

## Europe and North America Education 2030 consultation Strasbourg, 24 October 2018

### **Inclusion and equity with a focus on the right to education of migrants and refugees**

#### Background Paper 1

---

#### Abstract

Inclusion is at the core of 2030 Agenda for Sustainable Development aim to 'leave no one behind' and Sustainable Development Goal (SDG) 4 principle to 'ensure inclusive and equitable quality education and promote lifelong learning opportunities for all'. The paper begins by defining inclusive education recalling the different areas, dimensions, degrees of exclusion which need to be considered. It then outlines components of education systems that support inclusion, such as: national legal frameworks and policies; governance and finance; school curricula and learning materials; teachers, school leaders and education support personnel; school infrastructure; and community norms, beliefs and expectations. Barriers faced by learners with overlapping characteristics may make them particularly vulnerable to exclusion. This is the case for migrants and displaced people in many countries constraining in practice the right to education. The panel provides an opportunity for a selection of countries to present their specific successes and challenges in ensuring the right to education of migrants and refugees.

#### Guiding questions

- What are the key challenges your country is facing to include migrants and refugees in the national education system?
- What measures has your country taken to ensure the right to education for migrants and refugees?

#### Defining inclusive education

Inclusion is at the core of 2030 Agenda for Sustainable Development aim to 'leave no one behind' and Sustainable Development Goal (SDG) 4 principle to 'ensure inclusive and equitable quality education and promote lifelong learning opportunities for all'. It also appears in specific targets, notably in target 4.5, to eliminate 'gender disparities in education and ensure access to all levels of education and vocational training for the vulnerable' and in target 4.a, to provide 'safe, non-violent, inclusive and effective learning environments for all'.

The global dialogue on inclusive education has changed over time. Originally, the concept was focused on students with disabilities and the need to include them in education systems as a human right. Over time, especially since the 1994 Salamanca Statement, inclusive education has taken on a broader meaning, encompassing all learners and focusing on policies to provide quality education to all to overcome structural inequalities.

Exclusion is a universal phenomenon, even if its various forms are context-specific. However, consensus on this broader conception of inclusive education is not firmly established. Inclusive education has been criticized as lacking a tight conceptual focus and being too vague. This, at times, has led to tension and the re-emergence of special interest groups advocating for specific groups of children and youth.

Moreover, while the goal of removing barriers for the education of all children and youth has nearly universal support, policies and local practices differ across regions and countries. The broad view, focused on all students and ensuring that students with special needs are included in mainstream classes, requires the system to change to suit the learner – but this is rarely done. Instead, most countries adopt some form of integration where the child or youth must adapt to the system into which they are placed. It is helpful to consider different areas, dimensions, degrees and elements of inclusion. *Areas* of inclusion include the different communities with which a student interacts, whether in interpersonal relationships, informal or formal groups, like classrooms, schools and community centres. Within each area, individuals can be included or excluded across different *dimensions*: physical; social; psychological; and systemic. The *degree* of inclusion felt by an individual can also vary across time, but also across different areas.

Finally, there are *elements* of education systems that support inclusion: laws and policies, governance and finance, school curricula, personnel, and infrastructure, and community norms, beliefs, and expectations. In addition, barriers faced by learners with overlapping characteristics may make them particularly vulnerable to exclusion. This is the case for migrants and displaced people in many countries constraining in practice the right to education.

## National legal frameworks and policies

Legal tools are essential in the development of an inclusive education system. International declarations represent important commitments to inclusion. However, their impact is limited if they are not supported by national frameworks or if educational stakeholders are not aware of them.

- Across countries, laws and policies establish procedures that can support inclusion and lay out mandates leading to different school practices.
- Making the right to education conditional on citizenship and/or legal residency status is perhaps the most common explicit exclusion in constitutions or education legislation. Enrolment may require national identification papers, proof of residency, birth certificates or prior education credentials. In some countries, laws explicitly deny rights for undocumented migrants.
- Vague or contradictory language in legal frameworks can hinder inclusion. An inclusive national legal framework does not necessarily prevent regional or local discriminatory practices in many countries. School heads are key gatekeepers, deciding who gets through the door. Official clarification and reassurance can be helpful in overcoming such misinterpretations.

