

# The right of migrant minors to high quality education

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## Abstract

**Subject of research:** 25 years ago Poland became a party of the Geneva Convention of 1951 on refugee status and the New York Protocol of 1967 and since then it has been obliged to give shelter to those who come to Poland searching of safety and conditions for dignified life.

Under EU programs of refugee relocation within the years 2016–2017 there should have been resettled about 7,000 migrants to the territory of Poland, among whom a significant number are families with children. The paper reflects on the question how far Polish system of education is well-equipped to help migrant children exercise the right to high quality education.

**Purpose of research:** To indicate the strength and weaknesses of legal instruments, to define knowledge concerning education of foreign children and the competences teachers should have to work in multicultural classes, and to identify any progress in the development of conceptual framework of national strategy on the migrant minors' education.

**Methods:** The paper builds on the analysis of national legislation and on available statistical data on foreign pupils learning in Polish schools as well as on national and international surveys on integrating pupils with an immigrant background into their new school communities. The work is a starting point for qualitative and quantitative research on what schools and teachers can and should do to put theory into practise.

**Keywords:** foreign children, education, school, teacher, competence.

## Introduction

International research findings indicate that education should be both easy accessible for migrant minors as it gives a chance of completing full-cycle formal education programmes, and apparent to their parents, especially to those who had little or no contact with formal education. Otherwise, “attendance and completion rates in displacement suffer” (Migration Policy Debate, 2015, p. 50).

Among foreign children receiving education in the Polish system of education, there can be distinguished at least two categories: refugees and immigrants. Both of them are of different legal status and needs related to education as according to their families' plans, some of the children settle down in Poland while the others just stay temporarily. As majority of them do not speak Polish, they have to in a short time acquire knowledge of the language of education and catch up to the performance of their Polish peers and overcome the problems with adjusting to a new school and social environment.

The number of migrant minors in Polish schools, as indicated further in the paper, is not significant currently – it does not exceed 0,35% of all the pupils at all levels of education. Despite some schools where nearly 10% of their whole pupils population are migrant minors, especially in those situated close to the accommodation centres, it seems that the issue of the children presence in mainstream schools is still considered as a challenge for the few schools in some regions but not to the whole system of education. Under EU programs of refugee relocation within the years 2016-2017 there should have been resettled about 7,000 migrants to the territory of Poland, among whom a significant number are families with children. In Poland, in general, there are no legal obstacles in providing education to refugees' and immigrants' children. However, as research findings show, schools still face new problems and challenges every day. That is why, that seems to be reasonable to find out what has been done within the last decade to adjust the Polish system of education to the new reality.

The first part of the paper presents the results of the analysis of the existing law regulations, in the context of the implementation of international commitments made by Poland to provide access to education for all immigrant children. In the next part access to education system in practice is analyzed in terms of admission to schools, measures made to support pupils and the competences teachers should have to work with and for the children. Finally, work that has been done towards development a national plan or strategy on migrant minor's education is presented.

## **1. Legal bases**

As Party to the Convention on the Rights of the Child Poland is obliged to make "primary education compulsory and available free for all" and "different forms of secondary education available and accessible to every

child”, including “offering financial support in case of need” (CRC, art. 28). Poland also agreed to provide education that guarantees “the development of the child’s personality, talents and mental and physical abilities to their fullest potential” as well as the development of the child’s respect to the culture, language and values of the country of his or her origin (CRC, art. 29).

As Party to the Convention of 1951 relating to the status of refugees (art. 22), Poland is obliged to grant access to public elementary education to refugee minors under the same conditions as to Polish ones, and to other levels of education – on conditions as favourable as possible, but not less favourable than that accorded to other foreigners generally.

