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Challenges for Polish educational policy related to the influx of students from Ukraine

Russia's invasion of Ukraine on February 24, 2022, gave impetus to the wave of refugees, most of whom found refuge in Poland. As a result, both the state and local governments have to deal with an unprecedented situation, whereby the end of September 2022 about 6.7 million people fleeing the danger of war (mostly women and children) were allowed legal stay and protection in many areas of life: health, social benefits, education or work (Straż Graniczna, 2022). The refugee migration situation is specific and different from other types of migration (Lee, 1972; Okólski, 2001, Kraszewski, 2003). This is due to several factors – both the expected migration time assuming the temporary nature of this solution, the social structure of migrants (sex, age, financial situation), as well as the mental condition of migrants (Okólski, 2010). Every humanitarian crisis is also an education crisis. Beyond learning, education offers a protective environment that is even more relevant to crisis-affected populations, particularly children. The influx of refugees with children generated the need for a quick response and inclusion of children into the existing education system. Many of them have quickly found their way to a Polish kindergarten, school or other educational institution. This new situation has become a kind of test for Polish schools in implementing inclusive education and an occasion to reflect on its effectiveness.

This study is an attempt to answer the question of to what extent the emergence of such a significant wave of foreigners is a challenge to the Polish education system, or more broadly, to the education policy of Poland. What are the directions of the necessary changes in the existing legal rules and the functioning educational system, and who should implement these changes? A thesis was formulated that for a long time the problem of educating the children of foreigners (both immigrants and refugees) had not been of much interest to the central educational authorities, and the introduced solutions had not been implemented on a large scale. In a situation resulting from the war in Ukraine, the influx of refugees exposed the shortcomings of this system. The COVID-19 pandemic and the related operation of the school in a remote formula, changing the previously known grammar of the education system, also had an impact on the existing situation.

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Foreigners in the education system

Poland could be described as a homogeneous country in terms of origin, culture and religion. This was due to the actions of the World War II when the country's multiculturalism was destroyed. The waves of migration were rather outgoing – it was Polish citizens who went to Western countries in search of a better life. The situation was changed by the wave of economic migrations, mainly from Ukraine, which had been intensifying since 2014. However, in the face of the war in Ukraine and the resulting influx of war refugees, the scale of the presence of foreigners begins to change.

Poland belongs to the group of countries that have committed, under the accession agreements with the European Union, to protecting foreigners seeking safe living conditions. Children whose parents have applied for or have received international protection in Poland have been functioning in the area of formal education for years. It is inextricably linked with the process of caring for cultural integration. Until the 1990s, the issue of non-Polish students in the Polish education system was limited to the currently recognized communities, i.e. following the Act of On January 6, 2005 on national and ethnic minorities and on the regional languages (Polish Parliament, 2005), in the second half of the decade, the problem of the presence of children from immigrant families in Polish schools (Kempny, Kapciak, Łodziński, 1997) began to become noticeable. At the turn of the millennium, the presence of foreigners in the Polish education system affected several thousand people. In the years 2003-,2006, it was estimated at 4,000 (Szelewa, 2010). In the 2009/2010 school year, almost 19,000 foreign students studied in Polish schools, and a decade later it was over 51,000 (NIK, 2019).

Although according to the applicable law, children and young people from Ukraine who crossed the Polish border after February 24, 2022, have the right to education in schools (Article 165 of the Education Law; Polish Parliament, 2016), according to the conclusions drawn in 2018 by the Supreme Audit Office (Najwyższa Izba Kontroli; NIK) auditors, the Polish education system does not was already well prepared for admitting foreigners to schools (NIK, 2019).

Although the majority of refugee children experiencing attend educational institutions, some of them have limited access to education or do not participate in it. The presence of foreigners in the everyday space requires the educational system to be involved in the process of qualitative and multi-faceted cultural changes resulting from the contact of two or more different cultures – refugees and the society of the host country (Gmaj, Iglicka, Walczak, 2013). When this contact lasts longer, one experiences a confrontation of values, traditions and attitudes. As a result, changes are inevitable in one or all systems (individuals, groups, communities or entire societies) (Dobrowolska, 2010).

