INTEGRATING IMMIGRANT CHILDREN INTO SCHOOLS IN EUROPE

PORTUGAL

NATIONAL DESCRIPTION – 2003/04

The national contributions contained on this CD-Rom and on the Eurydice website formed the basis for the comparative study on the integration at school of immigrant children in Europe. Each contribution has exactly the same structure with four main sections entitled as follows:

1) National definitions and demographic context of immigration
2) Measures offering school-based support to immigrant children and their families
3) Intercultural approaches in education
4) Evaluation, pilot projects, debates and forthcoming reforms

Contributions are available in English and, in the case of some countries, in French.
1. NATIONAL DEFINITIONS AND DEMOGRAPHIC CONTEXT OF IMMIGRATION

1.1. National Definitions and Legislative Sources

Portuguese legislation confers immigrant status on any foreign national intending to settle in the country under the terms of the law (1).

The Constitution of the Portuguese Republic defends the principles of dignity and social equality before the Law for all citizens and proclaims that those who are threatened and persecuted in their countries of origin are entitled to asylum and refuge. Point 7 of Article 33 in the Constitution guarantees the right to asylum and Refugee status, amended by Decree 218/2001 of 4 August, as the protection delivered by Portugal to any foreigner granted refugee status under the 1951 Geneva Convention and the 1967 New York Protocol.

In 1991, the Portuguese Council for Refugees was set up to play a fundamental role in supporting and aiding asylum seekers and irregularly resident immigrants. The main objective of the Council is to provide them with better legal support while assimilating them and regularising their residential status.

Portuguese nationality is not acquired automatically. It can be obtained by children born in Portugal and by children of immigrants who have resided legally for at least 6 years in the country, if they are citizens of a country where Portuguese is the official language, or 10 years if they are nationals of another country.

Portuguese legislation on nationality as a criterion for successful assimilation makes it easier for citizens from the Community of Portuguese-speaking Countries (CPLP) than for other immigrants to acquire Portuguese nationality, since it allows them to have dual nationality. With respect to Brazil, the special relationship that has always existed between the two countries was further strengthened by the Porto Seguro Treaty of Friendship and Cooperation (22 April 2000). As regards the movement of workers, a new step in the same direction was taken with the recently concluded Reciprocal Agreement on the Recruitment of Nationals (Decree No. 40 of 19 September 2003).

1.2. Rights to Education and to Support Measures

The Constitution of the Portuguese Republic (Articles 13, 15, 73 and 74) enshrines the principle of equality, stating that no person may enjoy special privileges or benefits or suffer from prejudicial treatment or be deprived of any right or exempted from any obligation by reason of lineage, sex, race, language, territory of origin, religion, political or ideological conviction, education, economic situation or social condition.

In the case of children, the Portuguese state guarantees, independently of their situation with respect to the law, the application of the principles set forth in the Universal Declaration on Human Rights and, in particular, the

(1) Constitution of the Portuguese Republic: Artigos em matéria de direitos básicos dos cidadãos estrangeiros residentes em território nacional (art.13, nº 2, art. 15, nº 1). In the education field (art. 74.º, alínea i) do Art. 74 and Art. 73).

Regime de Estrangeiros: Decreto-Lei n.º 34/2003 de 25/02 (O presente diploma legal visa alterar o Decreto-Lei N.º 244/1998 (8 August) com as alterações decorrentes da Lei N.º 97/1999, de 26 de Julho e pelo Decreto-Lei n.º 4/2001 de 10 de janeiro, que aprova as condições de entrada, permanência, saída e afastamento de estrangeiros do território nacional). Decreto-Regulamentar n.º 5A/2000, de 26 de Abril, que regulariza o Dec.-Lei nº 244/98, 8 de Agosto, que regulara a entrada, permanência, entrada, saída e afastamento de cidadãos estrangeiros do território nacional). Dec-Lei n.º 60/93, 3/03 (Regime especial de entrada, permanência e saída de cidadãos estrangeiros nacionais de Estados membros da União Europeia, incluindo familiares destes e de cidadãos portugueses).

Asylum: Lei n.º 15/98, 26 de Março. Estabelece um novo regime jurídico-legal em matéria de asilo e de refugiados.

United Nations Convention on the Rights of the Child, especially with regard to access to health care and education.

**Neither the children of refugees and exiles nor the children of immigrants irregular residents** can be refused a school place unless the school has no more room, in which case it is required to refer the pupils to another educational establishment in the area.

