

LEGAL REGULATIONS

In respect of the approach to education, students' registration, principle of equal treatment, prevention of xenophobia and intolerance, the Republic of Serbia is fulfilling its obligations in compliance with the International Convention on the Protection of Rights of Workers and Migrants and Their Family Members, Convention on the Rights of the Child and other international documents, as well as in compliance with the national regulations.

According to Article 71 of the Constitution of the Republic of Serbia, *everyone is entitled to primary education that is free and mandatory in primary school, while the high school education is free. All the citizens are entitled, under the same conditions, to access to high school education.*

The Law on Foundations of Educational System ("Official Gazette of the RS", No. 88/17) lays down in Article 3 that **each person is entitled to education and upbringing**. The objectives of education and upbringing specified in Article 8 include, *inter alia, development of the sense of solidarity, understanding and constructive cooperation with others and fostering comradeship and friendship; development of competencies for understanding and respect of the rights of the child, human rights, civil freedoms and capabilities for life in a democratically regulated and just society; development of and respect for the racial, national, cultural, linguistic, religious, gender, sexual and age equality, tolerance and respect for diversity, etc.* In Article 23, enrolment of foreign nationals, stateless persons and citizenship seekers is regulated; thus, *a foreign national, a stateless person and a citizenship seeker shall be enrolled with an institution referred to in Article 89 of this Law and shall realize the right to education and upbringing under the same conditions and in the manner prescribed by the law for the nationals of the Republic of Serbia. For children and pupils referred to in paragraph 1 of this Article, for the exiled and displaced persons, refugees and migrants and children and pupils returned to the country on the basis of a readmission agreement, who cannot speak the language in which educational work is conducted or in which individual program contents units of significance for their continued education and upbringing are provided, the institution shall organize language courses, preparatory work for classes and supplemental classes, in compliance with special instructions passed by the Minister.*

With the ratification of the United Nation's Convention on the Rights of the Child, the Republic of Serbia has accepted the obligation to ensure the realization of all the rights of the child ("Official Gazette of the SFRY – International Treaties", No. 15/90 and "Official Gazette of the SRY – International Treaties", No. 4/96 and 2/97), and in particular the right to education. Provisions pertaining to students' enrolment in schools are included in the Law on Secondary Education ("Official Gazette of the RS", No. 55 /13) and in the Law on Primary Education ("Official Gazette of the RS", No. 55 /13), in the Law on Non-Discrimination ("Official Gazette of the RS", No. 22/09), Rulebook on more detailed criteria for recognizing forms of discrimination by an employee, child, student or a third person in an educational institution ("Official Gazette of the RS", No. 22/16), Law on Asylum ("Official Gazette of the RS", No. 109/07) and in other laws regulating the rights of the child and of the pupils/students. In May 2017, the Minister passed the **Professional Instruction for Inclusion of Refugee/Asylum Seeking Students in the System of Education and Upbringing**, which was forwarded to all the schools and which is available on the website of the Ministry of Education, Science and Technological Development.

THE PROCESS OF MIGRANT STUDENTS' INCLUSION IN THE SCHOOL YEAR OF 2017/18

In Serbia, the number of children accommodated in collective and transit centres varies and not all the children accommodated belong to the school children age group. Back in 2013, we enrolled the first group of asylum seeker children in a school in Serbia (in the primary school in Bogovadja) and in 2014 seven more students were included in the educational system in Serbia. In 2015, in the first 6 months, 30 asylum seeking children were enrolled to primary school. In May 2017, the total of 101 students are attending schools in Palilula, Vozdovac, Lajkovac, Zemun, Rakovica, and instruction has been realized based on the model comprising of 2 school classes (in different school subjects) and 2 workshop classes (language workshops and workshops on other topics) or alternatively 2 elective courses selected by the student in cases where they could speak English or Serbian language. The classes most frequently attended by those pupils/students are as follows: Serbian language and another foreign language, mathematics, geography, biology and they are also included in the extracurricular activities. The students spent a part of their schooling time in regular classes with relevant grades to which they were allocated based on their age and they also spent some time attending supplemental classes of the Serbian language course, which continued in this school year of 2017/18 with some additional curricular contents. **Classes are now realized in 45 schools in the Republic of Serbia for the total of 503 students in schools and for additional 83 students for which classes are organized in collective centres, due to the fact that they tend to stay in these centres for a relatively short time only¹.**

