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Models of Co-operation
between Local
Governments and Social
Organizations –
Migration: Challenges
and Solutions

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Education Policy and Integration in Germany

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The Research Project

Models of Co-operation between Local Governments and Social Organizations in Germany and China– Migration: Challenges and Solutions (LoGoSO Germany China) is a comparative research project of the Freie Universität Berlin, the Westfälische Wilhelms-Universität Münster and the Chinese Academy of Governance, funded by Stiftung Mercator.

This comparative research project looks at the co-operation between state and social organizations (SOs) in China and Germany. It focusses on social service delivery in the area of integration of migrating populations with special attention to the fields of education, employment, vulnerable groups and social assistance (incl. legal aid) as a crosscutting issue to all of the fields. Within this subject area, the project wants to identify different models of state-SO co-operation and analyze which models are successful and why and where this co-operation is problematic. It aims to capture the different models of co-operation in Germany and China, to analyze and compare the underlying structures and to show potentialities for development.

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1 Introduction

More than half of the refugees that recently arrived in Germany are under 25 years old (BPB 2017). They are eager to participate in the education system (Deutsches Institut für Menschenrechte 2016a: 76) and most politicians and elites agree that this is a vital aspect of integration (Gluns 2017: 10). According to Hepp (2011: 28f), creating the framework conditions for integration is one of the three functions of education policy. It seeks not only to provide individuals with general education and language skills, but to equip them with individual autonomy and maturity to guarantee them social and political participation in various spheres of life. The second function of education policy is to safeguard that everyone reaches qualifications on the basis of their aspirations and talents. This is particularly important in relation to the third function of education policy which ensures that a qualification is connected to a certain career path. In terms of the second and third functions, Germany faces considerable challenges. The Programme for International Student Assessment (PISA) revealed that socioeconomic background determines the educational attainment and career perspectives of an individual far more than academic achievement (OECD 2016). For this reason, education policy for refugees should not be limited to increasing access to education, but should reduce social and educational inequalities.

The following chapter outlines the policy field of education in Germany. It presents the education system in terms of childcare, primary and secondary schooling, and vocational training and subsequently focuses on the relevant actors, their competencies and financing structures. The second section highlights the access of refugees to these aspects of the policy field and the challenges they face. Additionally, the activities offered by non-profit organizations (NPOs)¹ are depicted. A final chapter summarizes the results.

2 Education policy in Germany

2.1 The education system

Although the federal government provides the basic framework for the education system, authority for education in Germany is constitutionally vested in the sixteen federal states (*Länder*.) For this reason, terminology and design vary nationwide. In general, the education system can be divided into four stages: preschool education, primary schooling and the first and second phase of secondary schooling. All stages build systematically on top of each other and require a certain minimum age and previous educational years (see Figure 1).

¹ Non-profit organizations can be defined as entities that are organized, non-governmental, limited profit-distributing, self-governing, and voluntary (Salamon and Anheier 1997; Salamon and Sokolowski 2014). In Germany, they comprise a broad variety of organizations such as the free welfare associations (*Wohlfahrtsverbände*, confederations of organizations active in various fields of social assistance, organized along ideological and religious lines), voluntary associations (*Vereine*), private law foundations (*Stiftungen des Privatrechts*), cooperatives (*Genossenschaften*), and non-profit private limited corporations (*gGmbH*) (cf. Zimmer et al. 2016). Besides these non-profit organizations, the non-profit sector also encompasses less organized voluntary initiatives or movements.

Grade						Age		
13	(some Länder offer a 13 th grade at Gymnasium and Gesamtschule)						19	Secondary School (Second Phase)
12	Berufsschule	Berufsfachschule	Fachoberschule	Gymnasium	Gesamtschule Comprehensive School		18	
11							17	
							16	
10	(some schools have a tenth grade)		Realschule					
9	Hauptschule			Orientation Stage				14
8							13	
7							12	
6							11	
5					10			
4	Grundschule Primary/Elementary School						9	Primary/Elementary School
3							8	
2							7	
1							6	
		Kindergarten		Child daycare			5	Preschool
							4	
		Nursery					3	
					2			
					1			

Figure 1: The German Education System, Source: own compilation on the basis of Autorengruppe Bildungsberichterstattung 2016: XIV and Chuck Emerson Media Services 2018.

The first stage is the preschool field. Every child from the age of three has a right to a place in a preschool or kindergarten (§24, Paragraph 1, Sentence 1, German Social Code Book VIII). Since 2013, children have been entitled from the age of one to a place in a nursery or daycare facility (§24, Paragraph 2, German Social Code, Book VIII) (BMFSFJ 2014: 23). Preschool education is usually organized in mixed-age groups and the duration of daily supervision depends on the needs of parents. In 2013, 29 percent of children under the age of three went to a nursery, while 93.5 percent attended a kindergarten from the age of three to five (ibid.: 15).