The European Union countries implement two models of integration policy in the field of immigrant education: the integration and separation model. The first is that foreign children go to school together with children from the host country, and they

are admitted to classes according to their age or they attend lower classes. They receive help and support in the field of the new language as part of additional language classes. This model applies, i.e., to Poland, Ireland, Italy and Sweden. The separation model, on the other hand, consists in teaching immigrant children in separate classes until they learn the language of the host country sufficiently to be able to participate in regular lessons. This model is present, i.e., in Germany, Romania and the Netherlands. There is also a third model – a mixed one. It assumes that foreign children learn the language of the host country in separate classes, while lessons in which no subject knowledge is required, e.g., PE, technical or artistic classes, take place together with the students of the host country.

A large group of refugee children from Ukraine soon found their way into the Polish education system. According to ministerial estimates, the 2022/23 school year in schools all over the country will start with approx. 190 thous. Ukrainian students (Ambroziak, 2022). The unusual situation requires flexibility and a sense of the hierarchy of educational goals from all actors in the education system. Systemic solutions are needed that will support organizations and local governments.

Education of foreigners in the light of the law

There are several documents regulating foreigners' accessibility to Polish educational institutions. The most important of them will be indicated here, presented in the chronology of their establishment.

In the Polish legal system, there are basic documents regulating the right to education of foreigners residing in the territory of the Republic of Poland. It is the Act of September 7, 1991, on the education system (Polish Parliament, 1991). Important provisions also appear in the Act of January 8, 1999, introducing the reform of the school system (Polish Parliament, 1999) and the Teacher's Charter Act of January 26, 1982 (Polish Parliament, 1982). The situation of a foreign child in a Polish school has been specified in more details in the ordinances of the Minister of National Education. Of particular importance is the Regulation of the Minister of National Education of 2 January 2015 on the conditions and procedure for admitting non-Polish citizens and Polish citizens to public kindergartens, schools and institutions, who were educated in schools operating in the education systems of other countries, as well as the organization of additional Polish language classes, additional remedial classes and learning the language and culture of the country of origin (Minister of National Education of the Republic of Poland, 2015). According to these regulations, children who are not Polish citizens may benefit from education and care in public kindergartens and primary and secondary schools on the same terms as Polish citizens. This solution applies to people up to the age of eighteen or finishing secondary school. Therefore, it can be concluded that the universal right to

education for people up to eighteen years of age, enshrined in the Constitution of the Republic of Poland (Article 70 point 1 and 2), also applies to foreigners.

Access to a specific school institution is based on the territorial principle, i.e., residence in a specific territorial unit, and the residence status of the parents or guardians of the child, including the unregulated status, is irrelevant here. In this respect, the law addressed such situations, significantly simplifying the procedural aspect.

At this point, one should remember the special situation of Ukrainians who constitute a national minority in Poland. The legal basis for the organization of education and teaching in the language of the Ukrainian minority in Poland as part of the Polish education system has been regulated in the following articles: Article 11 of the Treaty between the Republic of Poland and Ukraine on Good Neighbourhood, Friendly Relations and Cooperation signed in Warsaw on May 18, 1992 (President of Poland, 1992); Articles 12 and 13 of the Agreement between the Government of the Republic of Poland and the Government of Ukraine on cooperation in the field of culture, science and education signed in Kyiv on May 20, 1997 (Polish and Ukrainian Governments, 2000); and Articles 1 and 6 of the Agreement on cooperation between the Minister of National Education of the Republic of Poland and the Ministry of Education and Science of Ukraine signed in Górowo Iławieckie on July 2, 2001 (Minister of National Education of the Republic of Poland and the Ministry of Education and Science of Ukraine, 2001)

Because of the influx of such a significant wave of refugees, a very important document is the Act on assistance to Ukrainian citizens in connection with the armed conflict in the territory of that State, which entered into force on March 12, 2022 (Polish Parliament, 2022). It provides, i.e., regulations on the education, upbringing and care of children and students who are citizens of Ukraine, including support for local government units in the implementation of additional educational tasks in this area.

Part of the challenges facing the educational system can be related to the detailed provisions of legal regulations, which will be done later in the study.