According to Council Directive 2003/9/EC (art. 10), EU member states are obliged to “grant to minor children of asylum seekers and to asylum seekers who are minors access to the education system under similar conditions as nationals of the host Member State for so long as an expulsion measure against them or their parents is not actually enforced” and not to “withdraw secondary education for the sole reason that the minor has reached the age of majority”. The States have also agreed not to postpone the access to education for more than 3 months. The period may be extended to one year if the time is devoted to specific education which facilitates access to the education system. States may offer other education arrangement if a specific situation of the child makes access to education system impossible. Council Directive 2004/83/EC (art. 27) calls on Member States to grant refugee minors and those with subsidiary forms of protection full access to education under the same conditions as their nationals. According to Directive 2013/33/EU (art. 14) States are under obligation to grant to minor children of applicants for international protection and to applicants who are minors access to the education system under similar conditions as their own nationals, and not to withdraw secondary education if the only reason is that the child has reached the age of majority. The directive also says about the obligation to facilitate the children’s participation in the education system by providing preparatory classes, including language classes, and to offer other education arrangements, if the children’s specific situation makes access to education system not possible. Council Directive 77/486/EEC (art. 2) imposes on the States the obligation to offer free teaching of their official language to the children of migrant workers, to train teachers who are to provide this tuition and to promote the teaching of the native language and culture of the country of origin of the children.

With regard to the access to education, Polish legislation complies with international legal instruments of human rights protection. Pursuant to Polish Constitution (Konstytucja RP, art. 70) each and every person has the right to education. The wording “each and every” means not only Polish citizens, but also foreign nationals residing in the territory of the Republic of Poland. The right of foreign nationals to participate in the Polish education system is detailed in the Act on Education System (USO, especially art. 94a). Foreign nationals have an access to learning and care in all types of public kindergartens and schools until age 18 or completion of upper secondary school on the conditions applicable to the citizens of Poland. None of the provisions of the Act restrict the access of foreigners to private schools and educational institutions. The conditions and rules of exercising the right to education are listed in the Regulation of the Minister of National Education of 30 July 2015 on conditions and procedure of admission of non-Polish nationals and of Polish nationals who have attended schools operating in the education systems of other countries, to public kindergartens, other forms of preschool education, schools and institutions, as well as on organisation of additional Polish language teaching and additional remedial classes and on teaching the language and culture of the country of origin (MEN 2015).

According to Polish law, pupils are admitted to primary and secondary schools on the basis of foreign documents which confirm the amount of years of schooling. In case of lack of such documents, the minor is qualified to the appropriate class on the basis of an interview conducted in Polish or in a foreign language which he or she speaks. The procedure of the recognition of foreign certificates is not carried out, if their owners intend to continue studying in Poland (with the exception of post-secondary schools).

What is more, the provisions of the Act on Education System provide for foreign pupils subject to compulsory school education or obligation of learning and who do not know the Polish language or the level of which is insufficient to learn, the right to additional free Polish language in the amount of 2 hours per week as a minimum. The lessons are organized by schools in cooperation with the school local authorities. The learning lasts as long as a given pupil's needs concerning the linguistic competences are fulfilled. It is worth mentioning here, that Polish law goes even further than EU standards, because free education of the Polish language is guaranteed to all children subject to schooling obligation – and not just the children of EU nationals. In

addition, foreign minors are granted the right to the assistance provided by a person who speaks his or her native language, and who is employed in the school – for a period not longer than 12 months.

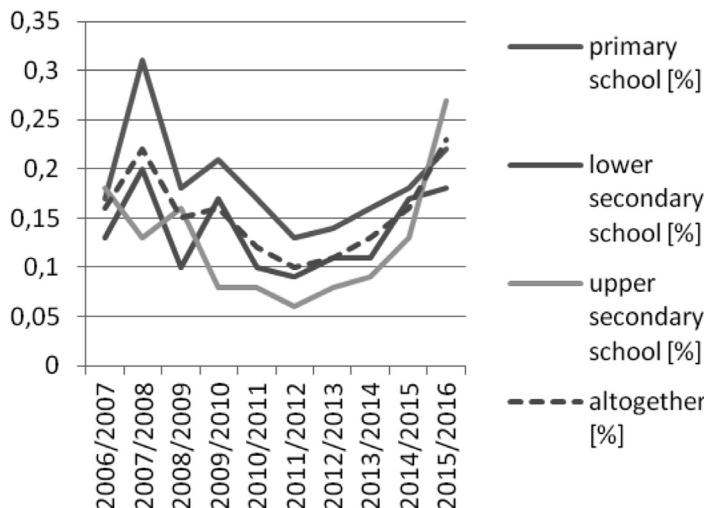
The children have also the right to additional remedial classes, on the request of the teacher who provide education in a given subject. The lessons are held individually or in groups, 1 hour per week for a period not longer than 12 months. The total number of hours of additional Polish language and remedial classes may not exceed 5 hours per week.

