



COMMISSION OF THE EUROPEAN COMMUNITIES

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**COMMUNICATION FROM THE COMMISSION TO THE COUNCIL AND THE
EUROPEAN PARLIAMENT**

**CONSULTATION ON OPTIONS FOR DEVELOPING THE EUROPEAN SCHOOLS
SYSTEM**

1. EUROPEAN SCHOOLS 50 YEARS ON

Introduction

For the last 50 years, the European Schools have provided a high-quality, multi-cultural, multi-lingual education service to the children of the staff of the EU institutions. The availability of the Schools has made it easier for the Institutions to recruit experienced, highly qualified staff. The recognised and often praised European Baccalaureate enables and allows access to university education across Europe.

The aim of this consultation is to take stock of the development of the ES and, at this important stage of the expansion of and change in the European Union and to open a debate, seeking to establish a consensual approach to their future evolution and possibilities for change, rather than make any concrete proposals

The starting point for any reflection about the future of the Schools must be that their educational success be neither diminished nor jeopardised. The Commission is committed to the ES system and to maximising the gains to be made by building on the firm foundations already established.

The undoubted success of the Schools does not, however, obviate the need for evaluation and review. The perceptive Bösch report on the future of the Schools, adopted by the EP in December 2002, and subsequent working document, provided a useful and timely assessment of the strengths and shortcomings of the ES system. Together with recent reports from the Board of Governors and the Court of Auditors, they put a compelling case for a qualitative review of the effectiveness and efficiency of the system. These drivers for change, combined with the new impetus provided by the last wave of enlargement, imply a reassessment of the Schools - in limited terms - those of the effectiveness of their complex governance and organisational structures and of the value for money of the current configuration of service provision.

It falls to the Commission, as prime user of the Schools through the children of its staff, to take a proactive role and to seek through wide consultation to establish an approach to change, based as far as possible on consensus.

1.1. The historical context

Established 50 years ago to educate together the children of the Staff of the European Community, the European Schools form an essentially public-funded system outside the national educational systems and governed by an international treaty, the “Convention defining the Statute of the European Schools”. The European Communities, as a “Contracting party to the Convention” are represented by the Commission on the Board of Governors (BoG) mostly comprised of Member-States representatives. In practice, the EU budget funds the considerable majority (almost 60%) of school costs, though this is presented in the Community budget as a balance subsidy. (For Facts and Figures on the ES see Annex 1)

1.2. Growth, enlargement and decentralisation

Growth of the Institutions and successive enlargements of the Union have led to a considerable expansion of the ES system, from one School in one location to 14 ES in 10

locations by the end of this decade¹. This has in turn created additional linguistic requirements (the original four languages have expanded to eleven, with an additional three from new MS about to be added). More languages may be introduced in future if the criteria established by the BoG in 2000 for the opening of language sections are fulfilled.² The growth of EU work locations resulting from decentralisation of EU activities to a growing number of EU/Community bodies across the Union also poses a challenge. Limited ad-hoc educational solutions have already been developed in some locations.

Some kind of international, multi-lingual international education should always be available to the children of EU staff in all locations where there are EU institutions or bodies, but the question of the provision of education in the mother tongue of each pupil in a EU with over 20 official languages, and, indeed, in locations with few pupils needs careful consideration and consultation. Particular issues arise in relation to the small ES.

2. DEVELOPING THE EUROPEAN SCHOOLS SYSTEM: OPTIONS AND CONSTRAINTS

In order to safeguard the continued provision of a high quality European education and to meet the new challenges and demands outlined above, a review of the system should include changes ranging from those that are achievable in the short to medium-term and those that might require wide-ranging changes, including a redrawing of the existing Convention.

It is the view of the Commission that with sufficient goodwill, it would be possible and feasible to undertake a number of changes under the current regime and within the range of the areas about which it could be said that consensus might be reached relatively rapidly.

Given the role of the ES as education-provider to the staff of the Community Institutions and bodies, there would be considerable long-term benefits in associating the Institutions much more closely with the administration and financing of the Schools themselves (perhaps even by means of a Commission Office). The responsibility for the curriculum, school inspections and the organisation of the European Baccalaureate (currently the responsibility of the BoG and the Board of Inspectors) should remain principally the responsibility of the Member-States.