**Pupils** from pre-school to the ninth year registered in the public education system **whose mother tongue is not Portuguese** (even if Portuguese is the official language of their country of origin) may benefit from support measures. These children attend Portuguese lessons along with others but may receive extra tuition in the language if necessary.

The children of irregularly resident immigrants and asylum seekers have to receive the same schooling as Portuguese nationals (i.e. they may access education irrespective of their residential status). They are similarly entitled to benefit from school services or financial support awarded by the education authorities, in the same way as Portuguese children.


### 1.3. Demographic Information

According to the National Statistical Institute, data provided by the Immigration Service show that there were 238,746 (2.3% of the country’s overall population) foreign nationals legally resident in Portugal on 31 December 2002. This figure comprises all people of foreign nationality having a residence authorisation or permit, in accordance with prevailing immigration legislation. It does not include foreign nationals authorised to stay for a short period as students, workers or for other reasons. Nor does it include irregularly resident foreign nationals.

#### Changes in the resident foreign population from 1990 to 2002

![Changes in the resident foreign population from 1990 to 2002](image)

*Source: Borders and Foreigners Service (SEF), 1981-2001.*

Relates to members of the foreign population who hold the autorização de residência (authorised residence), cartão de residência (residence permit) and autorização de permanência (authorised permanent residence).

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(2) Despacho, n.º 123/ME/89 (25 July), Escolarização dos filhos dos trabalhadores migrantes de molde a garantir a melhoria das suas condições de livre circulação.
Immigrants into Portugal come from the Community of Portuguese-speaking Countries (Brazil and African countries where Portuguese is the official language) and from Eastern Europe (Ukraine, Moldavia, Romania and, to a lesser extent, other countries of the former Eastern Bloc). The distribution of this population by continent is as follows: Africa: 114,193 (47.8%); Europe: 72,121 (30%); the Americas: 40,787 (17.1%).

In recent years, immigration into Portugal has grown significantly. The factors underlying this increase include the construction of major public infrastructures and other facilities at the end of the 1980s and 1990s (motorways, Expo 98), the introduction of the euro, the troubled economic situation in Brazil, and the difficulties encountered by the population in Africa in the post-independence period.

According to statistics from the National Statistical Institute (NSI), this population has settled mainly in Lisbon (54%), Faro (13.1%), Setúbal (10.5%) and Porto (5.8%).

This phenomenon of growing immigration is reflected in the Portuguese school-age population, although there is no clear correlation between immigration and the schooling of immigrant pupils. The numbers shown in the NSI/SEF (Immigration Service) statistics include only duly documented legal immigrants. In schools, however, the figures include all pupils enrolled in the school system in Portugal, with no distinction being drawn between the children of refugees and exiles and those of irregular resident immigrants.

As regards migratory flows from Eastern European countries, the enrolment rate of pupils is not proportional to the number of immigrants, owing to the predominance of single-family units and, in particular, the preponderance of very young age groups.

The data of the Department of Prospective Assessment and Planning (DAPP) refer to 1999-2000 and include both public and private subsystems, using the number of registered pupils and cultural groups/nationalities as analytical parameters (see annexe).

The Department of Primary Education (Ministry of Education) has conducted a study of pupils whose mother tongue is not Portuguese attending primary school in the 2001/02 school year: in the case of almost 8,000 of them, the mother tongue is Creole. This data is updated on a biannual basis.

2. MEASURES OFFERING SCHOOL-BASED SUPPORT TO IMMIGRANT CHILDREN AND THEIR FAMILIES

In 2003, powers were being transferred from the Ministry of Education to the self-governing local authorities pursuant to Order in Council 7/2003 of 15 January 2003, with amendments introduced by Act 41/2003 of 22 August 2003.

As a result of this legislation, the self-governing local authorities have acquired wider powers in the domain of school administration, geared in particular to ‘overcoming situations of isolation and lack of social and educational integration of children and pupils, so as to prevent social exclusion’ (Article 16, section b).

2.1. Reception and Guidance

No school may refuse to enrol a child, provided it is located in the area in which his or her parents reside and places are still available. If all places have been filled, schools normally try to redirect children to other schools in the same area.

Children first enrol between the beginning of January and 15 September in the calendar year in which they become 6 years of age, and re-enrol regularly at the end of each school year. Schools will accept enrolment outside these dates on the basis of a written request from the person legally responsible for the child’s education.

Immigrant children who have already begun school in their country of origin should provide their host school with a document which testifies to their level of attainment (and which should be authenticated by the
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Portuguese or home country consular or embassy authorities. The same document is required to establish the equivalence of qualifications (Decree-Law 219/97 of 20 August). Children without this school record (or its translation where required) have to go to the Department of Basic Education (DEB) where they take a test to determine how much they have learnt.

