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Education of national and ethnic minorities in contemporary Poland

Edukacja mniejszości narodowych i etnicznych we współczesnej Polsce

Streszczenie:

Zapoczątkowany w 1989 r. w Polsce proces transformacji przyniósł także reorientację polityki narodowościowej państwa oraz zmianę usytuowania prawnego mniejszości narodowych i etnicznych. Prawo do oświaty w języku ojczystym zagwarantowane zostało konstytucyjnie i ustawowo. Znalazło ono także wzmocnienie w międzynarodowych zobowiązaniach Polski, zarówno w ramach traktatów dwustronnych z państwami sąsiedzkimi, jak również w przyjętych dokumentach organizacji międzynarodowych poświęconych ochronie praw mniejszości narodowych. Według danych GUS, w roku szkolnym 2009/2010, w różnych formach organizacyjnych i na różnych poziomach kształcenia, nauczano języka białoruskiego, kaszubskiego, litewskiego, łemkowskiego, niemieckiego, słowackiego, ukraińskiego, rosyjskiego, hebrajskiego oraz ormiańskiego.

Słowa kluczowe: mniejszości narodowe i etniczne w Polsce, polityka oświatowa wobec mniejszości narodowych i etnicznych w Polsce, system oświaty w Polsce

Summary:

The transformation process that took place in Poland after 1989 has introduced a change in the nationalities policy of the state as well as in the legal status of national and ethnic minorities. The right to native language teaching has been constitutionally and statutorily guaranteed. It was also strengthened by international obligations of Poland within the frame of bilateral agreements with neighbouring countries as well as approved documents of international institutions defending the rights of national minorities. According to GUS (Central Statistical Office), teaching of Belorussian, Kashubian, Lithuanian, Lemko, German, Slovak, Ukrainian, Russian, Hebrew and Armenian language was offered in the school year 2009/2010 in various organizational forms and on the level of different types of schools.

Keywords: national and ethnic minorities in Poland, educational policy towards national and ethnic minorities in Poland, education system in Poland

1. Introduction

The transformation process that took place in Poland after 1989 has introduced a change in the nationalities policy of the state as well as in the legal status of national and ethnic minorities. The right to native language teaching has been constitutionally and statutorily guaranteed. It was also strengthened by international obligations of Poland within the frame of bilateral agreements with neighbouring countries as well as approved documents of international institutions defending the rights of national minorities. The issues connected with teaching pupils from national and ethnic minorities in Poland are particularly regulated by the Act of 7 September 1991 on the Education System¹, the Act of 6 January 2005 on national and ethnic minorities and on the regional language² as well as the Regulation of the Minister of National Education of 14 November 2007 on the conditions and ways of implementing, by public schools and establishments, tasks enabling to maintain national, ethnic and language identity of pupils belonging to national and ethnic minorities or community using regional language³.

2. Status and numerical strength of national and ethnic minorities in Poland

The present legislation enumerates groups considered to be national and ethnic minorities. According to the Act of 6 January 2005 on national and ethnic minorities and on the regional language⁴ the status of a national minority covers a group of Polish citizens that jointly fulfils the following conditions: is numerically smaller than the rest of the population of the Republic of Poland, significantly differs from the remaining citizens in its language, culture or tradition, strives to preserve its language, culture and tradition, is aware of its own historical, national community, and is oriented towards its expression and protection, its ancestors have been living on the present territory of the Republic of Poland for at least 100 years and identifies itself with a nation organized in its own state. In accordance with the provisions of this

¹ „Dziennik Ustaw” (Dz. U.) Nr. 256, poz. 2572 z późn. zm.

² Dz. U. Nr 17, poz. 141, Nr 62, poz. 550.

³ Dz. U. Nr 214, poz. 1579. Formerly these issues were regulated by the Regulation of the Minister of National Education and Sport of 3 December 2002 on the conditions and ways of implementing, by public schools and establishments, tasks enabling to maintain national, ethnic, language and religious identity of pupils belonging to national minorities and ethnic communities (Dz. U. Nr. 220, poz. 1853) and by the Regulation of the Minister of National Education and Sport of 24 March 1992 on the system of education enabling pupils belonging to national minorities to maintain their national, ethnic and language identity (Dz. U. 34, poz. 150).