Accordingly, the next sections focus on an examination of the governance, administrative and budgetary aspects of the ES' system; thereafter, a number of educational questions, falling more within the areas of the curriculum and quality of service delivery within the Schools, are considered.

2.1. Governance – options for the shorter and longer term.

At present, the Board of Governors is required to deal with all educational, financial and administrative matters in relation to the ES. Many stakeholders feel that the operational difficulties currently faced and acknowledged by the Board will be exacerbated by the significant increase in members, languages and meetings that enlargement brings. The increase in the workload of the Board in response to the evolving nature and complexity of the organisational changes of the ES' system would seem to indicate that a review of its work is now needed. Even before enlargement, the Board's strength lay in its capacity for strategic overview. With infrequent meetings and a broad, largely remote membership, it is

¹ Lux II is opening in 2004, and Bxl IV by 2008.

² "Criteria for the setting up, closure or maintenance of European Schools", Doc 2000-D-7510, adopted at the BoG meeting of 24-25/10/2000

not well suited to taking operational decisions. This will hardly be alleviated by the arrival of the 10 new Member State representatives.

Over the last 50 years, school management and governance practice in a number of Member States has developed significantly. The full participation by elected representatives of parents, teaching staff - and where possible, the community served by a school - in the governance of schools, has become the norm.

In line with such developments, it is proposed that the Administrative Boards (AB) of each School should be empowered to play a significantly enhanced operational role in the management and governance of the Schools. The existing Convention provision by virtue of which the Boards “shall perform such other administrative duties as may be entrusted to it by the Board” seems at present to be under-used, and could be the basis for undertaking many additional tasks at the individual school level.

In the longer term, the Convention could be revised so as to give individual schools further autonomy, with Administrative Boards which include representatives of the BoG (or its successor body) the Institutions, parents, teachers and pupils.

The European Institutions, which are *de facto* major stakeholders are taking an increasingly active interest in the Schools on the grounds that they have a valid interest both as main service receivers and principal paymasters. However, the system of governance under the current Convention largely excludes their participation, where the Commission is limited to one vote on the Board of Governors alongside 17 (or in some cases 19) other voting members. This legacy of a “democratic deficit” on the Board should not continue unchanged.

Even though real development in this respect can only be achieved with changing the Convention, an improved intermediate situation may be possible if the other Institutions and the Board were to use the special provisions of Article 28 of the Convention to reach an agreement to give a seat on the Board - and a vote each - to the EP, the Economic and Social Committee, the Committee of the Regions, the Court of Justice and the Court of Auditors.

Two of the above proposals are achievable without change to the legal basis of the Schools and within a relatively short time-frame. An option which might provide a longer-term basis for effective and stable governance for the system could be the Establishment of a Commission Office or EU Agency which would administer the financial and operational aspects of all the Schools with the representative structures and input available to such communitarised, executive bodies. Any future proposal would need to conform to general guidelines for setting up such bodies.

As is the case when other Commission Offices or EU Agencies have been proposed, this would require a full feasibility study which would identify the potential benefits which, within the specific parameters of an educational and teaching context, would preserve the best traditions, quality and experience-base of the current governance delivery mechanism while leading to more flexibility and efficiency. The financing mechanisms would also need to be reviewed, including ways to compensate in the EU budget for the direct contribution currently received from the Member States.

If there were a consensus that such an approach were viable, the Commission would be required to undertake the fullest consultation and to take into proper account the consequent impact of direct recruitment on the existing Staff, and to foresee long transition periods (eg to contract agent status) to ensure continuity of current arrangements for existing school Staff.

2.2. Administrative improvements

In line with developments in educational systems across the Member-States and in order to keep pace with best practice in administration it is proposed that the ES' system could, in the short-term, benefit from the application of best practice and recent innovations in the administrative field, including the drawing up a Code of Good Administrative Conduct, an initiative to reinforce and extend existing transparency provisions, including a right of appeal vis à vis decisions taken by the Board or by individual schools. In addition, the remit of the recently established **Complaints Board** should be clarified and extended to cover all matters of legitimate complaint by those affected by the decisions of each School, including on individual educational matters.

