



Towards an Inclusive Education for Refugees: Educational Policies of refugees in **Germany**

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Abstract. This policy report analyses educational provisions for refugee students in the compulsory schooling systems of the German states of Hamburg and Saxony. It is based on the examination of policy documents from 2012 to 2017. Two main factors shape refugee education provisions in both states: refugee legal status and education policies. Asylum and settlement policies have profound impact on access to work, vocational training and health, as well as on the enforcement of compulsory schooling. Restrictive asylum policies can lead to unstable and difficult living conditions, which form barriers for educational participation. Before 2015, education policies in both states were mostly implemented for all students or for second language learners, but not especially refugee students. Referring to Massumi (2015) models of educational integration, a range of models from immersion to integrative, partly integrative, and parallel classes are applied in Hamburg and Saxony. The sudden rise of numbers of refugee students since 2013 only slowly led to a visible increased policy density and intensity on federal state and national level in 2016 and 2017. These policies include regulations such as frameworks for transition systems, coordination and monitoring systems for German as a second language learners, and an adaption of the rules for distributing refugee students. This regulatory expansion has led to important investments in teacher training and staff qualifications. At the same time, it has intensified pre-existing infrastructural problems such as staff shortages and a lack of early childcare provision. Especially in Saxony, refugee youth are seen as a potential to combat demographic change and a lack of skilled workers. Hamburg, because of its migration history as urban center, was able to build more intensively on already available structures for language support and programs in the VET field. The report forms part of a comparative longitudinal study on refugee education provision in Australia, Germany, Lebanon and Turkey Lebanon, Germany, Australia, and Turkey by the Centre for Lebanese Studies, Beirut.

Keywords: refugee; educational integration; Hamburg; Massumi; policy analysis; refugee education; Saxony.

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Chapter One

Introduction

This report highlights the response of Germany to the incoming refugee population since 2012. It focuses on the refugee settlement and education provisions including policies and programs within the two German states of Hamburg and Saxony. The report focuses on the descriptive dimension, presenting and explaining structures of educational provisions based on the examination of policy documents. We focus on the impact of these provisions on children and youth in compulsory schooling-age. Further, it shows how the policies are structurally embedded within and influenced by state regulation concerning asylum and settlement policies. It also provides an overview of possible policy change due to the longitudinal data (2012 to 2017).

The policy analysis aims to address the following questions:

1. How did the education policies and related immigration and resettlement policies in Saxony and Hamburg change since 2012?
2. What is the current state of educational policies and educational provisions in two of the German federal states, Saxony and Hamburg?
3. How are settlement policies affecting the education policies for refugee children?

This policy analysis report forms a part of a comparative longitudinal study on the refugee education provisions in Lebanon, Germany, Australia, and Turkey by the Centre for Lebanese Studies, Beirut. The study consists of policy analyses on the macro and meso level as well as qualitative research on the micro level within schools within the aforementioned countries.

Country demographics

The federal state of Germany is home to a population of 82.5 million people on 358,000 square kilometers. Of this population, around 13.5 million are children and youth under age of 18 and 23% are either first generation migrants or second generation migrants with at least one parent born outside of Germany (Statistisches Bundesamt, 2018a, p. 11, 32, 41).

In Germany, the right to seek asylum has been granted on the basis of the Constitutional law since 1949 in response to the Second World War. The Geneva Convention on Refugees came into effect in Germany in 1953. Until the late 1970s, refugees mainly came from communist countries (Poutrus, 2014, p. 116). In the nineties, the war in the Balkan region led to high numbers of asylum seekers peaking with 438,191 asylum applications in 1993 (Bundesamt für Migration und Flüchtlinge, 2016a). This first peak led to the so-called “asylum compromise”, the amendment of the Constitutional law in 1993. It meant in effect a severe restrictive orientation of German Asylum law. Since 1985, the Schengen and later Dublin Agreements regulate the freedom of movement and responsibility for asylum applications in the European Union. Asylum claims have to be lodged in the country of the first arrival within the EU (Parusel, 2010, p. 81). Germany has become the primary country of destination for asylum seekers in Europe since 2011. In 2016, 59% of all asylum applicants recorded in the EU Member States registered in Germany (Eurostat, 2018).

From 2012 to 2017 over 1.7 million persons sought protection in Germany. In 2016, an all-time high of over 754,500 of asylum applications was reached, 64 % of them by asylum seekers under 18 years of age (490,000). Syrians constitute for the largest group of asylum seekers (Bundesamt für Migration und Flüchtlinge, 2018b).¹

In total, Germany was home to over 1.6 million refugees in 2017, including asylum seekers, refugees with legal status, and people whose applications have been rejected (Statistisches Bundesamt, 2018), making up 2% of the German population. The vast majority (69%) of them have legal status, nevertheless, the number of refugees with a toleration status is rising and has more than doubled since 2012. The status of refugees has profound implications on their rights, their access to education, vocational training and work (see chapter three). The refugee population in Germany is very young. 28% of the refugees are under 18 years old, compared to 17 % of the domestic population (ibid.).

Refugee protection systems in Germany

Three main ways to gain refugee protection in Germany can be described: i) In-Country Asylum Claim and Family Reunification Program for accepted asylum seekers, ii) National and European Resettlement and Relocation Program, and iii) Humanitarian Admission Programs. In Germany, the Federal Office for Migration and Refugees (BAMF) is responsible for the examination and decision of asylum applications. Asylum seekers must report that they are seeking asylum at the border or after crossing into Germany. They are then sent to an initial reception facility. A branch office of the Federal Office oversees the registration of the new claimants and hand them a first official document - the proof of arrival. This document entitles refugee claimants to state's benefits such as accommodation, (limited) health insurance and food. The subsequent distribution of the asylum seekers into a more permanent accommodation in different federal states takes place according to a fixed quota system, the so-called "Königstein key" (Bundesamt für Migration und Flüchtlinge, 2016a, p. 9). The asylum application is filed at the branch of the Federal Office. Adolescents aged 18 or older have to lodge their own claim and have to explain their reasons in the personal hearing (§12, para. 1 AsylG). During the ongoing asylum process, there is a housing obligation, often in mass accommodations for asylum seekers (ibid., p. 7). Claimants who have reached their 14th year of age are photographed and fingerprints are matched in the EURODAC database (ibid., p. 16). If the refugee has already been registered in another European country, he or she can be returned to this country under the Dublin III regime. In addition to the formal decision, the following decision-making possibilities exist:

Table 1: Decision making possibilities in Germany.

| | |
|--|---|
| Recognition as a person entitled to asylum in accordance with § 16a GG (Constitutional law) | Refugees may apply for a permanent residence permit after three years of residence and are entitled to family reunification programs. |
| Recognition as a refugee according to the Geneva Convention on refugees | |
| Granting a right to Subsidiary Protection Status | Refugees can only apply for a permanent residence permit after 7 years |
| Determination of a ban on deportation | |
| Rejection as unfounded/manifestly unfounded | Deportation/ voluntary return |

¹ Germany is the main destination country for Syrian refugees in Europe: Of all Syrians, who applied for asylum in the EU in 2016, 79% registered in Germany. From 2012 to 2017, 54% of all Syrians who applied for asylum in the EU registered in Germany (543,585 out of 1,008,795). (Eurostat, 2018)

Merely the permanent residence status constitutes a secure legal status. Other permits may be affected by revocation proceedings (Heinhold, 2014, p. 100). Access to language courses and qualification programs during the ongoing asylum process depends on the prospects to stay in Germany. Asylum seekers from countries of origin with an acceptance rate of more than 50% are commonly defined as persons with high prospects to stay, even though there is no legal definition of the term (Bundesamt für Migration und Flüchtlinge, 2016b).

If the application for asylum is refused but there are still deportation restrictions (for example, no travel document is available), the refugee is generally granted a toleration status (*Duldung*), which means a highly uncertain legal status (Gag & Voges, 2014, p. 9). In addition to incoming asylum seekers, Germany has vowed to relocate 31,000 refugees via national and EU-wide relocation and resettlement programs between 2014 and 2017². Additionally around 40,000 refugees were accepted through humanitarian admission programs between 2012 and 2015 (Grote, Bitterwolf, & Baraulina, 2016). This report focuses on refugees as asylum seekers, asylum applicants, beneficiaries of subsidiary protection and people with certificate of suspension of deportation (see Aumüller et al., 2015, p. 13). Information on resettled refugees and refugees accepted through humanitarian admission programs is scarce and no statistics at a federal state level are available.

Focus on Hamburg and Saxony

Educational Systems in Germany are under the responsibility of the sixteen federal states, hence educational provisions for refugee students differ widely in the distinct regions. This report focuses on two states: Hamburg, a City-state with a population of 1.8 million on 755 square kilometres in the former west of Germany, and Saxony, an eastern German state with a population of around 4.1 million on 18.450 square kilometres. Both have experienced a serious influx of refugees since 2015. In Hamburg, the refugee population of 52,515 in 2017 make up for 2.8% of the total population, compared to Saxony with a percentage of 1.4% (57,760 refugees) (Statistisches Bundesamt, 2018b). Among the German federal states, they are not the main recipients of refugees. In 2016, when an all-time high of first asylum applications were filled, 2.5% of them were allocated to Hamburg, 5.1% to Saxony (SVR, 2017, p. 106).

The countries further differ regarding the status of refugees. The total protection rate (number of refugees with legal status compared to the overall number of asylum seekers) in Hamburg in 2017 was above 90% (86.7% in Germany), compared to 77.3% in Saxony, the lowest rate in Germany. This has certain implications. Thus, whereas only 6.6% of the refugees in Hamburg have a certificate of suspension, which is slightly lower than the German average, they make up for 14% of the refugees in Saxony.

In Saxony, Syrians constitute the largest group of asylum seekers and refugees (16,170, representing 28%) followed by Afghanistan, Iraq, and Libya (Sächsische Staatskanzlei, 2018). In Hamburg, Afghani refugees account for 30.3% (15,930) of the refugee population, and Syrians account for 20.2% (10,620) (Statistisches Bundesamt, 2018b).

² 20,000 Syrian refugees through the National Resettlement program (2013-2015); 1,600 refugees within the framework of the EU-Resettlement program (2016-2017); 10,267 refugees via a EU-Relocation program (2015-2017) (Bundesamt für Migration und Flüchtlinge, 2018b, Ostrand, 2015, p. 267).

