



Task Force 10
Migration

Policy brief

ACCESS TO EDUCATION FOR MIGRANT AND DISPLACED STUDENTS IN THE CONTEXT OF THE COVID-19 PANDEMIC: CHALLENGES AND GOOD PRACTICES FOR REDUCING INEQUALITY

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ABSTRACT

The worldwide closure of schools due to COVID-19 might have deeply affected migrant and refugee children and adolescents, who were already socio-economically disadvantaged. In Latin America, the most unequal region, which is currently experiencing the second largest migration crisis in the world, there are successful policies, mainly from Colombia, that eliminate the bureaucratic, legal and cultural barriers that migrant and refugee children and adolescents encounter in accessing education during the pandemic. A remaining challenge regards data collection to systematically monitor and diagnose the situation of this population, to design evidence-based programmes and supports.



CHALLENGE

Due to the COVID-19 pandemic, the global economy is experiencing the deepest recession since the Great Depression (World Bank, 2020), and a retrogression in human development (UNDP, 2020). In this scenario, migrants and refugees are among the most harmed. They tend to work in lower paid, informal and temporary jobs, in the sectors most affected by the crisis (domestic services, construction and agriculture) (IDAC, 2021; OECD, 2020). They also tend to live in overcrowded households, under the poverty line (UNFPA, 2020), and unable to access social protection programmes due to their lack of documentation. Second, since borders are restrictive, increasingly militarised, and asylum programmes have been delayed, the number of refugees and migrants who are being left stranded has increased, as well as the number of migrants who are expelled or prevented from crossing the border (Mixed Migration Centre, 2021). In this scenario, their possibilities of accessing humanitarian support have been deeply reduced (Global Migration Data Portal, 2021; Priya Morley et al., 2021; You et al., 2020).

To make matters worse, the worldwide closure of schools since March 2020 might have deeply affected migrant and refugee children and adolescents (CA) (You et al., 2020). Not only has their learning been affected, but also their access to daily meals and a safe environment (Bhabha, 2020; UNICEF, 2021), increasing their chances of dropping out, early marriage, sexual violence and child labour (IDAC, 2021). Moreover, due to their vulnerable socio-economic conditions, migrant and refugee CA face several challenges to learning remotely. First, their parents often have fewer resources to help them with homework, and about 40 per cent of native children of migrant parents do not speak the language of the destination country (OECD, 2020). Second, migrant students are less likely to have access to a computer, a stable Internet connection or a place to study (OECD, 2019). Third, students might be unable to learn remotely if they do not speak the official language fluently, and they lack parental support and interactions with peers (OECD, 2020).

Migrant CA in Latin America are especially vulnerable today. Not only do they live in the most unequal region (SUMMA & UNESCO, 2020), which is experiencing the second largest migration crisis in the world (after Syria) due to the displacement of 5.4 million Venezuelan citizens (Caarls et al., 2021), but also they live in the region which lost the most instruction days during 2020 (158) (UNICEF, 2021). Additionally, the region is encountering an unprecedented economic recession, reaching the highest poverty and extreme poverty rates of the last 12 and 20 years (ECLAC, 2021). Today, their access to education is affected by several barriers. First, they face obstacles to access educational grants, social programmes and educational facilities due to their legal status. Second, they must comply with administrative requirements to access education, while lacking information, documentation or resources. Third, they experience cultural barriers and discrimination. Measures to tackle these barriers are urgent, especially in the pandemic context that threatens to deepen the inequalities already experienced by migrant CA.



PROPOSAL

The massive school closure since March 2020, which affected 165 million students in Latin America (SITEAL, 2021), interrupted school meal programmes for 80 million students (UNICEF, 2020a) and provided remote education in an unprepared context where almost half of the children aged five to 12 (31 million) did not have Internet access in their household (ECLAC, 2020). In this context, Latin American migrant and refugee CA were at disadvantage even before the pandemic. Immigrant students had lower chances of enrolment and completion of mandatory schooling (UNESCO, 2018a), and performed at lower levels than their non-immigrant peers (OECD, 2019). For instance, 35 per cent of Venezuelan CA migrants and refugees were not attending school, a figure reaching 51 per cent in Peru and 75 per cent in Trinidad and Tobago (Caarls et al., 2021).