2.3. Greater autonomy in administration and staffing decisions

In terms of budgeting and financing, staff management, school development strategy, services to be offered and margin of operation for own initiatives, individual schools are currently operating with significant constraints and a great deal of uncertainty. They are obliged to operate on a year-to-year basis, responding to immediate needs and management issues, without being able to develop longer-term strategies at the level of each school and together with their particular stakeholders.

School Directors should have more financial and administrative autonomy for their school as well as the possibility to recruit and manage all their teaching staff. The degree of autonomy, financial and educational, that could be given to each School requires examination, not only in the context of the constraints placed by the current Convention but also looking to a system beyond the Convention.

Teachers at the Schools are currently selected for secondment by the education authorities of the Member States. It seems possible and appropriate in the short-term to give consideration to how the final say on the appointment of teachers might be given to the Schools themselves, which are better able to judge the specific skills required to teach successfully in a multi-lingual environment.

Taken together with the other proposals for governance (*supra*), and for budgetary reform (*infra*), a longer-term vision for the ES could be envisaged which would give the Schools decisive control over longer-term planning of staff levels. This would need to be linked to a reform of the system of financing, away from an open-ended commitment from the EU budget to a fixed amount of funding, linked to educational services offered to children of EU staff and the establishment plans of the Schools.

3. THE FINANCING OF THE ES

By definition, the European School model is based on teaching provided in a range of languages by expatriate teachers. In the smaller language sections at least, class sizes will be smaller than in many national-level school systems and thus the Schools will appear to be more expensive than conventional state schools. The Commission accepts this and will defend the ES system, but implicit in this acceptance is the need to ensure effective budgetary planning and control and demonstrable value for money.

3.1. The budgetary paradox

At present, there is a basic paradox in the budgetary arrangements, namely that a balancing contribution from the EU budget is provided within the annual budgetary procedure without any corresponding influence by the budgetary authority on the costs of the Es. It is, moreover, widely considered that the system of reliance on effectively open-ended EU

funding to balance the ES budget has not provided adequate incentives for better resource management, increases in income, and cost savings which could be made without reducing the quality of service provided.

At the same time, the budget is also a contentious issue for some of the Member States, which currently provide approximately 22 % of the budget revenue directly by means of the secondment of teaching staff as foreseen by the Convention. Due to vehicular linguistic requirements however, certain MS bear a disproportionate share of the cost and are signalling that they are not prepared to fund any further increases. They have suggested either a more equitable share-out of the costs or the abolition of the direct contribution from MS. Within the current budgetary climate many MS would equally like to see better budgetary control and financial management overall in the Schools system.

From the above, it is clear that a modification of the system of financing of the Schools is needed which could respond at least in part to, and be consistent with, these constraints and concerns and the overall framework of financial perspectives for 2005-2013.

In the short-term and in order to be able better to integrate the Community's financial contribution to the Schools in the EU's budgetary procedure, the Commission will follow the procedure of announcing the maximum margin for its funding for a particular year well in advance, and will expect the ES budget presented to take this fully into account and be adjusted accordingly. (This new approach was already implemented in the draft budget proposal for the 2005 budget adopted by the Board in April 2004). Projected budget allocation each year has to be linked to inter alia , the size and needs of schools, proof of efforts for cost savings and better cost-effectiveness. Cost and resource comparisons need to be made between European schools of equal size.

3.2. Access and terms for children of non-EU staff

At present, the children at the ES fall into three "categories"; the first of which is Category I, which is constituted by the children of staff in the service of Community institutions, of the permanent representations of Member-States and of a number of other community agencies and bodies as well as children of ES staff. Category II comprises children covered by individual agreements with third parties (companies or public bodies) and paying full cost fees. All other pupils fall into Category III.

Given the specific purpose of the ES in relation to Union staff, and cost and space pressures, a Working Group is examining the total and marginal cost/benefit of Category III pupils and the extent and terms of access for these pupils. **When Category III pupils are admitted, detailed, transparent and publicly available criteria for admissions are needed in all Schools, ie beyond the simple criterion of availability of a place in a particular language section.**

The same Working Group is also reviewing fee increases proposed for Category III pupils, because of the wide gap between fees and real cost. In the interest of pupils already in the Schools, a differentiated approach should be taken between existing and new pupils in this category. **As regards exemptions from fees, these should be decided upon for reasons of financial hardship and changed circumstances, on a case by case basis, with clear, detailed and transparent criteria.**

3.3. Implementation of criteria for maintaining small Schools or language sections

The EP's Bösch Report raised the issue of whether the small ES in locations such as Mol, Karlsruhe, Bergen and Culham in their current form were necessary for the functioning of

the European Institutions in these locations, and suggested that the educational added value of these schools be further assessed.. This is an important issue needing reflection with many elements to be taken into consideration, including the needs of the EU institutions and their staff. The BoG's own criteria adopted in 2000 in relation to the opening, maintaining and closing of language sections and Schools³ provides a basis for reflection in this area.

