



## **NRT GERMANY 2019**

### **Report**

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**SIRIUS is co-funded by the  
European Union**





Berlin, Life e.V - 9 July 2019



## *Context*

Experiences of discrimination in the context of the school can disturb education careers in the short and long term. They also negatively impact feelings of belonging to the school and to the society at large. This is particularly relevant when the school as an institution or their staff are the sources of discrimination and/or the school fails to protect children and young people and their families from discrimination. Unfortunately, this is a rather common pattern in Germany. At the same time, discrimination and racism in school are hardly ever thematised in Germany, especially not when teachers are accused of being the perpetrators. Schools and educational authorities generally prioritize solidarity with and among teachers over the clarification of discrimination claims and blocking off claims over mediation mechanisms. Even obvious cases of disadvantaged treatment are usually not sanctioned.

In the German legal frameworks on protection against discrimination, there are considerable gaps and shortcomings. Hence, a comprehensive protection of students and parents from discrimination is not ensured. No Bundesland in Germany has established functioning structures for reporting claims of discrimination, for mediating in cases of discrimination and, if necessary, for bringing forward procedures for disciplinary sanctions. Initiatives to build up respective structures have been taken over the past few years nearly exclusively by civil society organisations. These organisations have initiated low-threshold, and partially already established, contact points for affected persons. The advantage of these contact points is that they are independent from institutional pressures within the school system. But this also means that it remains to be seen how, on the long run, these contact points will work together with governmental and municipal institutions and how interventions at school should be targeted in order to eliminate discrimination. Specifically, the following questions need to be clarified: How can meaningful communication between governmental and municipal institutions and civil society organisations be organized and ensured? Which qualifications and evaluation criteria should be applied for school-specific anti-discrimination counselling?

The German NRT brought together civil society actors from the field of discrimination in the context of school, including migrant-led organisations, with policy makers and researchers from different Bundesländer. The main goal of the NRT was to discuss and develop strategies for how the issue of anti-discrimination counselling in the school context should and can be carried forward in order to lead to more effective measures by federal, regional and local policy makers. These measures should enable and guarantee appropriate and meaningful responses to cases of perceived and experienced discrimination. They should also lead to the establishment of structures for peer-to-peer exchange of experience and knowledge around school-based anti-discrimination counselling.

## *National Round Table*

The National Round Table (NRT) took place on 9 July 2019 at the venue of Life e.V., Rheinstrasse 45, Berlin. Farafina Institute cooperated with Life e.V. in the planning and conduction of the NRT.



Since 2016, Life e.V. has been running the model project *Anlaufstelle für Diskriminierungsschutz an Schulen (ADAS)* ('Contact point for protection against discrimination at school') in Berlin. The goal of the project is to establish effective protection against discrimination at schools in Berlin through qualified and low-threshold accessible case and complaint management. By this, the project initiated the first school-specific anti-discrimination contact point in Germany (see [www.adas-berlin.de](http://www.adas-berlin.de)).

The NRT brought together 19 participants from eight different Bundesländer. The participants represented migrant-led organisations and diverse civil society organisations (e.g. human rights organisations, unions), as much as policy makers from the field of anti-discrimination in school and representatives of migrant councils and teacher networks. The event was meant to set the stage and prepare strategies for the formation of a larger network of anti-discrimination actors and the conception and preparation of a larger policy conference in 2020, in order to raise the awareness and political pressure for the need for targeted action among policy makers.

The NRT started with a brief general thematic introduction by the chair Jens Schneider (researcher at University of Osnabrück) and a presentation of the SIRIUS Network by Claudia Köhler (Farafina Institute). This was followed by the main input by Aliyeh Yegane of Life e.V. on the specific situation in Berlin, the state of the art of anti-discrimination measures in the context of schools in Germany, and the specific contribution of ADAS to this. In order to discuss the presentation and link it to the context, experience and background of the participants, the latter then presented their respective organisation, the work their organisation does in regard to anti-discrimination in schools, and the topics they considered as particularly relevant for the discussion. After this, three groups were formed on the basis of the proposed main topics for discussion: 'structural aspects of anti-discrimination work in the school context', 'organisations working with affected people', and 'epistemologies of discrimination and racism'. Led by moderators, each group discussed current issues and strategies for actions to be taken. The summaries were then presented in the plenary and final conclusions were drawn.

### *Inputs and debate points*

The introductory presentation outlined that discrimination prohibitions in Germany are based on the UN Convention and the German Constitution (GG Art. 3). However, schools generally ignore issues of discrimination. Headmasters and teachers mostly do not know how a case of discrimination can be identified. Students do not have a contact point in case they perceive or experience discrimination.

Shortcomings in the German Anti-Discrimination Law (AGG) include the lack of a prohibition of discrimination for students, parents and guardians at public schools. Since school law is in the regulatory power of the federal states, each Bundesland are in charge of regulating the implementation of the law. First steps to do so have been done only in Berlin, Hesse, Brandenburg and Baden-Württemberg. ADAS, as a model project in Berlin, offers counselling, support and empowerment for parents and students; it monitors and analyses data on discrimination, supports the school-based establishment of a complaint management system, offers training for school staff, and develops guidelines for case management at schools. According to the data analysed by ADAS, the source of most cases of



discrimination are teachers, followed by peer students and by the school as an institution (e.g. closing ranks when accusation of discrimination arise or making use of institutional means, such as grades or even school expulsion). Discrimination primarily happens on the basis of ethnic origin, religion and for racist motives.