This policy brief reviews diverse practices in Latin America and the Caribbean, that aim to guarantee the right to education for migrant and refugee students. These recommendations will inform national migration and education authorities, as well as policy makers and civil society actors, and promote adequate regulations for migrant CA. Since these challenges for children and adolescents on the move are a worldwide phenomenon, the review of good practices and the development of solutions based on successful experiences can make a significant contribution and provide guidance for the design of adequate policies in G20 countries.

1. REDUCE / ELIMINATE RESTRICTIVE EDUCATIONAL REGULATIONS FOR MIGRANT AND REFUGEE CHILDREN AND ADOLESCENTS

In 2018, one third of displaced Venezuelan CA were out of school. Among them, 75 per cent were hosted in Trinidad and Tobago (OIM, 2018). In a context of lockdown, displacement and humanitarian crisis, migrant CA should not face legal obstacles to enrol in school. However, obstacles and facilities vary across the region.

National norms and specific regulations define whether schools may require legal documents to enrol migrant CA (national identification papers, birth certificates, legal migration status) (UNESCO, 2018b). On the one hand, several Latin American countries guarantee access to education to migrant CA, regardless their legal status. Among them are Peru, Argentina (Ley de Migración 2003), Costa Rica (Migration Law, 2009), Ecuador (Organic Law of Intercultural Education), Mexico (Education Law, 2014) (Selee and Bolter, 2020) and Colombia. On the other hand, schools in Trinidad and Tobago cannot enrol migrant CA unless they present a permit issued by the Immigration Office (SUMMA and UNESCO, 2020). In the Dominican Republic, Dominican CA with Haitian parents who cannot prove their citizenship face several difficulties to enrol in school and have to take mandatory national tests to graduate from primary and secondary education (Alrabe et al., 2014).

Some good practices to underline are those of Uruguay and Chile. While in Uruguay, migrant CA without documentation can enrol with the permission of both parents, and remain



in school for one year (Selee and Bolter, 2020), in Chile, they can access a School Provisory Identity Number (Ordinario 894/2016) which allows them to enrol, as well as to access meals, school texts and computers provided by the Ministry of Education (Agencia de Calidad, 2019).

Migrant CA may not only face challenges to enrol but also to *certify and validate their educational level*. In countries such as Colombia, the main regional host country for Venezuelan migrants,¹ migrant CA do not experience this difficulty. CA without a valid Colombian identification card can access the *Special Permit of Permanence for the Educational sector* (PEP-E), free of charge. This permit accelerates the process of validation of grades at the secondary level as well as the homologation of school years until tenth grade through evaluations or academic activities. It also facilitates access to school transportation, educational supplies and school meals, and allows enrolment in the mandatory national test to graduate from high school (SABER). Since 2018, schools are not required to ask for visas or legal documents to enrol migrant CA. Instead, they must assign a number to students without legal documentation (NES) and register students in the *Sistema de información para el reporte de extranjeros* (Foreign Information System). For students who have no legalised certificate of their approved courses or levels, the Ministry of National Education allowed schools to apply tests to validate students' achievement (Montoya et al., 2020). In response to this adjustment, there was an increase of 967 per cent in the enrolment of the migrant population between 2018 and 2020 (Ministerio de Educación Nacional, 2020).

It is worth mentioning that these facilities are not only granted to Venezuelan CA in Colombia, but also to adults. In a regional context where national public offices are predominantly closed due to lockdown and not every country has similar development of digital documentation (e-government), this policy is crucial for adult migrants to apply for employment according to their educational level. The *Special Permanence Permit for Training and Recognition of Prior Learning* (PEP-FR) provides a temporal legal residency, recognises previous certificates and skills, and guarantees access, continuity and graduation from vocational education. By October 2020, the National Learning Service (SENA), which validates competencies in Colombia, had issued 5,707 certificates of skills (*Certificación de competencias*) to Venezuelan migrants, 296 per cent more than 2019, and had enabled 19,945 spots in the educational system (SENA, 2020).

