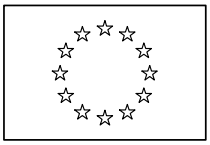

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COMMUNICATION FROM THE COMMISSION

Annual Report from the European Commission to the European Parliament on the functioning of the European School System in 2007

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1. INTRODUCTION

2007 has been a year of intense reform activity for the future benefit of a more efficient and open European School system. At the same time, on a practical level the deficiencies of the current system have become even more apparent, combined with an unacceptable degree of negligence on the part of some Member States in meeting their obligations under the terms of the Convention signed by all Member States as part of the intergovernmental co-operation which forms the basis for the European School system as such.

The first-ever discussion at ministerial level concerning the reform of the European Schools, which was held at the end of 2006, led to the setting up, in 2007, of several working groups that focused on setting out realistic options for the future development of the system.

The need for the European School system to evolve is recognised by all stakeholders. The opening up of the system to a wider range of accredited schools (so-called "type II" schools), agreed at ministerial level, is meant to respond to the challenge facing countries that host EU agencies and other EU establishments in terms of being able to offer European schooling. Furthermore, the possibility - also agreed at ministerial level - of enabling EU countries which do not, as such, host EU Agencies or establishments to offer the European curriculum to a broader audience (so-called "type III" schools) should become even more tangible once the first pilot project takes place. The foundation for the actual deployment of both school types II and III was laid in 2007.

On a more practical day-to-day level, the problems related to overcrowding in several European Schools continued to be very worrying in 2007; these problems not only created major concerns for the pupils in the overpopulated schools, but also forced restrictions of enrolment policy to the detriment and frustration of new pupils and their families. In Brussels, the Commission had to require specific evacuation exercises to be carried out in order to evaluate the safety aspects of certain schools.

All of this has a very negative effect: the Secretary-General of the European Schools estimates that more than 400 pupils in Brussels alone have chosen alternative solutions to the European Schools due to the restrictions on the choice of school caused by overcrowding. Despite this, the Belgian government announced in September 2007 that the availability of a fourth permanent European School in Brussels would be delayed by at least one year: a move which is in contradiction with its obligation and with the previous commitments made regarding the overpopulated schools.

Also, some other Member States are not fully meeting their commitments under the Convention. For example, in 2007 several issues were once again raised as regards not only the shortage of detached teachers, most notably from the UK and Ireland, but also the generalised dramatic decrease in the overall number of detachments. The lack of detached teachers is adding to the financial burden on the EU contribution, and is thus borne indirectly by all Member States.

2. IMPORTANT DEVELOPMENTS IN 2007

2.1. Overview of the general situation in the European Schools

The European School system continued to grow throughout 2007 and there are now 14 schools in seven countries, with a total of more than 21 000 pupils. Below is a brief account of the situation in the different locations[1].

2.2. Brussels

The situation in Brussels continued to be critical and the Brussels I (Uccle) and II (Woluwe) schools were close to or above their maximum capacity. Brussels III (Ixelles) saw some slight relief, but continued to take in pupils well above its nominal capacity[2]. September 2007 saw the opening of Brussels IV in temporary premises in Berkendael. The restrictive enrolment policy that was applied in Brussels for the school year 2007/2008 meant that all enrolments (except siblings of pupils already enrolled in Brussels I, II and III) for the sections and levels opened in Berkendael were redirected there. This concerned the English, French, German, Italian and Dutch sections from nursery up to third primary. This restriction, which was regrettable and caused inconvenience to a number of parents who were unable to have a free choice of their preferred school, did nevertheless succeed in stabilising the overpopulation, even if the reduction was not significant.

According to the Secretary–General of the European Schools, more than 200 parents who received the offer of a place in Berkendael decided not to enrol their children. This brings to 400 the estimated numbers of potential pupils outside the system as a result of the restrictive enrolment policy during the last two years. More than 50 appeals of more than 100 families were lodged with the Complaints Board, showing the general level of frustration experienced by many parents.

Despite the relatively limited number of children (160 instead of the estimated 550), the opening of Berkendael took place in a constructive and positive atmosphere. Feedback from parents of enrolled children is very positive and the Commission is confident that the school in Berkendael will prosper to the benefit of the enrolled pupils.