From the age of six, all children have to take part in compulsory education for the duration of nine or ten years (*Vollzeitschulpflicht*). It is followed by the obligation to attend a

vocational school or higher secondary school until reaching the age of majority (*Berufsschulpflicht*) (Robert Bosch Stiftung 2015: 9). Children begin their school career with primary school, which usually takes four years. Only the states of Berlin and Brandenburg have primary school that extends to sixth grade. The first phase of secondary school follows subsequently (BMW 2017a). Depending on academic performance during primary school, teachers and parents decide which of the four tracks of secondary education a child attends. These programs are the *Hauptschule*, *Realschule*, *Gymnasium* and *Gesamtschule*. The *Hauptschule* and *Realschule* are secondary general schools providing a first school leaving qualification after grade nine or ten, while the *Gymnasium* is an academic secondary school that can be completed in grade twelve or thirteen upon passing a final examination (Abitur) (Hepp 2011: 23). The *Gesamtschule* combines the aforementioned schools and offers an alternative to the traditional three track school system (BMW 2017a). In the second phase of secondary schooling, pupils that have successfully completed the *Hauptschule* or *Realschule* can pursue their general schooling at the *Gymnasium* or *Gesamtschule* or they are eligible for vocational training. If they choose to continue general schooling, they can obtain a diploma upon passing the Abitur together with the students who entered those schools after primary school. The Abitur entitles students to pursue higher education.

If pupils choose to enter vocational training, there are two main options: One form is the dual vocational training system. Students attend a vocational school (*Berufsschule*) where they acquire theoretical knowledge for one or two days a week and spend the remaining days at a company to apply their newly gained skills (Hepp 2011:23). They receive a monthly salary from their apprenticing company. Alternatively, there is school-based vocational training. In contrast to the dual system, pupils spend less time working in the field. Instead, they learn theory and practice of their future job at full-time vocational schools called either a *Berufsfachschule* or *Fachoberschule* (BMW 2017b). Complementarily, they attend extended periods of on-the-job training in companies. This form of vocational training is particularly common in the fields of business, engineering or nursing. In contrast to the dual system, trainees frequently do not receive a salary. After successful completion of one of the two alternatives, it might be possible to start a degree course at a higher education institution (ibid).

Some characteristics of the German education system lead to challenges. The Programme for International Student Assessment (PISA) repeatedly emphasized a strong correlation between the social background and the educational performance of individuals (Hepp 2011: 203, Deutscher Bundestag 2017: 5). For instance, unintentionally the assignment of children to the school tracks after primary school is not only done on the basis of academic performance, but also with regard to social characteristics (Rathmann 2015: 128). Children from immigrant families are often disadvantaged as they have, on average, a lower socioeconomic status than others in Germany (Deutscher Bundestag 2017:5). They have lower participation rates in all stages of the education system and frequently attend education programs offering low qualifications such as the *Hauptschule* (Autorengruppe Bildungsberichterstattung 2016: 10).

2.2 Actors, competencies and financing structures in the federally intertwined system

Public actors play a paramount role in the overall management of the education system, primarily through regulation and financing (Hepp 2011: 39). Around eighty percent of the national education budget of €183.5 Billion(2013) was funded by public expenditures, while the remaining share was covered by private households, non-profit organizations and companies (Statistisches Bundesamt 2016: 18). Public actors are particularly active in the school and university system. Traditionally, private households, non-profit organizations and companies have been deeply involved in the financing of childcare and the company-based aspect of vocational training. Both non-profit and for-profit actors are dominant in additional education services such as homework assistance and private tutoring. The following paragraphs will present each educational level with regard to the central actors, their competencies and financing structures.

2.2.1 Childcare²

Childcare is regulated by national law in Germany or, more precisely, the eighth book of the German Social Code (*Sozialgesetzbuch*). In contrast to many other European states, childcare is legally an aspect of public welfare and not a part of the education system (Dreyer 2010: 229). Despite the general competence on the national level, §26 of Book VIII of the German Social Code provides the federal states the right to regulate the details of childcare provision individually (Dreyer 2010: 229). For this reason, the funding procedures, parental involvement and required staff differ from state to state. The provision of youth welfare services is an obligatory task of the municipalities in the framework of self-administration matters (Schammann and Kühn 2016: 30). The department of child and youth services (*Jugendamt*) is the responsible local authority. The principle of subsidiarity, however, stipulates that public institutions only have to set up own facilities if private institutions do not offer any (Hepp 2011: 39, Autorengruppe Bildungsberichterstattung 2016: 55). As a consequence, most nurseries or daycare centers are operated by non-state providers. Because Germany draws upon a long tradition of co-operation with private and mostly non-profit providers at the local level, related either to the churches³ or the Free Welfare Associations, the share of commercial providers is marginal (Hepp 2011: 39, Szeili and Zimmer 2017: 10).