⁴ Dz. U. 17, poz. 141, Nr 62, poz. 550.

Act the following groups shall be recognized as national minorities: Belorussians, Czechs, Lithuanians, Germans, Armenians, Russians, Slovaks, Ukrainians and Jews.

On the basis of the provisions of this Act the status of an ethnic minority covers a group of Polish citizens who jointly fulfil the same conditions as national minorities and do not identify themselves with a nation recognized in their own state. The status of an ethnic minority, as defined by this Act, is granted to the Polish citizens of Karaim, Lemko, Romany and Tatar origin.

In accordance with this Act and the European Charter for Regional or Minority Languages the status of a regional language is granted to a language that is traditionally used within a given territory of a state by nationals of that state who form a group numerically smaller than the rest of the state's population and different from the official language of that state and it does not include either dialects of the official language of the state or the languages of migrants. On the basis of the provisions of this Act the Kashubian language was granted the status of a regional language. The right of persons using regional language to be instructed in this language or learn this language is executed according to the same principles and under the same mode as in the case of national and ethnic minorities.

We do not have clear and complete data concerning the numerical strength of national and ethnic minorities in Poland. All attempts to determine the numerical strength of these communities always raise doubts. In this field we have to rely on the estimations of the researchers of minority issues and the results of the census conducted in Poland in 2002⁵. The census form contained two questions enabling specialists to determine the number of national and ethnic minorities. The former question (Question No. 33) was: *What is your nationality?* In this case nationality was defined as *a declarative (based on subjective feelings) individual characteristic of every person, expressing his/her emotional, cultural or genealogical (in relation to the origin of a family) connection with a given nation.* The latter question (Question No. 34) referred to a language used at home: *What is your language most frequently spoken at home?* In this case there was a possibility to choose two non-Polish languages regardless of whether they were spoken together with Polish or not.

The results of the census show that 36,983,700 citizens, which makes 96,74% of the total population of Poland, declared Polish nationality. 471,500 citizens (1,23%)⁶

⁵ Raport z wyników Narodowego Spisu Powszechnego Ludności i Mieszkań. Ludność. R.II. Struktura społeczna ludności. 8. Ludność Polski według deklarowanej narodowości i języka [on-line], Główny Urząd Statystyczny, p. 39 – 41 [access on 10th August 2010], accessible in World Wide Web: <http://www.stat.gov.pl/cps/rde/xbcr/gus/PUBL_raport_z_wynikow_nsp_ludnosci_i_mieszkan_2002.pdf

⁶ Attempts to determine the nationality of 774,900 citizens (2,03%) failed because of lack of answers.

declared other nationalities. Among the persons who declared other nationality than Polish, 444,600 have Polish citizenship, making 94,30% of this group, whereas 25,700 persons (5,45%) do not have Polish citizenship. Among the non-Polish nationalities most persons declared Silesian – 173,200, German – 152,900, Belorussian – 48,700, Ukrainian 31,000, Romany – 12,900, Russian – 6,100, Lemko – 5,900, Lithuanian – 5,800, Kashubian – 5,100, Slovak – 2,000, Jewish – 1,100, Armenian – 1,100, Czech – 0,800, Tatar – 0,500, Karaim nationality - 0,05.

If we assume, in accordance with the Act, that persons belonging to national minorities have Polish citizenship, we receive the following data: Silesians – 172,700, Germans – 147,700, Belorussians – 47,600, Ukrainians – 27,200, Romany -12,700, Russians – 3,250, Lemko - 5,850, Lithuanians – 5,600, Kashubians – 5,050, Slovaks – 1,700, Jews - 1,050, Armenians – 262 persons, Czechs – 386 persons, Tatars – 447 persons, Karaims – 43 persons.

