

SIRIUS - Policy Network on Migrant Education

MULTI-COUNTRY PARTNERSHIP TO ENHANCE THE EDUCATION OF REFUGEE AND ASYLUM-SEEKING YOUTH IN EUROPE – PERAE

Refugee Education in Germany

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Introduction

The 'Multi-country Partnership to Enhance the Education of Refugee and Asylum-seeking Youth in Europe - PERAE' was initiated by the SIRIUS Network – Policy Network on Migrant Education in 2016 with the support of the Mercator Foundation. The initiative builds up on the SIRIUS 'Agenda on Migrant Education' (SIRIUS, 2014) and the Statement on Urgent Response for the Education of Refugees (SIRIUS, 2015) that "calls on the EU and its Member States to respond to the specific education needs of refugee children and students in the EU and abroad".

The partnership between seven countries (Belgium (Flanders), Bulgaria, Germany (Bavaria, Hamburg), Greece, the Netherlands, Sweden, United Kingdom (England)) addresses inadequate access to quality education for asylum-seeking and refugee youth¹ throughout the European Union (EU) with a focus on secondary education.

The recent drastic rise in asylum applicants has placed increased pressure on EU Member States to develop strategies for effectively integrating new arrivals into society. This is particularly relevant for Germany as the main country of destination within Europe. Notwithstanding efforts in recent years, third-country nationals continue to be placed at a disadvantage regarding employment, education and social inclusion compared to EU citizens in Germany and other EU countries (OECD/European Union, 2015).

Research has shown that education is one of the most important paths to the structural integration of young asylum seekers and refugees; they have particular social and emotional needs that quality education can help them overcome (Fazel, 2012). Equally, education represents a key function from the perspective of building peace and stability in the countries of origin of refugees. Considering that some refugees will eventually return to their countries of origin, the education and skills they acquire in EU countries are tools they can apply for transformation processes in the concerned countries.

The German report is one of six national reports from the above mentioned countries that illustrate the challenges and opportunities in education of refugee and asylum seeking children and young people on the respective national level. The national reports form the basis for a comparative analysis that includes an overview of the identified obstacles and challenges for ensuring access to education and opportunities to succeed in education for young refugees and asylum seekers in the EU as well as recommendations for policy makers and stakeholders (see Koehler et al., 2018). The empirical stage of the 'Multi-country Partnership to Enhance the Education of Refugee and Asylum-seeking Youth in Europe - PERAE' that led to the national and comparative reports was funded by the Mercator Foundation.

This German report is based on desk research, as well as interviews and focus groups with refugee students, teachers, principals, social workers, and policy makers involved in refugee education issues.

In Germany, education belongs entirely to the area of responsibility and governance of the federal states. Therefore, it would go beyond the possibilities of this report to give an overview on the situation all over Germany. Instead, the empirical part of the report presents two exemplary cases – the city-state Hamburg and the cities Bamberg and Würzburg in the federal state Bavaria – for provisions and institutional arrangements around refugee education, describing also many elements that are similar or basically the same in other federal states.

¹ The report does not differentiate between different forms of protection or different statuses. It rather includes all young people in the analysis who have entered Europe in the search for protection as a refugee or asylum seeker, regardless of the status they hold at the time of the data collection.

Hamburg is one of the three city-states in Germany that represent a federal state – next to Berlin and Bremen. With around 1.8 million inhabitants it is Germany's second largest city after Berlin (3.5 million) and with Munich and Cologne following as the other German cities with more than one million inhabitants. Bavaria, by contrast, is the largest 'territorial state' by the size of its surface expansion. Its capital Munich is Germany's third biggest city, but it also hosts other important industrial zones, such as Nuremberg and Augsburg. The empirical part of the report depicts the situation in Hamburg and complements the variations in regards to the situation in Bavaria.

The study was conducted through a collaboration between the European Forum of Migration Studies (efms) in Bamberg and the Verbund für interkulturelle Kommunikation und Bildung (verikom) in Hamburg. Due to their locations, the efms conducted the case studies in Bamberg and Würzburg and verikom conducted the case study in Hamburg.

The major part of the study was conducted in 2016 and early 2017. Due to the recent and rapid development of policies and legal conditions regarding issues of refugees and asylum in Germany, some of the described legislations and policies might have undergone some changes and adaptations in the meanwhile.

The report starts with a review of available data and research findings on the integration of refugee and asylum-seeking youth in the German education system.

The second part illustrates the framework conditions for refugees and asylum seekers in Germany, particularly in regard to education.

Part three presents the findings of the empirical analysis of the case studies in Hamburg and Bavaria (Bamberg and Würzburg).

The report closes with conclusions that outline good practices as well as effective and ineffective policies that the analysis has identified.

The national and comparative analysis of the 'Multi-country Partnership to Enhance the Education of Refugee and Asylum-seeking Youth in Europe' are followed by transnational policy and stakeholder dialogues. Both parts – the empirical analysis and the policy and stakeholder dialogues - aim to contribute to the improvement of the access to quality education for refugee children and youth through the adaptation of policies in the European countries to their needs. It is expected that this will contribute to better educational opportunities for refugee children and youth in a long term perspective.

1 Review of available data and research findings on the integration of refugee and asylum-seeking youth in the German education system

Nearly one quarter of initial applications for asylum are made by minors (Vereinigung der Bayerischen Wirtschaft e.V, 2016, p. 167). Consequently, there is the need for the education system to provide quality education to these newly arriving pupils. The issue is highly relevant, in light of previous findings on the relevance of education for the integration of young refugees and asylum-seekers, and respective gaps in sociological research. For this review, studies of academic and political publications are taken into account, attempting to cover the spectrum of existing literature.

The first section points out the availability and limitations of data and research findings on refugees and asylum-seekers of school age. The following chapter covers access barriers to education, and issues of teacher training in Germany. Thereafter, existing models of school organisation to integrate refugees, and previous findings on the quality of educational and teaching programs are introduced.

1.1 Availability and limitations of data and research findings

Children with a refugee background are rarely covered by previous studies, which results in a substantial lack of data about their life circumstances and educational participation.

Previous research on young refugees and their participation in education does not comprehensively cover issues of access and opportunities to succeed in the German education system (Vereinigung der Bayerischen Wirtschaft e.V, 2016, pp. 170, 185). In existing studies on education, refugees are rarely considered separately.

Data on refugees and asylum seekers in the German education system is very limited. The “Schulstatistik” (school statistics) at the federal level, as well as the underlying statistics of the federal states (Bundesländer) only collect data on nationality and do not differentiate by resident status (Kultusministerkonferenz 2017). Furthermore, as the education systems in the federal states differ and data collection is done by the federal states individually, the consistency and comparability of national data is rather limited.

The “Microzensus”, a representative household census, collects data only about the migration background and the personal migration experiences but not about the resident status (DESTATIS 2017). Consequently, it does not inform about any refugee or asylum seeker status of respondents.

While the Federal Statistical Office provides information on nationality, it does not provide information on school attendance and language competences (Massumi & Dewitz, 2015, p. 13). Educational studies, like the IGLU/PIRL-studies or the country-comparative IQB-studies do not record pupil’s nationality and status (Johansson, 2016, pp. 4–13; Vereinigung der Bayerischen Wirtschaft e.V, 2016, p. 141). Since 2013, the Socio-Economic Panel (SOEP) and the DIW Berlin have established an annual longitudinal survey, which covers persons with migration background (Institut für Arbeitsmarkt- und Berufsforschung (IAB) der Bundesagentur für Arbeit, 2014). The sample includes 15% refugees and asylum-seekers (Institut für Arbeitsmarkt- und Berufsforschung (IAB) der Bundesagentur für Arbeit, 2014, p. 6). However, only persons over the age of 16 are interviewed, so that information on children who are subject to compulsory education is hardly available. Consequently, it is not known how many refugees actually go to school and which schools they attend.

Personal circumstances, like the physical and psychological health of children with a refugee background, are insufficiently studied as well (Vereinigung der Bayerischen Wirtschaft e.V, 2016, p. 146). It is likely that many refugee students are traumatized and have difficulties to concentrate on learning contents.

Understanding refugees’ prior qualifications is crucial for enabling a matching continuation of learning or labour market integration based on their qualifications. But availability of findings on the educational background of young refugees is very limited (Robert Bosch Expertenkommission zur Neuausrichtung der Flüchtlingspolitik, 2015, p. 15). For instance, there are no nationwide standardized methods to measure language competences (Johansson, 2016, p. 9; Massumi & Dewitz, 2015, p. 6; Morris-Lange, 2016, p. 4; Robert Bosch Expertenkommission zur Neuausrichtung der Flüchtlingspolitik, 2015, p. 15). Nevertheless, it can be assumed that prior educational experiences and knowledge are very heterogeneous and most children arrive in Germany with none or little competences of the German language (Deutsches Komitee für UNICEF e.V., 2016, pp. 11, 14; Schultz, 2015, p. 4; Vereinigung der Bayerischen Wirtschaft e.V, 2016, p. 168).

A few studies and data collections allow some first insights: The study “Integration von Asylberechtigten und anerkannten Flüchtlingen“ (‘Integration of people entitled to asylum and of recognized refugees’) of the Federal Office for Migration and Refugees (Bundesamt für Migration

und Flüchtlinge - BAMF) (Worbs & Bund, 2016) collected data on the qualification structure, labour market participation and future orientations. In the process of asylum application, data related to social components of the applicant ('Soko-data'), e.g. on education, language knowledge and professional experiences were collected. These data are published within the brief analysis "Sozialstruktur, Qualifikationsniveau und Berufstätigkeit" ('Social structure, level of qualification and professional activity') (Neske & Rich, 2016). Furthermore, the Institute for Employment Research (IAB) performed its first study "IAB – BAMF – SOEP – Befragung von Geflüchteten: Überblick und erste Ergebnisse" (IAB-BAMF-SOEP-Survey among refugees: Overview and first findings) related to the educational background of refugees (Brücker et al., 2016).

1.2 Barriers in access to education

There are indications that children and young people with a refugee background face considerable barriers in the access to education. If they are from countries considered as 'safe countries of origin', or countries with low prospects of remaining in Germany, they are denied access to school education in most parts of Germany (Deutsches Komitee für UNICEF e.V., 2016, p. 7; Deutsches Komitee für UNICEF e.V., 2016, p. 10). Access is particularly limited or denied for young people between the age of 16 and 17 (Barth & Guerrero Meneses, 2012, p. 21; Robert Bosch Expertenkommission zur Neuausrichtung der Flüchtlingspolitik, 2015, p. 25). For example, in many federal states the demand for places in vocational school was greater than the supply in 2015 and 2016, so that many refugee teenagers were left out (Vereinigung der Bayerischen Wirtschaft e.V., 2016, p. 49). However, after 2016, the situation changed; the supply of places in vocational schools has since been larger than the demand in many parts of the country.