The operating costs of preschools and nurseries are covered by public expenditures in the form of contributions by the federal states and municipalities, as well as by parents and the service providers themselves (Dreyer 2010 238). The largest part of public financing (55 percent) was bestowed by municipalities in 2013, while contributions from the federal states covered the remaining share (Statistisches Bundesamt 2016: 52). Each of the sixteen states has its own financing system, making it difficult to give universal

² The field of childcare is partly covered in a report on social assistance (see work package 3, task 13 of this project), as well. All reports of the project will be made available at www.logoso-project.com.

³ The two main churches are the Catholic and the Protestant Church. As a result of treaties between the state and these churches, they are quasi-public entities (Willems 2007: 318). This status favors them in terms of collecting church taxes, religious education in schools or as providers of social services. At the same time, the Catholic and Protestant Church enjoy a high level of autonomy as the German constitution determines that they are self-governing organizations.

statements on the share of parents and service providers (Dreyer 2010: 238). The contributions of parents vary according to their income and the number of children attending the nursery, while recipients of social benefits can also be exempt from financial contributions (ibid.: 239). Additionally, investment programs at the national level support the federal states and municipalities in expanding childcare facilities in order to cover the heightened demand caused by the introduction of the legal claim to childcare for minors under the age of three (BMFSFJ 2017). In fact, the strained budgetary situation of numerous municipalities, in addition to the rising birth rate and migration has led to a significant lack of facilities in some regions (IWD 2016). Likewise, the level of childcare differs from state to state due to diverging regulations (Spieß 2014: 463).

2.2.2 Primary and secondary schooling

According to Article 7 of the German constitution, the state supervises the school system. As Germany is a country characterised by federalism, Articles 30, 83 and 84 of the constitution determine that matters of culture and education fall under the jurisdiction of the 16 federal states. They are entitled to comprehensive freedoms in terms of schools and have set up education related regulations in their own constitutions (*Länderverfassungen*) (Hepp 2011: 79). The superior authorities responsible for education are the respective ministries of education and cultural affairs (*Kultusministerien*). They coordinate their policies with the help of the Conference of Ministers of Education (*Kultusministerkonferenz KMK*). In the light of the federal diversification of education policy, the KMK strives to create the necessary basis of horizontal consistency and comparability (Hepp 2011: 265). Next to several thematic committees and working groups, its most important organ is the plenum in which the ministers responsible for education assemble four times a year (KMK 2017). Because the federal states have autonomy in matters of education, resolutions of the Conference of Ministers of Education have to be adopted unanimously and are not legally binding until they have been implemented into state law. On the local level, the responsible authority for schools is not uniformly organised. In most cases, there exists a department of schools (*Schulamt*) located at the district level.

The federal states are in charge of the organisation of the school system such as the school structure, the school curricula and the proper execution of examinations. They determine teacher recruitment policy and salary of the academic personnel employed in schools. Therefore, they cover with two thirds of all costs the lion's share of school related expenses (Terhard 2016: 283). These competencies and responsibilities are called internal school affairs (*Innere Schulangelegenheiten*) (Hepp 2011: 79). In contrast, there are external school affairs (*Äußere Schulangelegenheiten*) encompassing the establishment and maintenance of schools. External school affairs are managed by the providers of schools, which in case of primary and general secondary schools are commonly municipalities and districts. They have to cover the expenses for the school facilities, material, administrative personnel and the transport to schools.

Next to public providers, the German constitution guarantees the freedom to operate private schools (Article 7, Paragraphs 4 and 5) and hence enshrines non-profit organizations in the state-dominated school system. In detail, eleven percent of schools were operated by private providers in 2016 (Autorengruppe Bildungsberichterstattung

2016: 7). They can be differentiated into three groups: Half of the private schools in general education are operated by a provider belonging to the church (Koinzer and Gruehn 2013: 24). These are religious orders, administrative organs of the respective church, school foundations, parent initiatives or welfare organizations. The second group consist of Waldorf Schools (*Waldorfschulen*) that are based on the pedagogy of Austrian philosopher Rudolf Steiner. Similar to the first group, they are run by non-profit organizations, predominantly in the form of voluntary associations (*Verein*) (Nörthing 2015: 176). Lastly, there are general education schools characterised by other pedagogic frameworks, boarding schools or international schools (Koinzer and Gruehn 2013: 24). They are managed by voluntary associations, non-profit private limited corporations (*gGmbH*) or private limited companies (*GmbH*) (Lingen 2016: 269).