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1 For detailed statistics on school population and language sections please see the Annual Report of the Secretary General: 2912-D-2006-en-2

2 Nominal capacity is the capacity for which the school was constructed. Maximum capacity is including additional arrangement such as pre-fabricated buildings placed on the school premises (without enlarging the common facilities such as playgrounds canteens etc.

Furthermore, the Commission is well aware of the difficulties that many parents are experiencing due to the location and, for some of them, what they judge the excessive geographical distance of the transitional/ site of Berkendael and the plans for enrolled pupils to move subsequently to Laeken. The announcement by the Belgian authorities, in September 2007, that the school in Laeken will be delayed for at least one year due to budgetary reasons caused further complications. Indeed, this has had a very negative effect on the planning options for the years to come and has reinforced the uncertainties and worries. The Board of Governors has expressed its deep disappointment with the action of the Belgian government, which runs counter to the formal undertakings given previously at the highest level by the then Prime Minister Verhofstadt. Furthermore, the Board of Governors pointed out that it needs sufficient infrastructure by September 2009 to accommodate the number of pupils that are anticipated.

The Commission is very concerned about the overall situation in Brussels on several levels. In particular, the Commission regrets the current lack of longer-term vision concerning the enrolment possibilities, as a consequence of continued uncertainties about the availability of all needed infrastructures. It furthermore stresses that, due to the overcrowding, it has launched a parallel request for a safety exercise and fire drill to be carried out in the Brussels I, II and III schools to check the evacuation capacities and the access for emergency service vehicles during rush hours.

Work of the Central Enrolment Authority in Brussels

The Central Enrolment Authority met on more than 15 occasions and managed, following the mandate of the Board of Governors, to achieve more than 1 700 enrolments in Brussels for the school year 2007/2008[3]. The Secretary-General reported on the results to the Board of Governors in October 2007 and concluded that the Central Enrolment Authority had fulfilled its mandate.

During the October 2007 meeting of the Board of Governors, the Commission requested that the membership of the Central Enrolment Authority should be enlarged to include a representative of the interest group of parents with children who were not yet enrolled in the European Schools. The Commission was isolated in its support for this request in the Board of Governors[4], which voted against the proposal. However, the Commission did obtain agreement that a representative of parents of future pupils will be able to attend the meetings when the enrolment policy for 2008/09 is discussed.

Complaints persisted concerning the legal redress system set up by the European Schools rules, whereby parents are not allowed to lodge an appeal against decisions refusing the enrolment of their children, once those are confirmed by the Complaints' Board of the European Schools.

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3 For details on the enrolment policy 2007/08 see: 512-D-2006-en-7 on http://www.eursc.eu/index.php?id=2

4 The Board of Governors consists of voting representatives from the 27 Member States, the Commission and, for some questions, a representative from the parents associations and a representative from the Staff Committee of teachers. A representative of the European Patent Office in Munich is present and votes for issues concerning Munich.

2.3. Luxembourg

In Luxembourg, the two schools continued to co-exist on the Kirchberg site. The Luxembourg II pedagogical village welcomes only nursery and primary-level pupils in the eight language sections that are currently in place, while all the secondary pupils go to the Luxembourg I site. Preparations continued for the opening of the permanent location for Luxembourg II at Bertrange/Mamer, scheduled for 2011. The timing of the opening of the permanent site is indeed crucial, as overcrowding is already a problem. As a consequence, a restrictive enrolment policy for children of non-EU staff is unavoidable and no new contracts with companies/organisations were signed during the year.

On 18 December 2007, the Luxembourg authorities adopted legislation authorizing the construction of the second European School, the necessary transport infrastructure and the relevant budgets.

The Parents' Associations prefer a division by age group rather than by language section between Luxembourg I and II. However, the decision taken by the Board of Governors in October 2003 still stands, and the Luxembourg authorities are not in a position at this late stage to change the architectural plans, which are at an advanced state of development.

Other schools

Alicante

The school in Alicante has now been open for seven years and has seen an increase in the number of children of EU staff, who now make up almost 40% of the total. The school has come to the end of its start-up phase, with the second year of Baccalaureate students celebrating a 100% success rate.

Bergen

The school in Bergen has experienced a decrease in population and now numbers approximately 550 pupils. The school consequently faces the challenge of organising small groups and class sizes in an efficient way. The school is also faced with the challenge of phasing out the German and Italian language sections. Despite this, the school is represented in the pilot group for the drafting of attainment contracts as part of the reform exercise.