There are also long waiting times for joining a school. In particular, in federal states where refugees have no compulsory education, but only the right to education, they have to wait a long time before they can attend school, because of limited capacities (Antidiskriminierungsstelle des Bundes, 2013, p. 79; Deutsches Komitee für UNICEF e.V., 2016, p. 11). But even in most states where refugee students are subject to compulsory education, they may only join a school after their completed residence in the initial reception centre, which results in a delay of several months to attend school (Deutsches Komitee für UNICEF e.V., 2016, p. 23; Vereinigung der Bayerischen Wirtschaft e.V., 2016, p. 41). Time gaps in education can make it even more difficult to catch up in school and make connections to others (Deutsches Komitee für UNICEF e.V., 2016, p. 23; Niedrig, 2005, p. 267). For children in the school entrance age, a prompt school attendance is very important, because languages can be learned particularly fast and educational success is especially high (Vereinigung der Bayerischen Wirtschaft e.V., 2016, p. 123).

1.3 Teacher education in Germany

In order to improve teachers' preparedness to meet the needs of young refugees in the classroom, in many federal states topics like German as a second language or intercultural pedagogy have been added to the curriculum of teacher training (Robert Bosch Expertenkommission zur Neuausrichtung der Flüchtlingspolitik, 2015, p. 12). However, a nationwide and systematic consideration of these topics in teacher training still does not exist. There is also a lack of sufficient further training opportunities for teachers, which could convey additional qualifications in meeting refugees' diverse needs (Robert Bosch Expertenkommission zur Neuausrichtung der Flüchtlingspolitik, 2015, p. 18; Schultz, 2015, p. 4). The extent and the topics of advanced training courses are not clearly defined in most federal states (Hoffmann & Richter, 2016, p. 483). According to the IQB-longitudinal survey 2015, in the school years 2013/2014 and 2014/2015 only 2,6 % of German and English teachers, who attended at least one training course, attended a course on the topic of intercultural pedagogy

(Hoffmann & Richter, 2016, p. 492). However, almost one third of teachers see a high or very high need for further trainings in this field (Hoffmann & Richter, 2016, p. 495).

1.4 Models of school organisation and teaching concepts to integrate young refugees and asylum-seekers

According to analyses of Massumi and Dewitz (2015), there are different models of school organisation to integrate refugees into the German school system. In primary education, children are often taught in mainstream classes right from the start (submersive model). In secondary education, in some cases, they attend regular classes but get additional remedial teaching (integrative model). In other cases they attend separate classes and join some subjects with the regular class (partly integrative model), or they are taught in separate classes for one to two years (parallel model) (Massumi & Dewitz, p. 7).

So far, there are only indications which school or teaching concepts are able to integrate young refugees and asylum-seekers particularly well. It is repeatedly documented, that children can easily learn languages by the contact with other children (Vereinigung der Bayerischen Wirtschaft e.V, 2016, p. 185). This is due to the finding, that the attendance of mainstream classes gives refugee children the chance to establish contacts with German speaking children, thus a (partial) attendance of them is considered as promising (Aumüller, 2008, p. 99; Bretl, 2008, p. 38; Robert Bosch Expertenkommission zur Neuausrichtung der Flüchtlingspolitik, 2015, p. 15). The use of cooperative forms of learning is also recommended. In group activities, children engage in mutual contact and speak to each other more frequently (Vereinigung der Bayerischen Wirtschaft e.V, 2016, pp. 188–189). However, a long stay in separate classes can hinder the social integration and the acquisition of a second language (Johansson, 2016, p. 6; Robert Bosch Expertenkommission zur Neuausrichtung der Flüchtlingspolitik, 2015, p. 15). So far, there is no sufficient evidence to determine which model of school organisation, under which circumstances, is the best choice to integrate refugees and asylum-seekers, due to a major lack of evaluation studies (Massumi & Dewitz, 2015, p. 66).

1.5 Evaluation of regional educational measures

There are only a few studies, which evaluate the success of different educational measures for young refugees and asylum-seekers. These studies are often limited to regional projects and small sample sizes. Gag and Schroeder (2014) analysed two pre-vocational educational programs for refugees in Hamburg. Barth and Guerrero Meneses (2012) conducted interviews with 27 young people in four West German federal states and asked them about their previous school experiences. Both studies found that the offers are not sufficiently tailored to the living conditions and educational prerequisites of refugees (Barth & Guerrero Meneses, 2012, pp. 3–8; Gag & Schroeder, 2014, p. 38).

In addition to insufficient data supply on the living situation of young refugees and their needs, there is a particular lack of evaluation studies that would enable an understanding of the quality and efficiency of existing educational structures. In order to integrate refugee and asylum-seeking youth into the German education system, these crucial gaps in research need to be closed urgently.

2 Framework conditions

This section presents the relevant framework conditions for the education of children and young people who are living in Germany as refugees or asylum seekers – the target group of this analysis. The section starts off with a demonstration of figures of the target group in the education system; it continues with a general description of the German education system and the particular systems in the federal states of the case studies – Hamburg and Bavaria. The section further explains the general features of the asylum system in Germany, especially those features that are associated with issues of education. The section concludes with a summary of identified challenges of the framework conditions in relation to education.

2.1 Figures of refugees and asylum seeking children and young people in the education system

Beside the limited availability of official statistics and census data – as explained in section 1.1 - the high fluctuations of incoming and outgoing people impede detailed and exact data on the target group in the education system. From July 2015 to January 2016 nearly 1 million asylum seekers were registered in the EASY-System². In the same period only 330.000 applications for asylum (including follow-up applications) were registered. This difference resulted primarily out of the system's overload that provoked long waiting times for the submission of asylum applications. Additionally, the difference resulted from onward migration movements. Many refugees indeed were registered in Germany but went on to the northern countries using Germany as a transit country. Meanwhile, the gap was closed, which is apparent by reverse numbers of 2016 in which over 720.000 asylum applications were filed but only around 320.000 new EASY-entries were registered (bpb 2017a & bpb 2017b).

Due to the indicated data limitations, the numbers of refugees/asylum seekers who currently live in Germany and their age structure are used as approximations of those who are in need of education and are or should be attending educational institutions.

According to data provided by the German government about refugees and asylum seekers living in Germany on 31st of December 2016:

- 39.783 persons are entitled to asylum,
- 452.023 are refugees in accordance with the Geneva Refugee Convention,
- 73.506 people are granted subsidiary protection,
- 37.301 asylum seekers are protected against deportation,
- 25.880 people have a proof of arrival (Ankunftsnachweis),
- 549.239 asylum seekers have temporary resident permits,
- 161.237 refugees have a permission to reside³,
- 153.047 people are tolerated, and

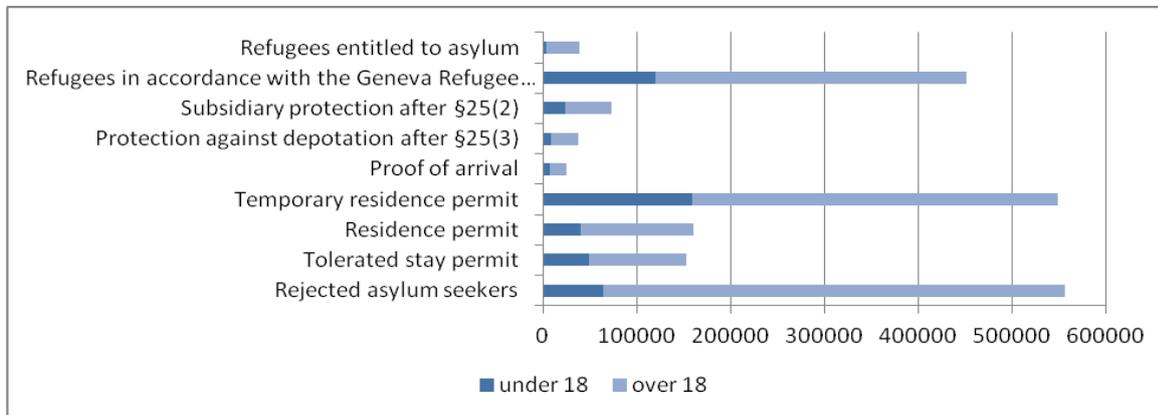
556.499 asylum seekers whose applications were legally rejected (see Figure 1).

² The EASY-System is the system for the first registration of the asylum seekers. After being registered they are distributed over the federal states according to the Königssteiner Schlüssel. The EASY-System does not collect any personal data such that double registrations are possible.

³ The numbers include the residence permit according to articles §§ 18a, 22, 23a, 23 paragraph 1 and 2, 104a, 104b, 24, 25 paragraph 4, 25 paragraph 4a and 4b, 25 paragraph 5, 25a, 25b, 38a

Not included in these figures are those who are accepted as refugees in accordance with the Geneva Refugee Convention in another country, refugees who are exempt from any requirement of a residence permit, refugees who have already submitted a request for a residence permit, and people who have neither a residence permit, a toleration or a temporary residence permit (Deutscher Bundestag, 2017).

Figure 1: Refugees and asylum seekers living in Germany by residence status in December 2016



Source: Deutscher Bundestag, 2017, own visualisation

Overall, initial asylum applications have decreased sharply in 2017 (less than a quarter of initial asylum applications in 2016). However, when considering the specific age structure of the initial applicants for the respective year, it is noticeable that in 2017 the number of the 0 to under 6 year old applicants has increased drastically in comparison to the years before (from 12,7% in 2015 to 26,4% in 2017). This increase is attributed to the remarkably high proportion of the 0 to 6 year old applicants (newborn and small children), who represent 23% of all applicants in 2017 (46.096 of 198.317) (see table1). (BAMBF, 2015 and 2016). This means that the school system has to adjust in order to provide adequate offers in the coming years when this group of children reach compulsory school age, in spite of the overall decrease in immigration.

Table 1: Absolute and relative values of initial applications according to the age structure of 2015 and 2016

	2015		2016		2017	
	Absolute	%	Absolute	%	Absolute	%
0 – under 6	56.225	12,7	105.857	14,6	52.363	26,4
6 – under 16	60.783	13,8	113.133	15,7	25.724	13,0
16 – under 18	20.471	4,6	42.393	5,9	11.120	5,6
18 – under 25	109.672	24,8	169.853	23,5	37.385	18,9
25+	194.748	44,1	291.131	40,3	71.725	36,2
Total	441.899	100	722.370⁴	100	198.317	100

Source: BAMF (2015), BAMF (2016) and BAMF (2017c)

⁴ Three missing values, therefore no correspondence with sum of all age specific figures.

A similar development took place regarding the numbers of initial asylum applications by unaccompanied minors. A peak was reached in 2015 before a drastic decrease in 2016 and 2017 (figures for Hamburg and Bavaria see Table 2).