2. PROMOTE COLLABORATIVE PROGRAMMES BETWEEN THE PRIVATE SECTOR, NGOS AND LOCAL AUTHORITIES TO FACILITATE THE PROVISION OF EDUCATION FOR MIGRANT AND REFUGEE CA

The collaboration between the private, public and social sectors becomes critical when national legislations do not guarantee the right to education for migrant CA, no public action is being implemented, or national and local budgets are scarce to fulfil this purpose.

In order to tackle the bureaucratic barrier to accessing education, in Trinidad and Tobago, where national norms do not guarantee the access to education and thousands of Venezuelan students remain out of school – even worse during the pandemic – NGOs act. For instance, Living Water Community in a partnership with UNHCR, TTV Solidarity Network



and UNICEF provides free online secondary education for Venezuelan adolescent migrants, certified by the Ministry of Education of Venezuela (Selee and Bolter, 2020). Second, the Equal Place programme, offered in English and based on the Trinidad and Tobago curriculum, certifies migrant children aged five to 17 (Equal Place, 2020).

In Colombia, the private and public sectors have promoted initiatives to tackle the Venezuelan humanitarian crisis, and these are still available during the pandemic. *Círculos de Aprendizaje* (Learning Circles) is a flexible education programme implemented by UNICEF, Fundación Escuela Nueva and Opción Legal, in association with the Ministry of National Education and the Secretaries of Education. The programme incorporates migrant CA into the formal educational system, providing learning spaces in groups of various ages. These groups receive personalised attention in different areas, as well as in the strengthening of socio-emotional skills, until they are ready for the transition to formal school. The public-private partnership developing this initiative has enabled its deployment in several territories receiving migrant populations (UNICEF, 2020). The evaluation of the pilot programme evidenced improvements in coverage, academic performance in language and math, students' democratic attitudes, peaceful coexistence and self-esteem (Cerdan et al., 2021). In response to the pandemic, *Círculos de Aprendizaje* was adjusted considering households' connectivity restrictions. The initial success of this model, in terms of enrolment and achievement, encouraged its scalability.

Another distinctive programme in Colombia is *Educación Que Nos Une* (Education that unites us), which emerged as a collective strategy led by Fundación Empresarios por la Educación (2020), and has become crucial as an alternative for remote education during school closures. This initiative gathers more than 88 organisations from the public and private sectors to support the needs of the migrant educational community and maintain the social fabric of schools during this crisis. One of their initiatives is a radio programme called "*Colegio y casa son un solo equipo*" (School and Family Are One Team), which sought to reduce the interruption of education due to the pandemic, disseminating information regarding benefits and educational facilities for Venezuelans in more than 340 municipalities. The radio signal was complemented with online resources which also provided access to high-quality educational content from different organisations.

3. FACILITATE AT LEAST THE TEMPORARY LEGALISATION OF UNDOCUMENTED CA AND/OR THEIR FAMILIES, TO ENSURE THEIR ACCESS TO DIFFERENT SOCIAL PROTECTION PROGRAMMES

The high cost of school supplies can become an impediment for migrant CA to attend school (Caarls et al., 2021), especially in a context where more than half of immigrants have lost their main jobs due to the pandemic (OIM, 2020), and informal jobs are scarce due to lockdowns. In this context, social programmes and facilities, such as Conditional Cash Transfers, become central for migrant families.

However, only Brazil has provided social programmes to migrant families, regardless of their legal status (Mazza, 2020). Chile, Argentina and Colombia reached only a group of migrant



families who were already registered, while Peru and Ecuador restricted their assistance programmes to nationals.

A good practice regarding the nationalisation of migrant and refugees was defined in Colombia. First, Resolution 847 (2019) ensures nationality to children born in Colombia from Venezuelan parents, regardless of their legal status. Second, Law 1997 (2019) provides an exceptional legal residence for Venezuelans who have regularly or irregularly migrated, as well as to those seeking asylum, with children born in Colombia since November 2015 (Montoya et al., 2020). Moreover, since 2018, migrants who lack a valid Colombian identification card can request a *Special Permit of Permanence* for two years, provided that: i) they migrated to Colombia with a passport and through regular checking points, ii) they have no national or international criminal record, and iii) they have no pending deportation or expulsion order. An exception to the first condition was introduced through another Special Permit (*PEP RAMV*) for those enrolled in the Administrative Registry of Venezuelan Migrants (Montoya et al., 2020).