Culham

In April 2007 the Board of Governors decided on the gradual closure of the European School in Culham over a 7-year period, starting in 2010. This is due to the future move of the Joint European Torus (JET) to Cadarache (France) in 2016. The UK is looking into different possibilities to maintain a school in future and to adapt its curriculum to deliver the European Baccalaureate (future type III) within the British national system. The Commission is strongly encouraging this initiative in the interest of pupils and staff.

Frankfurt

The number of pupils in the school in Frankfurt continued to increase, and there are now serious problems concerning the school's expansion. Given that the European Central Bank is due to relocate within Frankfurt, the possibility of benefiting from this momentum and providing a more convenient space for this growing school is crucial. However, during 2007, the German authorities have given no definite indication of what may happen in future. This issue has to be a major priority for 2008.

Karlsruhe

In 2007 the school population stabilised after several years of falling pupil numbers. This is mainly due to the international companies located in the area (children of EU staff represent approximately 15%.) . The school receives continuing and welcome financial support from the authorities of the City of Karlsruhe and of the Land Baden-Württemberg. In addition, the City contributed up to 50% for the construction of a new building for the canteen, with the other 50% being collected from sponsors. Construction work was started at the end of 2007. The gradual closure of the Italian and Dutch sections of the school is underway.

Mol

The school in Mol asked for an English-speaking section to be created. This proposal was approved by the Board of Governors in early 2008. The school will report on developments in the other language sections, since some of them appear to be dangerously close to the threshold for closure. The school will also report on the trend in the proportion of staff members' children attending the school (currently accounting for around 20%).

Munich

The school population in Munich continues to increase, and infrastructure is a serious ongoing concern. After the installation of the new nursery section, the old one was demolished to be replaced by a new canteen, an entrance hall and additional laboratory and office space. Additional space in the form of three-storey containers has been requested in order to provide more temporary accommodation.

Varese

In Varese the overriding difficulty for the school continued to be the problem of inadequate infrastructures. The Secretary-General of the European Schools and Commission Vice-President Kallas urged the Italian authorities to grant the school a supplementary budget in 2006. Unfortunately, the authorities failed to do this in 2007, despite a petition signed by more than 1 200 parents. Instead, the customary contribution for maintenance was reduced.

On an organisational level, the issue of administering the school canteen separately from the organisation of the school itself continued to be the subject of debate. Towards the end of the year a solution was finally found by the parents creating a cooperative that will receive financial support for a number of years. The Board of Governors accepted this solution by written procedure at the beginning of 2008.

2.4. Host countries' obligations

As was indicated in the 2006 Annual Report, the Commission's main concern is the failure of some Member States to respect certain of their obligations as defined in the Convention on the European Schools[5].

As described under title 2.2, the announcement by the Belgian authorities in September 2007 that the permanent site for the fourth European School in Laeken would be delayed by at least one year, and the subsequent lack of clarity about the future, are the most illustrative examples of this failure.[6] The situation of current overcrowding, combined with the added uncertainty, is clearly unacceptable.

Another example is the case of Varese and the lack of facilities. Although the school is facing unacceptable constraints and conditions, the Italian authorities have so far shown no willingness to resolve the situation during 2007, despite the formal contacts made by the Secretary-General of the European Schools and by Vice-President Kallas.

More generally, the problem of non-detachment of teachers from certain Member States was exacerbated in 2007. In order to fill the vacancies resulting from the insufficient detachment by Member States, teachers are recruited locally instead. The financial consequence is that the cost of the teachers concerned is transferred from the Member States' budget to the EU part of the budget (which, of course, originates from all the Member States including those which already respect their obligations). The most alarming example was the United Kingdom announcing in a letter in October 2007 that it had unilaterally decided to cap the number of teachers detached to the European Schools to 20-25 posts per year. This falls far short of the actual need.

Another example of insufficient fulfilment of obligations became evident when the Commission decided to take formal legal action against Belgium for several outstanding debts related to the costs of furniture and equipment at two Brussels schools, some of which dated back more than 10 years. In the meantime these costs had had to be covered by the Commission's financial contribution.