2.2. Integration into School Learning

Immigrant pupils are integrated directly into the regular education system. The Order in Council 219/97 of 20 August 1997 which defines the model of equivalences with respect to other education systems, facilitates the immediate integration of migrant pupils into the school system by allowing conditional enrolment so that students can attend school without delay. Furthermore, it envisages teaching support for immigrant children (Article 16) who are integrated into the national educational system via this path:

1. Candidates who enter the national educational system through the diploma-equivalence process must be allowed to benefit from a teaching support scheme suited to their situation and compatible with the possibilities of the educational establishment.

2. Teaching support should focus on eliminating difficulties encountered by the student, in particular in mastering the Portuguese language.

This same Order (Article 16,3) states: ‘For the implementation of the foregoing provisions, the educational establishment shall carry out a diagnostic assessment of the pupil and shall subsequently formulate an individual educational support plan’.

The teachers of kindergarten and the 1st cycle of primary education are required to promote the learning of spoken language by all children, with special attention to those belonging to social and linguistic minorities or underprivileged segments of society; and to encourage pupils of other mother tongues to learn Portuguese as a second language (3).

In the curriculum for primary education, several points may be noted:

- The integration of immigrant pupils into schools can be achieved in different educational and learning situations, with an emphasis on a differentiated teaching approach;

- Particular attention is paid to cooperative activities ‘focusing on integration and the exchange of knowledge’.

The schools must – pursuant to their autonomous status and in accordance with their educational programme – define, offer, and manage specific measures for the diversification of the curriculum (Order in Council 6/ME/2001 of 18 January 2001).

Article 8 of the same Order in Council provides for the teaching of Portuguese as a second language: ‘Schools must provide specific curricular activities for teaching Portuguese as a second language to pupils whose mother tongue is not Portuguese’. Consequently, depending on the capacities of the establishment, Portuguese can be given as a second language or be the subject of a specific educational support scheme.

Under the RAAG (Autonomous System for School Administration and Management (*), these measures reduce the teaching time of teachers who provide special support for immigrant children learning Portuguese. Mainstream Portuguese language teachers are entitled to do so anyway, but many Escolas Superiores de Educação (ESEs) and universities offer special initial or in-service training in this field. Two public universities in the Lisbon area also provide opportunities for such prospective teachers: the New University of Lisbon offers a ‘Master’s degree in Teaching Portuguese as a Second and Foreign Language’ intended to prepare them to give courses to

(*) Order in Council 241/2001 (30 August), which approves the specific professional qualification profile of teachers.

immigrants and their children in primary and secondary education, while the Faculty of Letters has cooperated with the Ministry of Education on teacher training and the provision of teaching materials.

Finally, some self-governing authorities have specific aids to fund Portuguese courses for nationals of Eastern European countries

Assessment forms and remedial/support strategies can be provided under (school) group curricular projects.

Support includes educational materials such as the CD-ROM entitled ‘Us and the Others’ intended for pre-school education. It was recently published and distributed free of charge to schools and is the result of a partnership between the University of Aveiro and the Department of Primary Education (DEB). As regards the teaching of Portuguese as a second language, one may mention bilingual tests as well as the appropriate Application Manuals for Portuguese as a Second Language, prepared by the DEB. These tests are intended for the main ethnic minorities in Portugal: Creole (Cape Verde and Guinea), Russian, Tetum (East Timor), English and German.

As regards the children of migrant workers from European Union countries, the law provides for the following:

- entitlement to free reception facilities designed to further the integration of minors;
- additional support tuition to improve proficiency in Portuguese among those for whom it is not the first or main language, in line with their specific learning needs;
- appropriate continuing training for teachers;
- instruction in the language and culture of the country of origin in cooperation with that country.

Although Decree 123/ME/89 is a by-product of Directive 77/486/CEE and in this respect relates only this right was generalised to the children of all the immigrants without disregarding their origin. By immigrant workers is meant all immigrants, whether nationals of European or non-European countries.

2.3. Support for the Language, Culture and Religion of Origin

Migrant pupils can have access to instruction in their language of origin (depending on the resources of the individual school). Thus, Ministerial Ruling No. 4 123/ME/89 of 25 July 1989, stipulates: ‘In conjunction with the education given in Portuguese schools, education in the language and culture of the student’s country of origin may be provided in cooperation with the State of origin’.

