

UPDATE ON THE INFORMATION FOR THE EDUCATION OF PERSONS WHO ARE NOT POLISH CITIZENS

Due to the entry into force of the *Regulation of the Minister of Education and Science of 10 March 2022 amending the regulation on the education of persons who are not Polish citizens who were enrolled in schools functioning under the education systems of other countries* (Polish Journal of Laws of 2022 item 573) and the *Act of 12 March 2022 on the assistance to Ukrainian citizens in connection with the armed conflict on the territory of that country* (Polish Journal of Laws of 2022 item 583 as amended), which introduced amendments related to the foreigners under temporary protection under the *Act of 13 June 2003 on granting protection to foreigners on the territory of the Republic of Poland*, extending the group of foreigners using the social assistance granted by the Department of Social Assistance of the Office for Foreigners, the information is hereby updated.

Please take the amendments specified below under consideration when using the material.

Amendment in the section FORMS OF ASSISTANCE AND FACILITATIONS IN PUBLIC AND PRIVATE SCHOOLS, item 1 preparatory classes

- previous wording: “maximum number of students – 15.” **Current wording:** “Maximum number of students – 25.”

Amendment in the section FORMS OF ASSISTANCE AND FACILITATIONS IN PUBLIC AND PRIVATE SCHOOLS, item 2 additional teaching hours of Polish language classes

- previous wording: “not less than 2 classes per week.” **Current wording:** “no less than 2 teaching hours per week, where the hours of Polish classes at the preparatory department are increased to the minimum of 6 hours per week.”
- previous wording: “without time limit.” **Current wording:** “no longer than for the period of 24 months.”

Amendment in the section ASSISTANCE WITHIN THE SCOPE OF EDUCATION GRANTED BY THE DEPARTMENT OF SOCIAL ASSISTANCE OF THE OFFICE FOR FOREIGNERS

- previous wording: “Act of 13 June 2003 on granting protection to foreigners on the territory of the Republic of Poland (information on social assistance, including in the scope of education granted to foreigners applying for international protection).” **Current wording:** “Act of 13 June 2003 on granting protection to foreigners on the territory of the Republic of Poland (information on social assistance, including in the scope of education granted to foreigners applying for international protection or using temporary protection who are eligible for assistance under Article 112 of the Act).”
 - previous wording: “Certificates and applications can be delivered or sent to the Office for Foreigners (the list of centres with the addresses is available at <https://udsc.gov.pl/uchodzcy-2/pomoc-socjalna/osrodki-dla-cudzoziemcow/mapka-osrodkow/>) or to the Department of Social Assistance of the Office for foreigners, ul. Taborowa 33, 02-699 Warsaw, Poland, e-mail dps@udsc.gov.pl”. **Current wording:** “Certificates and applications can be delivered or sent to the Office for Foreigners (the list of centres with the addresses is available at <https://www.gov.pl/web/udsc/kontakt-do-osrodkow>) or to the Department of Social Assistance of the Office for foreigners, ul. Taborowa 33, 02-699 Warsaw, Poland, e-mail sekretariat.dps@udsc.gov.pl”
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- previous wording: “In the event of questions, please contact the UDSC helpline 47 721 75 75 on business days at 9.00-15.00.” **Current wording:** “In the event of questions, please contact the UDSC helpline 47 721 75 76 on business days at 9.00-15.00”
 - previous wording: “Materials on education are also available in the database of questions and answers in 3 language versions <https://udsc.gov.pl/faqudsc/>”
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INFORMATION ON EDUCATION OF NON-POLISH NATIONALS

Issues related to the education of foreigners are laid down in the following legal regulations:

- Act of 14 December 2016. *Education Law* (articles 165 and 166) (hereinafter the Act)
- Regulation of the Minister of National Education of 23 August 2017 *on the education of persons who are not Polish citizens and persons who are Polish citizens who have received education in schools operating in the educational systems of other countries* (hereinafter the Regulation)

The persons **responsible for the fulfilment of children's compulsory education are their parents**, who have full parental authority and who enrol the child in kindergarten/school.

RULES FOR ADMITTING CHILDREN TO SCHOOLS

Primary school

If you live within the district of a specific school (usually the school closest to your home), apply to that school. Children are admitted on the basis of an application filed in by their parents, also during the school year (Article 130, item 1 and 2 of the Act).