Table 2: Refugee population in Germany

| | Germany | Hamburg | Saxony |
|-------------------------------------|------------------------------------|----------------|----------------|
| Population | 82,792,351 | 1,830,584 | 4,081,308 |
| Refugee...* | 1,680,700 (2% of pop.) | 52,515 (2.8%) | 57,760 (1.4%) |
| ...with legal status* | 1,154,365 (68.7% of tot. refugees) | 39,510 (75.2%) | 33,795 (58.5%) |
| ...within asylum process | 348,640 (20.7%) | 8,690 (16.6%) | 14,020 (24.3%) |
| ... with toleration status** | 139,445 (8.3%) | 3,480 (6.6%) | 8,210 (14.2%) |

*Refugees in 2017. * Refugees according to § 25 (1) AufenthG with § 16a GG; Geneva Convention on refugees; subsidiary protection and national non-refoulement (§ 25 (3) and § 60 (5 and 7) AufenthG). ** Refugees with a toleration status are among the group of refugees with a rejected legal status (10.6% of the refugees in Germany) Source: Statistisches Bundesamt, 2018b, own calculations.*

General figures and numbers of school age refugee children

There are nearly half a million refugee children in Germany, over 300,000 among them were school-age children in 2017. They make up for 19% of the asylum seekers living in Germany in 2017. The percentage of school-age refugee children among all refugees increased from 14% in 2012 to 16.4% in 2017 (Statistisches Bundesamt, 2018b). Asylum seekers are even younger than the total refugee population. In 2017, 23.2% of the asylum seekers were under 4 years, 45% under 18 years and 63.9% under 25 years of age (Bundesamt für Migration und Flüchtlinge, 2018b, p. 24).

Since 2015, there has been a substantial increase of unaccompanied minors, which were taken into custody by youth welfare offices. The vast majority (over 95%) are between 12 and 19 years old. The total numbers increased by 6% in Hamburg and in Saxony, the numbers increased nearly twenty-fold from 2013 to 2015 (Integrationsministerkonferenz, 2017).

German administrative data of the educational attainment of refugees and asylum-seekers are incomplete (Juran & Broer, 2017). Therefore, comprehensive quantitative data is missing for refugee children in daycare or elementary school and those enrolled in general schooling and vocational training (Massumi et al., 2015; Braun & Lex, 2016, p. 22). Numbers on refugee students are scarce since legal status is not included in the statistic base of most federal states. A study of the German institute for economic research stated that over 98% of the refugee children in their sample were attending elementary school in 2016. Only half of them received support for language acquisition and 23% attended transition or preparatory classes (Deutsches Institut für Wirtschaftsforschung, 2018, p. 385f). A currently running longitudinal study (ReGes) might soon provide detailed information on the educational attainment of refugee children (Will et al., 2018).

In 2017, Saxony was home to 11,760 school-age refugee children, which represents a five-fold increase since 2012. The number of school-age refugee children in Hamburg doubled during the same period to 9,215. Both federal states experienced a sharp increase in school-age refugee children of nearly 3,000 from 2015 to 2016 (Statistisches Bundesamt, 2018b).

Chapter Two

Methodology

Defining policy analysis

“Policy analysis is finding out what governments do, why they do it and what difference it makes” (Thomas R. Dye (1976) in: Wagemann, 2015, p. 15). In other words, policy analysis focuses on the preconditions, content, and consequences as well as the impact of state activity related to certain policy fields. Policies describe the content of politics and the results of a political decision-making process, they comprise of laws, regulations and political programs (Fereidooni, 2011 p. 29). A policy change is measurable by focussing on the “policy density” (quantity of policies in a policy field) and “policy intensity” (level of regulation, e.g. amount of transfer payments; or coverage/scope of policy) (Knill & Tosun, 2015, p. 217f). Jahn differentiates between outputs, outcomes, and impacts of policies (2013, p. 132):

Outputs are the results of the political decision-making process. They are the content of a policy, examples are programs, frameworks or strategies. (Blum & Schubert, 2018, p. 197).

Outcomes are the effects of certain measures, are not directly related to outputs, but might be influenced by other unknown factors (ibid.). The analysis of policy outcomes examines the relevant authorities and how they implement policies (Knill & Tosun, 2015 p. 19f).

The Analysis of **Impacts** concerns the effects or impacts in the relevant policy field. It is connected to evaluation and monitoring. Examples are reports and statistics of relevant authorities (ibid., p. 20).

Data collection and sample

Documents from a range of government and non-government stakeholders have been included in the policy analysis. One expert interview in each context (Saxony and Hamburg) was conducted for a first overview of relevant documents. Consecutively, documents were identified through literature review, research in relevant databases and online on website of the related governmental bodies on the federal and federal state level. Reports (for example, annual reports) from various government departments and offices such as the Ministry for Migration and Refugees (BAMF), the Federal Office of Statistics, and the educational authorities of the two federal states have been included. Another important source of data is policy reviews from independent studies conducted by individuals and non-government organisations, government-funded studies and parliamentary enquiries. The chart gives an overview of analysed documents.

Data Analysis

Documents were analysed using the methodology of qualitative content analysis (Mayring, 2008). Content analysis is based on a system of formal categories (close to a coding scheme) that structure the coding process. Subsequently, sub-codes are inductively formed, with analysis proceeding through comparing and contrasting in and between data sources.

Table 3: Sample of policy documents

| | | 2000-2014 | 2015 | 2016 | 2017 | 2018 | Total |
|--------------------------------------|---|-----------|------|------|------|------|-----------|
| Saxony | Benchmarking analysis/ reports | 1 | 1 | | 1 | | 3 |
| | Parliamentary enquiries | 8 | 5 | 9 | 9 | 6 | 37 |
| | Regulations/ frameworks/ Educational plans | 3 | 1 | 3 | 4 | 8 | 19 |
| | Laws | 1 | 1 | | | 2 | 4 |
| | Statistical data | | 1 | | 1 | 1 | 3 |
| | Leaflets/ information material | | | 2 | 2 | | 4 |
| Hamburg | Benchmarking analysis/ reports | | | | 1 | 2 | 3 |
| | Parliamentary enquiries | 1 | 2 | 2 | 3 | 14 | 22 |
| | Regulations/ frameworks/ Educational plans | 11 | | | 2 | 4 | 17 |
| | Laws | 1 | | | | 1 | 2 |
| | Statistical data | | | 1 | | 2 | 3 |
| | Leaflets/ information material | 2 | | 2 | | | 4 |
| National/International/Others | | | | | | | |
| | Educational and Policy Reports | | 3 | 8 | 7 | 3 | 21 |
| | Statistical Data | | | 2 | 1 | 1 | 4 |

Source: own presentation

Chapter 3

Findings

Educational participation of refugee children and youth is shaped through policies in the educational field as well as through provisions in the asylum and immigration law in Germany. An interaction between both fields results in a highly complex situation. Furthermore, policies are located at different levels of governance. Legal status, asylum process, and settlement policies are a federal responsibility. Education is a responsibility of the sixteen federal states. Responses to refugee students vary widely in the federal states.

In this chapter, we will present the results of our policy analysis. At first, we analyze policies in the field of refugee legal status and settlement relevant for educational participation of refugee students. After a general overview of the situation in Germany, the results of our policy analysis in the two states regarding education are described in a second step.

3.1 Refugee legal status and settlement policy

Interferences and overlaps between refugee education and asylum and settlement policies can be shown in four main areas: i) length of the asylum process ii) access to housing and residence/ living obligations, ii) access to work permits and study permits for vocational training and iii) access to health services.

The following chart gives an overview of the different refugee categories and their access to services and to work permits.

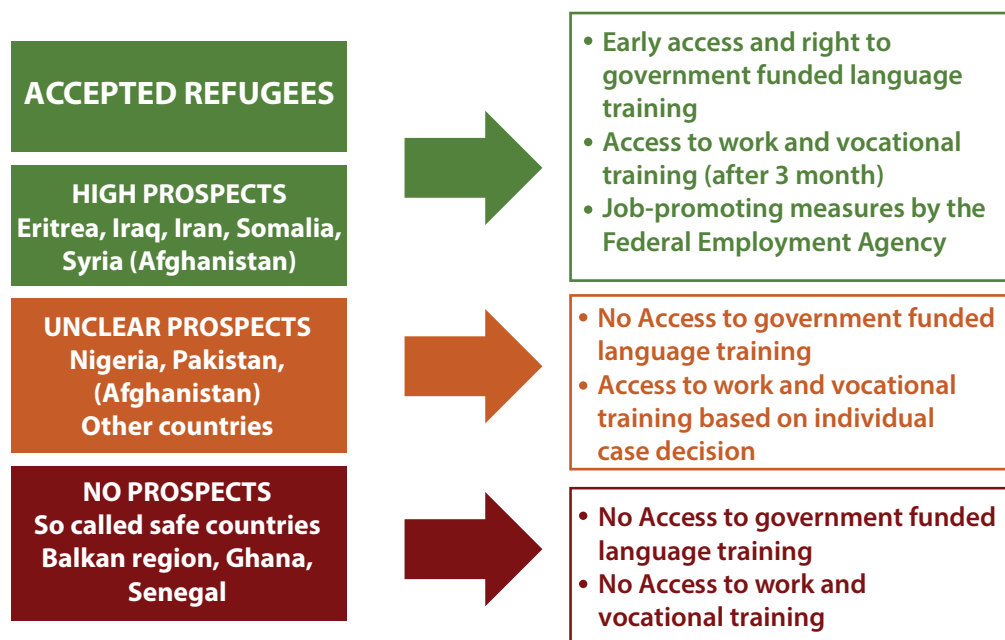


Figure 1: Access of different groups of refugees to training resources.

Source: own presentation

Length of asylum process

The average length of an asylum process in Germany is 10.3 months (2014-2017) but highly depends upon the year in which the procedure was finalized. In 2015, the increased number of decisions within six months was among other things due to shorter procedures for asylum seekers from Syria. The regulation was revised in 2016.

According to the Asylum Seekers Benefit Act, asylum seekers are provided with housing, basic health care, and basic income or benefits in kind. The length of the asylum process defines how long refugee students are subject to these living conditions. Prolonged status instability can furthermore have serious implications on mental health and well-being of refugee students (Unicef, 2017, p. 9).

Table 4: Length of the asylum process

| Asylum process finalized... | Within 6 months | Within a year | Within 2 years | After more than 4 years | Average length |
|-----------------------------|-----------------|---------------|----------------|-------------------------|----------------|
| 2014 | 45.8% | 70% | 88% | 1% | 11.3% |
| 2015 | 62.9% | 81.6% | 93.9% | 0.5% | 7.9% |
| 2016 | 55.7% | 78.8% | 93.5% | 0.4% | 8.7% |
| 2017 | 29% | 57.4% | 87.6% | 1.3% | 13.2% |

Source: Bundesamt für Migration und Flüchtlinge 2015, 2016a, 2017, 2018b, own table.