Ukrainian education system as a background of problems for the adaptation of Polish solutions

The education system in Ukraine has a different structure than the Polish one. Compared to Polish statutory requirements, the core curricula are different. There are also differences in the method of assessing and formulating examination requirements.

According to the data of the Ukrainian Ministry of Science and Higher Education, 4.2 million students studied at the primary school level (grades 1-11) in the school year 2021/22. In Ukraine, 99% of education takes place in public institutions (OECD, 2019). The Ukrainian education system was reformed in 2018, and the reform itself was called the New Ukrainian School. The reformed educational process provides for three educational stages, the graduate of which obtains full secondary education:

1. Primary school (grades 1-4),
2. Middle school (grades 5-9),
3. Secondary school: high schools and vocational schools (grades 10-12).

Due to the reform, education is currently being carried out simultaneously in two systemic orders. Each of the educational stages ends with a state examination. The examination after primary school is intended only to evaluate the work of the school – it does not condition promotion to the next stage. Passing the exam after the ninth grade determines admission to high school and vocational school, and the exam after the eleventh grade and after vocational school – admission to higher education institutions. After the ninth grade, a student may additionally choose to study in a 2-3-year or 3-4-year vocational school, the completion of which results in a junior specialist diploma (there is no equivalent of this diploma in the Polish system). The Ukrainian Integrated Qualifications System (IQS) corresponds to the European, and therefore Polish, but is still in the implementation phase from a ten-level to an eight-level system (ENIC-NARIC Polska, 2019).

The total number of hours of study per week is noticeably higher in Ukraine – 24 hours on average per week in the first stage of education (20 hours in Poland) and an average of 33 hours per week in the second stage of education (27.5 hours in Poland). A comparison of the framework curricula shows that the difference is mainly due to the higher number of hours spent on learning the mother tongue, averaging 10 hours weekly in the Ukrainian system and 5 hours in the Polish system. The Ukrainian system accepts a longer lesson duration than the Polish one. In the first grade, the lesson lasts 35 minutes, in the second to fourth grade, it lasts 40 minutes, and in the fifth to eleventh grade – 45 minutes. Inter-class breaks last respectively: in grades 1 to 4 – 15 minutes, and one break of 30 minutes; in grades 5 to 11 – 10 min. and one break of 30 minutes.

The Ukrainian core curriculum is a document created according to a legislative methodology similar to the Polish one, focused on learning outcomes. Detailed basics are available for early childhood, and further elementary and high school education.

Group work, especially in the first stages of education, is a significant element of Ukrainian education. From the third grade, the transition to descriptive and positioning grades begins, and from the fifth grade, grades are given on a scale from 1 (lowest) to 12 (highest). After completing the fourth and ninth grades, students write a competency test following the standards of education (in 2020 and 2021, the test was not carried out due to the COVID-19 pandemic).

In grades 1-4, education may be in the language of the ethnic or national minorities present in the region. However, students gradually switch to learning in Ukrainian, as from the fifth grade onwards, education takes place entirely in this language.

Faced with the need to include Ukrainian students at various levels of education, several problems and challenges arise in the Polish system, which both the Ministry of

Education and Science and local governments must face, with the support of social organizations.

Challenges for Polish educational institutions in the context of the influx of Ukrainian refugees

Polish schools often have previous experience in accepting students from Ukraine (but also, from a different perspective – refugee children, although there were rather isolated cases). Practice, however, often differs from the ideal emerging from the regulations. Legal and financial regulations, despite the limitations, worked well with the small number of immigrant students attending schools for an extended time, which made it possible to plan appropriate actions. Schools have not been able to respond adequately to the current migration crisis. The main problem was the lack of staff to conduct classes with students from Ukraine and the lack of immediate financial support, including the development of infrastructure. The results of the research carried out in the previous school year show that there are schools that had similar experiences before or whose teaching staff included people who knew Ukrainian or Russian (Tędziągolska, Walczak, Żelazowska-Kosiorek, 2022). When the school did not have such resources, the process was spontaneous and depended on the competencies and motivation of individual teachers. The Act on assistance to refugees from Ukraine introduced facilitations in the employment of non-Polish citizens as teaching assistants, lifting the requirement to certify knowledge of Polish language. It should be emphasized that people employed (by a headmaster) in the position of a teacher assistant are local government employees, not teachers, and therefore, have limited duties and responsibilities.