Table 2: Initial asylum applications of unaccompanied minors in Hamburg and Bavaria, 2014-2017

	2014	2015	2016	2017
Hamburg	480	888	715	120
Bavaria	1.167	7.547	3.647	835

Source: BAMF-data from email correspondence, 05 December 2017

Until 2016, the number of initial asylum applications exceeded the number of asylum decisions by far. In 2017, in contrast, over three times as many decisions were made than initial applications were placed (see Table 3). However, it can be assumed that in view of the enormous quantitative expansion of asylum decisions, the quality has suffered, which is confirmed not least by the fact that more and more complaints against asylum decisions are being passed successfully. The Federal Office for Migration and Refugees took nearly 445.000 asylum decisions from January to the end of July 2017. In the same period, actions were brought against nearly 220.000 decisions (Tagesschau, 04.12.2017).

Table 3: Development of the relation between initial applications and decisions in 2014 to 2017

	Initial applications	Decisions	Factor
2014	173.072	128.911	1,34
2015	441.899	282.726	1,56
2016	722.370	695.733	1,04
2017	198.317	603.428	0,33

Source: BAMF (2017c)

For the discourse on education policies, it is important to consider the high numbers of newcomers into the education system over recent years, especially since 2015. Within a short period of time, high numbers of refugee and asylum seeking children and young people were to be integrated into the education system.

Around one quarter (23%) of refugees and asylum seekers registered in Germany at the end of 2016 were younger than 18 years; these accounted for around 480.000 people (see Table 1). This group, minus those below compulsory school age (6 years) and plus those over 18 years who are subject to compulsory or voluntary schooling, constitutes the target group for educational measures for refugees and asylum seekers.

The age distributions of asylum seekers who placed requests for asylum in 2015 and 2016 are quite similar. Those within the age of 6 and 16 are subject to compulsory schooling. They represent more than one eighth of asylum applications that were handled in 2015 (13,8%), 2016 (15,7%) and 2017 (13,0%). These children and young people need to be integrated into primary and secondary schools.

At the same time, a large proportion of those between 18 and 25 (almost ¼ of registered asylum seekers in both years) are equally in need of schooling due to periods of non-schooling and the lack of official degrees. In 2015 and 2016, a total of 279.525 asylum requests were filed by persons of this

age group (see Table 1); most of them are in need of vocational preparation, training and integration into the labour market.

Due to the lack of data on schooling needs and the distribution of asylum seekers and refugees in the German education system, a calculation was done using the age structures of asylum seekers who arrived in 2015 and 2016 and projecting them on to the different school types. The subdivisions of the pupils across the particular school types are calculated according to the calculations of Klemm (2016)⁵.

The group of 16 to 25 year old people, most of whom are in need of vocational training and labour market integration, encompasses 281.014 people. This comprises about one fifth of refugees who submitted asylum applications in 2015 and 2016 and around 55% of the school-aged persons among refugees and asylum seekers. In total, nearly 455.000 people had to be included into the education system from 2015 and 2016 onwards (see Table 4).

Table 4: Estimations of school-aged refugee and asylum seeking children and teens according to school types

School types	2015	2016	Total
Primary school	26.738	50.007	76.745
Secondary school I	34.045	63.126	97.171
Preparation for vocational training	44.845	81.061	125.906
Dual education	48.743	75.343	124.086
Vocational school	12.186	18.836	31.022
Total	166.557	288.373	454.930

Source: Own estimations with subdivisions on school type according to Klemm, 2016

According to Brücker et al. (2016), most newcomers from Syria arrive with comparably high qualifications due to a stable education system that existed until the beginning of the war in 2011. Refugees from Iran and the countries of the former Soviet Union possess similarly high levels of prior education. In contrast, many of those who fled countries that have for a long time been affected by war, e.g. Afghanistan, Somalia, Sudan, have only attended school for a short time or not at all. Ethnic minorities such as Roma from West Balkan countries and Yazidi from Iraq and Syria have relatively low levels of education due to the access barriers to the education system that they were confronted with (Brücker et al., 2016).

Almost one fifth of all refugees attended a university and 13% have a certified degree. Furthermore, 12% were previously employed in a company or some kind of vocational training and 6% have a professional qualification. The investigation by Brücker et al. (2016) further shows that refugees from countries with a long war history have a particular low level of education. On the one hand, this is a result of the long-term destruction of educational infrastructures and the resulting lack of access to

⁵ Klemm's (2016) calculations are based on the following assumptions: All of the 6 – 10 year old children go to primary school. All of the 10 - 16 year old teens go to some kind of secondary school, all of the 16 - 18 and 50% of the 18 – 21 year old persons go to some kind of preparation for vocational training, and at least the rest of the 18 – 21 year olds and 60% of the 21 – 25 year olds do some dual education or attend a vocational school. Thereby, 80% of the last group does the dual education and 20% attend vocational school.

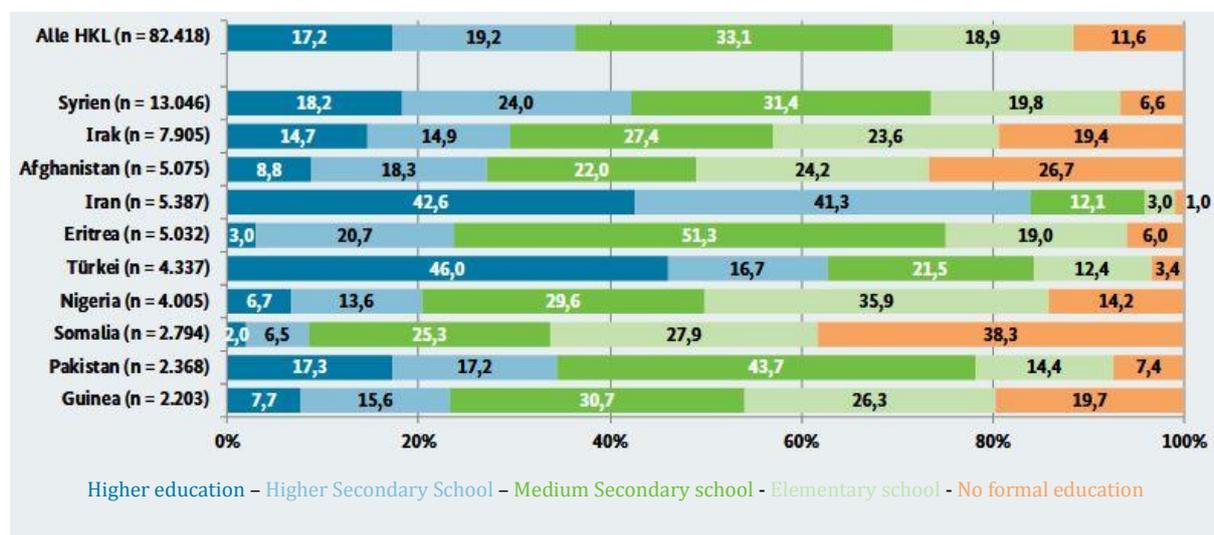
education. On the other hand, people who fled from those countries are mostly on the run for a long time and therefore did not have access to any educational structures. In contrast, those who fled from Syria have a rather high level of education, because the education system was accessible for everybody until war started in 2011 (Brücker et al., 2016, pp. 54-62).

Table 5: Level of qualification of refugees from the six main countries and regions of origin of refugees

Country of origin	Not specified	No school attended	Left school without school-leaving certificate	Medium secondary school degree	Higher secondary school degree	Other school degree
Syria	9 %	5 %	21 %	22 %	40 %	4 %
Afghanistan	11 %	26 %	31 %	11 %	17 %	4 %
Iraq	8 %	15 %	31 %	25 %	19 %	2 %
Africa	7 %	13 %	31 %	25 %	20 %	3 %
West Balkan	7 %	8 %	38 %	21 %	23 %	3 %
Others/Stateless	7 %	2 %	14 %	29 %	47 %	2 %
Total	8 %	9 %	24 %	23 %	32 %	3 %

Source: Brücker et al. (2016, p. 57)

Table 6: Main educational institution attended by adult asylum seekers from the ten main countries of origin in 2017 (in percent)⁶



Source: Schmidt (2018, p.6)

⁶ Translation of the countries: Alle HKL = Every country of origin; Syrien = Syria; Irak = Iraq; Afghanistan = Afghanistan; Iran = Iran; Eritrea = Eritrea; Türkei = Turkey; Nigeria = Nigeria; Somalia = Somalia; Pakistan = Pakistan; Guinea = Guinea

2.2 Education in Germany

The Federal Republic of Germany consists of 16 federal states. The German education system, from early childhood education and care to higher education, is almost entirely decentralised, leading to significant differences across the regional systems, even though the "Standing Conference of the Ministers of Education and Cultural Affairs" (KMK) continuously aims at guaranteeing minimum levels of convergence and common standards.

The 'Hamburger Abkommen' [Hamburg Agreement] that was signed by the heads of the federal states on 28.10.1964 and amended in 1971, makes provisions for a most basic common framework of the education system. It contains regulations about the structure of schooling, timing of the school year, the duration of compulsory education, vacation times, the recognition of exams and the levelling of grades (Kultusministerkonferenz, 2016).

Apart from these basic regulations and while depicting one of the most important fields of social life and political discourse, education belongs entirely to the area of responsibility and governance of the federal states.

Compulsory education is divided into compulsory full-time education and compulsory part-time education, the latter referring primarily to vocational schools. Compulsory full-time education starts in when the child turns six years old and comprises in most federal states nine years of full-time education (in Berlin, Brandenburg and Bremen ten years, in North Rhine-Westphalia nine years for higher secondary schools (Gymnasium) and ten years for other secondary schools).

Traditionally, the secondary school system of the federal state in the former western territories of Germany is based on three core school types: Higher secondary schools prepare directly for academic studies with the degree Abitur as the highest secondary degree and the entrance condition for university. Medium secondary schools lead to a Realschulabschluss or Mittlerer Schulabschluss as the entrance requirement for vocational training on a more advanced level. Lower secondary schools lead to a Hauptschulabschluss as the entrance condition for vocational training on a lower and medium level, e.g. for more practical professions. In order to increase the value of this rather low secondary degree, pupils in Bavaria and some other federal state usually take part in an additional examination at the end of grade nine. If they reach a certain grade average in this examination, they are awarded a Qualifizierter Hauptschulabschluss (Qualified lower secondary degree). Chances to get accepted for a vocational training position with a lower secondary degree are often not very high. Hence, the 'Qualified lower secondary degree' serves in some federal state as a means to upgrade this degree and increase the chances for acceptance for a vocational training position. These core school types have been merged or combined to different degrees in a number of federal states.