Access to housing / residence and living obligation

“The reception and accommodation of asylum seekers during the asylum procedure are organized in a multi-stage process, with shared responsibilities between the Federal Government, the states and the municipalities” (Schmid & Kück, 2017, p. 73). Depending on federal state and municipality, the implementation of regulations for housing and residence obligation may vary (Scholz, 2016). After registration, asylum seekers are subject to a residency requirement, meaning they are not allowed to leave the district of the reception facility. After transition into a more permanent accommodation, they are usually housed in City or Municipal shelters ranging from smaller units with only a few families to mass accommodation with a few hundred spaces.³A different procedure is implemented for asylum seekers from so-called “safe countries of origin”: They are obliged to stay in initial reception centres until the asylum process is completed, and in case of a negative process, the decisions are to directly return them to their country of origin. (Vogel & Stock, 2017, p. 5) This can have tremendous effects on refugee children (Braun & Lex, 2016, p. 24). The implementation of a new reception model, the reception, decision, distribution and return centres (Aufnahme-, Entscheidungs-, kommunale Verteilungs-, und Rückführungszentren) since 2018 is based on the national governments coalition agreement. Asylum seekers, indifferent of their countries of origin and prospects to stay in Germany, can be obliged to stay in these centres until the final decision of their refugee claim (a maximum of 18 months, in case of families with children for nine months). So far, Bavaria, Saarland, and Saxony have implemented the new model (Bundesamt für Migration und Flüchtlinge, 2018a, p. 2).

³In Saxony, the objective of the federal state government was to grant access to decentralized accommodation like flats only in exceptional cases (Sächsische Staatskanzlei, 2015, p. 12). Nevertheless, Leipzig, as the largest city in Saxony promoted and supported the use of flats for refugee accommodation (Schammann & Kühn, 2016, p. 12).

Main interferences with education and housing situation:

- Lack of privacy in shared kitchen and sanitary facilities, forced cohabitation of asylum seekers with traumas and under psychosocial stress in mass accommodation result in very problematic living situations and has long been criticized as the main barrier for educational participation of refugee children and youth (Schroeder, 2003). Besides threats of violence and harassment for refugee children and youth, there is a lack of opportunities for them to play and have physical activity, as well as an adequate learning environment within the facilities (Schmid & Kück, 2017, p. 75; Cremer, 2014; Unicef, 2017).
- The quality and numbers of hours of schooling in initial reception centres is lower than in the regular system (Klaus and Millies, 2017, p. 15–19).
- The residence obligation can affect the education provisions for refugee children, as the foreign immigration authority has to approve class excursions or attendance of vocational training and schools outside the district.
- Refugee students usually have to change schools and learning groups several times, since families might have to change their accommodation at various times. This means an instability of students included in their classes (Vogel & Stock, 2017).

Access to work permit / vocational training

Policies on access to work and vocational training for refugees highly depend on their legal status. In general, work is strictly prohibited for asylum seekers during their first three months after arrival and for those living in first reception centres according to a first reception centre housing obligation. This mostly aims at asylum seekers from the so-called “safe countries of origin” like Albania, Bosnia and Herzegovina, Ghana etc.

Refugees with legal status and subsidiary protection are granted unrestricted access to the labour market and vocational training. In case of a toleration status and during the asylum process (Aufenthaltsgestattung), approval is needed from the immigration authority and the authority for work (priority examination of the labour market, Vorrangprüfung) (§ 61 (2) AsylG).

For young people whose deportation has been suspended, the “3+2 regulation” within the integration law from the 31st of July 2016 has brought profound change. The regulation secures residence for the duration of the training (in general, 3 years) with a possibility to receive a two-year residence permit once the trainees have successfully completed their training and were able to find work. The issuance of suspension of deportation is linked with a variety of conditions. (§ 60a (2) sentence 4 and § 18a (1a) of the AufenthG)

The main interferences with education and access to work permits:

- Educational programs for refugee youth mostly focus on Vocational Education programs. Not all youngsters get the work permit necessary for a dual apprenticeship program.
- Some subgroups, such as youth from so-called safe countries of origin are not allowed to work and cannot access apprenticeship programs at all.
- Since the “3+2 regulation” might lead to status stability through vocational training there is a risk of entering apprenticeship programs too soon, without necessary language skills for successful completion of the programs (Korntheuer, Gag, Anderson, & Schroeder, 2018).

Access to health services

When refugees first enter Germany, involuntary medical check-up is conducted to examine them for communicable diseases. For children below 15 years of age, doctors perform skin or blood tests in order to rule out pulmonary tuberculosis. In general, the access to health care is restricted, as cases are individually checked in order to see whether medical aid is absolutely necessary (except for vaccinations). Asylum seekers also get lesser benefits compared to legally insured persons. The German Asylum Seeker's Medical Benefits Act (AsylbLG) only guarantees emergency treatment (excluding psychiatric treatment, treatment for chronic diseases and medical check-ups) (Unicef, 2017 p. 32). Hamburg introduced an electronic health card (EHC) for refugees in 2012. The EHC does not increase the amount of social benefits for the refugees, nevertheless, the access to health care is made easier. In Saxony, where the EHC for all refugees has not been introduced, access to health services is more complex:⁴ in order to see a doctor, refugees need a receipt of authorization (Berechtigungsschein). Children receive legally required screenings and vaccinations. The limited access to health care during the asylum process might interfere with education, for example, for children and youth suffering from post-traumatic stress disorder (see several studies in SVR 2016, p. 80f). Additionally, psychological treatment can be necessary for successful school attendance (Korntheuer, Korn, & Hynie, 2018). The provision of adequate and sufficient personnel in schools, for example, in Saxony is problematic though. In 2016, the ratio of school psychologists to the number of students was 1: 15,630, fifteen times higher than the internationally recommended ratio of 1: 1,000 (SVR, 2017 p. 131). Further, school psychologists are mostly responsible for more than one school. This bottleneck has been identified by the Saxonian government, as strengthening and creation of psychosocial centres is one of the objectives of the "Saxonian concept for Immigration and integration" (Sächsisches Staatsministerium für Soziales und Verbraucherschutz, 2018b, p. 37).

3.2 Education

3.2.1 General outline of Systems and provisions for refugee students in Germany

Highly Federalized Educational Systems in Germany

Education in Germany is highly federalized. Description of the German educational system⁵ might be misleading since there are some common features in all federal states as well as some substantial differences in secondary education (Vogel & Stock, 2017). Germany has well developed educational systems ranging from preschool/kindergarten education, primary education, secondary education, tertiary education and vocational education to lifelong learning opportunities (Maurice & Roßbach, 2017; Shuayb et al., 2016). Preschool education is voluntary but in most states not free of charge. According to federal regulations (§ 24 SGB VIII), parents have the right to part-time daycare or preschool from age one. For children, the age of three to six the attendance rate is 95% (Bildungsberichterstattung, 2018). The municipalities are responsible for the service provision (Park, Maki, Katsiaticas, Caitlin and McHuch, Margie, 2018, p. 27). Compulsory schooling starts at age six with four years of primary school (in Brandenburg and Berlin primary school, it is from grade one to grade six). Secondary school provisions vary substantially between the federal states, providing schooling in a two to four-track systems. Different tracks leading to different school leaving certificates after grade nine

⁴ In Saxony, refugees receive an EHC 15 months after their arrival.

⁵ Since there is a wide variety of educational provisions in the different federal states, this publication speaks of German educational systems.

to grade thirteen. The general university entrance qualification can be achieved after 12-13 years in upper secondary school.

Germany's Vocational Education System with its dual apprenticeship programs is globally known as very successful, combining work-based learning in companies with school-based learning in part-time VET (Vocational Education and Training) schools. Besides the dual apprenticeship programme, the German VET system offers training in full-time VET Schools and VET transition programmes. The latter has been shown as problematic because of lack of transparency and low rates of successful transition into the regular VET system (Hoeckel & Schwarz, 2010 p. 15); Korntheuer, Gag et al., 2018).

Educational provisions for refugee children in Germany

According to international and European law, such as the International Convention for the right of children and the European Reception directive, Germany is obliged to grant refugee children similar access to education as nationals (Vogel & Stock, 2017). In reality, regulation on compulsory schooling differ between federal states in Germany. They range from access to compulsory schooling at the very start of the stay to three or six months after arrival, or whenever the refugee student is transferred from the first reception centre to the municipality (Massumi et al., 2015, p. 36; Vogel & Stock, 2017). Youth and young adults have legal access to preparatory classes in vocational school until age 18 in most of the federal states. Some states extended the age range to 21 years and in exceptional cases to 24 or 27 years (Robert Bosch Expertenkommission, 2015; Weiser, 2016).

For the organisation of the school integration Massumi et. al (2015, p. 44) identified five models:

- **Immersion** without any specific extra support
- **Integrative** within regular classrooms and supplementary German classes
- **Partly integrative** with a mix of parallel German classes and regular class attendance
- **Parallel classes** can be given temporarily as a step towards integration into the regular classroom or until school leaving certificate without integration in a regular class

While some states follow up on an inclusive approach and incorporate refugee children within regular classes, other states set up so-called welcome-classes/transition classes or international preparation classes, designed for refugee children only (Schammann, 2017, p. 104). Models of integration, not only differentiate between federal states but as well as between the different educational stages in one federal state. In most federal states, refugee children and other newly arrived immigrant children attend preparation classes for one or two years. For secondary education, the preparation classes are located at lower and intermediate level secondary schools with only a few federal states offering preparatory classes at the Gymnasium (highest level of secondary school) (Massumi et al., 2015; Maurice & Roßbach, 2017; Robert Bosch Expertenkommission, 2015; Vogel & Stock, 2017).

3.2.2 Short outline on the educational systems in Hamburg and Saxony

The Hamburg educational report 2017 states that 409 primary, secondary and special schools provided schooling for more than 190,000 students in 2017. A majority of the schools (336) are public (Behörde für Schule und Berufsbildung, 2017b, p. 96). In Saxony, 1,506 primary, secondary and special schools provided schooling for more than 360,000 students in 2017 (Statistisches Landesamt des Freistaates Sachsen, 2018).

Compulsory education in Hamburg ends at the age of 18 or after 11 years of school attendance (§ 37 (3) HmbG). According to the Saxonian School law (§§ 26, 28 SächsSchulG), school is compulsory for all children from six to 18 years old residing or working (with a VET contract) since 2016.⁶ Compulsory schooling ends after 12 years (Braun & Lex, 2016, p. 59)

Early Childhood Education: Daycare, Kindergarten, and Preschool:

According to a legal opinion by the German Youth Institute from 2016, refugee children have a legal entitlement to access the “Kita right” after entering the country. For one to six years old, refugee parents have a legal entitlement to more than four hours of care per day, if they work to attend integration courses (SVR, 2017, p. 122). In order to increase the number of children attending Kitas, Germany established a nationwide program entitled Kita-Einstieg to work with families in shelters. Participating municipalities receive up to €150,000 € per year to develop services (Park, Maki, Katsiaficas, Caitlin and McHuch, Margie, 2018, p. 27).