The law defines two forms of private schools. On the one hand, private schools can be established as an alternative to public schools (*Ersatzschulen*). This definition applies if private schools are operated by a certain community, follow a certain educational philosophy or if a similar public school does not exist in the municipality. All other private schools are operated as additional schools (*Ergänzungsschulen*). Both types need approval from the federal state in which they operate and are subordinate to the respective laws. Approval is granted under the condition that they offer degrees, examinations and facilities that are similar to public schools and that they do not separate students on the basis of economic capabilities. The approval has to be denied if the economic and legal position of teaching staff is not guaranteed (Koinzer and Gruehn 2013: 27). Because the German constitution guarantees private schools in the form of alternative schools, the federal states are required to subsidise them. The monetary support is at least two thirds of the funding given to public schools. Some states subsidise additional schools in a similar way. In contrast to public schools, private schools may charge fees to cover the remaining costs (BMWi 2017).

The diverging regulations and numbers of students cause that the structures of schools vary substantially from state to state. For instance, there are differences in the types of schools, the work load and wages of teachers, the size of learning groups and to what extend schools offer full-time schooling. Furthermore, their expenses differ: The federal states of Hamburg, Thuringia, Bavaria and Bremen spent the most on every student in 2013, 10,000€-11,000€, while Schleswig-Holstein spent only 8,000€ per student (Statistisches Bundesamt 2016: 88).

During primary and secondary school, it is not unusual for children and youth to join private tutoring and homework assistance. In 2013, youth from the age of ten to eighteen spent on average two hours per week attending these services after school (BMBF 2016: 88). Tutoring usually takes place in groups of three to five students. Providers are profit-oriented nationwide tutoring enterprises such as the two biggest ones '*Schülerhilfe*' and '*Studienkreis*'⁴ or non-profit organizations. Among the non-profit organizations, small and

⁴ For information on the two professional providers see <http://www.schuelerhilfe.com> (last accessed 08 Apr. 2017) and <https://www.studienkreis.de> (last accessed 08 Apr. 2017).

regionally concentrated organizations⁵, as well as the Free Welfare Associations⁶ offer homework assistance targeting needy children. A study by the Bertelsmann Stiftung (2010: 18) demonstrates that the average costs for professional providers for 180 minutes per week are 130€ monthly. Additionally, an entrance fee has to be paid. Small non-profit organizations often provide tutoring free of charge. The offers by the Free Welfare Associations are very diverse. Spot checks show that most offices provide tutoring and homework assistance in their function as providers of youth and welfare services for local municipalities and therefore charge no or minimal fees. In Germany no legal framework for the tutoring market that controls the qualification of teachers or the content (Dohmen et al. 2008: 58) exists. For this reason, practically anyone can open up a tutoring institution. Although the two biggest providers have been voluntarily tested by certification companies, this is not widely disseminated.

2.2.3 Vocational training

Vocational training is characterized by a division of competencies between the state and self-governing bodies of the economy. Similar to general education schools, federalism provides that part-time and full-time vocational schools are regulated by the ministries of education and cultural affairs of the federal states. Their activities are coordinated by the Conference of Ministers of Education as it enacts framework guidelines and curricula for vocational training schools (KMK 2017). The ministries of education and cultural affairs can implement these framework plans unaltered or modify them according to their needs. The dichotomy in internal and external school affairs is present in relation to vocation schooling, too, and leads to similar responsibilities and financing structures as in the case of general schools (Münch 2006: 490). Providers of vocational schools are chiefly local communities or districts (Hepp 2011: 37).

The vocational training in companies is coordinated by the national level which established an overall framework with the Vocational Training Act (*Berufsbildungsgesetz*). In coordination with the Conference of Ministers of Education, the federal government issues training regulations specifically designed for each profession (Kell 2006: 472). Supervision of training is assigned to the professional chambers⁷ (Hepp 2011: 37). According to the Vocational Training Act, they are responsible for the accreditation of training companies, the supervision of traineeships and the organization of examinations. The central decision-making body of each chamber is the vocational training committee, a tripartite council

⁵ An example of a small and regional organization is <https://hevi-hoffnung.com/angebote/> (last accessed 08 Apr. 2017).