Estimations of researchers of nationality issues are essentially higher than the results of the census. For instance, H. Chałupczak presents the numeral strength of national and ethnic minorities in Poland in the following way: Germans – 310,000, Ukrainians – 250,000, Belorussians – 210,000, Lemko – 30,000, Romany – 17,000, Lithuanians – 10,000, Russians – 6,000, Jews – 5,000, Slovaks – 2,500, Czechs – 1,500, Tatars – 1,000, Armenians – 800 persons, Karaims – 150 persons.⁷

3. Organizational and educational conception of teaching children belonging to national and ethnic minorities

Issues concerning education of minorities are regulated in the Constitution by the Article 35 that stipulates that the Republic of Poland ensures Polish citizens belonging to national or ethnic minorities the freedom to maintain and develop their own language, to maintain customs and traditions, and to develop their own culture. National and ethnic minorities have the right to establish educational and cultural institutions, institutions designed to protect religious identity, as well as to participate in the resolution of matters connected with their cultural identity.

According to the Article 13 of the Act on the System of Education, schools and public institutions enable their pupils particularly to learn their own language, history and culture as well as to maintain their national, ethnic, linguistic and religious identity. Such teaching is performed on parents' request in separate groups, departments

⁷ H. Chałupczak, Liczba mniejszości narodowych i etnicznych w Polsce w świetle powszechnego spisu ludności z 2002 roku oraz badań naukowych, [in]: Mniejszości narodowe i etniczne w procesach integracji i transformacji, (Ed.) E. Michalik, H. Chałupczak, Lublin 2006, p. 263 – 270.

or schools with additional study of native language, history and culture of a minority or in inter-school teaching teams. Furthermore, the Act specifies that schools ensure maintaining culture and regional tradition in didactic and educational work.

This Act also regulates issues connected with handbooks and teacher training for schools for minorities. Thus, handbooks and secondary literature for teaching pupils on the level enabling them to maintain their national, ethnic and language identity can be financed from the part of the National Budget which is administered by the minister competent for education – related matters. He/she is also obliged to take measures in order to provide teachers with the possibility of training and access to the handbooks for the schools for minorities as well as measures in order to popularize the knowledge of history, culture, language and religious traditions of national and ethnic minorities as well as a community using a regional language.

Act of 6 January 2005 on national and ethnic minorities and regional language regulates issues connected with maintaining and development of cultural identity of national and ethnic minorities as well as maintaining and development of a regional language. Article 8 of the Act specifies in the section concerning language rights that persons belonging to minorities shall have the right particularly to learn their minority language or be instructed in this language. Issues connected with education are regulated in Chapter 3 of the Act. However, these are merely general prescriptions, because in the field of specified solutions concerning the principles and the mode of exercising the right of persons belonging to a minority to learn the language of a minority or be instructed in this language, as well as the right of these persons to learn their history and culture the Act refers to the Act of 7 September 1991 on the System of Education. Furthermore, the Act on minorities obliges public authorities to take appropriate measures in order to support the activity aimed at protection, maintenance and development of cultural identity of a minority. These measures shall include particularly targeted grants or core grants to finance education of children and youth effected in various forms.

The next act specifying the organizational and educational conception of teaching children belonging to national and ethnic minorities is the already mentioned Regulation of the Minister of National Education of 14 November 2007 on conditions and methods of performing by schools and public institutions tasks allowing to sustain the sense of national, ethnic, linguistic and religious identity of pupils belonging to national and ethnic minorities as well as a community using regional language. According to §1 of the Regulation, kindergartens, schools and public establishments are obliged to enable pupils belonging to national and ethnic minorities as well as a community using regional language, which is Kashubian community, to maintain and develop their national, ethnic and linguistic identity by teaching languages of national and ethnic minorities, regional language as well as

history and culture of the country of origin. The regulation also stipulates the possibility of delivering geography classes of the country with the culture of which members of a national minority identify, art classes and other additional classes.

According to §2, minority or regional language teaching in kindergartens as well as minority or regional language teaching and education of history and culture of the country of origin in schools is organized by the principal of a kindergarten or school on a voluntary basis, at the written request of pupil's parents (legal guardians). Such a request should be submitted to the principal of a kindergarten when entering a child for kindergarten and it should be submitted to the principal of a school when entering a pupil for a school or in the course of attending classes by the pupil no later than by 30th April. Such a request covers the whole period for which a child has been enrolled in a kindergarten and is valid by the time of graduation from the school by a pupil.