Since 2014, all children that live in **Hamburg**, from their first year, have a legal entitlement to a five-hour class and a lunch free of charge at a daycare centre, kindergarten or preschool. Each child is screened at the age of 4.5 years for language and cognitive skills. Preschool classes are located at primary school centres and focus on a successful transition into the school system (Behörde für Schule und Berufsbildung, 2017b, p. 97). The visit of preschool classes is obligatory for children with low German language or low general literacy skills. For a successful transition to first grade, these children receive additional language support during this last year (ibid.).

Since 2013, all children living in **Saxony** over one year old have a legal entitlement to a four-hour class at a daycare centre or with a qualified childminder (Saxonian law on daycare centres). The recent influx of refugees has intensified existing shortages for early childhood education (Sächsischer Ausländerbeauftragter, 2017 p. 25). At the age of four, each child is screened for language and motoric skills. Before the transition to the first grade, an Education counselling is provided for parents of children with low German language skills (Sächsisches Staatsministerium für Kultus, 1994, §3 (6)).

Hamburg and Saxony both have implemented screening processes for preschoolers with low literacy and language skills. But only Hamburg obliges parents to a preschool year in case of literacy and language development needs. In both federal states, there are similar problems in offering sufficient spaces for early childhood education, with incoming refugee children intensifying this shortage. While in Hamburg daycares, kindergarten and preschools are free of charge and even provide a free lunch, this is not the case for Saxony.

⁶Before 2016, asylum seekers were only entitled to a school attendance right. Schooling was provided if the wish of enrolling was articulated at the respective school (Sächsisches Staatsministerium für Kultus, 1992).

Primary School

A primary school in **Hamburg and Saxony** usually covers the first four school years. In Saxony, during the first year at the primary school, each child is screened for language, cognitive, emotional, social, and physical skills. In both federal states, the semi-annual report of the fourth grade, the primary school gives a transition recommendation for a secondary school for each student. In Saxony, precondition for a successful enrollment at a Gymnasium with a recommendation for an Oberschule only is a written test and a subsequent consultation with the head of school (§6). Irrespective of this, the parents make the final decision to which form of secondary education the child is going (Behörde für Schule und Berufsbildung, 2017b).

Secondary School

Both federal states, **Hamburg and Saxony**, offer a two-track system for secondary schools. Also, the classes 5 and 6 form the so-called observation level. After grade 6, another transitional decision is made between staying at the Gymnasium or changing to another school. The main difference in secondary education is that in Hamburg, students in both schools (Gymnasium and District School) can obtain university entrance qualification while in Saxony this is only possible at the highest level of secondary school, the Gymnasium.

In **Hamburg**, the District school is a nine-level school form and includes the classes in grades 5 to 13. It consists of lower secondary school (grades 5 to 10) and orientation year (grade 11) and upper secondary (grades 12 and 13). In the District school, children with and without special educational needs are taught together (§ 12 HmbSG). Unlike the first transition decision at end of grade four, this tracking decision is attached to school achievements and not a decision of the parents. Students can attain the general university entrance qualification in the Gymnasium after grade 12.

In **Saxony**, Secondary Schooling is with Oberschulen (schools with mixed curricula, formerly “Mittelschule”) and Gymnasium. The **Oberschule** is a six-level school form and includes the classes in grades 5 to 10. Oberschulen award the following degrees: A secondary general school leaving certificate is acquired in grade 9. Students with good grades are able to change to grade 10 and acquire a middle school leaving certificate. This enables students to continue their education at a vocational Gymnasium (Behörde für Schule und Berufsbildung, 2017b p. 91). The **Gymnasium** is an eight-level school form, where students can attain the general university entrance qualification after grade 12. At a vocational Gymnasium, this qualification can be attained after grade 13. For children with special needs, special schools offer primary, secondary and vocational education.

Vocational education and University education

The vocational schools in Hamburg are administered by the Hamburg Institute for Vocational Education and Training (Hamburger Institut für Berufliche Bildung – HIBB). They act as the second site of learning in the dual vocational training system and offer vocational training and vocational education transition programs in a full-time school-based format. The VET transition programs in Hamburg has undergone a substantial reform and adaptation to the group of newly arrived migrant and refugee students since 2012 (Freie Hansestadt Hamburg, September/ 2017). In the vocational education field, Hamburg offers as well various school types (upper technical schools, vocational high

schools, professional academies) that might lead to a university entrance qualification (Behörde für Schule und Berufsbildung, 2017). Tertiary education in Hamburg is provided by a broad range of public and private universities and universities of applied sciences.

Saxony has a well-articulated system of vocational education. After receiving the middle school leaving certificate, students can either attend part-time VET schools as part of the vocational training system or full-time VET Schools (without a second site of learning within a company) as well as VET transition programmes. In total, 254 VET-schools host over 100,000 students in various vocational education programs. Half of them are trainees with a regular VET-contract (Statistisches Landesamt des Freistaates Sachsen, 2018).

3.2.3 Objectives of educational policies for refugees

Hamburg

In general, educational objectives of policies in Hamburg don't differentiate between refugees and other students. A possible explanation for the absence of refugee-specific objectives could lie in a moment of time regulations, frameworks and laws have been developed. School-specific education plans for second language acquisition (2011) and the framework for the language support concept (2006) have been implemented before the numbers of refugee students started to increase. A few more recent provisions mention refugee students as one of their target groups (Behörde für Schule und Berufsbildung, 2018a, 2018b; Freie Hansestadt Hamburg, September/ 2017).

The educational mission of all Hamburg schools results from the §§ 1-3 and § 12 of the Hamburg Schools Act (HmbSG). Education is compulsory for children from age 6 to age 18 or after 11 years of schooling (§ 37 (3) HmbSG). For newly arrived children and youth in this age group, school attendance is compulsory from the very beginning of their stay in Hamburg regardless of their legal status (Behörde für Schule und Berufsbildung, 2018a; Massumi et al., 2015). In consequence, education is provided in so-called study groups as soon as refugee children and youth arrive in initial reception centres. A legislative change of the Hamburg School Act (HmbSG § 28b) was passed by the City Senate in September 2016, giving the school authorities the right to designate the distribution of refugees among the schools in order to avoid concentration at individual locations in the immediate vicinity of refugee accommodations.

The strong connection between education and integration is a key issue in the integration concept of the City of Hamburg (2017). One of the Senate's main strategies for action is to enable the equal participation of every child in education right from the very beginning. Within the integration concept of the City of Hamburg, it is a priority to foster equal access to education at an early stage. Education is seen as fundamental to the success of integration (Freie Hansestadt Hamburg, September/ 2017).

Saxony

Like in Hamburg, education policies in Saxony mostly do not differentiate between refugees or asylum seekers and other students. Anyway, compulsory schooling for refugees only starts whenever the refugee student is transferred from the first reception centre to the municipality. As the transfer mostly takes more than three months, school-age children in first reception centres are in danger of being excluded from formal school education. In August 2018, 260 school-age children in first reception centres were excluded from formal education, 102 of them for more than three months (Drs.-Nr. 6/14669). According to a legal opinion this exclusion of these students from the regular school system violates federal and European law (Toth, 2018, p. 2).⁷

The main criterion for special support is not the legal status of students, but their language skills. According to the Saxonian school law, integration measures and special regulations do apply for students whose mother tongue is not or not only German. In general, students whose mother tongue is not German shall receive special language support, be schooled in regular classes and actively take part within the everyday school life (§1 (8) SächsSchulG). Like in Hamburg, a possible explanation for the absence of refugee-specific general objectives could lie in the time of policy implementation. The most important frameworks and laws have been developed before 2015. School regulations, as well as the Saxonian school law for example, have been developed in or before 2012. The overall objectives outlined in § 1 (8) and within the “Saxonian Concept for the integration of migrants” from 2000, the crucial document for school integration of refugee children (Sächsisches Staatsministerium für Kultus, 2000). It was introduced originally with egalitarian aim to provide for equal access to education and participation for all students. Its three phases approach is based upon the assumption of growing language acquisition by the students due to peer contacts and language support. Nevertheless, these important documents are based on different circumstances and demographic situation in Saxony. Due to the increased number of refugee children, the different school regulations have therefore been adapted in 2017 and 2018.⁸ Further, regulations for preparatory classes and for native language lessons have been adapted. The importance of education for integrating migrants is also stated within the “Saxonian concept for immigration and integration” from 2018. Further, the state government in Saxony pursues a project-based approach in order to deal with the rising demand for education, language courses, and social projects. This is done by issuing new funds under two financial guidelines (Finanzierungsrichtlinie).

Our analysis shows clearly, that the overall objective of education policies did not change and policies in place in both states were mostly implemented for all students or for second language learners and not especially refugee students before 2015. Nevertheless, with the increased influx, both states adapted regulations such as frameworks for preparatory classes and the rules for distributing refugee students. As Saxony had less experience with migrant families than other federal states, new support measures were implemented and policies were updated. In terms of compulsory schooling, there is an important difference between both states. In Hamburg, compulsory schooling for children and youth from 6-18 years starts as soon as they live in an initial reception centre within the City state. Meanwhile, in Saxony, this is only the case as soon as refugee students are transferred from the initial reception centre into a municipal shelter.

⁷See EU-AufnRL, which obliges states to grant refugee children a similar access to education as nationals after a maximum of three month.

⁸Only the Saxonian Act on daycare centers from 2009 (SächsKitaG) has not been adapted to an increased number of children with other native languages.

3.2.4 Priority areas in educational planning

Hamburg

The authority responsible for the educational provisions within the City State of Hamburg is the Authority for Schools and Vocational Training (Behörde für Schule und Berufsbildung/ BSB)⁹. Other important stakeholders are Authority for Labour, Social Affairs, Family and Integration (BASFI) and in the field of vocational schools, the Hamburg Institute for Vocational Education and Training (Hamburger Institut für Berufliche Bildung – HIBB). With a focus on newly arrived immigrant and refugee students, the following priority areas can be described:

Priority area 1 Hamburg: Offering sufficient spaces in preparatory classes and supporting the transition into the regular system through monitoring and coordination

Hamburg has developed a sophisticated intake system for newly arrived refugee and immigrant students. Previously established structures were consistently expanded in the past years, offering study groups in initial reception facilities, international preparatory classes and basic classes at primary and secondary schools and language support after transition in the regular system, as well as vocational preparation classes and additional supports in the VET System (Behörde für Schule und Berufsbildung, 2017a). As the Hamburg Educational report from 2017 states “Since the 2014/15 school year, the need for school provisions to prepare refugee students for the regular classroom has grown enormously” (ibid.) According to our analysis, there is a well-developed educational planning processes in place. Additionally, a specific refugee monitoring process has been implemented since 2016. Numbers of refugee students in different schools are reported through to the City parliament in monthly parliamentary requests. There was a sharp and sudden increase in City parliament enquiries on the topic of refugee students in 2016.