An ‘Intercultural’ Secretariat has been created under the auspices of the Council of Ministers. One of its lines of action is to produce educational resources and teaching materials. The materials used in the classroom include the series ‘History and Histories’, designed to acquaint children and young people with the culture and traditions of their countries of origin, thus strengthening their own sense of identity.

The freedom of religion, conscience and worship is enshrined in the Constitution (Article 41), thereby guaranteeing freedom of instruction for any religion or denomination. Consequently, attendance is optional for religion and ethics courses, and the school has autonomy in the matter. The minimum number of pupils needed to form a teaching group is 10, and pupils from different groups can be combined:

- from the same year, for instruction in ethics and the Catholic religion;
- from different years, for instruction in religion and ethics for other religions.
2.4. Adaptation of Daily School Life

The school calendar is made by the Central Services of the Ministry of Education always taking into account the religious calendar of the different religious minorities: for instance, the national calendar for examinations is posted after checking the different religious minorities.

In Portuguese public schools uniforms do not exist and there are no regulations as far as the clothing of students is concerned.

2.5. Access to School Services and Special Financial Assistance

All pupils, irrespective of their origin, are to benefit from the same financial aids (school meals, support for books and school supplies, school insurance and transport). In addition to general aids, some self-governing authorities provide specific aids, such as study rooms managed by the authority and/or parish council in areas inhabited by particularly underprivileged segments of the population.

2.6. Language Tuition for Parents and Families

This tuition can occur when promoted by an autonomous school board, a school parents’ association or, not uncommonly, by non-governmental organisations (NGOs) concerned with religious matters, the Red Cross or migrant worker associations.

The High Commissioner for Immigration and Ethnic Minorities (ACIME) also offers free language courses for all immigrants – including those of irregular status – who do not speak Portuguese. Other Portuguese language courses are available to immigrants at the job and training centres.

2.7. Information to Parents

The option of assigning specially trained socio-cultural mediators (5) may be considered an important form of support in ensuring a link between school, family and the community.

A series of brochures entitled ‘School and Community’ was created by the Intercultural Secretariat to provide support to parents and relatives, especially among migrants and Romanies, in supervising their pre-school and school-age children.

Parents and educators have access to a permanent source of information at the Office of the High Commissioner for Immigration and Ethnic Minorities (ACIME): www.acime.gov.pt. The ACIME has a network composed of National Support Centres for Immigrants (CNAI) and Local Support Centres for Immigrants (CLAI) which provide access to the resources of the National Network as well as brochures with useful information, published in English, Portuguese and Russian. These services are free of charge. Of particular relevance is the brochure entitled ‘Access to Education’, produced in cooperation with the Intercultural Secretariat, which contains practical information and answers to frequently asked questions about the schooling of immigrants.

(5) Lei n.º 105/2001(31 August) Estabelece o estatuto legal do mediador sociocultural.
3. INTERCULTURAL APPROACHES IN EDUCATION

3.1. Curriculum

Pursuant to curricular guidelines for pre-school education, the following general pedagogical objectives have been set: promoting the integration of children into various social groups, with respect for the plurality of cultures; increasing children’s awareness of being members of society.

In defining essential skills to be developed in primary education, the following recommendations, which are specifically for teachers to guide them towards special strategies for intercultural education, may be noted:

- The integration of immigrant pupils into schools can be achieved in different educational and learning situations, with an emphasis on a differentiated teaching approach;
- Particular attention should be paid to cooperative activities ‘focusing on integration and the exchange of knowledge’ (project area);
- Pupils should be able to ‘defend their own ideas, using different languages appropriately’;
- Teachers should plan for discussion on the use of Portuguese, given the variety of languages spoken by the pupils;
- Schools should promote cooperative learning activities and carry out intercultural exchanges;
- Education should be adapted and made flexible ‘in respect of the linguistic varieties of Portuguese and the languages spoken by linguistic minorities in the national territory’;
- Affinities between the mother-tongue of the immigrant child and other languages should be brought out;
- In history classes, exchanges with pupils/young people from other communities, cultures, religions or countries should be promoted.

The Intercultural Secretariat has introduced an intercultural dimension that was not previously explicit in school programmes. In addition it is endeavouring to integrate the objectives of intercultural education into the education system and school programmes by facilitating the development of multicultural schools and promoting tolerance.