The paragraph 3 of the Regulation specifies the principles of teaching minority or regional language in kindergartens. Such classes can be organized in kindergartens or departments of kindergartens with a language of a minority or a regional language as the language of instruction, whereby for children who fall within the rule of a year-long preparation in kindergartens and departments of kindergartens in primary schools, in which pupils are instructed in the language of a minority or a regional language, classes are offered also in the Polish language four hours a week. Other organizational forms specified by the Regulation are kindergartens or departments of kindergartens in which pupils are instructed in two languages, i.e. in the Polish language and the language of a minority or in a regional language, kindergartens or departments of kindergartens in which classes are delivered in the language of a minority or a regional language 4 hours weekly, and, finally, inter-kindergarten teams of teaching the language of a minority or a regional language.

Organizational forms of tuition of the language of a minority or a regional language in schools are regulated by the paragraph 4 of the Regulation. Such a teaching can be organized in schools and departments of schools providing instruction in the languages of minority groups or a regional language where the study of all subjects is carried out in this language, with the exception of classes in primary schools that include integrated teaching of the Polish language on the first stage of education, as well as the Polish language and a part of history and social sciences connected with the history of Poland on the second level of education. In other types of schools Polish is the language of instruction of the following subjects: the Polish language, a part of history connected with the history of Poland and a part of geography connected with the geography of Poland. The second organizational form is represented by schools and departments in which classes are delivered in two languages: in Polish and in the language

of a minority or in a regional language that is the second language of instruction. The third organizational form mentioned in the Regulation includes schools or departments with additional teaching of the language of a minority or a regional language that is offered in the form of separate classes, in which the Polish language is the language of instruction, with the exception of the classes of the language of a minority or a regional language. Finally, the fourth form specified in the regulations of educational law covers inter-school teams of teaching the language of a minority or a regional language.

At the same time departments in which classes are performed in the language of a minority or in a regional language, departments in which classes are delivered in two languages: the Polish language and the language of a minority or a regional language, that is the second language of instruction, as well as departments with additional classes in the language of a minority or a regional language can be organized if a least 7 children in a kindergarten on the level of a given department, at least 7 pupils in a primary and lower secondary school on the level of a given class and at least 14 pupils in an upper secondary school on the level of a given class have declared an interest in participation. If the number of pupils is smaller than required, teaching of the language of a minority or a regional language is organized in interdepartmental groups or inter-class groups, whereby an interdepartmental group, which consists of pupils from various departments on the level of a given class, cannot include less than 7 pupils in an elementary school and junior secondary school as well as 14 pupils in an upper secondary school. An inter-class group including pupils from various classes, in which lessons are performed according to the organization of teaching in joint classes, cannot consist of less than 3 and more than 14 pupils. In justified cases, with the consent of the organs operating a kindergarten or school, the number of pupils in departments, interdepartmental and inter-class groups can be smaller than the number specified in the Regulation.

If it is impossible to organize a class of the language of a minority or a regional language in the way specified in the Regulation because of an insufficient number of children or lack of teachers, the principal of a school or kindergarten shall draw up a list of children who have declared an interest in the minority or regional language education and present it to the organ operating public school or kindergarten, which shall organize inter-school or inter-kindergarten teams for native language education, taking into consideration transportation possibilities. The number of pupils in such a team cannot be smaller than 3 and bigger than 20. The compulsory number of hours for teaching the language of a minority or a regional language in an inter-kindergarten or inter-school team is 3.

Teaching of the language of a minority or a regional language as well as history, culture and geography of the country of origin, the culture of which a national minor-

ity identifies with, shall be performed on the basis of the programs and handbooks accepted for school use by the authorities competent for education – related matters.

As stated by the paragraph 10 of the Regulation, the principals of kindergartens, schools and public institutions as well as organs operating these establishments can cooperate with organizations of national and ethnic minorities as well as communities using a regional language while implementing the tasks enabling pupils belonging to national and ethnic minorities as well as a community using regional language to maintain and develop a sense of national, ethnic and linguistic identity by teaching them languages of minorities and a regional language, as well as the history, culture and geography of the country of their origin, the culture of which they identify with, and by organizing art classes as well as other additional classes.

