

Language support for pupils with Czech as a second language

Language support (according Section 16 of the Education Act)

New foreign pupils are legally entitled to free language education. But what about pupils who have lived in the Czech Republic for a longer period of time, can communicate in Czech relatively well but lack the language skills for more difficult tasks in the Czech language and other subjects? Are they entitled to support? If so, what support? Or with pupils for whom it is difficult to organize language training according to Section 20 (are they the only ones in school)?

Pupils with insufficient knowledge of the language of instruction are considered as pupils with special educational needs (SEN) as **of September 2016** due to the amendment to the Education Act and the Implementing Regulation (Decree 27/2016, on the education of pupils with special educational needs and gifted pupils, as amended).

The new five-level system of support measures, the language support of pupils with Czech as second language is mainly related to measures in the second and third levels of support. In both cases, it is necessary to have **the recommendation of a school counselling facility (SCF)**. It is therefore necessary to **notify parents** at whose **request** an examination in SCF is carried out and with whose **consent** the support measures will be implemented!!!

What are pupils entitled to under support measures?

Level 2 of support measures

Level 2 support measures concern pupils with **insufficient knowledge of the language of instruction** (approximate level of Czech at B1–B2).

Recommended support measures:

- Special textbooks and aids (textbook of Czech for foreigners);
- 1 hour per week of **pedagogical intervention** (for work with the pupil or class at school) – focused, for example, on support in Czech as a second language;
- 1 hour per week for **special pedagogical care** provided by a special pedagogue of the school.

For pupils with the need for support due to different cultural and living conditions) in primary and secondary schools, it is necessary to strengthen the teaching of Czech or the teaching of Czech as a second language (CSL) **within the maximum possible number of compulsory teaching hours**; pupils are **entitled to 3 hours of CSL/week, max. 120 hours/year**.

Level 3 of support measures

Level 3 support measures concern pupils with **no knowledge of the language of instruction** (approximate level of Czech at A0–A2).

Recommended support measures:

- Adjustment of the education content,
- Special textbooks and aids (textbook of Czech for foreigners);
- 3 hours per week of pedagogical intervention (including 1 hour a week working with class) – e.g. support in CSL;
- 3 hours per week for special pedagogical care provided by a special pedagogue of the school, or, where applicable, psychological intervention;
- Support of teaching by another pedagogical worker in the range of 0.5 FTE (this can be for example a specialist for teaching Czech as a second language). For pupils with the need to strengthen the CSL education in primary and secondary schools, **3 hours per week, up to 200 hours per year** are recommended.
- As part of level 3 support measures, the counselling centre may also recommend to the pupil to **extend the duration of schooling**. See Decree No 27/2016, “If special educational needs so require (especially *in pupils from a different cultural environment* or living in different living conditions), it is possible, if necessary, *to extend the duration of the primary*, secondary and tertiary vocational *education by one year*.” This is suitable for pupils who, after arriving in the Czech Republic, are **assigned to the 9th year**, but due to lack of knowledge of the language of instruction, they fail in the study. However, we recommend that pupils of this age should primarily be assigned **to the next lower year**, given the upcoming entrance exams to secondary school.

Support measures at levels 4 and 5 concern children with CSL only in combination with disabilities.

Primary school

The Education Act requires equal access for all children in admission to education. The school must therefore provide foreign nationals residing in the territory of the Czech Republic with access to primary education under the same conditions as to the citizens of the Czech Republic, without them being required to prove the legality of their stay.

All foreigners have the right to free education at primary schools, the right to school meals, as well as to the interest-based education provided at a school facility. The school may not make accepting pupils with CSL conditional on any requirements. The only reason for not accepting a pupil with CSL is the full capacity of the school. We keep encountering cases of schools imposing conditions for the admission of these children. It should be remembered that this constitutes a violation of the Education Act.

Decree No 48/2005 (Section 10) obliges the headteacher of the school to notify the pupil’s legal representative **within one week after the pupil has been admitted** to the school about the possibility of attending classes for language preparation. Alternatively, the school itself may include such pupils in this type of class.

Support of pupils with CSL with the amendment to the Education Act No 561/2004, together with Decree 27/2016, as amended, brings important changes for all children and pupils who need support in classes. These also include **children and pupils with Czech as a second language**.

Free preparation for school integration and support for teaching the mother tongue

The regional authority with local competence according to the place of residence of the pupil, in cooperation with the founder of the school, may ensure:

(a) free preparation for integration into primary education, including the teaching of the Czech language adapted to the needs of those pupils,

(b) where appropriate, in cooperation with the pupil's country of origin, support for the teaching of the mother tongue and the culture of the country of origin, which shall be coordinated with regular teaching in elementary school.

On 1 January 2012, an amendment to the Education Act promulgated under No 472/2011 became effective. This means that from 1 January 2012 **for all foreign pupils who complete compulsory school attendance, the regional authority with local competence according to the place of residence of the pupil, in cooperation with the founder of the school, shall arrange for free preparation for their integration into primary education, including teaching of the Czech language adapted to the needs of these pupils.**

As regards the education of pedagogical staff who will educate these children, the regional authority will also ensure their preparation for this activity. Pedagogic workers may acquire the education needed to teach children and pupils – foreigners for example in the National Institute for Further Education.

Primary schools where children of asylum seekers living in asylum facilities as well as outside asylum facilities are educated also provide for the basic language preparation of these children.

Basic legislative framework

The fundamental rights are guaranteed to all, regardless of gender, race, colour, language, belief, religion, political or other opinion, national or social origin, belonging to a national or ethnic minority, property, gender or other status. They belong to Czech citizens as well as to foreigners. These fundamental rights are expressed in applicable legislation.

The legislative framework consists of:

- international conventions under Article 10 of the Constitution of the Czech Republic (Convention for the Protection of Human Rights and Fundamental Freedoms, Convention on the Rights of the Child, Convention on Refugees, etc.)
- Charter of Fundamental Rights and Freedoms – European legislation (regulations and directives)
- the Residence of Foreigners Act
- the Asylum Act
- the Temporary Protection Act
- the Education Act – related acts, decrees, ministerial guidelines...

The specific rights and obligations regarding the residence of foreigners can be found in the following laws:

- the Asylum Act
- the Temporary Protection Act
- the Residence of Foreigners Act