Innovation](#)





---

## **6.5 Does the legislation and policy framework support the development of learning communities in local/regional areas?**

---

No information.