All federal states dispose a system of preparatory or integration classes for all newly arrived immigrant minors, which combine German language classes with some central school topics and information about Germany and the school system. In principle this system is in charge also for refugee children, but there are limits in the access to it for refugees because (a) in many regions the system has been overloaded with the number of school-age refugees who arrived, and (b) education for refugees is also a political issue, so that access to education and the way it is organised are frequently made object of specific regulations.

Furthermore, for refugees beyond the age of general education, there are "BerufsinTEGRATIONSklassen" ('Vocational integration classes'). The first year of the two-year course focuses on language acquisition and further subjects like mathematics, social science, ethics, information technology and regional and cultural studies. In the second year the language training is continued and a focus is placed on vocational preparation, including also company traineeships.

School-leaving qualifications, in most cases a lower secondary certificate, can be obtained through the courses as well.

2.2.1 Education in Hamburg

In Hamburg, there is a partly public and private system of early childhood education and care existing (ECEC). The system is quite strongly subsidised, so that every child below the age of six is entitled to five hours ECEC daily free of costs. For parents who need longer periods of ECEC for their children, the extra monthly contributions for up to twelve hours per day range from 20 to 200 Euros, depending on family income. The final year before primary school, families can choose between pre-school classes in an elementary school or a pre-school year in kindergarten. Compulsory schooling begins at age six with four years of primary education. At age ten, there are two basic strands: the academic track (higher secondary school) Gymnasium and the comprehensive schools Stadtteilschule ('neighbourhood school') which comprise the three former qualification levels of secondary education – including the academic track. The selection of the type of secondary school is based on the combination of grades, parental decision and the willingness (and possibilities) of the corresponding schools to admit a child.

Compulsory education ends at age 16, ideally with the completion of grade ten and either the lower or medium secondary degree, that both qualify for further steps in the vocational sector. Education after these two degrees consists of two basic strands: the continuation of the academic track (possible only after the completion of the medium secondary degree), in order to obtain a higher education access diploma, or the vocational sector with specialised schools for different types of professions and the company-based practical training as apprentices within the so-called "dual system".

At the beginning of school year 2015/16 the number of refugee children in school age in Hamburg had reached 4.650, among which approx. 1.200 were unaccompanied minors (UM). Their arrival coincides with a general strong increase in the linguistic and cultural diversity of the student force in Hamburg as well as in the other parts of Germany. Almost half of all children and adolescents below age 18 are raised in families with a migrant background. The largest ethno-national origin groups in Hamburg are from Turkey (15%), Poland (12%), Afghanistan (6%), Russia (5%), Iran (3%), Kazakhstan (3%), Portugal (2%), Ghana (2%) and Italy (2%) (Statistisches Amt für Hamburg und Schleswig-Holstein, 2016).

2.2.2 Education in Bavaria

ECEC and primary school are arranged in a similar manner as in Hamburg. After four years of primary school, there are three tracks of secondary school: Gymnasium (higher secondary school, lasting up to grade 12), Realschule (medium secondary school, lasting up to grade 10), and Mittelschule, formerly Hauptschule (lower secondary school, lasting up to grade 9 and in its 'medium' version up to grade 10). A special form of secondary school is the Wirtschaftsschule (medium secondary commercial school, usually lasting from grade 7 to grade 10). This school type only exists in Bavaria; it provides education on the same level as Realschule but with a particular focus on economics and administration.

Access permissions for the different types of secondary schools are determined exclusively by the grades achieved in fourth grade of primary school, with higher secondary schools requiring very good grades and medium secondary school good grades. Nevertheless, there are possibilities to move from a lower to a higher level secondary school after 5th and 6th grade and after 9th and 10th grade on the condition of reaching the required grade averages.

2.3 Asylum System in Germany

2.3.1 The asylum process, accommodation and status of residency

People who wish to seek asylum in Germany need to report to a public authority (e.g. the police) upon entering the country and make a request. Upon arrival and registration, prospective asylum seekers receive an 'Ankunftsnachweis' – a notice of arrival and registration before making a formal request for asylum (§63a AsylG). Due to the high numbers of new arrivals and applications for asylum in 2014 and 2015, new applications could only be accepted with a considerable time lag. Hence, some prospective asylum seekers have remained with the Ankunftsnachweis for over a year before making a formal request for asylum. After the formal request for asylum, they are issued with a certificate identifying them as an asylum seeker with a 'permission to reside'. After a certain time, the asylum seeker has to do a personal interview with the Federal Office for Migration and Refugees (Bundesamt für Migration und Flüchtlinge) – BAMF in order to explain his/her reasons for asylum. Based on the personal interview and the detailed investigation of further documents and evidences, the BAMF decides about the asylum request.

Asylum seekers are distributed amongst the 16 federal states according to a distribution quota system called "Königssteiner Schlüssel". The distribution system is based on the tax revenue of a federal state (weighted 2/3) and the size of its population (weighted 1/3). The quota is re-calculated every year. **Fehler! Verweisquelle konnte nicht gefunden werden.** demonstrates the quotas for each federal state. North Rhine-Westphalia receives with around 21% the largest share of asylum seekers, followed by Bavaria with 15% and Baden-Wuerttemberg with 12% of all asylum seekers in Germany (BAMF, 2017b).

Table 7: Distribution System of asylum seekers according to the 'Königssteiner Schlüssel'

Federal states	Quote	Federal states	Quote
Baden-Wuerttemberg	13 %	Lower Saxony	9%
Bavaria	16%	North Rhine-Westphalia	21%
Berlin	5 %	Rhineland Palatinate	5%
Brandenburg	3%	Saarland	1%
Bremen	1%	Saxony	5%
Hamburg	3%	Saxony-Anhalt	3%
Hesse	7%	Schleswig-Holstein	3%
Mecklenburg-Western Pomerania	2%	Thuringia	3%

Source: BAMF, 2017b

After first registration, asylum seekers are taken to a first reception centre where they usually spend up to three months. Afterwards they are transferred to an accommodation centre where they stay until the decision of their asylum request has been taken. Some accommodation centres are large units that are housing many people; others are in a community housing style with smaller numbers of people.

Due to the large numbers of asylum seekers who arrived in Germany in 2014 and 2015, there was a shortage in community housing. As a result, emergency accommodation had to be set up. These emergency accommodation centres were initially intended as a temporary measure to house asylum seekers until community housing became available. However, many asylum seekers had to stay in emergency accommodation for prolonged periods of time. As the numbers of new arrivals decreased, emergency accommodation centres have gradually been closed down.

In Bavaria, so-called anchor (AnKER) centres exist since 01. August 2018. AnKER is the abbreviation for arrival-, decision- and return-centre. These centres were installed in order to accelerate the asylum and decision making procedures. Seven of these centres have so far been opened in Bavaria (Maching/Ingolstadt, Deggendorf, Regensburg, Bamberg, Zirndorf, Schweinfurt and Donauwörth). Refugees older than 18 years have to stay there (Residenzpflicht) during the whole asylum procedure, but maximally up to 18 months (families six months). All different authorities that are necessary for the asylum procedure (e. g. BAMF, justice) are located within the AnKER centres. 1.000 to 1.500 refugees are usually housed in the centres. Migrants are not allowed to work while living there (CDU et al., 2018; Schuler, 2018). Regarding the integration and overall wellbeing of refugees and asylum seekers, AnKER centres come with considerable disadvantages. Firstly, residents of AnKER centres live under permanent uncertainty about the future in these large accommodation centres which increase the conflict potential. Secondly, most AnKER- centres are not in or nearby a city, which causes isolation and separation from 'normal' life and structures that would allow orientation. The main aspect is the lack of possibilities for social-integration of refugees. Integration or German courses are usually not being offered in the centres (Hess et al., 2018). Children and young people of school age are not allowed to attend regular schools; schooling offered in the centres is only compensatory schooling in mixed-age classes and without a set curriculum; it is not targeted at integration. According to a study by Hess et al. (2018) on the effects of AnKER centres, long-term costs for the integration of refugees will increase as a result of structures of isolation in these centres.

For migrants in Germany, including refugees and asylum seekers, there are two forms of residence statuses: the permission to reside (Aufenthaltsgestattung), and the residence permit (Aufenthaltserlaubnis). A third form, the toleration (Duldung), is not considered a residence status since it is only a suspension of deportation by definition.

There are four grounds for receiving asylum protection, namely for asylum entitlement (Asylberechtigung), refugee protection (Flüchtlingsschutz), subsidiary protection (subsidiärer Schutz), and prohibition of deportation (Abschiebungsverbot). A person recognized as a refugee on the basis of one of these reasons receives a residence permit; it counts as a full residency title.

After placing the formal request of asylum and while waiting for the decision on the application, the applicant receives a permission to reside, this serves as a registration document for the time of the asylum procedure.

In the case of a positive decision on the asylum application people receive a residence permit. Depending on the grounds of acceptance, the permission is issued for one up to three years. From this time on, they are allowed to choose their place of residence in Germany. In some cases, there are restrictions on the choice of domicile such that they have to live in a certain area.

In the case of a rejection of the application for asylum, the person normally has to leave the country within one week up to one month, depending on the grounds of rejection. There are two types of reasons for a rejection, namely "unbegründet" (baseless) and "offensichtlich unbegründet" (obviously baseless).

Asylum applications by people from countries considered as 'safe countries of origin' normally are rejected as obviously baseless; the applicant has to leave the country within a week. Rejections of applicants from other countries are normally on grounds of being 'baseless'; applicants have to leave the country within 30 days. If they do not leave the country within that time span, the immigration authority might initiate the deportation procedure.

Deportation might be suspended and a toleration (Duldung) might be issued to people who cannot leave the country due to judicial or actual reasons

According to refugees' status of residency and the period they have already been in Germany, there are different rules for the access to the education system and to the labour market.

2.3.2 Education for asylum seekers

The following section describes the educational opportunities for asylum seekers, refugees, and people with the status of toleration. It focuses on the age group from 6 to 25, hence on the access to primary schools, secondary schools, vocational training, and universities. Educational opportunities for adults are only mentioned very briefly as they are not in the focus of this study.

As mentioned before, the school law and therefore as well the access to the education system differ between the federal states. In all federal states except for Bremen and Schleswig-Holstein the federal states school laws constitute an obligation of school attendance which is linked to the childrens' "residence", "domicile", or "permanent dwelling". Furthermore, all federal states except for Bremen, Hamburg, Saxony and Schleswig-Holstein passed new federal state laws or administrative acts for the access of refugees to the education system. Therefore, in most cases the obligation to attend school can be derived directly from the particular school law. Nevertheless, the particular point in time of being allowed to attend school differs between the federal states (Weiser, 2016).