A great difficulty, and a challenge at the same time, in accepting new students is their mobility related to migration rotation or return to Ukraine. In Poland, each student who lives in a certain area is obliged to study until the age of eighteen, which means that they should be admitted to school. A student does not necessarily have a PESEL number, so there is no limitation related to the legality of stay, documents, educational level, language, etc. Moreover, school authorities (most often local governments) are obliged to monitor compliance with the obligation to study, and thus, inform families of immigrants about such an obligation, as well as the possibility of meeting it, and if it is not fulfilled, to take appropriate action. In practice, this generates organizational chaos and disrupts the normal educational cycle at school. It was especially severe in the first weeks of March. From March, when the migration wave began, incoming students were added to existing school departments, which in many cases, mainly due to language barriers and the greater needs of new students, was ineffective and led to significant educational losses. A large number of people fleeing the war hope to return to their homeland quickly. This is one of the reasons why many Ukrainian students try to continue their education in their Ukrainian schools in a remote mode (Długosz, 2022). The Minister of

Education and Science exempted such persons from compulsory education. This practically allowed headmasters to refuse admission of such students to schools.

The refugee crisis of such a large scale and in such a short time does not make it possible to guarantee education for all Ukrainian students in the same form. It is also not justified, on the contrary, it is more effective to use complementary formulas – combined and separate classes, remote education in the country of origin, or the use of educational courses outside the school system.

Considering the system's absorption capacity (especially in large cities where refugee groups accumulate) and the fact that many war refugees plan a relatively quick return to their homeland, flexible solutions should be recommended, including education in Polish schools and the continuation of distance and stationary education in Ukrainian system.

Another barrier is the knowledge of Polish language by students to a degree sufficient to fully participate in educational processes. Ukrainian is the language of the national minority in Poland, and Polish law guarantees the possibility of teaching such a language in Polish schools (as well as the establishment of Ukrainian schools), which is related to the allocation of an educational subsidy for this purpose. In Poland, from the school year 2012/2013, it is possible to learn Ukrainian as a second foreign language in primary school, and from 2019 it is also possible to take the eighth-grade exam. According to the data for the 2017/2018 school year, Ukrainian was taught in 28 kindergartens to 354 children and in 151 primary schools to 2602 secondary students (Gościńska Polska, 2022). The problem of the Ukrainian language also concerns the competencies of teachers.

Immigrant pupils are entitled to free Polish language classes, which, depending on their needs, should be provided by the school in agreement with the governing body. The latest changes introduced by the regulation of the Minister of Education and Science on April 8, 2022, amending the regulation on the organization of education, upbringing and care for children and youth who are Ukrainian citizens, are to guarantee a minimum of six Polish lessons per week (instead of two hours) in preparatory units for students from Ukraine. An important element determining the functioning of immigrant child in Polish school, as stipulated in the Act on the education system, is the introduction of a cultural assistant to the school. From January 1, 2010, a child who does not have a sufficient command of Polish language may use the assistance of a teacher's assistant employed by the headmaster, but for no longer than twelve months. This is another organizational problem of schools related to staff shortages.

Another of the challenges facing Polish schools is to include students in the Polish education system as soon as possible to reduce the gap in the substantive preparation of students as much as possible (Januszewska, 2015). Ukraine participated in the PISA survey for the first time in 2018. The survey results show that immigrant students in most countries perform lower than those born in the country of the survey. For example, in the recent PISA study, the difference in reading scores between immigrant and native-born students in OECD countries averaged around 0.4 standard deviations. This dif-

ference is slightly smaller when adjusted for socioeconomic status and decreases in the second generation, but remains significant and visible in mathematics and the natural sciences. Language is an important barrier to learning. Students whose language of instruction is a foreign language, and they are less than proficient in using it have lower scores. Maintaining the mother tongue brings significant educational and out-of-school benefits. The analysis of PISA 2018 data for students from Ukraine and its comparison with Polish students shows significant differences in the level of achievement (Jakubowski, Gajderowicz, Wrona, 2022). In 2018, the PISA study included 15-year-olds (graduating in Poland and starting secondary school in Ukraine). In all areas of the PISA survey, students from Ukraine perform lower than students from Poland. The differences are large and amount to approx. 50-60 points, which is the difference corresponding to the effects of at least two years of school education (PISA, 2018).