- Students without documentation may encounter difficulties to have their prior learning recognized to benefit from available education opportunities, particularly when they lack proof of their qualifications.
- Education for migrants and refugees need to be approached from a lifelong learning perspective, ensuring they are targeted with interventions at the crucial early childhood level and following through with counselling and support for technical, vocational and post-secondary education.

## Governance and finance

Persistent gaps remain between inclusive education policy and practice. Weak governance can prevent the implementation of inclusive policies. Absent accountability mechanisms may put the rights of learners at risk. Inclusive education can only work if different sectors collaborate effectively. This is especially important as many learners vulnerable to exclusion face overlapping challenges, related to health, security, poverty or remoteness.

To clarify responsibilities and push toward common goals, national education planning and governance should mainstream inclusion, involve stakeholders from different sectors, and include the voices of those at risk of exclusion as well as their parents or guardians. Members of groups vulnerable to exclusion are often under-represented in education policy-making. Cities can play a lead role in inclusion by taking the lead in non-formal education initiatives.

The issue of funding is crucial in ensuring education for all. Funding formulas need to recognize the additional costs associated with the education of vulnerable children, including for accessibility in transport and buildings. Resource allocation that supports inclusion involves coordination mechanisms across ministries and tiers of government. It also needs to be taken into account that some funding mechanisms encourage the labelling of some learners as requiring special needs, because that means additional support for schools.

- Schools with high numbers of immigrant or refugee students are more likely to have higher funding needs to address barriers affecting their integration and academic performance.
- Few countries explicitly immigrant status as a factor in school funding allocations although a number use other factors such as poverty or language, which are linked to immigration.
- Additional support linked to migrant and refugee students may overlook structural school and administration challenges.

## Curricula and learning materials

The curricula used in schools can play an important role in whether students feel included or excluded. In following the principles of inclusion, curriculum development should involve different stakeholders, inclusion experts and communities, as well as those vulnerable to exclusion. There is more than one approach to learning: the same curriculum needs to be flexible enough to be taught to learners with different backgrounds and abilities. Using inclusive curriculum requires diverse modes of instruction and learner-centred approaches to learning.

Discriminatory or stereotypical content in learning materials can increase exclusion. Lack of diversity in content is another obstacle to building a culture of inclusion.

- Curricula and textbooks need to be adapted and be flexible for diverse learning needs. Countries are increasingly modifying curricula to reflect growing social diversity, but multi- or interculturalism is fully-integrated only in a few, whether as a stand-alone subject or integrated it into the curriculum.
- Although migrants and migration discussions tend to be included in some textbooks, mentions of migration are commonly limited to historical accounts of settlement and ideas of nation-building and population expansion.
- Textbooks continue to omit contentious migration-related issues such as undocumented migrants, xenophobic attitudes or discrimination

## Teachers, school leaders and education support personnel

Teachers, head teachers and support staff need to be prepared to accommodate students of all abilities and backgrounds in increasingly diverse schools.

- Such investment to address diversity is necessary both to facilitate individual learning and to foster a welcoming and more understanding community. Preparedness to teach students who are not proficient in the language of instruction is crucial.
- Appropriate, effective and respectful interaction between teachers and immigrants and refugees requires cultural competences, which must be taught and learned. Practical pedagogy to prepare teachers to anticipate and resolve intercultural conflicts or be familiar with psychological treatment and referral options for students in need is rarely emphasized.
- Activities that promote openness to multiple perspectives need to be embedded in teaching practices. Freedom to explore sensitive issues in an inclusive and non-discriminatory way is essential to developing critical thinking skills and understanding how beliefs are constructed.
- Teacher education programmes for diversity are included at varying degree across countries but completing such courses is usually optional. Teachers themselves often feel ill-prepared for teaching in diverse classrooms