The ES system needs to be rigorous and fair in its application of the clear criteria it has adopted in relation to opening, maintaining and closing language sections and Schools. While decisions have already been taken by the BoG to apply these criteria and phase out certain small language sections in the four small Schools, the wider issue of the nature and organisation of these schools, as well as ways to improve their cost effectiveness is under review. For this purpose, the Commission is funding an external evaluation of the options available for the long –term future of the above mentioned Schools.

4. EDUCATIONAL AND CURRICULUM ISSUES

Under the EC Treaty, competence for educational issues is essentially a matter for the Member-States. The Commission would not want to infringe on that, but observes that since ES are outside national educational systems, there may be a risk that developments in educational policy and practice at national level are not always rapidly applied. European Schools are, however, important to the Commission in recruiting and retaining staff and in seeking to ensure the well-being of its (largely expatriate) employees and their children. Thus the Commission has a legitimate interest in ensuring that the Schools continue to offer, and be seen to offer, a broad, modern curriculum and examination system, in line with the best practice in the MS. Furthermore, ES must, as far as is reasonably possible, cater for the full range of needs of children of officials.

Within the overall context of a highly regarded system, the following are areas where the Commission has become aware that there are concerns and/or development needs which should be carefully considered.

4.1. Education of children with special needs.

The education of children with special needs, be they learning difficulties or physical disabilities, also deserves greater attention. The existing provisions of the Convention are currently implemented by the Schools in a diverse manner and the programme for children with Special Educational Needs (SEN) and for Learning Support (LS) are important tools to be developed further. Both programmes require monitoring so to ensure a good distribution of resources among language sections and individual pupils, to optimise locally provided services and to evaluate their impact.

4.2. An alternative to – in parallel with - the Baccalaureate.

The traditional focus of the Schools on the highly academic European Baccalaureate (EB) has meant that the educational needs and talents of a significant minority of children of staff have not been catered for adequately or in a way to be expected in a truly comprehensive School. The option for the Schools to offer a leaving certificate other than the EB has to be seriously considered and a feasibility study would need to be undertaken.

³ “Criteria for the setting up, closure or maintenance of European Schools”, Doc 2000-D-7510, adopted at the BoG meeting of 24-25/10/2000

The curriculum should be seen in the context of the overall preparation of students for their academic and professional lives, and in this respect, it might be appropriate to redirect some resources towards civic and practical skills needed to prepare all children for their future.

4.3. Class sizes

Although many classes in the ES are small, because of the diversity of languages and related parameters, the maximum class size is set at 32 which is larger than in many Member-States. In some cases, these classes also accommodate pupils for whom there is no mother tongue section and who therefore need extra support in order to work as effectively in a “foreign” language. Consideration should therefore be given to ways to reduce the maximum size.

4.4. Maintaining the value of the Baccalaureate

Notwithstanding the introduction of an alternative leaving certificate, the high intrinsic value of the EB must be maintained. The EB examination system needs to be reviewed to ensure a harmonised approach and high academic quality. Concerns about the absence of real quality evaluation of the ES’ education provisions and the way the inspection system operates have been expressed by parents and parents’ associations.

Currently, the EB is run by the Secretary General’s Office in association with the Board of Inspectors (BoI). This arrangement was originally designed to handle the EB for a limited number of pupils attending the ES, in a limited number of languages, and this system cannot in future cope with growing numbers in a multiplicity of locations, with new languages added.

A practical and effective solution to face the new challenges could be to establish a European Schools’ Education Council which would act as an examining Board, both for both the EB and an alternative leaving certificate. This Council could be composed of MS and Institution representatives and could take over all three inter-linked educational areas of the Schools’ system – setting of curricula, inspections and final examinations. This would simplify the current system, replacing the BoI and a significant part of the work of the BoG (including the Teaching Committees) and an important part of the work of the Secretary General’s office, by a more operationally independent system. At the same time, the establishment of this Council could provide an opportunity to review and update the curricula of the Schools.