In light of the applicable regulations, in the event of curricular differences, schools should organize remedial classes. The same applies to differences in the level of knowledge and skills of students. Remedial classes are extracurricular activities, and the student should attend the classes provided for in the curriculum concurrently. So, it is an additional burden on the student.

The Education Law (Art. 165) allows for the creation of preparatory units for people “who need to adapt the education process to their needs and educational possibilities” (Polish Parliament, 2016). The core curriculum is implemented in the preparatory departments. Additional learning of Polish language, as well as running preparatory departments, are included in the distribution of the educational subsidy. In addition to the curricular differences and those related to the actual level of skills, there are issues related to the current material conditions of Ukrainian students and additional psychological challenges. A major challenge for the system is to ensure adequate systemic support for students and ensure their emotional well-being. One should bear in mind the traumatic experiences of war and tearing students out of their natural environment, being cut off from friends and family, or the precarious situation of a refugee. These phenomena overlap with the new school situation and the need to find oneself in a completely new reality. This is often related to the lack of appropriate specialists in this field.

Conclusions

The 21st-century school is a school open to dialogue and intercultural meetings, meeting the constantly changing problems of the globalized world. It is also a school that can respond to crises, such as those triggered by the war in the neighbouring country. The tasks of a modern school also include the preparation of teaching staff to work in a multicultural classroom, strengthening their cultural competencies and preparing for cooperation with the wider local environment to better integrate students from other cultures into the educational institution and living environment. Formally, the sys-

tem works according to these assumptions, but the events of the last six months clearly show where the shortcomings are and what are the key challenges for the entire education system and policy in this area. The legal regulations, although amended, concerning the education of foreign students have not been effectively adapted to the rapidly changing reality. The practice has shown that the system has not dealt with such an intense and volatile wave of refugees. The indicated challenges for the entire system reflect the necessary directions of changes.

The priority in thinking about changes in this area should be to provide refugees (young and also adults) with a sense of security, stability and prospects while taking care to maintain education at the highest possible level. The implementation of these solutions should be decentralized and allow for many forms and actors. These changes cannot be implemented only by local governments (governing bodies) but should be introduced as part of thinking about education policy. It is necessary to create a system of coordination of activities ensuring proper satisfaction of the needs of refugees, Polish students, teachers, administration, local governments, and the optimal use of available resources. In the area of institutional support for refugees, a special space for non-governmental organizations should be created and addressed to the immigration and refugee communities, including those related to educational issues. These entities (especially in times of crisis) undertake a wide range of activities in the broadly understood area of education. They conduct Polish language classes in refugee centres, various types of classes for children, pieces of training and workshops for teachers, monitor the educational situation of foreign children (Jasiakiewicz, Klaus, 2006), and issue scientific publications and guidebooks for teachers (Bernacka-Langier et al., 2010; Czerniejewska, 2011), provide legal advice and publish guides on the right to education and the implementation of compulsory education (Klaus, 2010).

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Abstract: Every humanitarian crisis is also an education crisis. Beyond learning, education offers a protective environment that is even more relevant to crisis-affected populations, particularly children. As a result of the intensified wave of refugees following the Russian invasion of Ukraine, nearly 200,000 Ukrainian students were sent to Polish schools. This is an unprecedented situation that authorities at various levels and schools have to deal with. The article is an attempt to answer the question to what extent such a large influx of foreigners is a challenge for the Polish education system, or more broadly for the education policy of Poland. What are the directions of the necessary changes in the existing legal rules and the functioning educational system, and who should implement these changes? A thesis was formulated that for a long time the problem of educating the children of foreigners (both immigrants and refugees) had not been of much interest to the central educational authorities, and the introduced solutions had not been implemented on a large scale. In a situation resulting from the war in Ukraine, the influx of refugees exposed the shortcomings of this system. The COVID-19 pandemic and the related operation of the school in a remote formula, changing the previously known grammar of the education system, also had an impact on the existing situation.

Keywords: Educational policy, Ukrainian students, Polish schools, educational law

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