According to the Regulation, schools can also take additional measures, if required, in order to support the activity aimed at the maintenance and development of ethnic identity of Romany pupils as well as supporting education of these pupils, especially in the form of remedial classes. Assistants of Romany education can be employed at school as teachers' helpers. Their duty is to help Romany pupils in communication with the school environment as well as in cooperation with their parents and school.

Detailed issues concerning teaching of the language of a minority and a regional language or instruction in one of those languages are regulated in the executive regulations of the Act on the System of Education, particularly in the Regulation of the Minister of National Education and Sport of 12 February 2002 on framework curricula at public schools.⁸ Framework curricula specifies the weekly number of classes for appropriate stages of education, i.e. periods of education with specified aims, that constitute a didactic entirety. The number of compulsory classes of a didactic-educational character as well as the hours left to discretion of the principal of school are specified in the framework curricula.

According to the paragraph 4 of the Regulation, hours of tuition of the language of a national and ethnic minority or a regional language are additionally taken into consideration in the framework curricula of schools or departments for national and ethnic minorities as well as a community using regional language in the following way: 1) in a school (department) with the language of a national or ethnic minority or a regional language as the language of instruction: a) in the grades I-III of the primary school – jointly 14 hours, b) in the grades IV-VI of the primary school and lower secondary school – jointly 12 hours, c) in the 3-year general upper secondary school, 3-year specialized upper secondary school, 4-year technical upper secondary school, 2-year supplementary general upper secondary school for the graduates of

⁸ Dz. U. Nr 15, poz. 142 z późn. zm.

basic vocational school and 3-year supplementary technical upper secondary school for the graduates of basic vocational school – jointly 12 hours, d) in the basic vocational schools, upper secondary vocational schools and departments of those schools the number of hours is equal to the number of classes of the Polish language in a given school year. On the other hand, in a school (department), in which classes are delivered in two languages: Polish and the language of a national or ethnic minority or a regional language, which is the second language of instruction, the number of hours of teaching the language of a national and ethnic minority or a regional language is equal to the weekly number of classes of the Polish language respectively in all grades of a primary school, lower secondary school, basic vocational school, 3-year general upper secondary school, 3-year specialized upper secondary school, 4-year technical upper secondary school, 2-year supplementary general upper secondary school for the graduates of basic vocational school, 3-year supplementary technical upper secondary school for the graduates of basic vocational school.

With regard to the schools (departments) with additional classes of the language of a minority or regional language hours of teaching the language of a national and ethnic minority or a regional language are organized in the following way: a) in primary schools, lower secondary schools, 3-year general upper secondary schools, 3-year specialized upper secondary schools, 4-year technical upper secondary schools, 2-year supplementary general upper secondary schools for the graduates of basic vocational schools, 3-year supplementary technical upper secondary schools for the graduates of basic vocational schools – 3 hours b) in basic vocational schools, including special schools, with exception of special schools with the core curriculum of a basic vocational school – weekly number of hours is equal to the number of the Polish language classes in a given school year.

Listing pupil on the course of a minority, ethnic or regional language is equivalent with accepting this subject as the obligatory one for the pupil, with all consequences resulting from the regulations of granting grades, classification and promotion.

Within the hours left to discretion of the principal of school, the school may organize additional lessons of the language of a minority or a regional language. Such additional lessons can be included in the framework curricula by the principal of school upon a consultation with pedagogical (consisting of teachers employed in a given school) and parents' council. If additional lessons are introduced, they become compulsory. Also teaching history and geography of the country of origin of national minorities as well as cultural heritage of a regional minority can be introduced within the hours left to discretion of the principal of school in schools with the language of a national or ethnic minority or a regional language as the language of instruction.

Another ministerial regulation specifying the conception of education of pupils belonging to national and ethnic minorities is the Regulation of the Minister of National Education of 23 December 2009 on core curricula for pre-school education and general education in particular types of schools⁹.