Following several years of dialogue with the Commission and the European Schools' Secretariat on this issue, during which Belgium had constantly maintained that it was working to find an appropriate solution, in October 2006 the Belgian Minister of Finance formally rejected the commitment to cover these costs. Therefore, taking the view that this was in contradiction with the basic rules of the EC Treaty, the Commission sent a letter of formal notice to the Belgian authorities in October 2007, to be answered within two months. The Belgian authorities asked for more time and then sent a negative reply at the end of February 2008. Further action is being considered.

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5 Official Journal L 212 of 17.8.1994, p. 3-14.

6 Letter of 10.9.2007 from Deputy Prime Minister and Minister of Finances Mr Reynders to Mr Ryan, Secretary General of the European Schools.

3. BUDGET AND FINANCE

3.1. 2007 budget

The budget initially allocated by the EU budgetary authority to the European Schools in 2007 was € 129.66 millions. The total budget provision was € 242 millions. The most recent breakdown of the various contributions to the total budget was:

55 % from the EU budget;

22.7 % from the Member States;

6.4 % from EPO[7]

The remainder in the form of school fees from companies with agreements with the schools and from children of non-EU staff and other sources.

The European Schools claimed and received 98.24% of the total contribution allocated in 2007 (€ 127.38 millions) and closed their annual budget with a surplus of approximately € 7.6 millions.

The part of the budget that is allocated to children with special needs ("SEN") has increased by 36% over the last three years. The Commission has stressed several times that the annual report on this topic should include a more qualitative analysis of the situation, in order to provide substantive input for future improvements. In spite of these efforts, it is not always possible to integrate pupils with severe learning disabilities.

3.2. Financial Regulation

The new Financial Regulation entered into force on 1 January 2007. This is an important step forward in terms of governance, accountability and improved efficiency and transparency of the internal control management system. In April 2007, the Board of Governors approved the creation of an internal audit function in the office of the Secretary-General which started operating in July. In December, a presentation of the audit working plan for the next three years was made to the Administrative and Financial Committee.

4. GOVERNANCE AND REFORM

4.1. Follow-up to the ministerial meeting – Work on reform

In 2007 the Commission constantly pushed for the reform process to advance. Several working groups were active during the year, and the Steering Committee[8] actively motivated Member States to keep up the process of reform and reflection.

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7 European Patent Office

8 Consisting of the outgoing, the current and the incoming Presidencies of the European Schools, plus the Commission and the Secretary-General.

4.1.1. Working group on cost–sharing

The working group on "cost-sharing" presented a preliminary report during 2007. This report deals with the complex issue of how the costs are to be redistributed between Member States in order to make the overall system more equitable. The working group has so far defined an equitable contribution from Member States as a contribution based on the number of children from the same country in the European Schools. The issue is urgent since the UK is currently limiting the number of detachments of teachers to the schools pending the outcome of the reform on this specific topic that will lighten their financial burden. The lack of UK detachments is creating considerable practical problems for many schools.

In the light of the preliminary report presented by the working group, the Board of Governors felt that there is a need to further refine the practical options available and to carry out an impact analysis.

A high-level political endorsement of the future solution in 2008 will be crucial to this sensitive aspect of the reform. In this context the Commission is also working on a method for defining the contribution from the EU budget for the children of staff in the future accredited schools.

4.1.2. Working group on accreditation

The working group on accreditation has concluded that the present accreditation process is satisfactory to fulfil the need for an accredited school close to a service of the Commission, an EU Agency or other body (type II) and of national schools seeking accreditation without the presence of an EU Agency or other body (type III schools). It has also defined a provisional solution for awarding the European Baccalaureate in accredited schools pending the outcome of the external study to evaluate the European Baccalaureate which is planned for 2009.

Furthermore, the group has outlined the terms of reference of a pilot project for type III schools. The aim of the pilot will be to evaluate the capacity of the system to absorb type III schools. Seven Member States have declared an interest and, if the Board of Governors so decides, they will be invited to present a document of intent. The current accreditation and cooperation agreement will be amended to allow quality controls every two years (instead of every year) and will entail a three-pronged control procedure consisting of self-assessment, the national evaluation programme and inspections related to the accreditation process. All costs of the pilots will be borne by the Member States.

The Board of Governors endorsed the working group's conclusions, which even include a temporary solution for the pupils in the accredited school in Parma. The school has now asked for accreditation for year 6 to be granted retroactively from September 2007.

