

Sabra Roots

How Children of Yordim Can Learn in Israel and Avoid the Draft



If your child is planning to learn in Eretz Yisrael, and you have Israeli citizenship, then Yonatan Katz is a good person to have in your contacts list. Mr. Katz is in charge of the emigrant children department in the Igud Hayeshivos V'haseminarim L'bnei Chul, which helps students arriving in Israel to navigate the bureaucracy. Yonatan himself formerly worked in the *bnei yeshivos* department of the IDF, where he gained a wealth of connections and knowledge.

He spoke to *Mishpacha* to give readers a primer on the rules that apply to children of Israeli citizens who reside in chutz l'Aretz — rules that have an added layer of complexity. Yeshivah and seminary students whose parents hold Israeli citizenship often realize that they have a problem after coming to learn in Israel.

According to Israeli law, all Jewish citizens are obligated to serve in the IDF, whether they were born in Israel or not. This applies both to children who were born in Israel and emigrated with their parents, and to children whose parents emigrated before their birth. The children automatically become Israeli citizens by virtue of their parents' citizenship, irrespective of whether the latter added them to their *teudot zehut* after their birth abroad. This leads to yeshivah bochurim and seminary girls coming to Israel with the intention of learning for years, only to discover that they're in trouble with the authorities and can't stay.

So what's the solution?

The first step, which will solve at least half your children's problems, has to be made when each of them reaches the age of 16.5. The parents must take the child to the nearest Israeli consulate to be declared a child of an emigrant living abroad. As long as these children live abroad, they're completely exempt from military service. The Igud Hayeshivos V'haseminarim L'bnei Chul (the Igud) emphasizes that this declaration is an essential prerequisite for avoiding trouble when coming to learn in Israel.

Who's defined as a child of emigrants?

According to Meitav, the IDF unit responsible for sorting everyone designated for military service, a child of emigrants is an Israeli citizen who was either born abroad or left Israel for the purpose of emigration accompanied by his or her parents before the age of 16. It's worth noting that if one of the parents is still living in Israel, in the event of a divorce, the child must prove that custody is with the parent living abroad to be exempt from the draft.



Those looking to learn in Israel for a single year, however, can take advantage of a once-in-a-lifetime option called a "year's stay." A year's stay is a period of up to 365 days in which the emigrants' child can stay in Israel and, of course, use the time for studying.

Can a child who doesn't appear on the parents' *teudot zehut* come for longer?

No, and don't try to outsmart the system, warns the Igud. The students will receive an automatic visa for three months upon entering Israel. Students who want to stay longer have to apply for a student's visa, for which they need to provide an original birth certificate. This birth certificate will identify the child as having an Israeli parent or parents, and thus as an Israeli citizen him- or herself.


What if a yeshivah bochur wants to stay for more than a year, or a seminary student wants to return for a second year — in others words, for longer than would be covered by the "year's stay" provision?

For this, one has to submit an advance plan that enables academic or yeshivah studies for a period of up to four years. To utilize this option, called the "four-year study plan," the student must send Meitav a document from the academic institution or yeshivah with accurate start and end dates for studies. The approval has to be renewed every year. Anyone who has utilized the year's stay provision

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How long can you stay in Israel without losing your status as a child of emigrants exempt from the draft?

A child of emigrants can visit Israel for 120 cumulative days per calendar year. A child who wants to return the following year must remain abroad for at least 60 consecutive days before making a return visit.



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will not be eligible for this plan, which is why it's important to plan ahead and not just come to Israel with the assumption that things will work out.

Is this option open to all children of emigrants?

No. Children who had already reached the age of ten when their parents emigrated are not eligible for the four-year study plan.

Why the age of ten specifically? Yoni Katz, who's responsible for children of emigrants at the Igud, explains that this provision is intended to discourage parents from leaving right before their children reach the age of 16, giving them the status of children of emigrants and enabling them to return in a year or two without being subject to the draft. Thus, a child whose emigrants emigrated when he or she was over ten can only come to learn in Israel for the year of stay.

As noted, this course is not open to those who have already utilized the year's stay provision, but there is an exception — namely, for those who have learned in Israel as part of the Ministry of Immigration and Absorption's Masa program.

Can the student travel abroad during the four-year study period?

Yes, for up to 60 days each year. This number works for a normal yeshivah schedule, but those learning in a yeshivah that allow students to return to America for summer camp may find themselves in trouble.

Are all yeshivos recognized by the state for the purpose of this plan?

Until two and a half years ago the answer was almost a blanket yes. The yeshivah was required to be a recognized institution, and given that most yeshivos have this status, almost every yeshivah could send students to Meitav with learning plans.

But the rules have changed, and now only institutions recognized by the Defense Ministry — i.e., registered with the Vaad Hayeshivos — can enroll their students in the children of emigrants academic studies plan.

This new provision contains a serious sting: To be recognized by the Vaad Hayeshivos, an institution must have at least ten bochorim who are applying for deferrals based on their status as yeshivah bochorim, and this number has to rise later to 25. But in most

American institutions, very few students will be applying for deferrals, which means that institutions tailored for students from abroad are rarely recognized by the Vaad. This obviously creates a problem for a student who is a child of Israeli emigrants.

If a child of emigrants meets all the above requirements, could a problem still somehow crop up?

In the finest tradition of Israeli bureaucracy, there's an exception to every exception. So, for example, if you learned in high school in Israel as part of the Masa program, you may be unable to return, because although the institution you studied at is recognized, the learning program took place through the Ministry of Education — which means the institution would therefore not be recognized as tied to the Ministry of Absorption by the Ministry of Defense. This problem, like many other bureaucratic problems, can be solved, and this is why it's important to know that if you're in trouble, you can turn to the Igud, who will almost always be able to help you with a menu of options.

Can exemptions for girls on religious grounds be arranged at an Israeli consulate prior to arrival in Israel?

The Igud is lobbying for this, but currently the answer is no. A daughter of Israeli citizens who wants to get an exemption for reasons of religion needs to apply to the Recruitment Bureau as soon as she arrives in Israel, where she'll declare that she's religious and receive an exemption after a short bureaucratic procedure. The Igud is pushing to enable the child to make that declaration before a *dayan* at a seminary for girls from abroad — an option that exists in Israeli seminaries, but is not yet applicable for girls in *chutz l'Aretz*.

The Igud emphasizes that there's no reason to be afraid of going to the draft office to make the declarations for the purpose of an exemption. On the contrary, in fact: Many have gotten into trouble after failing to appear at the Recruitment Bureau without a compelling reason.

In any case, the Igud clarifies, 95 percent of problems can be solved, no matter how complex the situation. If you're a child of emigrants and you have a problem, turn to them, and *b'ezras Hashem* they'll help you sort it out.