In Berlin and Hamburg asylum seekers who are of school-age are subject to compulsory education from the moment they arrive in Germany. In Brandenburg, Hesse, Mecklenburg-Western Pomerania, Lower Saxony, North Rhine-Westphalia, Rhineland-Palatinate and Saxony-Anhalt minor asylum seekers are subject to compulsory education as soon as they are no longer obliged to live in a reception centre and/or have been assigned to a municipality for residency, which is generally the case after a period of six weeks up to three months after placing the asylum application (§47 Abs. 1 S. 1 AsylVfG). In Bavaria and Thuringia education is compulsory after three months, in Baden-Wuerttemberg six months after entering the country. In Bremen and Schleswig-Holstein schooling is compulsory for every school-aged person who has a place of residence in the federal state. According to §15 (1) (Meldegesetz Bremen) and §20 (1.1) (Bundesmeldegesetz), refugee accommodations are considered as places of residence. Hence, refugees and asylum seekers are also obliged to attend school. Similarly, in Hamburg and Saxonia (§26 (1) Sächsisches Schulgesetz) compulsory education for asylum seekers is derived from the fact that pupils with principal residence in Hamburg and Saxonia respectively have to attend school independent of their residency status (Weiser, 2016).

On this basis, in all federal states schooling is compulsory for asylum seekers with some waiting periods respectively after leaving first accommodation. This might imply periods without schooling of up to six months. In some federal states – Brandenburg, Hesse, Mecklenburg-Western Pomerania, and Rhineland Palatinate – a right on school attendance was included into the federal states regulations to regulate the access to schooling before the status of compulsory schooling is obtained. In all other federal states school-aged asylum seekers have a right to education that can be derived from Art. 28 of the UN Convention on the Rights of the Child) as well as from Art. 14 of the EU Reception Conditions Directive that declares the right for schooling after a stay of three months in Germany (Weiser, 2016).

In all federal states – aside from some exceptions in Saxony and Mecklenburg-Western Pomerania - also people with toleration status have the obligation to attend school. In Bavaria, Berlin, Brandenburg, Hesse, North Rhine-Westphalia, Rhineland-Palatinate, and Saarland and Saxony-Anhalt there are explicit regulations under federal states law for compulsory schooling. In Thuringia and Baden-Wuerttemberg there are the same regulations for asylum seekers as for accepted refugees, namely the obligation to attend school after three months in Thuringia and after six months in Baden-Wuerttemberg. In Bremen, Schleswig-Holstein, Hamburg, and Lower Saxony the obligation to attend school for refugees with toleration status is not explicitly stated in the particular federal state law but derived from the general school law as explained above. In Saxony and Mecklenburg-Western Pomerania schooling obligation is bound to have the habitual residence in the federal state. This might lead in individual cases of the status of toleration to the omission of compulsory schooling. In these cases the children have at least the right to attend school (Weiser, 2016).

For newly arrived children and young people, there are transition classes in some federal states. The aim is that children reach language skills level A2 before attending mainstream classes. In some selected subjects they may gradually participate in the regular school lessons while they are still attending the transition class.

In most of the federal states, young people who do not commence an apprenticeship or attend some kind of secondary school complete their compulsory education on a full-time basis at a vocational school (technical school or similar), which offers a combination of general education and specific vocational preparation in certain fields. This allows asylum seekers who are subject to compulsory education to complete the lower secondary degree (Hauptschulabschluss).

Furthermore, in Bavaria and other federal states, special classes for asylum seekers between 16 and 21 years have been established since 2016 at vocational schools. These classes combine intensive language learning, preparation for the Hauptschulabschluss and support in finding an apprenticeship position within two to three years.

2.3.3 Access to education for refugees older than compulsory schooling age

For people above the age of compulsory schooling different types of courses are offered: Integration courses include, besides basic courses, youth integration courses for people under the age of 27 who are not subject to compulsory schooling, as well as parents and respectively women integration courses. Furthermore, alphabetization courses and particular remedial courses target people with particular language needs. Depending on their residency status and their country of origin refugees and asylum seekers have free access, limited access, or in some cases no access.

Besides some further language support programs as offered in line with the ESF-BAMF-Programm⁷, there are also some opportunities for people above the age of compulsory schooling to attain a school-leaving qualification or attend some further vocational preparation courses. Generally, access for refugees with good prospects for a long-term stay in Germany⁸ is quite easy for such kind of education offers independent of their residence status. However, asylum seekers from countries considered as 'safe countries of origin' are often excluded from these measures as their prospects for a long-term stay are low.

⁷ That is a program for professional language teaching

⁸ That means a legitimate and permanent stay has to be expected (44 Abs. 4 S. 2 Nr. 1 AufenthG) implying that the country of origin has a high protection rate and that a positive decision about the asylum application has to be probable.

2.3.4 Access to university

Refugees generally have access to university in all federal states, if the necessary linguistic and other access requirements (e.g. valid university entrance qualification) are met. Neither a residence title nor an employment permit is required for university matriculation such that also students with only an “Ankunftsnaehweis”, permission to reside or toleration are allowed to study. The regional authorities examine if foreign qualifications and certificates correspond to German standards.

Persons whose application for asylum was approved or asylum seekers with residence or settlement permits are entitled to BaföG-benefits (i.e. study grants⁹), under the condition that they have lived in Germany for five years before the beginning of their studies and provide proof of any previous lawful employment. Migrants with a toleration status or holders of specific humanitarian residence permits (§ 25 Abs. 3, Abs. 4 Satz 2 & Abs. 5 AufenthG) were previously able to apply for BaföG after four years of stay in Germany, since 1 January 2016 the waiting period has been reduced to 15 months.

In order to be able to attend university, foreigners must reach a certain language level of the Common European Framework of Reference (CER) in German. The exact level depends on the particular university, the particular degree program and the instruction language. The required level may vary between B2 and C2. For refugees without a direct permission to study, universities offer preparatory colleges that prepare foreigners during one year for university entry. After having passed the course successfully participants are allowed to study at university. For the application of a place in the preparatory colleges foreigners must have at least language level B1.

2.3.5 Access to apprenticeship and labour market

Access to the labour market depends predominantly on the status, e.g. asylum seeker, being granted a refugee status, or holding a toleration (Agentur für Arbeit 2016; GGUA Flüchtlingshilfe 2016). Generally, asylum seekers and persons holding a toleration status need the permit of the immigration authority in order to be allowed to work. They must apply for the approval of the employment and present a concrete job offer. Normally, the immigration office must obtain the permission of the Federal Labour Office in order to issue the employment permit, but in certain cases this is not necessary.

For their first three months in Germany, asylum seekers are generally not allowed to work. After this period the immigration authority may issue a working permit on the condition that the Federal Labour Office agrees. Internships without payment, apprenticeship in a state-approved occupation, and employments that fulfill the requirements for issuing the Blue Card can be taken up without the agreement of the Federal Labour Office. People who still have to live in a reception centre and people from countries that are considered as ‘safe countries of origin’ who applied for asylum after 31 August 2016 are exempt from this regulation. They underlie a general working prohibition.

Asylum seekers who are recognized as refugees have access to the labour market without any restrictions. Asylum seekers whose asylum application was not approved have nearly the same access to the labour market as asylum seekers. If a migrant with a toleration status starts an apprenticeship before the age of 21, the deportation can be suspended for one year and the suspension extended until the apprenticeship is finished – provided the individual is likely to successfully complete the training in the foreseeable future (§60a II AufenthG). However, there is no guarantee that a toleration status will be extended.

⁹ BaföG stands for ‚Bundesausbildungsförderungsgesetz‘ (Federal education support law): a needs-based grants and loans system that provides state funding for students.

2.4 Challenges in the education of refugees and asylum seekers

Even though everything seems to be well-regulated from a legal point of view, in reality there are a lot of challenges and obstacles. Some of which will be described subsequently:

First of all, one challenge arises just by definitions and consequences of having the right to education and having the obligation to attend school. While pupils who are subject to compulsory schooling must be accepted by schools, only having the right to education might imply significant disadvantages for refugee minors: Since schools can reject those who are not subject to compulsory schooling, it might be difficult for this group of students to get accepted by a school that offers education on an appropriate level and in reachable distance (Weiser 2016).

Secondly, in some federal states where compulsory vocational education is dependent on students' age, young refugees might be denied the right to further education once they reach the age of 16. These young people are not subject to compulsory vocational education either – and regular schools are not obliged to admit young people above the age of 16. This means that young refugees between the ages of 16 and 21 may not be able to attend school due to structural barriers (Weiser 2016).

Thirdly, some challenges arose just by the amount of asylum seekers who arrived in Germany in 2015 and 2016. Many migrants ended up staying in emergency accommodation for prolonged periods of time. There have been reports of children being unable to attend school despite the fact that they had already been in Germany for seven to eight months. According to these reports, some children have been sent to integration courses as a replacement for school and many have never even been enrolled in school by social workers, as they were only meant to stay in emergency accommodation for a few weeks (Lewek & Klaus, 2016).

The last point mentioned here and related to the previous one is a challenge that arises in the context of the reception centres where families from 'safe countries' and with low prospects for a long-term stay in Germany are living. As an example Alexandropoulou et al. (2016) investigate in their study "Gewährleistung der Kinderrechte in den Aufnahme- und Rückführungseinrichtungen für Asylbewerber mit geringer Bleibeperspektive" the conditions that people are living under in the reception centre in Bamberg. Although normally the children have the right to attend a regular school, they receive only compensation lessons within the camp. The children have 12 school lessons per week and are taught in groups according to their age (6 to 9 years, 10 to 12 years and 13 to 16 years), with class sizes of up to 45 children. As there is no set curriculum, the subject material is selected and prepared by three teachers. Children are taught in Maths, English, Biology, Art and Physical Education. It is not considered important for these children to learn German since they are expected to be sent back to their countries of origin in due time. This implies a violation of Art. 28 of the UN Convention on the Rights of the Child and the federal states school law.

Especially the last example shows the huge gaps between the legal framework and its practical implementation. In the following the situations in Hamburg and in Bavaria are exemplarily investigated.

3 Empirical analysis

The empirical analysis starts off to demonstrate the first steps that refugee and asylum seeking children and young people normally have to do in order to access education in Hamburg and Bavaria. The next section elaborates on the arrangements of basic and international or transition classes in the two federal states. The subsequent section illustrates the consequence of age, particular for those who are 16 or older, for the access to education. This is followed by an analysis of the structures and opportunities of vocational training for young refugees and asylum seekers. The fifth section elaborates on the observed political challenges in the context of the education of refugees in Hamburg and Bavaria. A final section analyses the experiences that young refugees and asylum seekers as well as their teachers have made with the education system in Germany.

The analysis parts from the situation in Hamburg and complements the variations as regards the situation in Bavaria.