⁶ For the offers of the Free Welfare Organizations see for example: <http://www.zaq-newsletter.de/newsletter-detail/2013-herbst/02-lernfoerderung-durch-die-awo/> (last accessed 08 Apr. 2017), <http://www.caritas-muelheim.de/attachments/article/103/CaritasLerntraining.pdf> (last accessed 08 Apr. 2017), https://www.paderborn.de/microsite/fscpb/kontakt_adressen/adressen/10901010000092251.hp (last accessed 08 Apr. 2017).

⁷ Professional chambers have a long tradition in Germany. They are corporations under public law that are regionally organized and endowed with self-administration rights. Membership in the respective chamber is compulsory for enterprises and professionals of 'free occupations', such as architects, dentists, engineers, lawyers, notaries, physicians and pharmacists. As semi-public organizations, the professional chambers are not only endowed with responsibilities in the field of vocational training, but also act as service providers for their members (Schroeder and Weßels 2010).

consisting of representatives of employers, employees and vocational teachers (Kell 2006: 474). The on-the-job training is financed by the firms themselves and indirectly by the trainees as they receive low wages in comparison to their rendered work performance (ibid.: 479).

3 The integration of refugees into the education system

The right to education is not directly nominated in the German constitution, however, it can be derived from several fundamental rights. These are the rights to human dignity (Article 1, Paragraph 1), the right to freedom of personal development (Article 2, Paragraph 1) and the principle of equality (Article 3, Paragraph 1) guaranteeing open access to education. The constitutions of some federal states are more specific, as they explicitly postulate the right to education (Hepp 2011: 29). In any case, these entitlements apply to German citizens and refugees. Additionally, refugees under age are protected by further legal obligations. Germany accepted the UN Convention on the Rights of the Child in 2010 which obliges countries to allow children and youth a right to education regardless of their residential status (Robert Bosch Stiftung 2015: 8). Likewise, the Charta of the Fundamental Rights of the European Union (Article 14) and the revision of the EU Reception Directive (Article 14) demands equal access to the education system for German citizens and non-adult refugees.

The implementation of these rights is the task of the policy field of education. Its complex web of regulations and competences originating from the national level and the federal states can be found in connection to refugees' access to education. Moreover, in many cases their legal residence status influences their access. Three residence titles can be distinguished (cf. Blossfeld et al. 2016: 30-38): Firstly, there are recognized refugees. This group consist of those individuals that have been recognized as refugees due to the German constitution or the Geneva convention. Refugees that have been granted subsidiary protection according to EU Law fall in this category, too. They usually receive a temporary residence permit which can be extended. The second group encompasses those refugees that have filed their application for asylum but are still waiting for a decision. During their asylum proceedings, they do not possess a residence permit. Finally, a third group includes people whose asylum application has been denied, but who are tolerated in Germany on the basis of an 'exceptional leave to remain' (*Vorübergehende Aussetzung der Abschiebung/Duldung*). Similar to asylum seekers, this group of refugees does not possess a residence permit. Their departure has been temporarily suspended due to urgent personal or legal reasons (§ 60a Residence Act). The following sections aim at presenting the general regulations and challenges for these groups according to the aforementioned stages of education.

3.1 Access to childcare

Analogous to German citizens, the rights to attend childcare facilities apply to refugees (Blossfeld et al. 2016: 40) and they can submit a request to be fully or partially exempt from paying fees (BMFSFJ 2017). So far, there are no data available on the amount of refugee children attending preschool education, but it seems to be rather exceptional. Haarmann (2015) mentions a first investigation demonstrating for Berlin that only six percent of all refugee children participate in institutionalized early education. Several

explanations can be put forward. Firstly, although they are entitled towards a place in a childcare facility, children that have not been assigned to a municipality cannot make use of their right because the law stipulates that they have to proof a place of abode (§6, Paragraph 2 Book VIII German Social Code). This requirement is only given, after they have left the reception centres and are assigned to a municipality or district (Robert Bosch Stiftung 2015: 8). Most federal states offer separate childcare facilities in the reception centres for them. These services rarely fulfil the standards of a regular nursery or kindergarten as children are supervised for only few hours per day or the presence of a parent is required (Deutsches Institut für Menschenrechte 2016a: 70). Secondly, the access of refugees to childcare facilities is restricted by the general scarcity of places (ibid.). In this context, it is unusual for refugees to sue for a place as they often lack the knowledge of the German legal system and its institutions (Meysen et al. 2016: 14). Thirdly, it is important in the case of refugees that the children and their parents often experienced traumatic events before and during the flight which make it challenging for them to separate from each other (SVR 2016: 81). Similarly, as many refugees cannot work or are not allowed to work, they have sufficient free time to take care of their children themselves (ibid.:39). Finally, on the institutional level a lack of openness to the specific needs of migrants can be criticized, as the facilities are often in need of qualified personnel.