Priority area 2 Hamburg: Language acquisition

Hamburg started very early in developing the educational concepts for second language learners and all students with low literacy skills. The binding Hamburg language support concept was first implemented in the 2005/2006 school year. It aims at offering appropriate support for language acquisition for migrants and for all children with low literacy skills (Landesinstitut für Lehrerbildung und Schulentwicklung, 2006).

Priority area 3 Hamburg: Developing Vocational education programs for migrants and refugees

In consistency with high numbers of refugee youth coming into Hamburg after 2013, programs in the vocational transition system have been further developed and adapted. After a pilot project in 2014, the Vocational Preparatory Program Dual for Migrants (AVM-Dual) has been implemented as a regular offer starting from February 2016.

⁹The Authority for Schools and Vocational training (BSB) is the Ministry of Education for the City State of Hamburg.

Priority area 4 Hamburg: Preschool education

The Senate has made considerable financial efforts to promote the expansion of early childhood education and improved the structural framework conditions of daycares and preschool institutions. With the screening process at the age of 4.5 years, the “language daycare program” and the obligatory preschool class for children with low literacy skills, Hamburg is putting a strong focus on early childhood provisions (§ 28a of the Hamburg Schools Act (Bürgerschaft der freien und Hansestadt Hamburg, 13.07.18).

Priority area 5 Hamburg: Teacher recruitment and training

Hamburg is a growing city, where more and more people live and thus more and more children and young people visit educational institutions. Schooling needs of incoming refugee population intensified the shortage of qualified teachers. Since 2015, Hamburg adapted legal recruitment procedures and hired numerous so-called “career changers” or German as a second language professional to fill in the gaps. Training on refugee and migration-specific topics was offered through the Authority for Schools and Vocational Training (Bürgerschaft der freien und Hansestadt Hamburg, 23.10.18) (Bürgerschaft der freien und Hansestadt Hamburg, 15.09.15). A refugee-teacher-buddy program, called “Here to participate” aims at a professional exchange and support for the recognition of foreign credentials (Vogel & Stock, 2017).

Saxony

The authorities responsible for the educational provision in Saxony are the Ministry for Culture (Ministerium für Kultus) and the subordinate Authority for School and Education (Landesamt für Schule und Bildung). The Ministry for Education, Work and Transport is responsible for the field of vocational training.

Priority area 1 Saxony: Counselling via School authority and supervising teachers

Coordination of support systems for schools is one of the priority areas in Saxony. A coordinator for migration and integration at one of the five Regional offices is responsible for implementing institutional counselling via support teachers and heads of school before school entrance (Drs.-Nr. 5/12810). Regional offices hold continuous meetings with schools, youth centres, social welfare offices and education coordinators (Drs.-Nr. 6/9798). Supervising teachers then continue educational counseling within the schools. Saxony further implemented so-called competence centres for “language education” in five cities. They advise schools, integrate several important actors working on language acquisition and offer training (SVR, 2014, p. 157).

Priority area 2 Saxony: Three-phase approach for integrating students into the regular system including preparatory classes

The integration of students with insufficient knowledge of German is based on the “Saxonian Concept for the integration of migrants”. This also applies for newly arrived refugee children already transferred to the municipalities. The actual enrollment procedure is organized in three phases, in which students firstly attend parallel German classes and are then gradually integrated into regular classes (see figure

2, p.19). A legislative change of the Saxonian School Act in 2017 entitles the school authority to decide on the type and location of the school for students having to attend preparatory classes (§ 25 (6) SächsSchulG). This can help to avoid concentration at certain locations in the immediate vicinity of refugee accommodations and was implemented, since not every school offers “German as a Second language”.

Priority area 3 Saxony: Vocational education programs for migrants and refugees

As the transition into the job market is seen as a crucial factor for successful integration, vocational training for refugee youngsters becomes another priority area in educational planning (Staatsministerium für Soziales und Verbraucherschutz, 2018a, p. 21). Especially refugees without professional qualifications should receive vocational training.

Priority area 4 Saxony: Recruiting teachers

The demand for professional staff increased tremendously with the increased numbers of refugee children. While the number of German as a Second language (DaZ) teachers amounted to 192 in 2013/14, the figure more than quadrupled up to 832 teachers in 2018. (Drs.-Nr. 6/415 and 6/14032). Still, this increase of professional staff did not prevent cancelled lessons and much needed but not established preparatory classes in up to 25% of the schools in Chemnitz in 2016 (Drs.-Nr. 6/7670). Due to the lack of professional staff, also teachers without DaZ or DaF training and non-teachers were hired. In order to increase the number of trained teachers, the ministry for culture extended the study opportunities from one to three universities offering DaZ as a university course (Börstel, 2018, p. 107). Furthermore, no additional Social workers or psychologists were hired for schools with preparatory classes. To combat the teacher shortage, different stakeholders are trying to include migrated teachers e.g. from Syria into the Saxonian school system (ibid., p. 105). Moreover, studying opportunities for DaZ teachers shall be extended at Saxonian universities (Staatsministerium für Soziales und Verbraucherschutz, 2018a, p. 58).

In consequence of the sharp and sudden rise of numbers of refugee students, both federal states adapted and expanded preparatory systems as well as coordination and monitoring systems for German as a second language learner. Furthermore, this expansion has been intensified in both states with already existing staff shortage and led to important investments in teacher training and staff qualifications. Because of its migration history, the City State of Hamburg was able to build more intensively on existing structures for language support and to adapt already existing programs in the VET field.

3.2.5 Enrollment Policies and actual schooling conditions

Hamburg

Early childhood education

Since 2015, children from refugee families are increasingly coming to Hamburg daycare centres. Around 1,700 refugee children, age 0-5, arrived in the regular system of early childhood education in 348 day-care and Kindergarten centres 2018. Steady improvement of enrollment numbers is visible from 1300 in 2017 (Bürgerschaft der freien und Hansestadt Hamburg, 13.07.18, p.4). In 2018, the City Senate reported that 4,721 children under age of 6 are living in first reception facilities and City refugee shelters (Bürgerschaft der freien und Hansestadt Hamburg, 13.07.18), meaning that around 3,000 children age 0-5 seems not to attend regular early childhood facilities. Additional to the refugee children in the regular daycare system in 2018, six initial reception facilities and 42 City shelters were offering child care programs. Six of the City shelters had their own daycare/ preschool centre directly on the area of their shelter (Bürgerschaft der freien und Hansestadt Hamburg 25.09.18, p.1, p.10ff).

Primary and Secondary School

The City State of Hamburg provides a differentiated and sophisticated intake system for newly arrived refugee and migrant students into primary and secondary schooling until the age of 16. Enrollment procedures for asylum seekers into regular schooling in primary and secondary school can be described in a five-step process.

- 1) Arrival at the initial reception facility: Immediate access to study groups (organized according to age group)
- 2) Consecutive accommodation in a City refugee shelter/flat: Assessment at the School Information Centre (SIZ) and referral to homeschool; decision if a student can directly enter an International Preparatory class (IVK) (transition class for one year) or is first to attend a Basic class.
- 3) Schooling at Basic class (for children with significant gaps in schooling and illiterate students or students without knowledge of Latin alphabet): up to 12 months.
- 4) Schooling at International preparatory class: up to 12 months.
- 5) Additional language support in the regular classroom: up to 12 months. (Bürgerschaft der freien und Hansestadt Hamburg 13.11.18; Behörde für Schule und Berufsbildung, 2018a;)

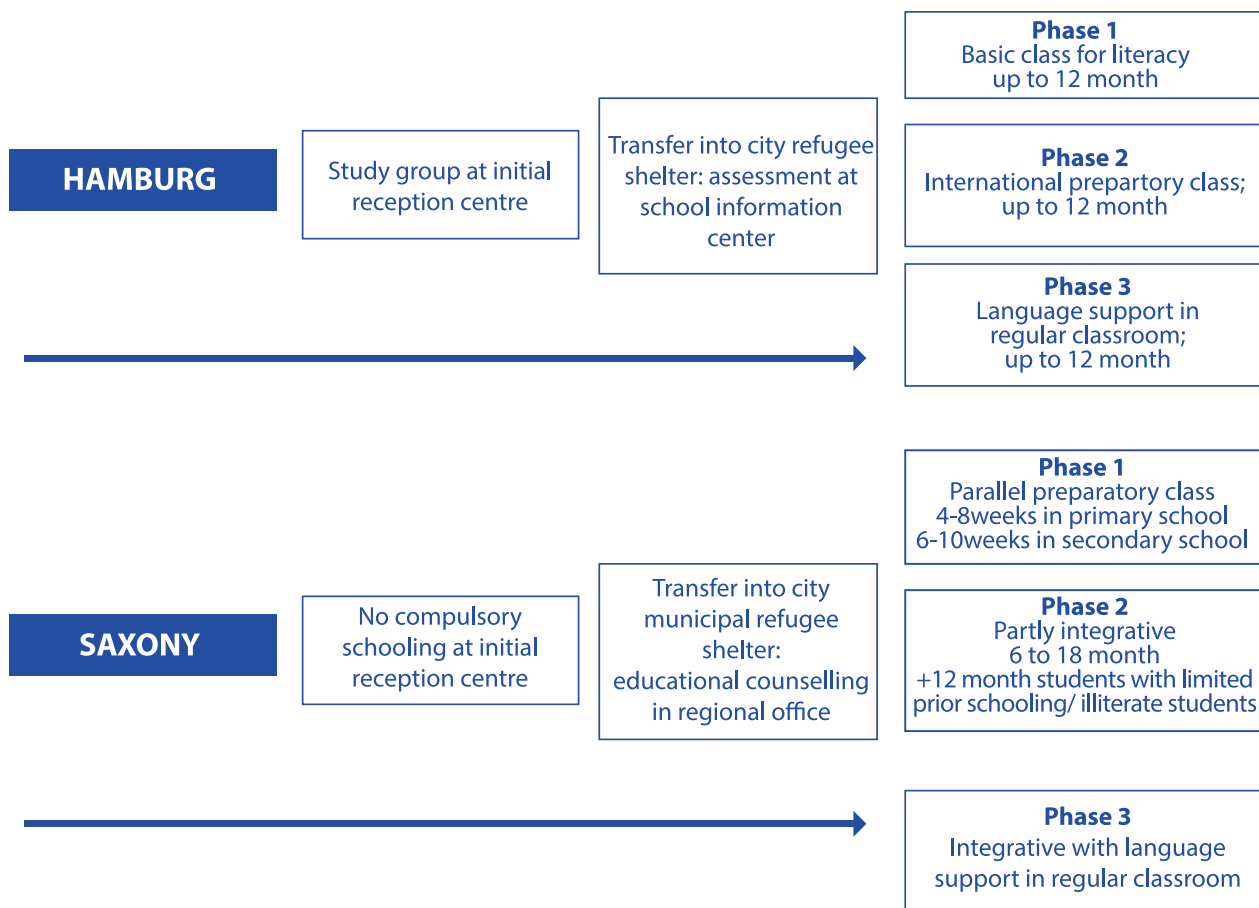


Figure 2: Integration in primary and secondary schooling in Hamburg and Saxony. Source: own presentation based on Behörde für Schule und Berufsbildung, 2018a; Sächsisches Staatsministerium für Kultus, 2000