3.1 Arriving and first steps towards education in Germany

3.1.1 Arriving and first steps in Hamburg

For all persons who present themselves to the authorities in Hamburg as refugees/asylum seekers in order to obtain a permission to stay in Germany the first access point is the so-called Central Reception Centre (ZEA – Zentrale Erstaufnahme). Within 48 hours the ZEA decides, which cases are further processed in Hamburg and which are delegated to other federal states. They are registered, their ID is checked and their chances for a legal status in Germany are assessed. After max. five days, refugees are allocated to one of the 36 First Reception Centres (Erstaufnahme (EA) or Erstversorgungseinrichtung (EVE)). In 2015 a total of 61.600 refugees arrived in Hamburg, of which 22.300 remained in the city for the further proceedings. The EAs have a capacity for almost 14.000 persons; another 24.000 can be accommodated in follow-up housing.

Most of these Centres can be characterised as camps, ranging from tents on former parking lots or similar – today mostly replaced by containers or small wooden houses – to former empty office or military buildings that have been refurbished for provisional housing. The EAs are supposed to host the registered persons for a maximum of three months, while their cases are checked for eligibility for any of the processes leading to some kind of residency permit. They provide very limited space per person or family. Ideally after three months (in fact, in many cases being confined to one of the Centres has taken much longer), refugees are assigned to a more permanent form of accommodation, which might be special institutions for refugees (Flüchtlingsunterkünfte) or apartments in social housing. Here they stay until their cases have been processed and a residency permit has been issued – which may take years. Special shelters have been created for unaccompanied minors, so called UMFs (unbegleitete minderjährige Flüchtlinge). All minors are presented to the Hamburg Institute for Vocational Education (HIBB) within ten days upon their arrival, which tries to assess learning level and age of the future pupils.

Because the stay in the EAs is provisional and temporary, and there is a constant coming and leaving, which makes it impossible to establish and maintain fixed groups of children, the school authority in Hamburg decided to install so-called “ZEA learning groups” there; these are classes of up to 15 children and adolescents, roughly divided into age groups, who receive German language lessons and partly alphabetisation in Latin writing. Also maths and sports are part of the curriculum, but even in these subjects learning of the German language is the main goal. In June 2016 there were 130 ZEA-learning groups with approx. 1.600 pupils.

In principle, the attendance of the learning groups is obligatory for all youth under age 18, but absenteeism is reported to be quite high. The teachers for these groups are frequently free lancers or ex-teachers in pension age, but they are coordinated and accompanied by neighbouring schools. It is also these schools that take care of assessing the school level of the children to smoothen the allocation and transition to the next educational steps, especially once families or UMFs have been assigned to a more permanent accommodation. In general, Hamburg continued trying to apply the rule of “use of the regular services”, which is valid for all social services and in this case means the immediate responsibility of the regular school system for any child in compulsory school age. Thus, any out-of-school educational measure needs to be provisional and temporary, aspiring for a re-integration into regular schooling as soon as possible. This also meant that German language-courses for children that were spontaneously offered in summer 2015 by neighbourhood associations and NGOs, because the official agencies were overrun and unable to provide their services within the required duration of time, would neither be financially supported by the school authorities nor established as a more permanent offer.

The official aim of the city’s education plan for refugee children is that it takes maximally three months between arrival and the inclusion into the educational system. Interviewee Mrs. Kruse (HIBB) estimates that even in the chaotic weeks beginning in September 2015 this was achieved for 60-70% of the refugee children. Despite the problem of absenteeism the “ZEA learning groups” play an important role in this.

3.1.2 Arriving and first steps in Bavaria

Since Bavaria is a territorial state, the cities do not have the same degree of self-determination as Hamburg has. Major policies as regards refugees and the education of refugee youth are decided at higher levels. At the same time, cities develop specificities that correspond to the structure of existing schools, NGOs and municipal institutions. In Bamberg, for example, there are some German courses offered at the refugee accommodation centres, but it is mainly the adult education centre VHS (Volkhochschule), but also some welfare organisations and adult learning institutions that offer German language courses from age 16 on.

Three to four months after arrival, newly arrived children and young people are allocated to schools, depending on their age and level of skills. Mainly responsible for this allocation is the welfare organisation that runs the accommodation centre, e.g. Arbeiterwohlfahrt (AWO), Caritas, Diakonie. They contact the schools that are either the ones responsible for the neighbourhood of the centre – this especially applies to the primary schools – or the most suited ones according to the level of German language and general academic skills of the pupil, as it was assessed in the VHS course. According to the AWO-representative in Bamberg, this works pretty well and they do not have major difficulties in finding a school place for every child within three or four months.

3.2 Basic and preparation/transition classes for refugees and asylum seekers

All federal states provide preparatory classes for refugees and asylum seekers, in which children and young people are prepared for mainstream schools. However, the classes, institutional and curricular requirements and teaching methods are not uniform across the country but vary between the federal states.

3.2.1 Basic and preparation/transition classes in Hamburg

Once refugee families can leave the EA they are allocated to a more permanent type of accommodation. This can be special housing for refugees, but also normal apartments (mostly in

social housing projects) in any part of the city. The teachers of the learning groups then recommend the children to certain types and levels of schooling. According to the above mentioned assessment of the HIBB, all children under the age of 16 are assigned to general schools either at primary or secondary level in their new neighbourhood. The first step to this is a consultation at the School Information Centre (SIZ), which then assigns the students to the schools according to the regional availability of places. The families can normally not ask for a place in a particular school.

There are special accommodations and institutions for UMFs. For the educational part this is relevant as regards the selection of the schools. Since distance to the home is an important criterion for the allocation to schools, schools in the surroundings of institutions for UMFs are more likely to host larger numbers of them, and have also more experience in offering the necessary support.

The schools dispose over preparation classes for one year, either as Basisklassen, which put a special emphasis on alphabetisation, or as International Preparatory Classes (Internationale Vorbereitungsklassen (IVK)). There were 45 basic classes in June 2016 and 204 IVK-classes with 2.600 pupils. Both, basic classes and IVKs are mixed-age and heterogeneous in terms of first languages and national origin. The main goal of both types of classes is that pupils learn German as fast as possible, so that they can make the transition to the regular classes as soon as possible. But again, the curriculum is stepwise broadened and subjects like maths, English, natural and social sciences and sports are added. The IVKs prepare for the transition to regular classes and should allow the assessment of the appropriate school level for this transition.

3.2.2 Basic and preparation/transition classes in Bavaria

In Bavaria these preparatory classes are called “transition classes” (Übergangsklassen), but the system is far more mixed than in Hamburg. In the entire city of Bamberg, for example, there were only three transition classes at two schools in 2016, while the majority of the pupils had been allocated to regular classes in regular schools – with the idea that this leads to, in most cases, no more than two or three refugee children per class. For children below the age of ten, i.e. the age of primary education, this is the rule.

Transition classes are the preferred option for children beyond primary school age. These classes put the emphasis on German language teaching and some courses offer insights into German society and social life. They are generally installed in the lower qualifying secondary schools called Mittelschule (the equivalent to Hauptschule in other federal states). One frequently mentioned problem is that they are mixed by age and by previous academic knowledge. This is one of the reasons, why many pupils seem to be anxious to leave these classes as soon as possible

It seems that inclusion into regular classes in primary schools is widely unproblematic, although interviewed teachers and principals agree that the earlier and younger refugee children access school, the easier it is for them to insert themselves into the regular teaching program. Language is learned more easily and also the academic and cognitive requirements can grow together with the other pupils. But primary education is only four years in Bavaria and Hamburg, so that the older pupils are, the more likely it is that they will be tracked into vocational education at the end of 4th grade or age 10. And as with German native kids, because of the short duration of primary school, it very much depends on the previous education and knowledge of the parents, whether children are allowed to go for a more ambitious career in secondary education. Here, the case of the refugees accentuates a more general problem in the Bavarian and German school system: the high rates of misjudgements in the school advice after the end of primary education. Many interviewed teachers at secondary school level mentioned to find it difficult how to deal with youngsters who seem to

have the cognitive and intellectual skills to follow the academic track, but lack the expected German language level.

3.3 Age 16 as the main dividing lines in the education system

One of the common standards established by the German Ministries of Culture is that all children and youth under age 18 have the right and under age 16 the obligation to go to school – independently from their legal status and even when they are undocumented. Age 16 marks the end of compulsory school age and therefore represents the most important dividing criterion for which policies and measures apply to children and adolescents in vulnerable positions, in general, and to refugee children in particular. Refugee children below age 16 should be included into regular general education – according to their age and level of education either in primary or in lower secondary schools. The allocation to schools is first done by age and then by availability of spaces. This applies to Bavaria as much as to Hamburg.

3.3.1 Age 16 as the main dividing line in Hamburg

In Hamburg, from the IVKs refugee children under 16 can change to a regular class in general education, ideally at the level that corresponds with age, previous knowledge, the learning skills and the obtained level of German language skills. For those in primary education this is, in most cases, the same school they have been attending before. For those in lower secondary education this may imply a change of school, because the IVKs are not allocated to the different school types according to the level of knowledge and abilities of the attending students.

After one year the children are assigned to regular classes, but many of them at this moment still do not know German sufficiently well to easily follow teaching there. For this reason, language teaching and tutoring support is continued also in the regular classes. Ideally, there are never more than five IVK-pupils per regular class, and schools may also offer additional support programs, most of them based on voluntary participation. In exceptional cases, pupils may also repeat the IVK for another year.

But some secondary schools also operate with a longer and more intensive preparatory system. Contrary to what could be expected, this is not directed towards students with problems in learning the German language, but rather aimed at facilitating the transition to the academic track (Gymnasium) for high potential students. In these longer courses pupils stay two years in the IVK, repeat 10th grade at the Gymnasium (in order to smoothen the transition and give some extra support for adaptation) and then move on to higher secondary education with reasonably good chances to complete their higher education access diploma Abitur or Fachabitur after two more years. Part of this facilitation has been allowing the most common origin languages of immigrant students, especially Turkish, Russian and Arabic (in preparation: Farsi) being recognised as the obligatory second foreign language and taken as a main subject in the final exams.

At the other end, there are pupils in compulsory school age who do have a “different educational biography” (Singh-Heinike) because, instead of going to school, they have been working since young age. For them some schools have so-called “international work-entry classes” (Internationale Berufseinstiegsklassen – IBE) that place their main emphasis on preparing and facilitating access to work rather than the attainment of formal educational credentials. This is combined with German language teaching and periods of internships in companies.

3.3.2 Age 16 as the main dividing line in Bavaria

In Bavaria, the allocation to schools seems to be “negotiated” at a more individual level, since the transition classes only cater for a small proportion of the corresponding age groups among refugee youth. By and large, the ambition and idea is to manage the educational integration of refugee children within the regular system – which has the advantage that the pupils are confronted with the full range of subjects from the very beginning. However, lacking German language skills represent a major obstacle.