For the pupils of foreign nationality, subject to compulsory schooling, Polish legislator also provide the possibility of organizing in schools tuition of their native languages and cultures of origin.

## 2. Access to the education system in practice

The data for the last 10 years indicate a very low number of foreign pupils who benefited from the Polish system of education. Between the school years 2006/2007 and 2015/2016 the percentage of the pupils did not exceed: in primary schools – 0,35%, in lower secondary schools – 0,2% and in upper secondary schools – 0,3%.

Foreign pupils in Polish schools in the school years 2006/2007 – 2015/2016



Source: own elaboration, on the basis of Education Information System data (SIO).

Despite the optimistic statistics, new legal solutions have been introduced successively. They result in better school management and the development of close cooperation between schools and local communities to facilitate and speed up the migrant children integration to the new environment. Since January 2010, due to amendments to article 94a of the Act on Education System, the procedure of admission foreign nationals to schools is substantially simplified.

Nevertheless, schools which work with the foreign pupils almost every day face new challenges. The situation of migrant minors has been monitoring regularly both by governmental agencies and non-governmental organizations which work for and with the children as well as by independent institutions for human rights protection. In the context of the right to education most of attention they devote to the foreign minors who are not citizens of Europe and who live in the accommodation centres. According to the bounding law, migrant minors are enrolled to public district schools – which are located near the place of their residence. These schools are obliged – ex officio – to provide them conditions for learning. The problem appears when a big group of the children should start learning at the school at the same time. The situation results in a kind of disorder in the school functioning – both in terms of safety and the process of learning. International researches findings confirm that concentration of migrant children in schools hinders their academic performance (European Commission, 2008, p. 80).

In the studies commissioned recently, Polish Ombudsman suggests the “abandonment of sending migrant minors to schools which are closet to the centres of accommodation” (Piechowska, 2015, p. 35) and recommends the adoption of uniform rules for the selection of schools to teach the minors (Sośniak, 2013, p. 49). Addressing to the problem, the Minister of National Education has prepared a draft of amendments to the Act on Education System (the bill was submitted to the Sejm on 2 June 2016) which says about the possibility of indicating a student who comes from abroad, as a place of compulsory education a school other than the district school. The proposed provision anticipates that in cases of an influx of a large number of people coming from abroad at the same time, particularly in the framework of organized groups (e.g. evacuation, repatriation, relocation, resettlement) and the limited capacity of a given primary or secondary district school, the authority that runs such school may direct migrant children to another

school located in the same or neighbouring community (gmina) or county (powiat), on the agreement between the local government units. In case of lack of such agreement, the decision on the school where the children will be enrolled takes Education Superintendent. The costs of travel of the foreign pupils to the school shall be borne by the municipality where the pupils live (Druk nr 559).

### 3. Teaching the Polish language

Language as a basic means of communication is usually the first of several challenges foreign pupils face when entering an education system of a host country. The role of schools is to create the right conditions and atmosphere for them to learn. Findings of many researches and monitoring concerning the situation of foreigners at Polish schools (Gmaj, 2013, p. 11; Chrzanowska, 2009, p. 4–5, Todorovska-Sokolovska, 2010, p. 8, Sośniak, 2013, p. 20–21) indicate, that the most serious problem of children of foreigners who enter the Polish system of education is lack of or little knowledge of the Polish language. On one hand, that makes it difficult to assess the level of students' knowledge. And on the other hand, for the children – that means great difficulty in mastering the compulsory educational material. That always results in lagging behind their Polish peers. So, extremely important is to support these pupils simultaneously on several levels, *inter alias*, by providing conditions for learning the Polish language as the second language and for integration with the Polish peers. Additionally, teachers should build good relations with the pupils' parents, and assist them in functioning in the new society.

In this context, there should be emphasized that for most of the pupils Polish is a second language of communication – at school (language of education) and with the new community. The term „Polish as second language” has been introduced quite recently. According to Professor Władysław Miodunka, that means teaching Polish to immigrant and refugee minors and member of national minorities, who use in the family environment a language other than Polish. Living in Poland, foreign children learn Polish through the operation in the country reality and not only in the school environment. For the children it is the second basic tool for communication (after the mother tongue), and not just one of foreign languages they learn/use only in the classroom.