To overcome the scarcity of childcare facilities for refugees, the Federal Ministry of Family Affairs, Senior Citizens, Women and Youth estimates that 80,000 additional places have to be created (BMFSJ 2017). To this end, the national government launches investment programs and re-designates funds. Furthermore, similar to German citizens, all refugee children, youth and young adults are able to receive a monthly financial support from the 'educational and participatory package' (*Bildungs- und Teilhabepaket*) to their educational expenditures (Meysen et al. 2016: 12). It aims to facilitate access to education and reduce social exclusion of those in need (BMFSFJ 2017). Also categorized as educational expenditures are grants for meals, field trips, school supplies, private tutoring or membership fees for sports and youth clubs. The application can be done with the municipality. Upon the initiative of the Federal Ministry of Family Affairs, Senior Citizens, Women and Youth, several programs for childcare facilities were established that do not address refugee children exclusively, but include them as one of their target groups. The programs foster language learning in the childcare facilities or the integration of refugee children in cooperation with local non-profit organizations⁸. Furthermore, the states support the municipalities in the content related aspects of childcare for refugees as they offer guidance documents and pilot schemes⁹ (Schamman and Kühn 2016: 20).

3.2 Access to primary and secondary schooling

School attendance is by law compulsory for all refugee children and youth in Germany (Schammann and Kühn 2016: 20). Nonetheless, in few states the regulation applies

⁸ For an overview of the programs by the Federal Ministry of Family Affairs, Senior Citizens, Women and Youth see: <http://www.fruehe-chancen.de/themen/integration/initiativen-des-bundesfamilienministeriums/> (last accessed 08 Apr. 2017).

⁹ A list of model projects and guidance schemes by the Länder can be found at: <http://www.fruehe-chancen.de/themen/integration/links-und-downloads/> (last accessed 08 Apr. 2017).

regardless of the residence title or directly after entry. In Hesse and most other federal states, minors that seek asylum or are tolerated are not obliged to attend a school as long as they live in a reception centre. Instead, they have to wait until they are assigned to a municipality which can take up to six months (Deutsches Institut für Menschenrechte 2016a: 70). From the day of entry until then, they solely have a voluntary right to attend a school (Schamman and Kühn 2016: 20). Berlin is an exception, as the state obliges refugees to go to school directly after their first registration in Germany (Deutsches Institut für Menschenrechte 2016b). Nevertheless, children may still face considerable delays for many reasons. Schools located near reception centres are typically crowded. Reception centres are often situated in isolated industrial parks or rural areas and information transfer from the reception centre to the responsible school authority takes place slowly.

As refugees are newcomers in the German education system, all states provide school-based support measures which aim at equipping the children and youth with the necessary language and technical skills to enable them to take part in the regular classes (Aumüller et. al. 2015: 73). These measures differ in their contents and organizational set-up. While some federal states provide special welcome classes that are fully detached from the regular ones, others intertwine preparatory and regular contents from the beginning on (Robert Bosch Stiftung 2015: 25, Blossfeld et al. 2016: 43). For example, children and youth are directly enrolled into the regular classes and additionally take part in German lessons. In fact, the design and set-up is mostly a matter of the responsible municipality or school. They develop the support programs on the basis of the number of refugees, the available teaching staff and the budgetary situation of the municipality. Particularly in small municipalities, children often participate in regular classes right from the start. Educational experts favour that refugees join regular classes – at least partly – as early as possible and are sustained with the necessary support to follow them successfully. They criticize that in certain states the learning goals and duration of school-based support measures are not clearly specified, sometimes leading to the result that refugees have to attend separate welcome classes for a long time (Aumüller et al. 2015: 73, Robert Bosch Stiftung 2015: 15).

3.3 Access to vocational training

Refugees were for decades barred from vocational training, as the right to attend a vocational training institution is linked to the possession of a work permit which asylum seekers do not possess (Schroeder and Seukwa 2017: 60). In recent years, vocational training has suffered from fewer applicants due to demographic change and the trend among high school graduates to seek a university degree (Bertelsmann Stiftung 2015: 7). The east of Germany is particularly confronted with a lack of apprentices, and companies are becoming more and more interested in refugees as trainees (Seibel and Wesling 2012: 1, Schreyer et al. 2015: 7). Against this background, a policy change has taken place and legal obstacles for refugees were partly eliminated.