This is also the case because the guiding principle in Bavaria, even more than in Hamburg, is the insertion of newcomers and refugee youth into the existing system with its particular idiosyncrasy – which by and large does not foresee a different pedagogy or a modified set of teaching methods and tools, that would allow for adjustments to increasing numbers of non-native German speakers among the students. As refugee students unanimously report, teachers hardly ever use other languages in class than German – not even English – to make sure that all students understand and can follow. Also peer learning and tutoring are not incorporated in any systematic way, so that it is widely up to the students (and their families) themselves to find ways and help to navigate the system. Teachers complain that only exceptional students are able to fulfil all the requirements e.g. for the academic track and the access to higher education, but this does seemingly not lead to re-conceptualizations of teaching methods and other structural aspects of dealing with increasingly heterogeneous student populations.

3.4 The role of vocational education

While pupils in compulsory school age are automatically guided towards the system of general education, this is different for the largest group of non-adult refugees, i.e. those between 16 and 18 years (Hamburg) or 16 and 21 years old (Bavaria).

3.4.1 Vocational education in Hamburg

In Hamburg, the first two steps described above – ZEA learning groups and basic classes/IVKs – are identical to the younger group, with the exception that the second step takes place in vocational schools, i.e. those schools that provide the theoretical part in the German dual system of professional formation.

For those above the age of 16, the IVKs do not only provide German language skills, but also have the task of assessing the potential of each adolescent in choosing between basically either an academic or a vocational trajectory. If the student has a potential for higher education or, at least, a good middle secondary school diploma, the adolescent is sent to a special IVK with a duration of two years that prepares for the middle diploma exam and for the transition to higher secondary education (and finally tertiary education) in the regular school system (similar to the proceedings described above).

If the potential (or the interest of the adolescent) is rather considered to be in the vocational sector, the aim is to integrate her or him into the apprenticeship-based system of professional formation. Since due to widespread German language deficits and other missing skills (especially in maths and English) a regular integration in that system has proven to be difficult, Hamburg has created a new training and apprenticeship preparation program called AvM Dual (“work preparation in the dual sector for migrants”). The adolescents stay in this program for two years. The program consists of 30 hours of school per week and includes three internships in a company in the course of these two years. The internships comprise three days in school and two days practice per week. It offers language courses, but also the possibility of obtaining the middle school diploma, which then gives access to a regular apprenticeship position. All this applies to children who have come with their

families as much as to “unaccompanied refugee minors” (UMFs). The teaching is strongly oriented towards practical aspects of professional life and vocational training. Besides language and communication in German, the subjects include maths, English, social aspects of life in Germany, and sports, but also 8 hours per week related to work life. According to Mrs. Kruse (HIBB) a major challenge is to find enough internship-places. While in the past year 1.200 places were needed, this number rose to more than 3.000 in 2016. In this regard, it is problematic that even during the internship phases the pupils spend only two days per week in the company, while both sides would prefer a full-time presence. However, this is considered by the school authorities as not supportive to the aim of quick language acquisition.

3.4.2 Vocational education in Bavaria

Also in Bavaria the vocational education system carries the main load of providing educational and professional perspectives for refugee youth. Vocational schools in Bavaria admit people between the ages of 15 and 21 and in some cases up to 25 years. However, one of the admission requirements is that the applicant has not (yet) acquired a school-leaving qualification that is recognised in Germany and has so far not had an opportunity to do so.

Similar to Hamburg, Bavaria has installed a program that is located within the vocational schools (Berufsschulen) and that aims at providing immigrated adolescents a combination of language course, professional orientation and the needed skills to successfully complete an apprenticeship. Here, these courses are called BAF-classes or Berufsintegrationklassen (Professional Integration Classes); they last for two to three years. The first stage is the "preparatory class" in which pupils learn German. The second year is the professional integration year, in which students receive vocational preparation and practical training. Practical experiences in companies through several internships in the second year play an important role. For those in need of more support, the two-year programme can be extended over three years. On completion of the BAF-class students are awarded a general education school-leaving qualification.

In Bamberg, the regional Chamber of Crafts, the Chamber of Commerce and Industry, the administrative and city district Bamberg, and the Federal Employment Agency Bamberg-Coburg decided to cooperate to improve the integration of migrants and refugees. On 11 December 2015 they released a statement regarding the integration of refugees and migrants. They declared that persons with a toleration status may take up an apprenticeship and stay in Germany until they have finished their training, provided they fulfil certain requirements. Persons interested in starting an apprenticeship as part of this programme must be below 21 years of age, and they must be in possession of a passport. Persons from safe countries of origin cannot participate in the programme (Stadt Bamberg, 2015).

3.5 Political challenges in the education of refugees and asylum seekers

3.5.1 Political challenges in Hamburg

In Hamburg the system has basically been in place since several years, because of repeated waves of refugees and migrants coming to the city and bringing children in school age with them. The main challenge of the immense increase in numbers of refugee youth coming to the Hamburg in summer 2015 was therefore less conceptual than of magnitude. Many additional preparation classes had to be established in many more schools; this presented a challenge in terms of room capacities (not all schools in all neighbourhoods had room for extra classes), teaching personnel (there was a remarkable shortage of qualified teachers for German as a second language, even though 470 new

teachers were contracted¹⁰), and the decisions to be made as regards grading and designing adequate follow-up pathways for refugee children with linguistic difficulties. Following our interviewees, this was mostly decided individually by the schools, which involves both risks and chances for the respective children.

In total, 56 of the 204 primary schools in the city, 32 of the 58 Stadtteilschulen (with all learning levels in secondary education), and 24 of the 61 academically oriented high schools (Gymnasium) were involved in this process (information received from the School Board). More decidedly than at the comprehensive schools, the IVKs at the Gymnasium are disconnected from the ongoing regular teaching there, since, on the one side, the IVK-groups are not composed according to the learning level but rather regionally, and, on the other side, the access to a Gymnasium requires not only a good grade level, but also some formal requirements, such as e.g. a second foreign language.

In cooperation with the economic sector, Hamburg also installed a temporary residency permit for those adolescents (and their families) who found an apprenticeship position. This is independent from their previous legal status and meant to serve as an incentive for the adolescents to work hard in school and allow finding such a position. But it also created more planning security for the companies that want to offer apprenticeship places to refugee youth.

3.5.2 Political challenges in Bavaria

This last point also applies to Bavaria. But Bavaria has been far more reluctant in recent years to reform its educational system – not least because of generally leading all national comparative rankings with regard to educational outcomes. At the same time, the Bavarian school system seems less prepared for dealing with larger groups of immigrants and even the strongly increasing heterogeneity and diversity of the student force, originating in previous immigration waves. Fitting refugee children and youth of immigrant background into the existing “idiosyncrasy of the systems” thus shows its pros and cons. As pointed out above, the interviews reveal little general disposition to change the ways in which the educational system reacts to the particular challenges posed by increasing diversity in all regards within the student population. There is a strong discourse that demands the adaptation of students to the rules and ways in the current system, yet, at the same time, deplores the factual impossibility of very large numbers of students to actually do so. As one principal of a vocational school in Würzburg pointed out, students who follow the two years foreseen for teaching German and preparing for the integration into the regular system will not persist, if they are not able to do many things on their own. The system does not have the means and methods to provide the necessary support to the majority of the students.

To be able to do so would require more money – e.g. for paying interpreters and projects with tutoring or mentoring for pupils with particular needs – but also concepts that take the heterogeneity of the student force for granted as a normality and not a situation of crisis. School practitioners in Bavaria complain, for example, about the lack of teachers with German as a second language (GSL)-specialization and about a too strict system of foreign language teaching that (a) only allows English as the first foreign language, and (b) takes German as mother tongue for granted in teaching English, while many newcomers – especially from Syria, but also Ukraine and other countries – have come with a previous knowledge of English that is hardly recognized.

¹⁰ <https://www.ndr.de/nachrichten/hamburg/Hamburg-will-mehr-Lehrer-einstellen,fluechtlinge5646.html>

3.6 Experiences of young refugees and asylum seekers and their teachers in the school system in Germany

According to several interviewees, as a general rule, refugee children and adolescents are highly motivated and ambitious; they see in education their main chance to succeed in Germany.

Some schools in both regions described here have established moments of “welcome culture” for the new refugee pupils. This might be welcome rituals and small presents, and some schools also ask older children to act as guides for the first months. Ideally, these guides have the same mother tongue. They will receive a special certificate at the end of the school year.

Schools normally measure their success in the numbers of obtained diplomas at the end of compulsory education. But, at the same time, there are quite some adolescents who do not succeed in obtaining their diploma and for whom the schools do not know, how to better support them. Only a minority of schools – mostly those which have been teaching newcomers since many years – seem to be already well equipped for accepting the pupils’ actual educational starting point and then individually support their development.

A big problem in Bavaria and Hamburg is the age limit 18: pupils may drop out of the special programs for adolescents and have to leave institutions for UMFs. In some schools social workers almost exclusively take care of the resulting specific problems of these pupils, e.g. by helping with finding an apartment or similar. To access school education at all, it is imperative that the adolescent is still below 18 at the moment of application and the assignment to whatever educational institution. Access to the educational system is hardly possible in Hamburg when age 18 is already reached. In Bavaria this seems to be a bit more flexible, especially in more rural areas, where there are not many alternatives for young people. Also, in Bavaria, vocational education takes care of young people until the age of 21.

General attitude and years of experience make an important difference as regards the stress felt by schools and teachers, and the creativity in finding solutions. As one interviewee in Hamburg described, their school has had preparation classes for about ten years and is specialised with a particular linguistic profile; in consequence, the school today has 15-20 GSL-qualified teachers, plus many teachers with additional qualifications in „intercultural pedagogy“ and a high share of teachers of immigrant background themselves. The school authorities approved an extra budget for this school for employing a “language and culture intermediary”. In contrast to many other schools, for whom it was a completely new experience, they felt very well prepared to take on board a comparatively high number of refugee children and integrate them into their regular school life. This is a major difference between the two federal states compared here: as Germany’s second largest city and a state on its own, Hamburg has had the possibility (combined with the explicit intention) of being at the forefront of establishing an intercultural curriculum for teachers and teaching German in multilingual classroom settings.