A more restrictive approach was implemented in Chile. It defined specific supports for migrant CA, excluding their family members. In 2021, Chile introduced the “*Visa Temporaria para Niños, Niñas y Adolescentes*” (Temporary Visa for Girls, Boys and Adolescents) which granted CA irregular migrants a temporary regular status, in order to guarantee their access to all standard social, health, nutrition and education services, regardless of their legal status. Law 21325 established that migrant CA were eligible for scholarships and social assistance transfers, and were able to register in the public Social Household Registry.

4. DEFINE ORIENTATIONS AND DESIGN PROGRAMMES TO AVOID XENOPHOBIA AND RACISM, AND PROMOTE THE WELL-BEING OF CA MIGRANTS

In the context of the pandemic, children and adolescents have been silent victims. They are affected by school closures, loss of family members, permanent lockdown and the fragility of their household and economic conditions (Defensoría de la Niñez, 2020). Also, they are more vulnerable to domestic violence, school dropout (Sanz et al., 2020) and child labour (ILO-ECLAC, 2020; ILO-UNICEF, 2020). Their socio-emotional well-being has been affected, and they are becoming more anxious, less motivated and more pessimistic (UNICEF, 2020b). Even though there is no available information regarding the mental health of migrant CA, several reports recommend the provision of psycho-social support for migrant students, to improve their mental health and thereby increase academic performance and acquisition of skills (Petit, 2003).

Another aspect that has increased during the pandemic and directly affects migrant populations is discrimination (World Health Organization, 2020). Migrant CA should, therefore, be protected from bullying, racism and xenophobia. For instance, a norm from the Ministry of Education in Costa Rica (Directriz nro DM4508, 2018) establishes no tolerance for discrimination, provides a toolkit to eliminate xenophobia and discrimination in schools, and also includes interculturality as a transversal aspect in the curriculum. In Colombia, *Educación Que Nos Une* offers training for teachers and school leaders, in order to promote the inclusion of



Venezuelan migrants in schools and provide tools to guarantee students' socio-emotional support and well-being. The evaluation of this programme evidenced a decrease of prejudice against the migrant population and an increase of respondents who would promote actions to mobilise time and resources to support Venezuelans and their families in the educational environment (Fundación Empresarios por la Educación, 2021).

5. COLLECT A GREATER AMOUNT OF DATA TO BETTER DIAGNOSE THE NEEDS OF CA MIGRANTS AND IMPROVE POLICY DESIGN

The analysis presented here reveals the scarcity of available data regarding the specific situation of migrant CA during the pandemic. In order to define an adequate assessment of the requirements, challenges and needs of migrant CA and their families, it is imperative to collect more data, and monitor their situation within time (IDAC, 2021; OECD, 2020). For instance, we need better data to diagnose how migrant and refugee CA are falling behind regarding learning, how many have dropped out from school or are at risk, and also the extent to which they are affected by the lack of access to basic services such as shelter, food and education.

International organisations such as SUMMA, UNICEF, ECLAC and UNESCO have and can continue to contribute in this area. While it is important that national statistical systems and tools distinguish migrant origin and status systematically, specific studies and surveys should periodically assess the relative living conditions of migrants. Also, regional/international technical assistance to governments to generate comparable and robust statistical information is an important enabling factor.

To sum up, considering the vulnerable situation of migrant and refugee children and adolescents in Latin America previous to the pandemic, and the high probability of an exacerbation of their disadvantages in the short and long term, the evidence suggests that most countries are not providing facilities to guarantee their right to education, except in terms of access. However, there are relevant practices that contribute to tackling the bureaucratic, cultural and legal barriers they may experience. While lifting such barriers may be part of a strategy to deal with the negative outcomes of the pandemic for migrant children, its overall impact will also enhance social inclusion in general. These policies should be disseminated and considered not only in the region but also in G20 countries, particularly in the case of those receiving important flows of irregular migrants.



NOTES

¹ By 2020, 5.4 million citizens had left Venezuela, and 4.6 million opted for another Latin American country (UNHCR, 2021), mainly Colombia which hosts more than 1,771,000 refugees (Migración Colombia, 2021).



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