There was a sudden and sharp rise of student numbers in **study groups at initial reception centres** in 2015. In April of that year, 29 study groups were implemented in initial reception centres. This number went up to 600 students in 50 groups in September of the same year and to a peak of more than 1,000 students by February 2016 (Bürgerschaft der freien und Hansestadt Hamburg, 02.04.15, p.1) (Bürgerschaft der freien und Hansestadt Hamburg, 15.09.15; Institut für Bildungsmonitoring und Qualitätsentwicklung, 2016). Parallel to numbers of refugee arrivals in Germany, numbers of study groups went down again to 267 refugee students by the end of 2017 (Bürgerschaft der freien und Hansestadt Hamburg, 15.09.15; Zentraler Koordinierungsstab Flüchtlinge, 2018). Youth from the age of 17 are not attending the study groups in the centre, but are directly referred to a vocational preparatory course. The City State integration concept states that at the latest after relocation to a City refugee shelter, refugee children and youth must get access to basic or International preparatory classes, which are available to all different age groups. Children without knowledge of Latin alphabet are obliged to attend a basic class first. IVK's core component is German as a second language acquisition, which is provided in two phases. Phase one is focussing on basic language knowledge and learning techniques and phase two on the development of language skills for the regular classroom.

Transition into the regular classroom starts once a certain language level has been reached.¹⁰ The transition system constituting basic and international preparatory classes (IVK's) has witnessed a tremendous expansion over the last ten years, as shown in table 5 (Institut für Bildungsmonitoring und Qualitätsentwicklung, 2018).

Students in the first or second grade of primary school can either attend an international preparatory class or get additional support within the mainstream system depending on which model is implemented at their homeschool (Behörde für Schule und Berufsbildung, 2018a).

Special IVKs for **youth in grade nine to ten** have been implemented to prepare students for the final examinations for the first school leaving certificate and intermediate school leaving certificate. This youth will not transition into the regular schooling system. After examinations, they can start an apprenticeship or in case of low performance, enter into the AVK (preparatory classes at vocational schools). Top performing students with solid previous schooling experience can attend a specific preparatory course for one year up to 18 months to prepare the examination of the university entrance qualification (Freie Hansestadt Hamburg, September/ 2017 p. 43; Behörde für Schule und Berufsbildung, 2018a).

After transition into the mainstream classroom youth and children are provided with additional language support. Schools get funding for 0.7 hours per student per week in this third phase of school integration (Behörde für Schule und Berufsbildung, 2018a, 2018b).

Basic Classes are only situated at primary schools and for secondary education at the District Schools.

Vocational education

The HIBB Information Centre is the first point of contact for all newly immigrated youth over the age of 16 who are obliged to attend school. The centre provides comprehensive advice on vocational training offers. Interpreters are available if required. An initial assessment of skills and documents is carried out. All standard vocational training courses are open to young people if they possess existing training qualifications and sufficient language skills (Behörde für Schule und Berufsbildung, 2017, p.47).

The City-state of Hamburg prioritized the further development of a vocational transition program for refugee and other migrants (see table 5; Zentraler Koordinierungsstab Flüchtlinge, 2018, p. 16).

¹⁰ For primary school, this is level A2, for secondary, it is B1 according to the European language framework Behörde für Schule und Berufsbildung, 2018a).

Early Childhood Education

The number of refugee children aged 0-5 in Saxony increased from 580 in 2012 to 5,535 in 2017. Refugee children with a temporary resident permit (Aufenthaltsgestattung, referring to AsylG § 55) are entitled to early child development measures when the family left the first reception centre for immigrants and has housing within the assigned community (Gambaro et al., 2017, p. 3). In order to respond to the rise in the number of young refugee children, the Saxonian Ministries of Culture and the Interior funded certain Willkommen-Kitas (Welcome Kindergarten/child care). The program, developed by the German Child and Youth Foundation, ran from 2014 to 2017 including 10 KITAs next to reception centres (Park, Katsiaficas and McHuch, 2018, p. 28).

Primary and Secondary School

The integration of students with insufficient knowledge of German is based on the “Saxonian Concept for the integration of migrants”. Before school enrollment, a specific education counselling (Bildungsberatung) takes place in one of the five regional offices. For students over 18 years of age, the local job centre offers counselling (interview Saxony, position 9). The actual enrollment procedure is organized in three phases, in which students firstly attend parallel German classes and are then gradually integrated into regular classes (see figure 2). Supervising teachers support the integration of refugee children in schools (Drs.-Nr. 5/13778).

1) During the first phase, students with inadequate German skills attend parallel preparatory classes with a basic language course, “German as a second language“. One of the core objectives is to familiarise students without prior school experience (Sächsisches Staatsministerium für Kultus, 2017, p. 5). One class can comprise three age groups. Schools and school authorities decide on the time for a transition into the regular class. Students with basic German skills are integrated earlier. (Sächsisches Staatsministerium für Kultus, 2000 p. 1)

2) The second phase is partly integrative, as students still attend preparatory classes, while some subjects are thought in regular classes (this phase mostly starts with less language intensive courses like physical education (interview Saxony, position 10-22). The supervising teachers give advise on the subjects to be chosen for regular classes. This partly integrative phase takes the longest. Learning progress, personal and social development and the perspectives regarding further education are key deciding factors for the crucial transition diagnosis. In order to ensure a secondary education certificate or a transition into Gymnasium, the period of 12 months can be exceeded. (Sächsisches Staatsministerium für Kultus, 2000, p. 2)

3) The third phase follows up on an integrative approach within regular classrooms and additional and systematic language support in “German as a second language” (DaZ) classes. There is no specific time period for the third phase. For the first time, students receive marks. After acquiring sufficient German language skills, the subject serves as an intercultural enhancement to the regular class (ibid., p. 2). German as a second language can be taught until grade 12 (Sächsisches Staatsministerium für Kultus 2018, p. 32).

Since 2016, Saxony has implemented a special format with a broadened second phase which runs for an extra year for students with very little prior school experience (interview Saxony, 2018, position 10-22).

Preparatory classes are offered at the primary and secondary education level. Refugee children who already attended kindergarten do not attend preparatory classes at primary schools but are rather directly integrated into regular classes. The same applies to children without knowledge of the Latin alphabet (Drs.-Nr. 5/12811). A preparation class can be set up during the school year in order to provide formal education for newly arrived refugee children.

Parallel to the sharp rise of school-age refugee children in Saxony from 2014 to 2016, the number of preparatory classes increased from 140 in the 2014/2015 school year to 568 in 2016/2017 school year (Drs.-Nr. 6/8400).

Preparation classes are mostly established at elementary schools and schools with mixed curricula (Oberschule) and “VET schools”. No preparation classes are established at special needs schools, whereas they offer individual classes for German as a second language (Drs.-Nr. 6/14035). There is no direct access (in phase one) to preparatory classes at the Gymnasium.¹¹ Even though a transition is possible during the second phase, refugee children rarely attend Gymnasium. According to a reply to a parliamentary question by the Ministry for culture, in Leipzig, classes are also established at Gymnasium since 2015, because of a lack of capacities in other schools (Drs.-Nr. 6/4610). In 2018, only four preparation classes were established at a Gymnasium (Drs.-Nr. 6/14035). There is no age limit for attending preparatory classes at the secondary level. Nevertheless, refugee children over 14 to 15 years old are mostly advised to enroll at VET schools, where they can receive the secondary general school leaving certificate. whereas high performing 17 or 18-year-olds can be accepted at Oberschulen, if they are likely to receive a school leaving certificate (interview Saxony, 2018, position 32f).

A comparison with the number of school-age refugee children in Saxony indicates that refugee children only make up less than half of the students in DaZ classes. In 2017, 27,450 students attended DaZ classes (including children in preparatory classes) compared to 11,760 registered refugee children (Drs.-Nr. 6/10510)

¹¹ Exceptions are children from European countries with good language skills and prior attendance of the Gymnasium (interview Saxony 2018: position 7).

Table 5: students in a transition system.

| | | Total | Elementary School | District School /Oberschule | Vet preparation | Gymnasium/ Evening School & College |
|-----------|---------|-------|-------------------|-----------------------------|-----------------|-------------------------------------|
| 2012/2013 | Sachsen | 1,201 | 560 | 396 | 215 | 30 |
| | Hamburg | 1,684 | 182 | 611 | 840 | 51 |
| 2013/2014 | Sachsen | 1,468 | 651 | 520 | 264 | 33 |
| | Hamburg | 1,991 | 206 | 710 | 1,018 | 57 |
| 2014/2015 | Sachsen | 2,593 | 1,073 | 947 | 528 | 45 |
| | Hamburg | 2,378 | 284 | 878 | 1,120 | 96 |
| 2015/2016 | Sachsen | 4,954 | 1,989 | 1,728 | 1,183 | 54 |
| | Hamburg | 3,834 | 520 | 1,145 | 1,907 | 262 |
| 2016/2017 | Sachsen | 2,112 | | | 2,112 | |
| | Hamburg | 5,990 | 1,157 | 1,492 | 2,712 | 629 |

Source: Drs.-Nr. 6/8400 and Institut für Bildungsmonitoring und Qualitätsentwicklung, 2018. Since 2016/17, the numbers of students in preparatory classes at secondary schools are gathered in the respective normal school class. Data for evening school and college only apply for Saxony.

Students older than 18 years of age, who are not obliged to compulsory schooling and had to leave school in their home countries, have the opportunity to receive a school leaving certificate by attending evening classes. If they aim at the general university entrance qualification, they can apply for a place at a Gymnasium at one of the three colleges in Saxony and attend preparatory language classes there as well (Drs.-Nr. 6/4522).

