

99088017006000, 99088017006000

# Applying for a Substitute School Permit

Heruntergeladen am 16.06.2025

<https://fimportal.de/xzufi-services/8672288/L100040>

Modul	Sachverhalt
Leistungsschlüssel	99088017006000, 99088017006000
Leistungsbezeichnung I	Applying for a Substitute School Permit
Leistungsbezeichnung II	
Typisierung	4 - Land: Regelung
Quellredaktion	Niedersachsen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Schulangelegenheiten (088)
Verrichtungskennung	Genehmigung (006)
SDG-Informationsbereich	Erlangung von Lizenzen, Genehmigungen oder Zulassungen im Hinblick auf die Gründung und Führung eines Unternehmens
Lagen Portalverbund	Erlaubnisse und Genehmigungen (2010400)

Modul	Sachverhalt
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	27.09.2023
Fachlich freigegen durch	
Handlungsgrundlage	<a href="https://voris.wolterskluwer-online.de/browse/document/cite/034b7f9f-2bac-3f19-882a-67a22161b4a5">https://voris.wolterskluwer-online.de/browse/document/cite/034b7f9f-2bac-3f19-882a-67a22161b4a5</a> <a href="https://voris.wolterskluwer-online.de/browse/document/cite/f7d9182f-c4a8-3971-b7c6-dc1308b5bad5">https://voris.wolterskluwer-online.de/browse/document/cite/f7d9182f-c4a8-3971-b7c6-dc1308b5bad5</a> <a href="https://voris.wolterskluwer-online.de/browse/document/cite/20d32de3-3928-375f-960d-b5149340a0d2">https://voris.wolterskluwer-online.de/browse/document/cite/20d32de3-3928-375f-960d-b5149340a0d2</a> <a href="https://voris.wolterskluwer-online.de/browse/document/cite/2bfd3482-642c-3137-a932-fcfd39df831d">https://voris.wolterskluwer-online.de/browse/document/cite/2bfd3482-642c-3137-a932-fcfd39df831d</a> <a href="https://voris.wolterskluwer-online.de/browse/document/cite/b35c2e7d-1ea5-3a5f-a24b-9d4745714c46">https://voris.wolterskluwer-online.de/browse/document/cite/b35c2e7d-1ea5-3a5f-a24b-9d4745714c46</a> <a href="https://voris.wolterskluwer-online.de/browse/document/cite/7956642f-8b58-3af2-b1e0-0a7bc4128ec6">https://voris.wolterskluwer-online.de/browse/document/cite/7956642f-8b58-3af2-b1e0-0a7bc4128ec6</a> <a href="https://voris.wolterskluwer-online.de/browse/document/cite/60b5a198-28aa-3137-bd8d-ab69721c8067">https://voris.wolterskluwer-online.de/browse/document/cite/60b5a198-28aa-3137-bd8d-ab69721c8067</a> <a href="https://voris.wolterskluwer-online.de/browse/document/cite/034b7f9f-2bac-3f19-882a-67a22161b4a5">https://voris.wolterskluwer-online.de/browse/document/cite/034b7f9f-2bac-3f19-882a-67a22161b4a5</a> <a href="https://voris.wolterskluwer-online.de/browse/document/cite/f7d9182f-c4a8-3971-b7c6-dc1308b5bad5">https://voris.wolterskluwer-online.de/browse/document/cite/f7d9182f-c4a8-3971-b7c6-dc1308b5bad5</a> <a href="https://voris.wolterskluwer-online.de/browse/document/cite/20d32de3-3928-375f-960d-b5149340a0d2">https://voris.wolterskluwer-online.de/browse/document/cite/20d32de3-3928-375f-960d-b5149340a0d2</a> <a href="https://voris.wolterskluwer-online.de/browse/document/cite/2bfd3482-642c-3137-a932-fcfd39df831d">https://voris.wolterskluwer-online.de/browse/document/cite/2bfd3482-642c-3137-a932-fcfd39df831d</a> <a href="https://voris.wolterskluwer-online.de/browse/document/cite/b35c2e7d-1ea5-3a5f-a24b-9d4745714c46">https://voris.wolterskluwer-online.de/browse/document/cite/b35c2e7d-1ea5-3a5f-a24b-9d4745714c46</a> <a href="https://voris.wolterskluwer-online.de/browse/document/cite/7956642f-8b58-3af2-b1e0-0a7bc4128ec6">https://voris.wolterskluwer-online.de/browse/document/cite/7956642f-8b58-3af2-b1e0-0a7bc4128ec6</a> <a href="https://voris.wolterskluwer-online.de/browse/document/cite/60b5a198-28aa-3137-bd8d-ab69721c8067">https://voris.wolterskluwer-online.de/browse/document/cite/60b5a198-28aa-3137-bd8d-ab69721c8067</a>
Teaser	<p>If you want to set up and operate a substitute school, you will need a permit before the school can start operating. You must apply for this in good time at the responsible Regional State Office for School and Education.</p>
Volltext	<p>Substitute schools are privately run schools whose learning and educational objectives correspond to public schools that exist or are generally provided for</p>

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in the state of Lower Saxony. Deviations in teaching and educational methods and in the teaching materials are permitted. Pupils fulfil their statutory obligation to attend school by attending a substitute school.