The challenge faced by our educational system is the fact that refugee children rarely carry with them any documentation on the education that they previously attended, and it is thus in most of the cases impossible to get reliable information on their previously acquired education levels and achievements. In addition to that, it is not possible to determine the grade that a child should be enrolled in on his/her age only, despite the recommendation to enrol the children with their peer age groups or to a group where the difference in age will be as little as possible; in collective centres, there are children that remained excluded from education in their countries of origin for a substantial period of time, who then remained without education during their transit, or children who remained excluded from education for a substantial period of time in their countries of origin and who were then provided with some kind of education (with frequent suspensions due to their moving) in the transit countries in which they spent some longer periods of time, as well as the children who have never been included in an educational system, neither in their countries of origin, nor in the transit countries. The schools should fulfil the educational and emotional needs of the children in accordance with their competencies, difficult living conditions and deprivation that they experienced, but it is also important that the children are motivated and ready to learn. Based on the experiences that the schools gained from the second semester of the school year of 2016/17, the Minister has passed the **Professional Instructions for inclusion of refugee/asylum seeking students in the system of education and upbringing**, which has been forwarded to all the schools and which is available on the website of the Ministry of Education, Science and Technological Development.

According to the Professional Instructions, Expert Teams for inclusive education (which are established in each school) shall draw up a **School Support Plan for the inclusion of refugee/asylum seeking pupils** which shall include activities of the principal class teachers, organisation of general

¹ Appendix 1

teacher-parents meetings, classes held by the principal class teachers with the aim of preparing the parents and the pupils for the arrival of a new pupil to which support need to be provided; the following members can be added to the membership of the Team tasked with entry knowledge assessment: an interpreter, a foreign language teacher, a pedagogical assistant (if he/she is already working with the school), a coordinator or a member of the Team for Inclusive Education, the secretary of the institution, the pedagogical assistant if he/she is already working with the institution, a representative of the expert service of the institution, a guardian from the social welfare centre or a parent, and the entry knowledge assessment is to be completed within seven working days based on Article 55 of the Law on Secondary Education ("Official Gazette of the RS", No. 55 /13) and Law on Primary Education ("Official Gazette of the RS", No. 55 /13).

Based on the assessment, **Student/Pupil Support Plan** shall be prepared and the grade to which the pupil/student is to be enrolled will be determined. The institution shall organize additional support for the pupil/student in accordance with the resources available and in compliance with the existing legal regulations. The Expert Team for inclusive education of the school shall propose members for the Team tasked with providing additional support to the pupil/student, which shall be nominated based on a relevant decision passed by the school principal. Pupils/students are enrolled in the relevant grade following the entry knowledge assessment, and it will be possible to realize activities during the preparatory period of two weeks to two months in order to facilitate their inclusion in regular classes and in order to allow the pupil/student to gradually adapt to the new environment.

The pupil/student support plan includes:

- A program for adaptation and overcoming of stress;
- A program of intensive language course for the language spoken in the new community, in order to allow that language learning progresses in accordance with the methodology for accelerated mastering of the curriculum for the Serbian language as a foreign language in supplemental classes, but also through participation in regular classes and extracurricular activities organized by the school;
- Individual tailoring of curricular activities through adaptation of classes' timetable, didactical materials, methods and manner of work;
- Inclusion in extracurricular activities with peer support.

Assessment and monitoring shall be based on inclusive and individualized approach, based on equal opportunities in analysing the pupils/students' needs, with the aim of drawing up the Pupil/Student Support Plan, in his/her best interest.

A Working Group tasked with providing support in education of refugee and asylum seeking pupils/students in educational institutions has been established in Ministry of Education, Science and Technological Development, which shall address the systemic issues and work to provide relevant solutions.

- School teams were provided with two days' training for implementation of **Professional Instructions for inclusion of refugee/asylum seeking pupils/students in educational system** in August 2017, in which 350 teachers, expert staff members and school principals took part.
- Over the past period, 45 schools in which migrant children are enrolled **are provided with UNICEF grants**, based on the Support Plan prepared by the school for the realisation of curricular

and extracurricular activities. The Ministry has planned and allocated financial means that it will use jointly with Commissariat for Refugees and Migrations, Ministry of Labour, Employment, Veteran and Social Policy and Ministry of Health **starting from January 1, 2018** within the MADAD 2 Project for which an application has been submitted to the European Commission for the EU funding.