The discussion also thematised that anti-discrimination should be considered as a cross-sectional task by schools. Many migrant-led organisations work in the field of anti-discrimination and in schools. It is important to foster their empowerment and learn from their experiences. Teacher representatives pointed out that the perspective of teachers should also be taken into account, e.g. teachers are generally working under high work pressure; feasible ways must be found how they can include anti-discrimination activities into their schedules, and it should be made clear that cooperative solutions are preferred over confrontational ones.

For further action, it must be clarified where contact points for complaints should be located, and how cooperation between civil society organisation – which can offer a more independent and low-threshold access – and schools and the educational authorities can be organised in a productive way and at eye-level. Political structures must be improved in order to enable efficient case and complaint management. Awareness should be raised of existing laws and their implementation should be promoted. It is crucial that anti-discrimination actors exchange information and experiences and build strong networks.

The three working groups discussed the following issues:

- 1) Structures of anti-discrimination work in the context of schools
  - The decentralised federal system is a challenge for the establishment of a functioning structure of anti-discrimination work in the context of schools. National datasets are necessary in order to fully understand the context and develop suitable responses.
  - Voices of affected students and parents should be made audible
  - Arguments for anti-discrimination work and management at schools must be clearly outlined
  - Concrete standards for anti-discrimination work and management at schools must be developed
  - The network can support the exchange of experiences in the different Bundesländer as well as joint or coordinated enhanced advocacy on the national level
  - A conference should be planned together with the actors in charge (state secretaries, education policy speakers).
  
- 2) Organisations working with affected people
  - We need to be clear what we are talking about when we talk about ‘discrimination’. So far there is no established definition. There is much need for information about discrimination, and for competence development and training for counselling, case management and referral. Trainings should also include the management of doubts and insecurities as well as a differentiation between the action of a person and the person him/herself.



- Access of affected people to counselling, support and coaching needs to be established and ensured.
  - Umbrella organisations and networks in the field of anti-discrimination work need to be empowered; strong communication and cooperation channels need to be established.
  - Communication channels between schools and governmental/municipal institutions, on the one side, and advocacy groups, MSOs and independent counselling bodies, on the other side, need to be established.
- 3) Epistemologies of discrimination and racism
- We need to understand and overcome Eurocentric epistemologies that are still reflecting colonial and other racially based structures. A shift has to take place that ensures that issues are taught from the perspective of the people concerned (e.g. through illustrations in schoolbooks and other school materials).
  - Good practices are information material boxes that kindergartens and primary schools can rent in Rhineland-Palatinate, Saxony-Anhalt and other Bundesländer on topics like Critical Whiteness, PoC, LGBTI). The materials enable a critical perspective on the mainstream materials and are frequently requested by schools.
  - Education materials need to be adapted based on the following criteria:
    - a. They must mirror the full diversity of society.
    - b. New editions must correct stereotypical elements.
    - c. History must be taught in an objective and well-balanced way. Witnesses of historic events should be involved in lessons.
    - d. Children need 'outed' (in any dimension) role models.
    - e. The topic of discrimination must be included in the training of school staff and pedagogues nationwide.
    - f. Self-reflective behaviour must be taught.
    - g. Intercultural, inclusive and diversity competences must be essential skills for teachers.
    - h. Gross misconduct must entail consequences.

## Conclusions

For anti-discrimination management in the context of schools in Berlin, the following recommendations were made:

- The prohibition of discrimination must be clearly formulated and implemented.
- Anti-discrimination structures in the context of schools must be established in coordination with the core actors:



- An independent contact point for information and collecting reports and complaints by affected people.
- The Anti-Discrimination Commissioner of the Senate of Berlin
- Competences have to be built up in order to ensure school-based complaint management.
- Monitoring and qualification must continuously take place.

For the production of a publication, the following conclusions were made:

- A guideline/brochure will be produced that will support with easy to understand information on existing antidiscrimination regulations as well as information, on people affected by discrimination in schools can claim their rights. The GEW (Union for Education and Science) will manage the printing of the publication and can support the dissemination.

For a conference to take place in 2020 (and a potential follow-up in 2021), the following conclusions were made:

- A roundtable should be conducted on the issue of school materials. This roundtable should include:
  - School book publishers
  - Multiple representatives of African organisations
  - Intercultural organisations
  - Gender groups
  - Representatives of kindergartens and schools
  - Regional coordinators of the campaigns 'School with Courage' and 'School without Racism'
  - Parental and teacher networks
- In 2021, as a next step, a symposium with representatives of all 16 Länder and their main coordinating body, the permanent Conference of Education Ministers (KMK), should be held in order to address issues of how education materials and education methods need to be adapted
- As a third step and outcome of the 2021 symposium, a guideline for education ministries, schools, kindergartens and publishers should be developed.

### *Continuity with the NRT 2018*

The issue of the NRT 2018 had been refugee education, so the main continuity could be found in some of the participants and active actors, taking part in both events. In general, the NRT 2019 helped expanding the network of relevant stakeholders and, especially, civil society organisations that are relevant for the field – not least because of the different geographical location of the NRT which made it easier that Berlin-based and East German organisation participated. This is a good basis for a nation-wide event in the coming year.



The issue of discrimination was well-advanced and proved to be relevant and important enough to be carried on in 2020 and 2021. Since there is quite some overlap also with the issue of education for refugees and other newly arrived migrant students, last year's topic will continue to be part of the discussion also in the years to come.