Substitute schools are subject to approval. Approval requires proof of equality with regard to the learning objectives and facilities, as well as the training of teachers with public schools. The amount of school fees may not promote the segregation of pupils according to the property situation of their parents.

Private primary and secondary schools can only be admitted if:

- the school authority recognises a special educational interest of the Land in the school, or
- they are to be established at the request of legal guardians - as a community school, as a confessional or ideological school and a public primary or secondary school of this kind does not exist in the municipality.

<https://www.freie-schulen.de/>

<https://www.freie-schulen.de/>

## Erforderliche Unterlagen

1. Sponsorship of the institution and legal form of the school authority. In addition, the association's statutes as well as a - if possible certified - copy of the corresponding excerpt from the register of associations or excerpt from the commercial register and extended certificates of good conduct from the Federal Central Register (also for school principals).

2. Type of school / specialisation / focus with indication of the intended school name. Confusion with public schools is to be ruled out, at least a subtitle must indicate that it is a substitute school. The name of the type of school and the name of the local municipality must be included in the designation.

3. Pupils

Proof that the legal minimum number of 12 pupils will be reached (schooling contracts or pre-school contracts).

Hints:

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a) The substitute school is not authorised to make decisions on the deferral of school attendance or the admission of "can" children or on the postponement of school attendance when registering pupils for the 1st year of schooling.

b) When setting up special schools, care must be taken to ensure that only those children and young people may be used to prove that the minimum number of pupils has been reached, for whom a corresponding need for special educational support has been determined by the competent Regional State Office for School and Education or who attend the school at the instigation of the competent Regional State Office for School and Education and for whom a corresponding determination may be made. is imminent.

1. Declaration that the school is designed to last.
2. School equipment (school building):

\- Proof of ownership or lease agreement for corresponding school premises

\- Description of the school property, the premises and facilities that are (or will be) available for proper schooling, with proof of the space required according to the number of pupils per class

\- Precise information on the number, type and size of the rooms for school operations

\- Site plan (with schoolyard), floor plans, floor plan (with classrooms, specialist rooms, practice rooms, offices, teachers' rooms, material, toilets) and escape route plan

\- Furnishing and furnishing of the rooms

\- Description of the facilities available for physical education (gym, outdoor sports facilities). If you do not have your own facilities, please enclose the rental or use contract if necessary.

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\- Approval from the competent building inspectorate for the use or change of use of the intended building for school purposes.

1. Appointment of the school principal and the teachers to be taught. The required professional and pedagogical aptitude must be proven, proof of qualifications (certificates, etc.) must be attached.
2. Employment contracts for the school management and teaching staff must be submitted in full form.

It must follow from this that the economic and legal position of teachers is sufficiently secured. This applies to income and pensions, legal status and general status, in particular with regard to any dismissal provisions. A written employment contract must be concluded between the school authority and the teacher, which regulates the employment relationship without gaps. The entitlement to leave and the regular number of compulsory weekly hours must be set out therein. The salary must not be significantly lower than the salaries of teachers in corresponding public schools and must be paid monthly at regular intervals, i.e. in line with the public service. Finally, the employment contract must contain a provision guaranteeing the teacher an entitlement to an old-age and disability pension that at least corresponds to the provisions of the statutory pension insurance.

### 1. Meaningful pedagogical concept

This includes information

\- the intended class size and which age groups are to be schooled

\- the frequency of admission and the duration of the training

\- whether part-time / full-time lessons are to be given

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\- to achievable deals.

In addition, at least for the duration of the first (operational) year, the following plans should be drawn up on the basis of the timetable valid for the respective type of school applied for (educational decrees such as "Work in primary school" or "Work in secondary school", BbS-VO and EB-BbS):

\- Curriculum according to curricular specifications with assignment of teachers

\- Timetable design for teachers and students

These documents must be submitted for all school years with which school operations are to begin.

1. Financing plan for at least the first 3 years of schooling. This must include the following

\- Personnel cost calculation

\- Material costs (rent, teaching materials, ancillary costs, insurance, employers' liability insurance association, interest)

\- Income specified according to school fees (specify exact amount and possibly scale), association fees, association assets, donations, loans, etc.

Since only those schools that are designed to be permanent can be approved, the securing of funding must be conclusively proven and proven. For planned loans, corresponding bank commitments must therefore be attached, and existing association assets must be proven. With regard to the amount of school fees, it should be noted that segregation of pupils according to the ownership of their parents is not encouraged.

In individual cases, further additions to the application review may be necessary.

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### Voraussetzungen

Fulfilment of the concept of school:

Schools are permanent educational establishments in which, according to an education plan, general or vocational education is provided for at least 12 pupils and for a minimum period of six months.

Adult education institutions, universities and independent educational institutions are not schools.

Sponsorship:

Independent schools can be run by:

- natural or legal persons governed by private law, or
- Religious or philosophical communities that have the rights of a corporation under public law.