In its efforts to find a conclusion to the legal debate on the type III schools, the working group proposed to the Board of Governors that there should be a technical revision of the 1984 European Baccalaureate Agreement. This proposal was endorsed.

4.1.3. Working group on attainment contracts

The working group on attainment contracts launched a pilot project in 2007 in three European Schools: Bergen, Munich and Brussels I (Uccle). In October 2007, the three pilot schools were asked to reflect on what the implementation of an attainment contract would mean in practice for their school.

The working group is continuing the discussion on the definition and the content of an attainment contract, the level of school autonomy and the role of central governance. The group has concluded that the budget and the annual school report should be referred to in the attainment contract.

Although not all aspects are finalised yet, it is clear that there is a need for structural changes within the schools. Therefore, the current composition and tasks of both existing and new school councils and committees are being studied.

The role of central governance and the pedagogical and financial autonomy of the schools are going through a process of clarification. Once the concept and the level of autonomy are clearly defined, it will be possible to draw up reporting and evaluation methods and criteria.

4.2. Accreditation activities

The school in Heraklion was given a favourable audit during the year and is about to sign the accreditation agreement for the nursery and primary cycles.

Due to the opening of the European Chemicals Agency in June 2007 in Helsinki, Finland launched the procedure for the accreditation of a school there and has made the necessary changes in its national law. France has also launched the process of accreditation for a school in Strasbourg. The Board of Governors welcomed both of these projects. The progress made in the Working Group on Accreditation and the consequent approval by the Board of Governors has made it possible for the accredited school in Parma to apply for accreditation for year 6.

4.3. Communication, dialogue and information

The Commission continued to emphasise the information and communication aspects involving parents and staff. No fewer than seven messages to staff were issued in order to keep them informed of the latest developments. Regular information is put on the relevant homepage and on Vice-President Kallas' website. The Commission also took great care to meet parents associations and staff representatives to discuss current issues in preparation for the Board of Governors' meetings.

The Commission received and replied to several official questions tabled by the European Parliament on the subject of the schools; it met numerous individual parents and corresponded in writing with a large number of them on practical issues. The Commission also attended information meetings with the Interparents association, newcomers to the Commission, and also information meetings with parents of future pupils etc. Several articles providing practical information were published in the EC's in-house weekly newspaper "Commission en Direct".

President Barroso discussed the issue of the European Schools with many counterparts and in particular with the relevant Belgian authorities. The request made one year ago to the Belgian authorities to come to an open meeting with staff to explain their policy on the fourth school in Brussels remained unanswered, even though the matter has been raised in the EU-Belgium task force.

4.4. Work of the Presidencies of the European Schools in 2007 – Portugal and Finland

In August 2007, the Portuguese presidency of the European Schools handed over to the Finnish presidency. The 2006-2007 school year under the Portuguese Presidency was a period of decision-making, with the agreement on political guidance at the ministerial meeting in November 2006, aimed at improving governance, and the subsequent adoption of an action plan by the Board of Governors in January 2007.

The Finnish Presidency has had the responsibility for leading the subsequent labour-intensive phase of the reform process, involving the elaboration of practical measures to make the reform a reality.

In December 2007, Vice-President Kallas met Mrs. Sari Sarkomaa, the Finnish Minister of Education, and they had a very fruitful discussion on the way forward for the reform process. They agreed on the importance of a high-level political impetus to consolidate the progress made so far.

5. FUTURE OF THE SYSTEM – MINISTERIAL MEETING

Sweden will hold the next presidency of the European Schools as from mid-2008. The year 2008/09 will be crucial for the practical implementation of the reform. The events of 2007 have shown that the status quo is no longer an option, and that the current system has many deficiencies in terms of governance and efficiency that need to be remedied.

The challenges of intergovernmental co-operation have been severely put to the test in 2007 by all the current difficulties described in this report, namely overcrowding, insufficient political will on the part of some Member States and the enlargement of the system.

The Board of Governors discussed the reform issues at an extraordinary board meeting in March 2008 with the aim of presenting the results at ministerial level in June 2008.

The Commission has pushed strongly for this reform, which is indispensable for the survival of the system. The issue of governance remains the essential element of the reform, in order to improve the overall efficiency of the system.

From the Commission's point of view, the reform needs to succeed and to succeed quickly; it needs political support at the highest level in order for the European School System to continue to be viable.