The transition to regular classes is not only the main goal of the preparatory classes in both states, but is also seen as the crucial point of “integration” for refugee and newcomers youth. Yet, at the same time, it is also difficult to achieve. However, two expressed goals seem to contradict each other: the rapid integration into regular classes and the provision of a maximal effort to provide immigrated children and adolescents with good to sufficient knowledge and skills in the German language. This is contradictory because the attendance of regular education may not offer enough time and space for the provision of sufficient teaching in GSL. This is less a problem in primary schools because (a) younger children learn German quicker, and (b) the formal requirements for good grades and the general experience with dealing with different learning levels make an early integration into regular classes rather unproblematic. In secondary education, pupils are not only

older and less able to simply “pick up” the new language. Also the formal requirements are much more demanding and strict, and the subjects to be learned are more complex and extensive. Thus for secondary education, most of the interviewed teaching staff in both states was drawn between a position that pleads for longer periods of time in preparation classes (i.e. mostly separated from the regular classes) in order to offer better chances for learning German well, and the emphasis on an early integration into regular classes and a mixing of the pupils, so that social integration and the daily and current application of the newly acquired German language skills is facilitated as soon as possible. Some practitioners plead for a mixed system that would bring newcomers and their age peers in regular classes together in all subjects in which language is not necessarily as central, such as sports, arts, religion, maths and science etc.

Especially in Basic Classes in vocational schools the class composition can be very mixed, not infrequently containing e.g. Arabic youth in need of alphabetisation in the Latin alphabet together with refugees with good previous knowledge of Latin writing. Moreover, in these schools the teachers even less frequently than in general secondary schools have GSL-qualifications. Finally, in vocational schools it is hardly possible to mix the language learners of Basic or Preparatory Classes with the other students because the latter are mostly taught subjects that are directly linked with their future profession and thus are too specialized for language learners. Additionally, vocational school students may spend almost half of their education as apprentices in the companies.

Some refugee youth come with higher education access diploma and can also validate them to an access to universities in Germany (this has been made a lot easier in recent years). However, the language barrier can still be significant, also because still only comparatively few courses are actually taught in English. In this regard, vocational education can offer a sort of intermediate step by doing an apprenticeship in a related practical profession, e.g. electrician for someone who wants to study electronics. Many technical university careers have a related practical counterpart among the apprenticeship possibilities. It is quite common also for non-immigrated youth to first complete an apprenticeship before entering higher education, so that it rather represents an asset than a disadvantage to insert this intermediate step. But it especially allows gaining better language skills and knowledge of the German labour market. However, this is something that newcomers have to know or learn about. For those with even some semesters of university done in the countries of origin, the insertion of 2-3 years of vocational training after a minimum of one year in a Preparatory Class is sometimes difficult to accept. For many others with much lower previous education even the access to an apprenticeship position is difficult. Even when they do a very good job in the practical parts in the company, having problems in the vocational schools, e.g. with English or Maths, can severely jeopardize the completion of the certificate.

4 Conclusions

The analysis has demonstrated that a number of efforts have been taken in order to ensure access to the education system for newly arrived refugee and asylum seeking children and young people and to meet their particular needs in order to enable equitable educational opportunities. While some of these efforts have been successful, challenges and obstacles have been identified in a variety of areas of policies and practices regarding the education of refugees and asylum seekers and respective framework conditions.

In the following, some of the good practices and policies that are effective or less effective as identified by the report, are summarized.

4.1 Good Practices

1) International/transition classes that work together with regular classes

The aim of international/transition classes that exist in most federal states is the fast language acquisition before attending regular classes. In some selected subjects newly arrived refugees and asylum seekers gradually participate in the regular school lessons (including excursions of the regular classes) while they are still attending the transition class. In most of these cases, regular and transition classes are located in the same school. This enables that integration into the regular system and integration into the mainstream society can take place as soon as possible. The gradual nature of this process is a relevant facilitating factor.

2) Vocational classes for refugees and asylum seekers between 16 and 21 years

In most federal states, special classes for asylum seekers between 16 and 21 years have been established since 2016 at vocational schools. These classes combine intensive language learning, preparation for the lower secondary degree and support in finding an apprenticeship position within two to three years. They have proven to be a successful way to enable timely entry into a qualified vocational training and thereby access to the labour market. Vocational classes for refugees and asylum seekers also serve to mitigate some of the identified challenges that come with age limits (16/18 years) that prevent refugees and asylum seekers who are above 16 or 18 years but have not attained a school degree from attending regular schools.

3) Mentoring programs

Mentoring programs have proven as effective measures to foster educational achievements and integration in general, especially for migrant and refugee children and young people. Mentoring programs that employ university students as mentors who themselves have a migration or even refugee background are well-equipped for including refugee children and youth as mentees into their support. Some of these programs even manage to support several hundred refugee children at the same time.

4.2 Effective policies

1) General openness of the system and of policy makers

The general openness of the education system and of policy makers makes it possible that ways can be found to meet refugee students' needs. This is not always possible within the given structures but a general attitude of openness, which can be found in some federal states and regions but in others not, enables flexible solutions.

2) Flexibility of the system

In some federal states or some schools, there is quite a degree of flexibility in assigning students to school types and classes that match their prior knowledge and schooling. This system enables the connectivity of education better than in other federal states and schools that apply a rather strict strategy that works on the basis of age limits and grades in the assignment of pupils to school types and classes.

3) Low numbers of refugee students per regular class

Most schools try to keep the proportion of refugee students per regular class low. This facilitates their integration in the sense that it makes it easier for them to learn the German language because most pupils communicate in German, and to establish contacts with peers. This requires a functioning system of allocation of refugee students among schools that also takes into account the proximity of the school to the refugee student's place of residence in order to enable out-of-school interaction with class mates.

4) Funds for additional support per refugee student as opposed to per school

Schools that have a longer history of hosting migrant and refugee students are better prepared for meeting refugee students' needs. Allocating funds per refugee student gives incentives to those schools which are more engaged than others. It allows them to adapt their staff structure or the hiring of freelance-teachers to the actual needs and may even become more engaged for this reason.

4.3 Ineffective policies

1) Frequent moves between schools and between federal states

In many cases, refugees are being moved frequently between reception centers, federal states and respectively between schools. This hinders their integration in multiple ways, e.g. in their immediate neighborhood, among peers, in the school environment, and hinders the connectivity of their educational careers.

2) Accommodation arrangements that are unsupportive for integration into education

Reception and accommodation centers often do not provide an enabling environment for studying. Space is limited and mostly there is noise around, which makes it very difficult for students to concentrate on learning, especially when they have to learn a new language, manage to understand a new school system and in many cases are affected by traumatizing experiences in their countries of origin and during their journey.

In some cases, such as in reception centres where families from countries considered as 'safe countries of origin' and with small perspectives for a long-term stay in Germany, including the newly installed AnKER centres in Bavaria, are living, children only receive compensation lessons within the camp in mixed-age classes and without a set curriculum. This makes it impossible for them to proceed with education, leave alone to integrate in a school setting.

3) Insecure legal status, long asylum procedures

Many refugees have to wait for the decision on their asylum application or remain with an insecure legal status for a long time. This not only makes it impossible for them to make plans for their future in regard to education and/or employment, but also affects them in a way that they cannot concentrate on education due to constant worries about their future.

Asylum procedures in most cases do not take educational efforts and achievements of the concerned person into account. This may discourage young refugees and asylum seekers who attend schools from aiming at educational achievements while the decision on their request for asylum is pending.

4) Right vs. obligation to schooling

As a result of definitions of the rights vs. the obligation to schooling, young refugees between the ages of 16 and 21 may not be able to attend school due to structural barriers. While pupils who are subject to compulsory schooling must be accepted by schools, only having the right to education might imply significant disadvantages for refugee minors: Since schools can reject those who are not subject to compulsory schooling, it might be difficult for this group of students to find a school which offers education on an appropriate level and in reachable distance. In some federal states where compulsory vocational education is dependent on students' age, young refugees might be denied the right to further education once they reach the age of 16. These young people are not subject to compulsory vocational education either – and regular schools are not obliged to admit young people above the age of 16.

In order to mainstream the good practices and effective policies as well as modify the ineffective policies, it is necessary to initiate multi-stakeholder dialogues that enable joint solutions and cooperative efforts on a national and international level. Moving forward on this point, the SIRIUS Network has been implementing exchanges of good practice and experience through transnational workshops on an international level that are based on the empirical findings of the German study and the other parallel national studies. Transnational workshops have so far taken place in Rotterdam, the Netherlands; Hamburg, Germany; and Stockholm, Sweden. This stage is being implemented through the support of the European Commission, Erasmus+ as the project 'Exchange of knowledge and good practice to enhance the education of refugee and asylum seeking youth – RefuEdu'. It is expected that this stage contributes to improved cooperation between practitioners, scientists and policy makers, and among the European countries in the area of refugee education.

5 Annex

Table 8: Asylum seekers – compulsory education and right to school attendance

Federal State	Compulsory education	Right to school attendance
Baden-Wuerttemberg	Yes, six months after arrival (§72 Abs.1 S.3 Schulgesetz)	Not regulated
Bavaria	Yes, three months after arrival (Art. 35 Abs. 1 S. 2 Nr. 1; S. 2 HS. 2 Bayrisches Gesetz über das Erziehungs-und Unterrichtswesen)	Not regulated
Berlin	Yes (§41 Abs.2 Schulgesetz)	Does not exist
Brandenburg	Yes, after leaving the reception centre	Yes (§2 Abs.3 S.1 der Verordnung)
Bremen	Yes, when they have a flat in Bremen	Does not exist
Hamburg	Yes	Does not exist
Hesse	Yes, after assignment to a regional authority	Yes
Mecklenburg-Western Pomerania	Yes, after assignment to a regional authority	Yes
Lower Saxony	Yes, once no longer required to live in a reception centre	Not regulated
North Rhine-Westphalia	Yes, after assignment to a community	Not regulated
Rhineland-Palatinate	Yes, from assignment to a community	Yes
Saarland	Yes	Does not exist
Saxony	No	Yes
Saxony-Anhalt	No	Yes
Schleswig-Holstein	Yes, when they have a flat in Schleswig-Holstein	Does not exist
Thuringia	Yes, three months after arrival	Not regulated

Table 9: Migrants with a toleration status – compulsory education and right to school attendance

Federal State	Compulsory education	Right to school attendance
Baden-Wuerttemberg	Yes, six months after arrival (§72 Abs.1 S.3 Schulgesetz)	Not regulated
Bavaria	Yes	Does not exist
Berlin	Yes (§41 Abs.2 Schulgesetz)	Does not exist
Brandenburg	Yes	Does not exist
Bremen	Yes, for those who live in their own apartment in Bremen	Does not exist
Hamburg	Yes	Does not exist
Hesse	Yes	Does not exist
Mecklenburg-Western Pomerania	Yes	Not regulated
Lower Saxony	Yes, for those who live in their own apartment in Lower Saxony	Does not exist
North Rhine-Westphalia	Yes	Does not exist
Rhineland-Palatinate	Yes	Does not exist
Saarland	Yes	Does not exist
Saxony	Yes,	Not regulated
Saxony-Anhalt	Yes	Does not exist
Schleswig-Holstein	Yes, for those who live in their own apartment in Schleswig-Holstein	Does not exist
Thuringia	Yes, three months after arrival	Not regulated

Source: Weiser, 2013

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