Qualifications of the school management:

The school management must be qualified to administer and manage the substitute school. It must have a professional and scientific education that is at least equivalent to that of teachers in corresponding public schools. There must be no facts from which it can be inferred that he/she does not offer any guarantee that he/she will not violate the constitutional order.

Teaching staff:

For teachers in substitute schools,

- proof of professional and pedagogical training (examinations) equivalent to teachers at corresponding public schools, or
- proof of the teacher's scientific and pedagogical aptitude must be provided by other equivalent achievements.

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In addition, the economic and legal position of teachers must be sufficiently secured.

Higher education institutions:

The school facilities must comply with the general legal and regulatory requirements.

There must be suitable school rooms that are approved as such under building law and that are available on a long-term basis as ownership or rental property.

Meaningful pedagogical concept:

A meaningful pedagogical concept including lesson planning, etc. is required.

For certain types of school (primary school, lower secondary school), a special pedagogical interest in the establishment of a substitute school, which is to be built in addition to the offer at public schools or beyond, must be substantiated/proven.

## Kosten

The amount of the fee depends on the actual administrative burden. The fee framework is set out in accordance with No. 77.1.1 of the Appendix to the Ordinance on Fees and Expenses for Official Acts and Services (General Schedule of Fees -AllGO-) between € 500.00 and € 3,000.00.

## Verfahrensablauf

- It is recommended to contact the Regional State Office for School and Education by telephone before applying for an initial consultation.
- After the application documents have been submitted to the Regional State Office for School and Education, the latter checks the completeness and correctness of the application documents and, in particular, the equivalence of the educational offer and, if all requirements are met, grants approval.
- If necessary, missing documents can be requested.
- If you have any questions about the approval process, you can contact the Regional State Office for School and Education.



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**Sachverhalt**
**Bearbeitungsdauer**
**Frist**

It is recommended to submit the application for approval of a substitute school, if possible, one year before the planned opening of the type of school. The application and the required declarations must be signed in a legally binding manner by the members of the board of directors specified in the association's statutes or articles of association and entered in the register of associations or commercial register. In order for timely approval to be possible, the application documents should be available in all respects at least three months before the planned start of school operations in essentially complete form and in a form agreed with the school authority.

**weiterführende Informationen**

The substitute school shall be granted State recognition upon application if it provides a guarantee that it will continue to meet the requirements of similar or equivalent public schools.

In principle, the school leaving certificates achievable at public schools can only be achieved at a substitute school with state recognition. As long as a substitute school is not yet recognised by the state and no special state law expressly regulates otherwise, it is possible to obtain a degree by means of the so-called non-pupil examination before a state examination board.

In any case, the granting of benefits from the grant is only possible after the award of state recognition or after the determination of the special pedagogical significance. In principle, the waiting period for the start of the grant is three years; it is shortened under certain conditions.

<https://bildungsportal-niedersachsen.de/schulorganisation/schulbesuch-schulpflicht/schulen-in-freier-traeger-schaft>

<https://bildungsportal-niedersachsen.de/schulorganisation/schulbesuch-schulpflicht/schulen-in-freier-traeger-schaft>

**Hinweise**
**Rechtsbehelf**

In the event of a refusal, administrative recourse is

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available.

The refusal is accompanied by specific instructions on legal remedies, from which the time limit for filing an action and the competent administrative court can be seen.

## Kurztext

\- Substitute School Permit

\- Substitute schools are privately run schools

\- The learning and educational objectives are the same as those of public schools.

\- Deviations in teaching and educational methods and in the teaching materials are permitted.

\- Pupils fulfil their statutory obligation to attend school by attending a substitute school.

\- The operation of a substitute school is subject to approval.

\- Proof of equivalence in terms of learning objectives and facilities, as well as teacher training, is required for approval.

\- Numerous documents must be submitted during the approval process.

\- The Regional State Offices for Schools and Education are responsible.

## Ansprechpunkt

Regional State Office for School and Education  
Braunschweig

Department 1 Faculty of Law

Kurt-Schumacher-Str. 21

38102 Braunschweig

Fax: +49 531 484-3483

Service point number: +49 531 484-3333

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E-mail address:  
[service@rlsb-bs.niedersachsen.de](mailto:service@rlsb-bs.niedersachsen.de)

Elevator available: yes

Wheelchair accessible: Yes

Regional Office for Schools and Education Hanover

Department 1 Faculty of Law

Mailänder Str. 2

30539 Hanover

Fax: +49 511 106 99-2853

Service point number: +49 511 106-6000

E-mail address:  
[service@rlsb-h.niedersachsen.de](mailto:service@rlsb-h.niedersachsen.de)

Elevator available: yes

Wheelchair accessible: Yes

Regional State Office for Schools and Education  
Lüneburg

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21339 Lüneburg

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Elevator available: yes

Wheelchair accessible: Yes

Regional State Office for School and Education  
Osnabrück

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49090 Osnabrück

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Elevator available: yes

Wheelchair accessible: Yes

## Zuständige Stelle

## Formulare

## Ursprungsportal

Genehmigung einer Ersatzschule beantragen, Applying  
for a Substitute School Permit