- We organized **mentor support to schools which is provided by the advisors - external collaborators**, but it is of particular importance that the educational advisors from nine **school administrations (Belgrade, Nis, Valjevo, Leskovac, Kraljevo, Novi Pazar, Sombor, Zrenjanin, Novi Sad)** together with mentors and commissioners for refugees prepared **action plans for support to children, teachers and schools** in August, which are now being realized.
- The UNICEF, Centre for Educational Policies and Ministry of Education, Science and Technological Development prepared brochures that are distributed through the Commissariat for Refugees and Migrations to parents in collective centres. The **brochures prepared are on children's enrolment to schools** and provided in the following languages: Farsi, Urdu, Arabian, English, Pashtu, in order to provide adequate information to parents and guardians about the options and possibilities for children's education during the period of their stay in the Republic of Serbia.
- School Administrations of the Ministry of Education, Science and Technological Development organized distribution of backpacks, **school materials and equipment** which was provided by the UNICEF, for migrant pupils/students, but also to Serbian pupils/students from underprivileged families in schools in which migrant children are enrolled.
- **Instruction on the Protection against Digital Violence** and on the need for continuous information for all the children on potential abuses and consequences of unauthorized use of video materials on social networks has been forwarded to schools.
- **Monitoring of pupil/student enrolment to schools and their attendance**, as well as of the needs for professional training of educational staff will continue.
- On October 27, 2017, a meeting with the **representatives of schools** from the territory of the school administration in Nis and Leskovac was organized in Nis. Experiences were exchanged among schools along with the possibilities for further improvement of inclusion process for the migrant children in educational process were discussed.
- **Professional training** of school staff is continuously provided. In Nis, on October 28 and 29, a program entitled ***Teaches as Leaders in Quality Education for All Children*** was realized for the total of 100 participants; in Belgrade, this same program was realized for the total of 120 participants on November 4 and 5, 2017. The Program is realized by the UNICEF, organisation Indigo, Centre for Educational Policies and the Ministry of Education, Science and Technological Development.
- In addition to the Memorandum of Cooperation with the Ministry of Education, Science and Technological Development, **Save the Children** provided quality support to schools and the resources required to realize a research, *Safe and Supporting Primary School Environment for refugee/asylum seeking pupils*, which is aimed at determining the needs of the schools for further support in the following period.
- UNICEF and Centre for Educational Policies are preparing a special **website** on which examples of best practices will be posted in the realisation of instruction/classes, along with monitoring results, etc.

- Based on the experiences from the works with migrant pupils/students, publication of a **Manual for Schools** is being prepared, which will be an aid for the realisation of the **Pupil/student Welcoming Program** and for the implementation of the Professional Instructions. The Manual is being jointly prepared by the UNICEF, Centre for Educational Policies and Nis-based organisation Indigo. This Manual is providing support for school staff, which is aimed at strengthening their intercultural competencies, reducing stress levels among the children, as well as at the development and implementation of the Pupil/Student Support Plan (from the Professional Instructions) for pupils/students who do not speak the language in which instruction is provided, who experienced an intermission in education and who are coming from a different cultural environment.
- In addition to the above, we are planning, together with the relevant expert institutions and with the Institute for Improvement of Education, to draw up standards and curriculum for **Serbian as a foreign language**. We prepared a **project with the European Commission and competent Ministries**, whereby we are planning, in addition to the above listed, to provide grants to schools in order to provide the support from the interpreters, advisors - external collaborators, etc.

We would like to thank all the organisations and institutions cooperating with us, which are providing support to schools in the integration process of refugee/asylum seeking pupils/students.

Schedule 1

Number of migrant children attending schools in Serbia (September/October 2017/18)

503 in schools and 83 in centres

Territory of jurisdiction of the School Administration	Number of pupils enrolled in primary schools	Number of primary schools in which refugee pupils are enrolled	Number of students enrolled in high schools	Number of high schools in which refugee students are enrolled	Total number of pupils/students
Belgrade	137	16	8	2	145
Valjevo	26	2			26
Novi Pazar	21	1	10	1	31
Kraljevo	13	3			13
Nis	59	6	24	4	83
Leskovac	96	5	4		100
Novi Sad	95	4	12	1	107
Total	447	37	56	8	503

Schools organising classes in refugee centres

EDUCATION FOR MIGRANT STUDENTS IN THE REPUBLIC OF SERBIA, NOVEMBER 2017

Territory of jurisdiction of the School Administration	Number of pupils/students included	Number of primary schools included in provision of support to pupils/students
Sombor (Sombor and Subotica)	55	8
Zrenjanin (Kikinda, Banatska Topola and Zrenjanin)	28	4
Total	83	12

Note: Changes in the number and breakdown of pupils/students included occur on the daily level.