Alongside knowledge and skills, school leaders' and teachers' motivation for and commitment to inclusive education are essential, even in systems where teacher training for inclusion exists. Staff motivation can be curtailed by structural barriers, such as lack of autonomy in adapting curricula. To ensure all feel welcome and included in a school, the diversity of the student population should be reflected in diversity among education staff, including teachers, school leaders and support staff. Education personnel can be important role models and can help overcome discriminatory views among all students.

## Schools

School selection may lead to exclusion. Vulnerable groups may be disproportionately concentrated in particular schools, leading to segregation.

- Immigrant students often end up segregated from natives in schools with lower academic standards and performance levels, which negatively affects their educational achievement. Conversely, immigrants attending schools with a majority of native students have higher education aspirations, even if these effects are often mediated by their socio-economic status or the socio-economic context of the school
- Low achievers may be streamed away from academic courses and into technical or vocational tracks at key transition points.
- Language support programmes are necessary to help students who speak a different language integrate into the education system. But extending the duration of preparatory classes too long can keep immigrant and native students apart, which contributes to segregation and has negative effects, which are more severe for older children.
- Native students circumvent administrative rules and schools offer ways to attract native students and better teachers (such as separate classes based on parent choice of religious or foreign language instruction), fostering segregation.

## Communities, parents and students

Communities with discriminatory beliefs and attitudes can prevent learners from accessing education opportunities. Discriminatory community views concerning gender, disability, ethnicity, race or religion, can diminish learners' safety and outcomes while in school. Many initiatives focus on involving parents and community members in school management and collecting data to ensure that schools and authorities are held accountable for education for all. Parent preferences are also important when considering inclusive education. Some parents may feel like a separate or special school will provide their children with a sense of belonging, or meet their physical or intellectual needs.

- Lack of connection with immigrant communities may cause immigrant parents not feeling as welcome to engage with schools as native-born parents and perceiving they have little influence on how their children are treated or taught in schools.
- Disconnection from the communities may also erode the sense of belonging to the host country

Learners' social and emotional well-being in school should not be undervalued. Bullying and cyber-bullying can lead to exclusion from education opportunities, but it also targets students who are already particularly vulnerable to exclusion. Policies are sometimes limited to integration efforts that start by labelling groups, with immigrants expected to integrate into host communities that need not change.

## Recommendations

Legal, structural and process factors can deny migrant children the right to education. The implicit rights afforded by general non-discrimination provisions do not guarantee their right to education in practice. This is especially true where national legislation explicitly excludes non-citizens or undocumented migrants from education rights. Even absent such explicit discrimination, rigid documentation requirements, whether legally required or arbitrarily-imposed by local gatekeepers, can prevent access.

1. It is therefore important to **review and amend or strengthen national or sub-national legislation - that is consistent with global conventions and agreements - in order to ensure the right to**

**education for migrants, including the undocumented in order to respond to the recent changes resulting from migration and refugee flows.**

Revised legislative measures should inform strengthening or development and implementation of targeted policies and strategies.

- 2. Local authorities, schools, higher education institutions, other lifelong learning providers and civil society should work together to motivate young people from disadvantaged backgrounds to aim for educational success as well as help them develop the requisite competences required for life and work.**

## References

Concept note for the 2030 Global Education Monitoring Report on inclusion

<http://unesdoc.unesco.org/images/0024/002482/248254e.pdf>

UNESCO (2027) A Guide for ensuring inclusion and equity in education

<http://unesdoc.unesco.org/images/0024/002482/248254e.pdf>

UNESCO (2017) Protecting the right to education for refugees.

Working Papers on Education Policy, No 4.

<http://unesdoc.unesco.org/images/0025/002510/251076E.pdf>