If the admission of a school student requires organisational changes in the work of the school resulting in additional financial consequences, the principal may admit the pupil after obtaining the consent of the leading authority - usually the municipality (Article 130, item 3 of the Act).

Registering with non-district schools: (art. 166, item 1 of the Act) If the number of students in the district primary school is high and the admission of foreign children will require organisational changes (e.g. establishing new classes, employment of teachers, etc.), the municipality has the right to designate other schools as the place of fulfilment of the compulsory education:

- 1) another public primary school managed by that municipality;
- 2) a public primary school managed by another municipality, upon the conclusion of an agreement with that municipality.

If such solutions are not possible, the head/mayor/president shall apply to the superintendent, who shall indicate the primary school in which the children will be educated.

Remember – if a primary school does not want to accept your child – contact the authority which manages the school – usually, it is the municipality where you live.

Parent has the right to choose other school than the one in whose district he or she lives. In such case, the school principal decides whether the child will be admitted. If the child is admitted, the principal of the school which receives the pupil must inform the principal of the district school about this fact (Article 36 item 13 and 14 of the Act)

- the child is admitted on the basis of foreign documents (total number of years of education in the country and abroad). The age of the student and the opinion of the parents may be taken into account.
 - in the absence of documents confirming the total number of years of school education – on the basis of an interview conducted in Polish or in a foreign language spoken by the student.
 - to public kindergartens, artistic institutions, classes developing interests and talents in public educational institutions, continuing education in non-school forms – under the conditions and in accordance with the recruitment procedure applying to Polish citizens
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Secondary school

- the child is admitted on the basis of foreign documents (total number of years of education in the country and abroad). The age of the child and the opinion of the parents may be taken into account.
- in the absence of documents confirming the total number of years of school education – on the basis of an interview conducted in Polish or in a foreign language spoken by the student.
- to art institutions, dormitories, boarding schools, classes developing interests and talents in public educational institutions, qualifying vocational courses, continuing education in non-school forms – under the conditions and in accordance with the recruitment procedure applying to Polish citizens

TIME LIMITS FOR RECRUITMENTS

Deadlines for recruitment and supplementary proceedings, including **time limits for the submission of documents** (Article 154, item 1 of the Act):

- is determined until the end of January by the leading authority for the public kindergarten, other form of public pre-school education or public primary school (usually at the beginning of March);
- is defined by the end of January by the competent superintendent in the case of public primary schools for adults, first year of public secondary schools, introductory year of public secondary schools with bilingual sections and for the first semester of first grades in public secondary vocational schools and in public post-secondary schools

If a student arriving from abroad **is unable to submit documents, he or she will be qualified** for the appropriate class **and admitted** to the school **on the basis of an interview**. The interview is going to be conducted by the school principal, with the participation of the teacher if necessary. **In the case of a student coming from abroad who does not speak Polish, the interview is carried out in the foreign language spoken by the student**. If necessary, the school ensures the participation of a speaker of the foreign language spoken by the child in the interview (§ 12 item 1 and 4 of the Regulation).

In order to register your child for school, contact the school of your choice and ask for the required documents. The information required most commonly include the child's details (first name, surname, date of birth, series and number of identity document), the parents' names, e-mail address and telephone number.

Attach **a declaration of you and your child's domicile** to the written application.

The school may define its own template for an application.

DOCUMENTS REQUIRED

- **for public primary schools** if the child resides **in the district** – of its own motion
 - **for public primary schools** - if a child resides **outside the district** and to **public secondary schools** (high school, technical secondary school, vocational secondary school) students are admitted to schools on the basis of **available places** and are qualified to the appropriate class after meeting conditions specified for particular types of schools, i.e. a medical certificate, a medical or
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psychological certificate, a written consent of parents, results of: physical fitness tests, language aptitude tests, language competencies, vocational tests, suitability tests

- for **public vocational upper secondary schools – for available places on the basis of the following documents:**
 - ✓ a certificate or other document issued abroad recognised as a proof of basic vocational training in the Republic of Poland, or
 - ✓ a final administrative decision on the confirmation in the Republic of Poland of the basic vocational training
 - ✓ a medical certificate, medical or psychological decision

- for **public post-secondary schools – for available places on the basis of the following documents:**
 - ✓ a certificate or other document issued abroad confirming secondary education, secondary technical education or eligibility to apply for studies in the Republic of Poland, or
 - ✓ a final administrative decision on confirmation of secondary education or secondary vocational education in the Republic of Poland, or eligibility to apply for admission to university studies, or
 - ✓ a certificate or other document issued abroad recognised as equivalent to a school leaving certificate, general secondary school leaving certificate, specialised secondary school leaving certificate or technical school leaving certificate by way of validation of foreign studies and degrees until 31 March 2015,
 - ✓ a medical certificate, medical or psychological decision

General principle: no requirement for the recognition of foreign documents, except for post-secondary schools and upper secondary vocational schools.