In the EU there are two models for the migrant children admission to the education system of the host country. In the integration model – the

children attend regular school educational activities from the moment of their admission to school, no matter they speak or do not speak the language of instruction. And they learn the language on the classes taken as additional once. In the separation model – the minors attend preparatory classes, usually for 12 months, to master the language sufficiently to participate actively in compulsory classes. In Poland, an integrative model of education operates. Migrant minors subject to the obligation of school education or the obligation of learning have the right to additional Polish language teaching on a non-payable basis (USO, art 94a). In the years 2006/2007 – 2015/2016 the numbers of migrant minors who participated in the additional language lessons were as follows: at primary schools – 8248 migrant pupils (19,13% of all of them at these schools), at lower secondary schools – 2679 migrant pupils (15,59% of all of them at these schools), at upper secondary schools – 3286 migrant pupils (13,33% of all of them at these schools) (Source: own elaboration, on the basis of Education Information System data (SIO)). Taking into consideration the total number of migrant minors who benefit from the system of education, it does not seem that the situation requires any urgent measures to be taken besides regular monitoring. However, quite sizeable bases of educational materials and tools for teachers who work with the group of the pupils have been prepared both by governmental agencies and non-governmental organizations. They are available free of charge, also in electronic versions. To most of them are attached curricula of teaching Polish as a second language to pupils at each level of education. Some of them include recommendations for schools concerning the teachers' qualifications and competencies e.g. that the Polish language lessons as a second language should be led by teachers with relevant qualifications (glottodidactics). In case of lack of such a specialist at school, the tuition should be provided by a foreign language teacher, as the methodology of teaching the native language is fundamentally different from the methodology of teaching foreign languages. Furthermore, in addition to linguistic competence the teacher should have an interactive and didactic competences (Bernacka-Langier, 2010, p. 19-20; Strzelecka, 2010, p. 12; Szybura 2016, p. 117).

To support school teachers and educators in teaching the Polish language, a framework program of the Polish language courses for foreigners was prepared in 2011 (MEN 2011). The Framework programme

is the basis for the development of such courses programmes, tailored to the age, origin, needs and abilities of the courses participants. It was developed in accordance with the principles of glottodidactics in a clear and understandable manner for its recipients and it takes into account the cultural differences between various groups of foreigners. The framework program is compliant with the Common European Framework of Reference of Languages.

When analysing the significance of providing the tuition of Polish as second language, it is worth noticing the suggestions to increase the minimum amount of hours per week devoted to the lesson, to set up new regulations on that teaching standards and qualifications of the teachers, and to include the teachers into the list of regulated professions (Sośniak, 2013, p. 53–54; Kosowicz, 2007, p. 25–26; Szybura, 2016 p. 117).

#### **4. Remedial classes**

Migrant minors subject to the obligation of school education or the obligation of learning who arrive in Poland from a foreign education system can participate in additional free of charge remedial classes. With the remedial classes, they have a chance to gradually eliminate the gap in the knowledge they should acquire in accordance with the core curriculum instruction for a given school subject and stage of education. It is also important for the parents of Polish pupils who sometimes perceive the appearance of foreign children at school as a risk of lowering the quality of education of their children (Chrzanowska, 2009, p. 4).

In the school years 2010/2011 – 2015/2016 the numbers of migrant minors who attended additional remedial classes were as follows: at primary schools – 2082 migrant pupils (4,83% of all of them at these schools), at lower secondary schools – 848 migrant pupils (5, 58% of all of them at these schools), at upper secondary schools – 1027 migrant pupils (4,17% of all of them at these schools). The number of migrant minors who participate in the additional lessons is gradually but steadily growing. Totally, the percentage of pupils of primary and secondary schools who participated in the Polish language lessons changed from 3,77% in 2006/2007 to 33,39% in 2015/2016 and of those who attended the remedial classes for given school subjects from 7,47% in 2010/2011 to 10, 96% in 2015/2016. The changes in the percentage of pupils who participated in the additional Polish language