The issues concerning qualifications of teachers performing classes that enable pupils to maintain their national, ethnic and linguistic identity are regulated by § 13 of the Regulation of the Minister of Education of 12 March 2009 on the detailed qualifications required of teachers and the definition of schools and cases where teachers without a higher education diploma may be employed¹⁰. It stipulates that a person is qualified to teach or deliver classes in groups, departments, pre-schools or schools enabling pupils to maintain their national, ethnic and linguistic identity, if she/he has qualifications required from teachers in a given type of school or kindergarten, and, moreover, has a very good command of the language she/he teaches or in which she/he instructs pupils. The knowledge of a language is confirmed by a diploma (certificate) or asserted by employing authority upon a consultation with a relevant minority or ethnic association (society).

4. Scale of teaching minority languages in the Polish system of education in the school year 2009/2010

According to GUS (Central Statistical Office), classes of minority languages and a regional language (Kashubian) were offered in the school year 2009/2010 in various organizational forms in 600 primary schools and inter-school teams on the level of primary schools. Over 35,000 pupils participated in those classes. Moreover, teaching of these languages or instruction in these languages was performed in over 200 lower secondary schools and inter-school teams on the level of a lower secondary school with almost 11,000 pupils participating in those classes. Teaching of minority languages or instruction in this languages is offered on a significantly smaller scale on the stage of the upper secondary education. In the school year 2009/2010 24 upper general secondary schools and specialized upper secondary schools and 4 technical upper secondary schools offered classes of the language of a minority and a regional language or classes with the instruction in the minority and regional language. Over 1,400 pupils in upper general secondary schools, only several pupils in specialized upper secondary schools and over 40 pupils in technical upper secondary schools participated in these classes.

In general, teaching of Belorussian, Kashubian, Lithuanian, Lemko, German, Slovak, Ukrainian, Russian, Hebrew and Armenian language was offered in various

⁹ Dz. U. Nr 4, poz. 17.

¹⁰ Dz. U. Nr 50, poz. 400.

organizational forms and on the level of different types of schools. Detailed data concerning this subject are presented in the table below. It is remarkable that the interest in learning the Kashubian language is bigger than in other languages of minorities that have much more members than the Kashubian community but are taught in schools on a significantly smaller scale. The German language was learnt by most of pupils.

Table: *Education for national and ethnic minorities in the school year 2009/2010.*

NATIVE LANGUAGES/ SCHOOL YEAR	PRIMARY SCHOOL ¹		LOWER SECONDARY SCHOOL ¹		UPPER GENERAL SECONDARY SCHOOLS ²		TECHNICAL UPPER SECONDARY SCHOOL ³	
	SCHOOLS	PUPILS	SCHOOLS	PUPILS	SCHOOLS	PUPILS	SCHOOLS	PUPILS
TOTAL 2008/2009	579*	33833*	217**	12318**	17	1336	2	9
TOTAL 2009/2010	601*	35137*	218**	10819**	23	1427	4	44
BELORUSSIAN	22	1421	14	859	4	787	-	-
KASHUBIAN	183	8158	50	1193	5	201	-	-
LITHUANIAN	8	296	3	167	2	101	-	-
LEMKO	20	131	8	72	2	13	-	-
GERMAN	277	23885	89	7948	1	38	1	22
SLOVAK	6	144	4	33	-	-	-	-
UKRAINIAN	82	903	47	513	9	287	3	22
GYPSY	-	-	1	7	-	-	-	-

1—3 Including: 1 — interschool groups, 2 — specialized secondary schools (in the 2008/09 school year — 1 school with Ukrainian language with 6 pupils, in the 2009/10 school year — 1 school with Ukrainian language with 6 pupils and 1 school with German language with 38 pupils), 3 — basic vocational schools (in the 2009/10 school year — 1 school with German language with 22 pupils). *, **: Including the following languages, not covered by further division: * — Hebrew language (in the 2008/09 school year — 2 schools with 176 pupils, in the 2009/10 school year — 2 schools with 180 pupils) and Armenian language (in the 2008/09 school year — 1 school with 16 pupils, in the 2009/10 school year — 1 school with 19 pupils,

** — Hebrew language (in the 2008/09 school year — 2 schools with 37 pupils, in the 2009/10 school year — 2 schools with 27 pupils) and Czech language (in the 2008/09 school year — 1 school with 1 pupil).