Nonetheless, the access to an apprenticeship place is still influenced by the residence title, the country of origin and the duration of stay. Recognized refugees automatically receive a work permit along with their residence permit (Bauer and Schreyer 2016: 2). Different regulations apply to those young adults who have applied for asylum but have not yet

received a final decision and migrants with a tolerated status. They can only start vocational training in the fourth month of their stay in Germany, on the condition that the local immigration authority (*Ausländerbehörde*) issues a work permit (ibid.). The main criteria upon which the work permit is granted to tolerated refugees is that they do not cause themselves an obstacle that prevents them from deportation (Schreyer et al. 2015: 4). The local immigration authority is not allowed to hand out work permits for asylum seekers and tolerated refugees from countries considered to be safe¹⁰. For this reason, they are prohibited from taking up vocational training in Germany (Bauer and Schreyer 2016: 2, Aliche 2016: 31). Refugees who have begun vocational training before the age of 21 can extend their tolerated status one year at a time. Similarly, refugees that have successfully completed vocational training, but cannot immediately secure a job that provides a living, may obtain a temporary residence permit (Schroeder and Seukwa 2017: 61).

Apart from training in companies, vocational education also consists of a school-based part. In most states, it is compulsory that refugees between the age of 16 and 18 attend a vocational school. Those refugees not yet qualified for an apprenticeship have access to one or two years of workplace-related preparatory classes (Schroeder and Seukwa 2017: 60). These equip them with a school leaving certificate and teach them in vocational training related subjects (Blossfeld et al. 2016: 49). Some schools also offer additional courses such as literacy education. However, compulsory general education already ends in some states at the age of sixteen and schools are not obliged to teach these minors anymore (Robert Bosch Stiftung 2015: 11). Consequently, refugees that are older are blocked from general education or vocational training. For this reason, a longstanding demand of refugee organizations has been to extend the age limit up to 21 or in exceptional cases up to 25 years. So far, this extension has only taken place in a few states.

Similar to German citizens, all three refugee groups can make use of labour-related support services such as job application trainings, skills assessments and introductory qualifications (*Einstiegsqualifizierung*¹¹). Yet, long-term programs in the form of assisted vocational training (*Assistierte Ausbildung/AsA*¹²) or specific forms of vocational training preparation measures (*Berufsvorbereitende Bildungsmaßnahmen/BvB*¹³) are closed to

¹⁰ These are currently all states of the European Union, Albania, Bosnia and Herzegovina, Ghana, Kosovo, Macedonia, Montenegro, Senegal and Serbia. Cf. <http://www.bamf.de/DE/Fluechtlingsschutz/Sonderverfahren/SichereHerkunftsstaaten/sichere-herkunftsstaaten-node.html> (last accessed 11 Apr. 2017).

¹¹ With the help of this program adolescents can get to know professions during an internship of six to twelve months. For further information see: <https://www3.arbeitsagentur.de/web/content/DE/Unternehmen/Ausbildung/Ausbildungsvorbereitung/Einstiegsqualifizierung/Detail/index.htm?dfContentId=L6019022DSTBAI516577> (last accessed 11 Apr. 2017).

¹² In the course of this program an educational provider supports companies and disadvantaged youth during vocational training. For further information see: <https://www3.arbeitsagentur.de/web/wcm/idc/groups/public/documents/webdatei/mdaw/mdqy/~edisp/l6019022dstbai750367.pdf?ba.sid=L6019022DSTBAI750384> (last accessed 11 Apr. 2017).

¹³ The program provides general and preparatory key qualifications to enable youth with and without disabilities to start vocational training. For further information see:

asylum seekers and tolerated refugees (Bauer and Schreyer 2016: 3). Furthermore, the policy change in favour of integration has facilitated the financial support of certain refugee groups. Recognized refugees and tolerated ones can receive financial support in the form of study grants after they have stayed in Germany for 15 months (ibid., Blossfeld et al. 2016: 52).

On the national level, programs specifically designed for the integration of refugees into vocational training have been introduced next to the generally available programs on the labour market. For example, the Federal Labour Office set up the initiative 'Perspectives for Young Refugees' (*Perspektiven für junge Flüchtlinge/PerjuF*) that supports all three refugee groups in finding a place for vocational training since 2016 (Bundesagentur für Arbeit 2016). It pursues the same target with training courses and internship placements that it jointly offers with the Federal Ministry of Education and Research and the German Confederation of Skilled Crafts (*Zentralverband des Deutschen Handwerks*) (BMBF 2016a, Deutscher Bundestag 2016a: 7). Despite these efforts by the federal government, a study conducted by Schreyer et al. (2015: 4f.) demonstrates that the local key institutions, namely the relevant immigration authorities and job agencies, act inconsistently with regard to the implementation of the regulations and support programs. On the one hand, immigration authorities differ with regard to requirements that they demand from refugees to issue work permits. On the other hand, while some job agencies show great engagement, others are not well informed about the recent regulatory changes. This uneven implementation of regulations can be a problem as asylum seekers and – in some states also recognized refugees – are not able to change their place of abode freely and thus cannot choose the relevant authorities themselves.