lessons at each of the levels of education are as follows: in primary schools – from 6,85% in 2006/2007 to 37,5% in 2015/2016, in lower secondary schools – from 3,03% in 2006/2007 to 39,05% in 2015/2016, in upper secondary schools – from 0,8% in 2006/2007 to 25,87% in 2015/2016. The changes in the percentage of pupils who attended the additional remedial classes at each of the levels of education are as follows: in primary schools – from 7,98% in 2010/2011 to 11,35% in 2015/2016, in lower secondary schools – from 7,02% in 2010/2011 to 18,24% in 2015/2016, in upper secondary schools – from 6,58% in 2010/2011 to 7,39% in 2015/2016 (Source: own elaboration, on the basis of Education Information System data (SIO). In terms of quality of education and academic performance of the pupils, it seems indispensable to find out the reasons of such situation. Studies will cover the both the school communities and the migrant children and their families.

The financial resources required to implement the solutions mentioned above are covered by the educational subsidy. In the case of additional classes of Polish language the base amount per pupil (for schools whose pupils participate in the classes) in 2016 is 150% higher than for other pupils. Between 2010 and 2015 the amount was from 20% to 150% higher, depending on the total number of pupils in classes in the school. The amount is specified for particular years in regulations of the Minister of National Education on the distribution the educational part of the general subsidy for local government units.

## 5. Way to integration

Since 2010 there is a possibility to employ at Polish schools a *culture assistant* – a person who speaks the language of the country of origin of the minor, whose work is to support the pupil in learning and facilitate his or her integration with the school community. The person also helps the teacher to understand migrant pupil and important aspects of his or her culture of origin and to set cooperation with the parents of the pupil. This assistance is provided for a period of 12 months at maximum. Some research findings show that the *culture assistant* makes that many problems the schools have hardly coped with become easier to solve. There also suggestions that, in those schools where foreign children learn or at least in these schools where there are more than 25% of foreign pupils, and many of them are just starting to speak Polish, the employment of the *culture*

*assistant* should be a rule. That would ensure a high quality of teaching both Polish children who could implement the school program without any delays, and foreign children who might have a chance to catch up with their peers' level of skills faster (Chrzanowska, 2009, p. 10–11; Sośniak, 2013, p. 54). As other research finding notice, the promotion of the possibility to employ the *culture assistant* at school is still necessary. Even if schools know about the introduction of a new solution, they are not confident of the consequences and requirements of its implementation (Strzelecka, 2010, p. 11–12; Kawa, 2014, p. 10–14). As the provisions of the Act on Education System do not give a clear decision on the conditions of such a person employment, including qualifications they should have, and due to the practice that shows that the majority of people employed as the assistant do not have pedagogical training or their education is not recognized in Poland, the findings also emphasize an urgent need to develop a system of training of such people who work as a *culture assistant*.

## 6. Examination

In terms of academic performance of the migrant pupils, for many years there have been formulated recommendations concerning the improvement of the system of foreign pupils' assessment, especially of those who have just entered the new system of education. It the opinion of some social researchers and legal and linguistic experts (Gmaj, 2006, p. 20; Kosowicz, 2007, p. 37–40; Chrzanowska, 2009, p. 11; Strzelecka, 2010, p. 12; Szybura 2016 p. 117), it seems reasonable to establish special conditions to help the foreign pupils to accede the external tests and exams, inter alias, by extension the time provided for the exams, introduction separate criteria of assessment. They put stress on the fact that due to little knowledge of Polish and sometimes previous little contact with regular education, the pupils either fail external exams or pass at a very low level. It is frustrating for them because the results rarely reflect the effort they made to learn and because they have little chance to continue education in a good school. In addition, the situation influences the community attitude to the foreign pupils because their performance is a part of the whole school education outcomes (Chrzanowska, 2009, p. 11).

In the analysed reports there were also suggestions of exempting migrant children from external evaluation (Piechowska, 2015, p. 36) and to set up

minimum requirements for foreign pupils concerning the core curriculum content and specific criteria for assigning the foreigners (Sośniak, 2013, p. 52). However, considering remark of European Commission that “Low teachers’ expectations towards minority students generally have a negative influence on their performance” (European Commission, 2008, p. 82) that kind of support for migrant pupils should not be promoted.