Note: Data include independently operating schools for children and youth of national and ethnic minorities as well as students using regional language, as well as schools and interschool groups, in which additional language teaching is organized.

Source: Mały Rocznik Statystyczny Polski 2010 [on-line], GUS, [access 5th August 2010 r.], accessible in World Wide Web:

<http://www.stat.gov.pl/cps/rde/xber/gus/PUBL_oz_maly_rocznik_statystyczny_2010.pdf>. Table 4 (135). Nauczanie języka mniejszości narodowych i etnicznych oraz języka regionalnego w szkołach dla dzieci i młodzieży.

5. The problem of minority groups that were not granted the status of a national, ethnic minority or community using regional language

The controversial issue of Silesian nationality poses a significant problem. 173,200 people declared Silesian nationality during the Polish nationality census conducted in 2002. Measures are taken in order to standardize Silesian language¹¹ and Silesian institutions postulate a statutory recognition of Silesian as a regional language in accordance with the provisions of the Act on national and ethnic minorities and on the regional language.

The status of a national and ethnic minority does not cover non-Polish nationalities with a migration background. Issues connected with teaching children belonging to these groups are regulated by the provisions of Article 94a of the Act of 7 September 1991 on the System of Education. It stipulates that persons who are not Polish citizens but who are subject to compulsory schooling benefit from education and care in public primary schools, lower and upper secondary schools on the same terms as the Polish citizens. In case of the not-obligatory forms of education, the right of free admission to the free of charge education, which applies to Polish citizens, is limited only to the category of people clearly defined in the item 2 of the Article 94a of this Act. These are, among others, the persons who were permitted to settle down on the territory of the Republic of Poland, persons with a refugee status, children of persons applying for a refugee status, persons who have the permit for a tolerated residence.

Persons with no Polish citizenship who fall within the rule of compulsory schooling, who do not know the Polish language or do not have sufficient command of it to participate in classes have a right to receive additional and free of charge Polish language tuition. This additional Polish language tuition is organized by the local commune (*gmina*). The detailed regulations connected with the organization of this tuition are included in the Regulation of the Minister of National Education of 1 April 2010 on the *admission of persons with no Polish citizenship* in public pre-schools, schools, teacher training institutions and units¹². A local commune organizes at school an additional and free of charge Polish language tuition. Immigrant children can follow additional Polish language tuition in these forms for no longer than one school year. In order to teach them the Polish language on the level enabling them to attend compulsory classes, the weekly number of hours cannot be lower than 2 teaching

¹¹ T. Kamusella, Standaryzacja języka górnośląskiego oraz możliwe konsekwencje społeczne i polityczne (ze szczególnym uwzględnieniem Śląska Opolskiego), „Sprawy Narodowościowe” 2004 No. 24/25, p. 113 – 132.

¹² Dz. U. Nr 57, poz. 361.

hours. The timetable of the Polish language classes and the weekly number of hours are defined by the principle of school or a unit in co-operation with the local commune (*gmina*).

Article 94a of the Act on the System of Education also stipulates that the diplomatic/consular units of the country of origin located in Poland or cultural associations of a given nationality can organize at the school premises, in co-operation with the principal of school and with the school educational provider's consent, additional classes of language and culture of the country of origin for persons with no Polish citizenship who fall within the rule of compulsory schooling. The regulation of October 2001 on the *admission of persons with no Polish citizenship* in public schools also regulates the organization of tuition of a language and culture of the country of origin. Such a tuition can be organized if at least 7 pupils have declared interest in learning language and culture of their country of origin. The total number of teaching hours of language and culture of the country of origin cannot exceed five a week. It is the principal of school who timetables these classes.

To sum up, native language teaching is guaranteed in the Polish Education System only to the pupils belonging to the groups that were legally given the status of a national and ethnic minority or regional community (Kashubian). Children of other nationalities than Polish who are not Polish citizens are not entitled to native language teaching. The only possibility is to organize additional tuition of the language and culture of the country of their origin