Vocational Education

Youth and young adults have legal access to preparatory classes in vocational school until age 27. From 2015/16 to 2016/17, there has been a sharp increase in preparatory classes at VET schools as well as in vocational school centres - from 29 classes in 2014/15 up to 59 in 2016 (Drs.-Nr. 6/1288 and 6/4033). Preparatory classes at vocational schools take one year. They comprise language acquisition, basic job related skills and a two-month participation in a regular class. Students in preparatory classes at VET schools with adequate German skills can change to the job preparation year programme during the current school year (Behörde für Schule und Berufsbildung, 2018a, p.5). The aim is to prepare students for a VET training or for the acquisition of a higher degree. If refugee students leave the VET preparatory classes without appropriate training maturity, refugees can take part in other measures preparing them for VET. For students with migration background with or without an interrupted education, Saxony offers a work-related basic education, specialising in math, science, IT and knowledge in technical language (Sächsisches Staatsministerium für Soziales und Verbraucherschutz, 2018a, p. 60). There are plenty of offers for supporting especially refugees in their school – work transition process. The Saxonian policy concerning school to work transition comprises of a so called “job preparation year” and “job preparation educational measures”. The number of participants increased sharply in 2015 and 2016, which can be accounted for by refugees (e.g. number of participants within job preparation year increase by 78 % up to 2,294 (Bildungsberichterstattung, 2018, p. 329).

The huge complexity of enrollment and actual schooling conditions of refugee children and youth can be shown in our analyses. Referring to Massumis (2015) modes of educational integration, different models are applied in Hamburg and Saxony and between educational stages and depending on the individual school or centre. For example, preschool- refugee students in the City State of Hamburg might access immersion in regular early childhood facilities without support as well as integration with support programs and parallel provisions in initial reception centres and City refugee shelters. Unlike in Saxony, Hamburg doesn't offer a partly integrative phase for school integration in primary and secondary school. Anyway, students might be accessing regular classes through the whole day school programs.

Both states experienced a sharp rise of migrant student numbers and preparatory classes; both implemented or extended counselling and some sort of assessment as a starting point entering the regular school system and specified policies and frameworks for the integration processes of newly arrived students. Nevertheless, there are some important differences in enrollment conditions; age limits are not specified or broadened in Saxony. For example, the age limit for preparatory VET programs is 27 years in Saxony unlike Hamburg limiting access to the preparatory VET program to age 18. In Hamburg, VET transition programs are two-year courses in Saxony they take up to 18 months.

Saxony is more restrictive in access to the Gymnasium. Only four schools offer preparatory classes and are located at the highest level of secondary education, while Hamburg offers almost one-third of the preparatory secondary classes located at the Gymnasium.

3.2.6 Curriculum adaption and language support systems

Hamburg

The BSB first published a framework for the transition of newly arrived students into the mainstream schooling system in 2012. This document has been republished as an enlarged edition in 2018 and supplemented by two more frameworks on the proceedings during the transition and on supplementary language support in the regular system (Behörde für Schule und Berufsbildung, 2012, 2017a, 2018b). The current version of the framework mentions students with flight experience as one of the main target groups (Behörde für Schule und Berufsbildung, 2018a). The document gives an overview of the differentiated transition system. It specifies the curriculum and framework of the ten different versions of Basic and International Preparatory classes (Behörde für Schule und Berufsbildung, 2018a, p.10)

The curriculum of preparatory classes in primary and secondary school and VET schools

Basic Classes offer 27 to 30 hours of schooling for up to 10 students in exceptional cases up to 15 students without or with low previous schooling experience or without knowledge of Latin alphabet. The curriculum focuses on literacy and basic knowledge of the German language. **IVK's** offer intensive German as a Second language instruction for at least 18 hours a week, combined with math (4 hours weekly), general science and social studies (2 hours weekly), Sports (2 hours weekly) and depending on the individual school additional subjects for elementary school. IVK's at secondary

schools, furthermore, provide four hours of English instruction. Special **IVK's for youth in grade 9 to 11** offer two-year programs, focussing on language acquisition in the first year and on schooling subjects that are relevant for the final examination in the second year. All forms are preferably combined with an all-day school program offering schooling from 8 am to 4 pm. Whole day school programs are available in all schooling options in Hamburg. (Institut für Bildungsmonitoring und Qualitätsentwicklung, 2018, p. 36f.)

AVM- Dual, the preparatory class in the vocational system, is a full-time course with intensive language support, combining individualized school lessons and company internships. Students learn three days at the vocational school and two days in a company. The program leads directly to a school degree and prepares at the same time for the workplace and an apprenticeship. The “arrival phase”, during the first half year of the course serves for first orientation, confidence building, and preparation for the place of learning. In the next three semesters, the young people learn three days a week at school and two days at a company internship in 30 hours weekly of schooling. (Bürgerschaft der freien und Hansestadt Hamburg, 11.09.18; HIBB Hamburger Institut für berufliche Bildung, 2018) .

Additional language support systems in the regular classroom

Hamburg has a long history of offering supplementary support for literacy development and language acquisition. One of the first official policy documents on the topic is the language support concept from 2006 that is still in effect until today. The language support concept is directed to students from preschool to grade 9 but puts a priority on preschool and first and second-grade students. The Institute for Educational Monitoring and Quality Development has been commissioned by the BSB (Authority for School and Vocational Training) to supervise the implementation of the Hamburg language support concept by monitoring the measures since 2005. Furthermore, the BSB in cooperation with the Institute for teacher education and school development developed specific educational plans on German as a second language acquisition (Landesinstitut für Lehrerbildung und Schulentwicklung, 2011a, 2011b, 2011c) and mother tongue tuition for elementary school, a district school, and upper secondary school. In 2018, in reaction to the increasing numbers of newly arrived refugee students, the BSB published a new framework for language support in the regular classroom and on the transition from preparatory classes to the regular system.

Hamburg's language support concept is a binding provision for early childhood education and the compulsory schooling system in Hamburg. It aims at equity for second language learners as well as for other children with low literacy skills and specifies measures to foster reading, writing and speaking competencies (literacy) of all children and youngsters in Hamburg.

Language learning coordinators who are responsible for the preparation, implementation, and evaluation of the implementation of the concept in the school are appointed in each Hamburg school.

All three policy instruments, 1) Language support concept from 2006; 2) Educational plans from 2011 and; 3) framework on language acquisition in the third phase from 2018 are connected with each other. For example, the 2018 framework states that coordination to measures and funding of the policy instruments should be combined (Behörde für Schule und Berufsbildung, 2018a p. 6).

Saxony

The central document outlining the framework for integrating newly arriving students into the mainstream schooling system is the Saxonian concept for the integration of migrants from 2000. The approach of using preparatory classes for integrating migrant students is further outlined within the different curricula for preparatory classes at elementary schools, regular schools (2018) and VET schools (2017). The crucial documents for refugee children can be found within the different preparatory classes.

The Curriculum of preparatory classes in primary and secondary school and language support

The curricula are all based on the three integration phases and are comprised of the topics “Communication skills“, “words/vocabulary/syntax“, “pronunciation, writing/grammar“ and “dealing with texts“ (Sächsisches Bildungsinstitut, 2016). Several instruments have been developed in order to supervise the language acquisition of students for elementary and secondary school teachers as well as at VET schools. These “Descriptions of language level“ (Niveaubeschreibungen) are available for German as a Second language in primary school. Students have the right to 0.4 hours of language classes in order to prepare for tests (higher grades) or to support basic competencies in maths or German (for undergraduates) in regular classes. Due to lack of teachers, this offer cannot be granted at every school in Saxony (interview Saxony, 2018, position 10-22).

Policies on language acquisition are rarely coordinated, which leads to a fragmented policy field. The state of Saxony is aware of this problem. Within the concept for immigration and integration from 2018, it states its aim of better steering and governing the supply and the coordination of language courses by several actors on different levels (supply by the EU, federal state and Saxony) (Sächsisches Staatsministerium für Soziales und Verbraucherschutz, 2018a, p. 3).

Hamburg and Saxony

Curriculum for mother tongue in Hamburg and Saxony

Since 2014, native language lessons are covered in detail within the guides for native language lessons at primary schools and secondary level I from 2014/15 and the curricula for native language lessons for Oberschule and Gymnasium in Saxony. They offer information on planning and organisation of these classes (Drs.-Nr. 6/417). Native language lessons can i) **replace second languages required at Gymnasium and Oberschule**; ii) be taught as additional classes in the afternoon with a voluntary participation for at least one year (p. 7); or iii) be offered **as part of an all-day curriculum** in the afternoon for six months or one year. In 2013/14, native language lessons were offered in 17 different languages (SVR, 2014 p. 155).

In 2011, Hamburg published an education plan for mother-tongue education. The plan includes organisational framing of mother tongue education at schools, as well as observation criteria, requirements, and content of the lessons for ten languages (Landesinstitut für Lehrerbildung und Schulentwicklung, 2011d). The heritage language is taught as an additional subject in the primary school. Participation is voluntary. Lessons are integrated in the morning or outside of regular class time in

the afternoon. The achievements are reported in the learning development reports and are also relevant for transition into secondary schooling. Based on § 23 of APOGrundSty (Behörde für Schule und Berufsbildung, 2018c), secondary school students might be eligible for participation in the heritage language assessment exam as a substitute for the subject of English or a taught foreign language for final examinations and certifications.

Curriculum for refugee children in first reception centres in Hamburg and Saxony

Further, some policies specify educational provisions for refugee children as one of their target groups. A curriculum for refugee children in first reception centres (2018) has been tested in Chemnitz in order to provide basic education for children who are not entitled to compulsory schooling. Children were taught in two classes, which comprises of several age groups (six-ten-year-olds and eleven-sixteen-year-olds) in Math, English, Physics, and Art. The classes were held in German and in some cases in English.). As asylum seekers are regularly transferred to municipalities or deported, the class composition was changing constantly (Drs.-Nr. 6/14320). The programme is not an equivalent to formal education in regular classes. There is no legal basis for separate schooling (Toth, 2018, p. 2). It rather serves as a social care measure in order to provide children with a structured day and teach them basic cultural habits. There are some indications that study groups in initial reception centres in **Hamburg** might not offer an equivalent to regular schooling. Students are based in study groups according to their age, and teaching staff consists of teachers and social workers that had training for German as a second language acquisition. Parliamentary requests state that there is a continuous flow of students in and out of study groups (Bürgerschaft der freien und Hansestadt Hamburg, 15.09.15).

Both federal states offer an adapted curriculum for refugee students in preparatory classes and additional language support in the regular system. Both made efforts to include mother tongue tuition in policies. Quality of schooling in study groups in first reception centres remains problematic in Saxony and Hamburg.