## 7. Language and culture of the country of origin

European countries in various ways carry out the obligation of teaching the language and culture of the country of origin of immigrant children. The educational systems of some countries support the pupils in nurturing the native language, for example, by providing trainings and courses in the language and culture of the country of origin and in the effective cross-cultural communication with the parents-immigrants. Several countries (France, Belgium, Spain, Luxembourg, Germany, Portugal and Slovenia) have signed bilateral agreements on language support of immigrant children. According to the agreement, the country of origin of foreigners employs teachers, and the host country provides the equipment. The educational system of the United Kingdom, the Netherlands, Spain, Greece and Poland generally do not support financially such courses (Todorovska-Sokolovska, 2010, p. 7–9).

According to the Act on Education System, schools are obliged to support migrant children to preserve their native language, national and religious identity (USO, art. 13). The right of parents to bring up their children in compliance with their religion and culture is guaranteed in the Polish Constitution (Konstytucja RP, art. 48). According to the Act on Education System, teaching the language and culture of the country of origin may be organized for foreigners in Polish schools by the diplomatic and consular establishments of the country of origin of those pupils or by cultural and educational associations of the particular nationalities. Schools provide classrooms and teaching aids on non-payable basis. The teaching may take place if interest expressed at least seven pupils. According to previous regulation (of 2010), such activities might take place if the interest expressed at least 15 foreign pupils, which means some progress. The total number of hours devoted to teaching the language and culture of the country of origin may not be higher than 5 teaching hours per week.

## 8. Teacher competences and assistance needed

Findings of researches and monitoring that were made a few years ago (e.g. Chrzanowska, 2009, p. 11; Strzelecka, 2010, p. 4-5, 13) indicate that the competences of the teachers who work with foreign minors should cover at least the following issues: how to work in a multicultural school (cultural differences, linguistic skills, openness and tolerance) which is particularly important when considering that teachers often have serious problems in dealing with foreign parents; what legal status and how affects the duties and privileges of migrant pupils; sensitivity to discrimination among pupils and how to integrate the whole school community, including parents. There is also a remark that little support the teachers get from school educators and school psychologists. The reason is that these professionals are not sufficiently trained to work in a multicultural environment. In this context it has been highlighted the need of close cooperation of teachers with school pedagogue and teachers of different subjects with the teacher prepared to teach the Polish language as a foreign language. The general conclusion is that methodology of working with culturally different pupils as well as teaching Polish as a foreign language should be a permanent part of in-service teacher training process.

To address the teachers' urgent needs, in 2010 the Education Development Centre in Warsaw started the *Education to the challenges of migration* project under which selected experts were prepared to act as regional coordinators. Their task is to improve the intercultural competence of teachers, inspiring, organizing and coordinating the efforts of intercultural education in the provinces and to monitor and support schools in the overall activities for foreign pupils and their families.

In addition, publications have been regularly developed on how to educate and support children from different cultures, directed to school teachers and specialists in psychological and pedagogical institutions. Diverse educational material currently available give the teachers a wide range of solutions to the problems they face while working with foreign pupils, including examples of activities directed to Polish parents to improve their knowledge about refugees and migration.

## 9. Towards national strategy

Integrating immigrant pupils into schools is a challenge for most countries, however, as research findings indicate a country's success in integrating

immigrants' children into society is a key indication of the efficacy of social policy in general and education policy in particular (PISA 2012, p.71). In the opinion of Anna-Carin Öest, the representative UNHCR Office, Poland has a very good solution when it comes to providing immediate access of foreign children to the education system, particularly because the right to education is treated in Poland not only as a right but also as a duty. She also claims that the Polish legislation in this regard is the best among all of those which are in force in Central Europe (Oświata ABC).

Schools in various parts of the world operate on different principles; different is the relationship of teachers with pupils and expectations for pupils' behaviour. As A. Chrzanowska states, migrant children need a lot of time and support of teachers and peers to understand and assimilate the rules. Lack of preparation of school communities to welcome the pupils of different cultural background often leads to serious misunderstandings. She also underlines that the behaviour of the foreign child has been often interpreted as his or her lack of good manners, as signs of arrogance or even aggression. From this point of view, it is extremely important to implement multicultural education in schools and adopt the principle that all cultures are equal. In this context, she recommends that issues related to human rights and multicultural education should appear in the curriculum at all levels of education (Chrzanowska, 2009, p. 6,11).