3.4 The role of non-profit organizations in the education of refugees

Additional support for refugees in the field of education is provided by non-profit organizations. In 2015 the most common form of activity was German language instruction. In terms of education for children and youngsters, volunteers offer homework assistance in the refugee accommodations, counselling and assistance with administrative and juridical formalities, as well as supervision of children and youth (Aumüller et al. 2015: 74, Karakayali and Kleist 2016: 24). Language courses and homework assistance seem to be crucial elements of the integration of refugees and counter the inequalities children and youth with a weak socioeconomic or migration background confront (cf. section 2.1). Two groups of supporters can be distinguished: On the one hand, there are established organizations such as welfare associations and churches¹⁴ that have often acted for years on par with local municipalities. On the other hand, some engagement is organized on an ad-hoc basis and carried out by individual citizens (Schammann and Kühn 2016: 25). Many municipalities acknowledge the engagement of non-profit actors for the education of refugees by providing rooms, refunding the material costs, as well as occasionally compensating for expenses and offering training courses (ibid.: 23). Some local administrations also make the ad-hoc engagement an important pillar of their own

<https://www3.arbeitsagentur.de/web/content/DE/BuergerinnenUndBuerger/MenschenmitBehinderung/Berufsvorbereitung/index.htm> (last accessed 11 Apr. 2017).

¹⁴ Further information on the activities that welfare associations and churches carry out to support refugees can be found in the report on social assistance (work package 3, task 13 of the LoGoSo project). It will be made available at www.logoso-project.com.

services for refugees. For instance, they develop systematized homework assistance programs that are provided by the local family and education centre (Aumüller et al. 2015: 74). Next to municipalities, the federal government relies on the engagement of non-profit organizations as many of its programs supporting refugees in terms of integration and language learning work together with them or make use of volunteers (Deutscher Bundestag 2016b: 12). Moreover, it strives to create an interface between local administration and civic engagement with the help of the project 'Local Coordination of Educational Services for Newly Immigrated Individuals' (*Kommunale Koordinierung der Bildungsangebote für Neuzugewanderte*) (BMBF 2016b: 3). The project finances one to three coordinators that connect public institutions to non-profit organizations. Yet, experts warn that this might lead to double structures as organizations have often already created own coordination bodies (Schammann and Kühn 2016: 26). They consequently plead for an efficient allocation of the available work.

4 Concluding comments

The policy field of education is characterized by an abundance of regulations and competences originating from various levels. The national level is in charge of childcare and vocational training, while education in schools is a competence of the federal states. Although the right of refugees to education is no discussion point, the national regulations and laws of the states distinguish refugees according to their residence title, duration of stay and country of origin. In particular, asylum seekers and tolerated refugees face obstacles.

Next to hurdles in the regulatory framework, refugees are confronted with variations and problems in the provision of services at the local level. Their assigned municipality influences their fate in accessing education. Firstly, they can be confronted with a limited number of places in childcare facilities or schools that are in reach of their accommodation. Secondly, the engagement to inform refugees proactively, as well as the way and duration until the regulations are implemented by local authorities vary. Thirdly, some schools teach refugees in separate classes for a long time. While done with best intentions, this makes them outsiders in the school system. Finally, the language barrier often intensifies these hurdles or is the underlying reason for them. A lack of German language knowledge prevents refugees from knowing rights and entitlements in terms of childcare and schooling. Similarly, it hampers youth trying to find an apprenticeship place. Non-profit organizations endeavour to circumvent these hurdles by offering language courses, homework assistance and counselling services. Local and national actors welcome this engagement and have made it a crucial element in their own programs, often relying solely on non-profit provision of services. On the local level, they strive to link the activities of non-profit actors and municipalities creating a comprehensive framework for the integration of refugees into the education system.

While NPOs are highly active in the field of education and local authorities acknowledge their engagement, further research has to be conducted on the interactions between the municipality, schools, and NPOs. In particular, the parallel involvement of long-established and new initiatives in service provision remains under-researched. How has the cooperation with long-established organizations changed due to the recent increase in

refugee immigration? Which tasks assume new groups and how are they integrated in the existing framework of service provision? Are the newly introduced coordination programs for educational services successful or do they create redundant double structures? Additionally, next to their function as service providers, it remains an open question whether NPOs can engage in advocacy for refugees' access to education. To what extent are they involved in policy making? For instance, do they have a say in the municipalities decision to set up welcome classes or to assign refugees to regular classes right from the start? Can they influence which programs and organizations are equipped with trainings and funds?

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