3.2.7 Vocational Education vs academic education

Hamburg

There is a clear policy focus on vocational education for refugee youth in Hamburg. A pilot program was started in 2014, called AvM- Dual combining schooling at a Vocational Education School and in- company learning with a mentoring partnership in a full day setting (Bürgerschaft der freien und Hansestadt Hamburg, 11.09.18, p.3). The program gradually replaced the other forms of vocational transition programs for migrant youth. The HIBB Information Centre serves as the first point of contact. It offers an assessment of skills and referral to the Vocational Schools. Illiterate youth or youth without knowledge of Latin alphabet can attend a literacy course for 12 months before attending the program. The AvM- Dual aims at preparing for the examination

of the first school leaving certificate and intermediate school leaving certificate and at preparing for vocational training at the same time. Newly arrived immigrant youth access the compulsory two-year course until age 18. Over 18-year-old youth who is not attending vocational training or further qualification are not subject to compulsory education and generally have no right to attend school. From October 1, 2018, the pilot project of the Hamburg Employment Agency «Pathways into Training and work for educationally disadvantaged young refugees (Ü18)» will be implemented for the target group of over 18-year-old refugees without a schooling certificate (Bürgerschaft der freien und Hansestadt Hamburg, 11.09.18, p. 24).

Anyway, provisions also stress the importance of making tertiary education accessible. One important program is a specific international preparatory course for top performing students with solid previous schooling experience for one year up to 18 months to prepare the examination of the university entrance qualification. The City of Hamburg Integration plan states that the international offices of Hamburg tertiary education institutions have already done a lot to create an open and welcoming climate for foreign students as well as academics from all over the world. The tertiary education institutions use part of their global budgets to ensure that important support offers, such as language training, are offered on a permanent basis. One example of good practice since the winter semester 2015/16 is the #UHHhilft program to help refugees who are interested in studying to apply for a study placement in Hamburg. The activities focus on informing participants about study opportunities, identifying the adequate course and language support, as well as helping them with the application processes (Freie Hansestadt Hamburg, September/ 2017, p.51).

Saxony

The strongly stratified German school system in combination with the early selection makes it much more difficult to pursue an academic track which prepares for higher education for children of disadvantaged immigrant origin. Further, the curriculum for the Oberschule, where the majority of the refugee children attend preparatory and regular classes, is more job than academically oriented. Nevertheless, the state government stresses the academic potential among the group of newly arrived refugees within its migration and integration concept (Sächsisches Staatsministerium für Soziales und Verbraucherschutz, 2018a, p. 62). Public welfare organisations, as well as the universities, are responsible for easing the access to academic education. Since 2009, youth migration services advise migrants under 30 years of age on their possibilities to continue their academic education. Five universities have so far established additional language courses for preparing refugees for the German language test for universities (DSH). (SVR, 2014, p. 142; Sächsisches Staatsministerium für Soziales und Verbraucherschutz, 2018a, p. 65).

Further, policy documents show a strong link between structural deficits like demographic change and a lack of skilled workers and the increased number of young refugees. In order to combat these deficits, which may influence the economic growth in Saxony, migrants are more and more seen as important factors. This is stated in the public “skilled workers strategy 2030” (Sächsisches Staatsministerium für Wirtschaft, Arbeit und Verkehr, 2018) by the Saxonian ministry of economics and within several documents from 2015 and 2016 by a so-called “skilled workers alliance” including public and private actors, several ministries, agency for work, several welfare organisations, districts and city council, unions and industry representatives and Chambers of Crafts (ibid., 2016b). They don’t only serve as public statements against recent attacks on refugees and for a diverse society, but also stress the importance of integrating refugees into vocational education as well as the job market. The main objectives by the strategy as well as the joint public-private initiatives are to integrate refugees as soon as possible through language courses, recognition of certifications, counselling for job orientation and vocational training. The ministry of economics financially supports the smooth integration of refugees into the job market and vocational training by the funding concept “Job market mentors for refugees” (ibid., 2016a, p. 1).

As the asylum process can take up to several years, the federal work agency also tries to support the integration into the job market of asylum seekers. Saxony, for example, took part in the project “every child has potential – job market integration for asylum seekers” from 2014, which was prolonged in December 2015 for another three years (Drs.-Nr. 6/752). Recognition of certificates attesting completion of vocational training in Saxony is done by the IQ Netzwerk Sachsen and the Information- und Beratungsstelle Arbeitsmarkt Sachsen (IBAS) in Dresden, Leipzig, Chemnitz and the Saxonian education agency.¹² IBAS was set up after a research study by Saxony and BAMF in 2010 in order to advise on recognition of possibilities and to connect the various actors in this policy field (SVR, 2014, p. 137). The focus lies on recognition of certificates as well as qualification counselling, including adaption of vocational skills, means of financing as well as improving language skills. In 2016, 14% of the 1,497 of the recognition processes was undergone by Syrians (Statistisches Landesamt des Freistaates Sachsen, 2017, p. 143).

Vocational training plays a crucial role in both federal states. Hamburg has a sophisticated VET system and also Saxony is expanding its vocational training measures. Nevertheless, the integration of young refugees into vocational training and the job market seems to be a strategic objective of the Saxonian government. This is seen as a crucial step for combatting lack of special workers and demographic change. This could also explain why the age limits for access to VET schools is broader in Saxony.

3.2.8 Funding

The German Union for education and Science (GEW) estimated that an additional 18,000 educators and 24,000 teachers at an estimated cost of €3 billion extra per year will be necessary for providing educational provisions for incoming refugee children and youth. In order not to overburden the federal states, responsible for the educational funding, it called for urgent action on a national level (Vogel & Stock p.28f.).

¹² Rationale: In 2010 the BAMF and the federal state of Saxony conducted a research study (ANSA-study) which concluded that over 10,000 foreign formal qualifications were not recognized. (EXIS Europa e.V., 2010, p. 12). This was the rationale behind setting up the recognition agencies.

Education spending in the **City state of Hamburg** has increased by about a billion over the last 10 years from about € 2.2 billion to about € 3.2 billion a year. Hamburg does spend more than any other federal state for its schools, namely 950 € per inhabitant and year Behörde für Schule und Berufsbildung, 2017b, p.9). Funding for International preparatory classes is a constant topic in parliamentary requests in the City of Hamburg. Only for the funding of preparatory classes in the vocational system, the federal state has been spending around € 20 Million a year since 2016 (Bürgerschaft der freien und Hansestadt Hamburg, 11.09.18, p. 25).

In Saxony, educational spending has increased by about € 3 billion from 2011 to the double budget for 2019/20 (€ 8.5 billion). Half of the budget is budgeted for recruiting new teachers. Saxony does spend more than the German average for its students, namely 7,000 € per student (German average 6,900 €) (Bildungsberichterstattung table b3).

In Saxony, the overall amount for integration measures is hard to estimate. In March 2016, the Saxonian Government approved a new 34,4 billion “integration package”. Focus areas are integration courses for refugees, language courses and the strengthening of counseling. (Integrative measures amounted up to 7.520.060 € funding in 2015-2017 (15.722.423 € approved) (Drs.-Nr. 6/5089).

Chapter Four

Conclusions

Comparison of the two federal states and references to Education in Emergency (INEE standards)

There are **no references for implementing INEE standards** in neither of the policy documents of the two federal states. Nevertheless, some standards like the coordination and education assessment and the monitoring and evaluation of the education work are mentioned as priority areas in the reaction to the increased influx of refugee students. School-age refugee children under the age of 18 generally have access to compulsory education in the two federal states, with the exception of refugee students living in the initial reception centres in Saxony. This is particularly problematic because of the implementation of a new reception model for asylum seekers starting in August 2018. Asylum seekers, indifferent of their countries of origin and prospects to stay in Germany can be obliged to stay in these centres until a final decision of their refugee claim but for a maximum of 18 months and in case of families with children for nine months.

In consequence of the sharp and sudden rise of numbers of refugee students, both federal states **adapted and expanded transition systems** as well as coordination and monitoring systems for German as a second language learner. This expansion has intensified in both states already existing infrastructural problems such as staff shortages. Because of its migration history, the City State of Hamburg was able to build more intensively on existing structures for language support and to adapt already existing programs in the VET field. Both states already had implemented provisions for newly arrived migrant students before 2015. These existing structures were adapted and expanded through new frameworks and regulations. Nevertheless, there are some important differences in the enrollment conditions of the two federal states: age limits are not specified or broadened in Saxony. For example, the age limit for preparatory VET programs is 27 years in Saxony unlike Hamburg limiting access to the preparatory VET program to age 18.

Overlap of the asylum system and education system

In both Saxony and Hamburg, restrictive asylum policies may lead to unstable and difficult living conditions, which form barriers for educational participation. The analysis suggests that policies related to asylum, migration, and education should not be considered separately. Policies in these fields act as correlated and interconnected factors on educational outcomes and integration trajectories of refugees. Interferences and overlaps between refugee education and asylum and settlement policies can be shown regarding **length and procedures of the asylum process, access to housing and residence/living obligations, access to work permits and study permits** for vocational training and **access to health services**.

For Saxony, access to schooling is connected to the form of accommodation during the asylum proceedings and not compulsory for children and youth living in initial reception centres. For both federal states, the quality of educational provisions in initial reception centres cannot be seen as an equivalent to formal education in regular classes.

Modes of Integration

The huge complexity of enrollment and actual schooling conditions of refugee children and youth can be shown in our analyses. Referring to Massumis (2015) modes of educational integration, a range of models from **immersion to integrative, partly integrative and parallel classes** are applied in Hamburg and Saxony. Modes differentiate between the two federal states as well as between educational stages and depending on the individual school or educational centre. Both states experienced a sharp rise in numbers of migrant students and in the implementation of preparatory classes; both implemented or extended counselling and some sort of assessment as a starting point entering the regular school system and specified and adapted policies and frameworks for the integration processes of newly arrived students.

Perspective on time and focus on compulsory schooling systems

This analysis focuses on the descriptive dimension, presenting and explaining structures of educational provisions based on the examination of policy documents. Due to the longitudinal data (2012 to 2017), it also provides an insight according to the change in **“policy density“** and **“policy intensity“**. Numbers of refugee students already started to considerably increase in 2013, while an increase of policy density and intensity only becomes clear on federal state and national level in the years 2016 and 2017. This can be demonstrated very clearly regarding parliamentary enquiries in the City state of Hamburg. A lexical analysis with the search word “refugee education” shows only two documents in each year 2013, 2014 and 2015 but 27 documents in the years 2016 and 2017. There is again a slight decrease in policy density with 23 documents in 2018.

Several policy instruments were included in the data analysis. The focus of this policy report is on the educational provisions for asylum seekers and refugee children and youth within the compulsory schooling system. The analytical scope of our report is limited and does not include a broad range of educational provisions offered by civil society actors, welfare organisations and the private sector.

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