



Education Act 1993

1993 CHAPTER 35

PART III

CHILDREN WITH SPECIAL EDUCATIONAL NEEDS

Introductory

156 Meaning of “special educational needs” and “special educational provision” etc

- (1) For the purposes of the Education Acts, a child has “special educational needs” if he has a learning difficulty which calls for special educational provision to be made for him.
- (2) For the purposes of this Act, subject to subsection (3) below, a child has a “learning difficulty” if—
 - (a) he has a significantly greater difficulty in learning than the majority of children of his age,
 - (b) he has a disability which either prevents or hinders him from making use of educational facilities of a kind generally provided for children of his age in schools within the area of the local education authority, or
 - (c) he is under the age of five years and is, or would be if special educational provision were not made for him, likely to fall within paragraph (a) or (b) when over that age.
- (3) A child is not to be taken as having a learning difficulty solely because the language (or form of the language) in which he is, or will be, taught is different from a language (or form of a language) which has at any time been spoken in his home.
- (4) In the Education Acts, “special educational provision” means—
 - (a) in relation to a child who has attained the age of two years, educational provision which is additional to, or otherwise different from, the educational provision made generally for children of his age in schools maintained by the local education authority (other than special schools) or grant-maintained schools in their area, and

Status: This is the original version (as it was originally enacted).

(b) in relation to a child under that age, educational provision of any kind.

(5) In this Part of this Act, “child” includes any person who has not attained the age of nineteen years and is a registered pupil at a school.