Despite the presence of human rights education in the core curriculum, intercultural education has not been introduced in schools widely yet. Nevertheless, due to European trends, the issue is becoming more and more significant also in Poland. In the context of enhancing the role of schools in shaping attitudes necessary for active cooperation in the world diverse culturally and ethnically, in 2014 a cross-sectoral team of experts in intercultural education was appointed (within *Diversity in (among) us* project.") to develop the Framework for Intercultural Competence in the Polish System of Education. Work on the Framework was completed in August 2015. It comprises four main areas: 1. The ideas and concepts – Defining common, specific concepts of intercultural education for the Polish education system, including the definition of intercultural competencies of pupils and indicators for their measurement at different stages of education. Indication of the objectives of intercultural education. 2. Educational policy – Alignment with the needs and requirements of Polish reality, including

regulations concerning the operation of pupils of different nationalities in the Polish school. Determine the rules for granting psycho-pedagogical support to pupils of different nationalities. Inclusion of parents in the process of cultural adaptation of pupils. The discussion on the potential recognition of intercultural education is indicated as one of the priorities of educational policy. 3. The education and training of the teaching staff as a coherent system – Establishing consistent guidelines for the inclusion of intercultural education in the education and training of teachers. Involvement in the process of training in the field of intercultural education the teaching staff, including school principals. Defining intercultural competence for teaching staff. Developing a coherent, comprehensive educational offer for the group. Determination of the place of intercultural education in the curriculum, along with possible models of its implementation at all levels of education. Development and dissemination of materials and methodological guidelines for teachers to work with pupils and parents. 4. Create an environment conducive to the development of competencies – Create agreements and cooperation for the development of intercultural competence of pupils, including local government units, non-governmental organizations and other institutions dealing with issues of intercultural education (Rafalska, 2016, p. 11–14).

In the school year 2015/2016 a network of regional coordinators was set up – a team of 14 experts, trainers of intercultural education to support schools and educational institutions in their work. One of the tasks of coordinators is to prepare 140 school leaders – directors, teachers, schools, centres to address the issues of intercultural education. Basis for the training is the Council of Europe *Intercultural competence for all. Preparation for life in a diverse world* publication and the *Framework for Intercultural Competence in the Polish System of Education*.

As there is always something to learn from the previous experiences and always something to do to make the life of the minor migrants better, while working on the development national strategy it might reasonable to take into account the OECD's recommendations on how education systems can help migrant pupils integrate into their new communities: to provide sustained language support, within regular classrooms as soon as it becomes feasible; to encourage teachers to participate in professional development; to build the capacity of all schools attended by migrant pupils; to avoid concentrating

migrant pupils in disadvantaged schools; to provide extra support and guidance to migrant parents and to demonstrate the value of cultural diversity (OECD, 2015, p. 16; Schleicher, 2016, p. 29–30).

## **Summary**

Foreign nationals have an access to learning and care in all types of public kindergartens and schools until age 18 or completion of upper secondary school on the conditions applicable to the citizens of Poland. None of the regulations restrict the access of foreigners to private schools and educational institutions. There have been noticed a few gaps in the bounding law, both on the national and local level. As the situation of migrant minors has been monitoring regularly both by governmental agencies and non-governmental organizations which work for and with the children as well as by independent institutions for human rights protection, a few new legal solutions are pending.

Culture assistant is not able to solve all educational problems which teachers face every day at schools. Therefore, it is worth considering the possibility of making further changes, so that the process of education of pupils, both who come from abroad and the Polish ones, will take place at the highest possible level. Current challenges: recent researches findings do not mention about any kind of special assistance to be given neither for those pupils who have missed several years of education nor for illiterate teenage foreigners.

Despite the obstacles and gaps in providing access to high quality education for minor migrants within Polish system of education, many of the minors benefit from the education and make academic progress.

Framework for Intercultural Competence in the Polish System of Education was prepared which seems to be a significant step toward a national strategy on the migrant minors access to high quality education.

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