In the national primary school syllabus, each school is required to develop curricular projects based on the principle of inclusion. This involves adapting and regulating teaching and learning in line with the different needs of each pupil and circumstances at each school. There is a focus on intercultural education when teaching Portuguese (out of respect for the languages spoken by linguistic minorities in the national territories), foreign languages (by providing for consideration of other languages and cultures), history (through pupils communicating awareness among themselves of different ethnic or language backgrounds, cultures and religions or ethnic origins), and geography (through an appreciation of civics and citizenship). The Constitution, educational legislation and State policies for education are based on a school system that not only respects gender, race, language, geographical origin and religious differences, but also the needs of each student.

3.2. Teacher Training

Teachers are required to take into account the phenomenon of cultural diversity and to become agents of integration policy while taking into account the autonomy of the schools and of their own profession.
The legislation defining the general professional profile of kindergarten, primary and secondary school teachers (6) stipulates the following: The teacher shall ‘recognise, with due consideration and respect, the cultural and personal differences between pupils and other members of the educational community, turning to advantage differences in knowledge and culture and combating exclusion and discrimination’. Further, ‘the teacher shall develop personal, social and professional skills, with a view to ensuring life-long learning, giving due consideration to the diversities and similarities of national and international situations, in particular in the European Union’.

Some of the initial teacher training colleges (ESEs) promote intercultural education in their curricula. Given the autonomy of higher education, such training may not figure in all ESE curricula.

Concerning in-service training, (mainly provided by school associations training centres and by the teachers’ associations) the Association of Teachers for Intercultural Education (APEDI) – which aims to stimulate and promote the interchange and dissemination of educational ideas and good practice in an intercultural context, as well as to establish protocols with the ministerial departments responsible for education, solidarity, reception, ethnic minorities and self-governing authorities – has a role to play in teacher training in this regard.

Teachers can attend courses co-financed by the Ministry at APEDI and by the Educational Development Programme for Portugal (PRODEP) (Measure 5, action 1).


As regards in-service training, one of the most important priorities is information and communication technology (ICT) as a mean of communication between students, teachers and other staff with different cultural backgrounds, and at schools from different regions.

4. EVALUATION, DEBATES AND FORTHCOMING REFORMS

Discussions on the intercultural approach have intensified in recent years, especially with the new wave of immigration from Eastern Europe.

It is worth noting that, from the outset, the Intercultural Secretariat has taken part in many national and international projects involving schools, town councils and other organisations, and addressing specific issues, in particular Portuguese as a second language which has become more relevant.

In the very recent National Plan to Prevent School Dropout (PNPAE), one of the subjects to be implemented in 2004-05 is Portuguese as a second language.

The Department of Primary Education (DEB), in association with the Institute of Theoretical and Computational Linguistics and the Calouste Gulbenkian Foundation, is currently conducting a broad study to examine linguistic diversity in schools within greater Lisbon.

Given its autonomous status and the growing need for education and training in this area, higher education (both universities and polytechnics) has tended to expand its continuing training programmes for teachers by offering masters’ and post-graduate courses rather than incorporating specific new disciplines in this field into initial teacher training.

(6) By Order in Council 240/2001 (30 August).
Annexe

### 1999/2000

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<td>3732</td>
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#### Regular

| E. básico – 1st cycle         | 36730 | 7186 | 6620 | 5910 | 1025 | 5648 | 1964 | 501 | 117 | 972 | 1128 | 122 | 2915 | 2622 |
| E. básico – 2nd cycle         | 14056 | 3281 | 495  | 2338 | 545  | 2202 | 719  | 119 | 73  | 357 | 440  | 34  | 1577 | 1876 |
| E. básico – 3rd cycle         | 19065 | 5348 | 135  | 2847 | 870  | 2164 | 871  | 178 | 92  | 582 | 542  | .75 | 2465 | 2896 |

#### Recurrent

| E. básico – 1st cycle         | 2839  | 279  | 663  | 451  | 58   | 610  | 121  | 42  | 9   | 45  | 93   | 80  | 227  | 161 |
| E. básico – 2nd cycle         | 1503  | 131  | 106  | 218  | 50   | 180  | 93   | 2   | 5   | 32  | 25   | 6   | 547  | 108 |
| E. básico – 3rd cycle         | 4232  | 467  | 25   | 1166 | 92   | 359  | 312  | 5   | 11  | 200 | 181  | 29  | 1100 | 265 |

### Cultural groups/nationalities

Source: Department of Prospective Assessment and Planning (DAPP).
BIBLIOGRAPHY


Portugal: País de Imigração, Maria do Céu Esteves, Cadernos IED, Inst. de Estudos para o Desenvolvimento da Univ. Aberta.