Such a change would of course only be possible in the context of radical revision of the Schools’ Convention. The Education Council would remain intergovernmental, given Member-States’ competence for education, and would thus complement the proposal to transfer the operational aspects of the management and planning of the Schools to a Commission Office or EU Agency model.

4.5. Wider availability of the European Baccalaureate

Finally, the success of the European Baccalaureate has led to a broader interest for its wider availability in several MS, while, at the same time, decentralisation of EU activities has created a need for European schooling to be provided in schools other than the traditional European Schools.

The option of offering the European Baccalaureate outside the current ES system is being explored by Member-States and different models of delivery in cooperation with educational establishments and potential pilots are being considered by the BoG and the Commission .

5. CONCLUSIONS

This Communication outlines the issues and challenges faced by the ES system today as identified by the various stakeholders. It proposes certain improvements which could be decided upon and implemented by the Board within the present framework. The Commission will build on the ideas set out in this Communication for its work within the BoG.

It also opens a debate on possible longer-term more radical change to the system of governance of the ES beyond the scope of the current international Convention. The Commission will organise a wide consultation with and between stakeholders over the coming months before making any significant proposals on the future development of the ES system.

It goes without saying that any change to the Schools' system, and in particular any major change, cannot and must not interrupt or jeopardise the education of the children in the ES. The Commission considers, therefore, that any major change must be preceded and accompanied by adequate planning, an appropriate passage of time and transitional arrangements, so that the primary purpose of providing successful and reliable education for our children is sustained.

All European Institutions, Member States, Commission services, staff unions, parents associations, and stakeholders in general will be consulted, and their opinions taken into account, before any major changes are proposed. This consultation will take place during the next academic year.

In addition, all interested parties are welcome to write in with their views and suggestions to ADMIN-COMMUNICATION-EUROPEAN-SCHOOLS@cec.eu.int

FACTS AND FIGURES ON THE EUROPEAN SCHOOLS 2003 / 2004*

School	N° of Language Sections	Total pupils	Pupils who are EU Staff children	EU Staff children as % of total	Cat. III pupils	Cat. III pupils % of total	2004 Budget € million running costs	Estimated Cat. III fees as % of budget 2004	EU funding 2004 € million	EU funding as % of budget
ALICANTE - E	4	884	202	22.9	641	72.5	9.92	14.1	6.65	67.04
BERGEN - NL	5	696	66	9.5	578	83	11.48	12	6.62	57.67
BXL I - B	6	2 308	1 560	67.6	610	26.4	26.21	7.2	18.12	69.13
BXL II - B	8	2 808	2 280	81.2	280	10	27.07	3.3	17.90	66.12
BXL III - B	6	2 669	2 072	77.6	475	17.8	24.25	6.5	16.62	68.56
CULHAM - UK	5	884	14	1.6	729	82.4	12.28	16.6	6.62	53.91
FRANKFURT - D	4	679	215	31.7	408	60	8.80	11.3	4.99	56.70
KARLSRUHE -D (****)	5	1 098	83	7.6	858	78.1	11.75	24.9	4.14	35.23
LUXEMBOURG	11	3 802	2 680	70.5	760	20	37.28	7.3	23.36	62.66
MOL - B	5	647	85	13.1	506	78.2	10.99	12	6.45	58.69
MUNICH (****) -D	5	1 457	19	1.3	372	25.5	18.57	5.4	1.11	5.98
VARESE - IT	5	1 335	466	35	614	46	15.79	10.8	7.80	49.40
SECRETARY GENERAL'S OFFICE - B	-	-	-	-	-	-	7.99	-	6.54 (***)	81.85

TOTAL	69	19 267	9 742	50.56	6 831	35.45	222.38	8.95	126.99	57.10
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(*) 2 more Schools to be opened in Bxl and Lux in 2004-2008 (**) The cost of Secretary General's Office has been equally distributed amongst the 12 Schools (***) including 0.6 in reserve
 (***) There are special external sources of income for these Schools, lowering the EU contribution. Source : Rapports de rentrée 2003 & School budgets for 2004