Rules governing the principles and procedures for the **recognition of education obtained abroad:**

- articles 93-93h of the Act of 7 September 1991 *on the Educational System* (Polish Journal of Laws of 2020 item 1327 of 2021 pos. 4, 1237)
- regulation of the Minister of National Education of 25 March 2015 *on proceedings for recognition of a certificate or other document or confirmation of education or entitlement to continue education obtained in a foreign educational system* (Polish Journal of Laws of 2015, item 447).

FORMS OF SUPPORT AND FACILITATION IN PUBLIC AND NON-PUBLIC SCHOOLS

1. preparatory branches

- they facilitate adaptation to school by adapting the methods and forms of implementation of the curriculum to the individual needs and abilities of students
- the leading teachers may be assisted by a person who speaks the language of the pupil's country of origin
- maximum number of pupils – 15
- number of hours of classes per week:
 - ✓ in primary school: for classes I-III – a minimum of 20 hrs.
 - ✓ for classes IV-VI – a minimum of 23 hrs.
 - ✓ for classes VII and VIII – a minimum of 25 hrs.
 - ✓ in secondary school – a minimum of 26 hrs.
- learning period lasts until the end of the school year in which the student is admitted to the preparatory division. It may be shortened or extended by up to 1 school year

2. additional hours of Polish language learning

- not less than 2 lessons per week
 - organised by the school
 - without time limit
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3. extra hours of compensatory classes

- in cases where it is necessary to make up for curriculum differences
- organised at the request of a teacher
- 1 lesson per week per subject.
- for a maximum period of 12 months
- in total a maximum of 5 lessons per week for one student (including additional hours of Polish language and compensatory classes)

4. employment of a teacher's assistant (so-called intercultural assistant)

- a person speaking the language of the child's country of origin
- employed by the school principal
- up to 12 months

5. opportunities to learn the language and culture of the country of origin

- in the case of pupils under compulsory education who are not Polish nationals, a diplomatic or consular post of their country of origin in the territory of the Republic of Poland or a cultural and educational association of a given nationality may organize language and culture classes related to their country of origin at school
- a minimum of 7 pupils
- a maximum of 5 classes per week

6. facilitation of external examinations (art. 44 z.zr item 7 of the Act on the Educational System)

- a child who received psychological and pedagogical assistance at school in the school year in which he or she takes the eighth-grade or matriculation examination, may take the examination under conditions adapted to his/her educational needs and psychophysical capabilities on the basis of a positive opinion of the pedagogical council.
- children with limited Polish language skills may take the eighth-grade and matriculation examinations (except for the examination in a foreign language) under conditions adapted to their educational needs and psychophysical abilities on the basis of a positive opinion of the pedagogical council (adapted examination sheets are prepared in the case of the eighth-grade examination)
- adaptation of the form of the eighth-grade and matriculation examination involves, among others, the use of appropriate specialist equipment and teaching aids (e.g. a bilingual dictionary), extending the time allocated for the examination, ensuring the presence and assistance of a support teacher during the examination

COMPULSORY SCHOOL ATTENDANCE AND LEARNING

Compulsory learning applies to each child aged between **6** and **18**.

PRE-SCHOOL EDUCATION

Each 6 years old child is obliged to have **one-year kindergarten preparation** (so-called *zerówka* or pre-school) in a kindergarten, a kindergarten division in a primary school or in another form of kindergarten education. This obligation applies as at the beginning of the school year in the calendar year in which the child turns 6.

If the number of children to whom the municipality is obliged to provide pre-school education, residing in the area of the municipality, reported during the recruitment procedure to a kindergarten/primary school division exceeds the number of places in that kindergarten/primary school, the principal of the kindergarten/primary school shall inform the head of the municipality/mayor/president of the town



about non-admission of the child. In such case, the head of the municipality/mayor/president must issue a written information to the parents about another institution that can accept the child (if possible, one situated closest to the child).

The parents of a child subject to compulsory annual preschool preparation are obliged to:

- register a child for a kindergarten/primary school division
- ensure that the child regularly attends classes.

A 6-year-old can start 1st grade under several conditions:

- at the request of parents
- the child must show psychological and physical maturity to enter education,
- the decision to admit a child to school is taken by the principal on the basis of:
 - an opinion issued by a psychological-educational counselling centre
 - if the child attended kindergarten in the previous school year.

A 7-year-old can get a **deferral of compulsory school education**:

- at the request of parents, filed with an opinion issued by a psychological-educational counselling centre
- at the decision of the principal of the public primary school in the district where the child resides,
- application, shall be submitted in the calendar year in which the child turns 7 years old, **no later than August 31st**.
- Such a child continues his/her education in pre-school.

PRIMARY SCHOOL

Compulsory schooling for each child commences at the beginning of the school year in the calendar year in which the child turns 7 and **continues until the end of primary school**, however no later than until the age of 18. **The obligation is fulfilled by attending a primary school**, either public or non-public.

The parents of a child subject to compulsory education are obliged to:

- enrol the child in school
- ensure that the child regularly attends classes
- ensure that the child has conditions allowing him or her to prepare for classes;

HIGH SCHOOL

After completing primary school, **compulsory education is fulfilled by:**

- **attendance at a secondary school**
- carrying out vocational training with an employer.

A student who has completed secondary education before the age of 18 may also fulfil the compulsory education requirement by attending a higher education institution or a vocational qualification course.

The parents of a child who is subject to compulsory education, upon request of the head of a municipality/mayor/president of the city having jurisdiction over the child's domicile **are obliged to provide information on the manner in which the child meets the compulsory education obligation** as well as all changes in this respect.

THE CONSEQUENCES OF THE VIOLATION OF COMPULSORY EDUCATION:

Parents should regularly communicate with their child's head teacher and ensure that the child attends school (or remote classes) regularly and any absences are excused on a regular basis. The rules for excusing absences from lessons are not regulated nationwide, they are determined by regulations or

school statutes. You can ask the head teacher about the rules for excusing absences. Failure to comply with the obligation of annual preschool preparation, compulsory education, i.e. unexcused absence from at least **50% of days of classes** within a month may result in serious consequences, e.g. written warning, imposition of a fine (even up to PLN 10,000), filing a motion to the Family and Juvenile Court to review the child's family situation and take action, including restriction of parental rights.

EDUCATIONAL ASSISTANCE PROVIDED BY THE DEPARTMENT OF SOCIAL WELFARE AT THE OFFICE FOR FOREIGNERS

- act of 13 June 2003 *on granting protection to foreigners within the territory of the Republic of Poland* (information on social assistance granted to foreigners applying for international protection, including in the area of education)

The Department of Social Assistance at the Office for Foreigners, in accordance with the obligations imposed by the Act of 13 June 2003 *on granting protection to foreigners within the territory of the Republic of Poland*, provides underage foreigners receiving education and care in public institutions, primary and secondary schools with teaching aids in the form of a **school layette** (provided in kind or in the form of vouchers for its purchase). In order to receive the assistance defined above, parents must submit a current certificate for the given school year.

In addition, secondary school students and children completing mandatory one-year pre-school preparation are provided with **school books** on the basis of the school certificate for the current school year.

Where possible, the Office also covers the costs of extra-curricular and recreational activities. An application must be submitted for that purpose.

Certificates and applications may be submitted personally or sent to the centre for foreigners (the list of centres and their addresses is available at <https://udsc.gov.pl/uchodzczy-2/pomoc-socjalna/osrodki-dla-cudzoziemcow/mapka-osrodkow/>) or to the Department of Social Assistance of the Office for Foreigners, at 33 Taborowa St., 02-699 Warsaw, e-mail dps@udsc.gov.pl.

In case of further questions, please contact the Office for Foreigners infoline at 47 721 75 75, available on working days between 9.00 a.m. and 3.00 p.m.

Materials regarding education are also available the form of a database of questions and answers in 3 languages <https://udsc.gov.pl/faqudsc/>

The Office for Foreigners has also launched an e-mail box edukacja@udsc.gov.pl for education-related enquiries.
