



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 14 January 2013

5291/13

FIN 20

COVER NOTE

from: Secretary-General of the European Commission,
signed by Mr Jordi AYET PUIGARNAU, Director

date of receipt: 9 January 2013

to: Mr Uwe CORSEPIUS, Secretary-General of the Council of the European
Union

No Cion doc.: COM(2012) 797 final

Subject: Report from the Commission to the European Parliament and the Council: The
European School System in 2011

Delegations will find attached Commission document COM(2012) 797 final.

Encl.: COM(2012) 797 final



Brussels, 9.1.2013
COM(2012) 797 final

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

The European School System in 2011

TABLE OF CONTENTS

1.	Introduction.....	3
2.	Situation in the schools	4
2.1.	Alicante	4
2.2.	Bergen	4
2.3.	Brussels	4
2.4.	Culham	5
2.5.	Frankfurt.....	5
2.6.	Karlsruhe	5
2.7.	Luxembourg	6
2.8.	Mol	6
2.9.	Munich	6
2.10.	Varese.....	6
3.	Budgetary developments and challenges	7
4.	Political developments and challenges.....	8
4.1.	Opening up the system – accredited schools.....	8
4.2.	Revision of the salary scale for seconded teachers/locally recruited teachers.....	9
4.3.	Over-crowding/infrastructure.....	9
4.4.	Sharing costs between the Member States	10
4.5.	Legal cases	11
5.	Educational and organisational development.....	11
5.1.	The reform of the European baccalaureate	11
5.2.	Actions for pupils with Special Educational Needs (SEN).....	11
5.3.	Organisation of the lessons and year groups.....	12
6.	Future challenges	12

REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL

The European School System in 2011

1. INTRODUCTION

The European School System continued to function in a difficult economic and budgetary climate in Europe, which forced it to manage its expenditure whilst maintaining the quality of its teaching.

In April 2010, the Board of Governors of the European Schools (BoG) approved the 2011 budget for the European Schools with an increased contribution from the EU of 11% compared with the previous year. The reason for this was, in particular, the increase in the number of pupils (+2.6%). The BoG agreed to this budget provided that the European Schools took measures to better control the development of the budget in the future.

Further to discussions between the Council and the European Parliament, the overall budget for the European Union for 2011 was adopted with a contribution to the European Schools of EUR 164 million. Although this was less than that in the budget for the European Schools adopted by the BoG, it was still greater than the contribution in 2010, which was EUR 154 million.

The decision of the Parliament and the Council to adjust the budget requested by the Commission¹ for the European Schools forced the European Schools to take urgent measures to make savings, which gave rise to a wave of reactions from the Parents' Association and the Staff Committee. The Commission was in favour of these measures providing they did not undermine the basic educational principles of the European Schools.

The BoG adopted some important decisions concerning rationalisation in April 2011.

Furthermore, the continued increase in the number of pupils, combined with the difficulties some Member States had with meeting their obligations with regard to infrastructure and the secondment of teachers were stark challenges for the European School System.

¹ This situation is provided for in the Financial Regulation of the European schools (document 2011-07-D-17-en-3, published on the website of the European schools http://www.eursc.eu/fichiers/contenu_fichiers1/579/2011-07-D-17-en-3.pdf)

2. SITUATION IN THE SCHOOLS

The total number of pupils at the 14 European Schools is rising continually, going from 22 778 in 2010 to 23 367 in 2011. The majority (63%) of pupils in the European School System are enrolled at one of the European Schools in Brussels (44%) or Luxembourg (19%). Category I pupils², who are mainly the children of members of staff of the European Union and the European Schools, and the European Patent Office in the case of the European School in Munich, make up 74% (17 396) of the total number of pupils, although some small European Schools have only a few pupils from this category. Category II pupils³ make up 5.12% of the total number of pupils. This group suffered the consequences of the economic crisis since fewer agreements were signed with the European Schools for pupils in this category. Finally, category III⁴ consists of pupils whose parents have to pay school fees and accounts for 4 774 pupils (20%).

2.1. Alicante

The number of pupils at the school in Alicante is stable with 1 034 enrolled in September 2011. 48% of these pupils are category I and are mainly the children of members of staff of the OHIM (Office of Harmonization in the Internal Market). As is often the case at the European Schools, the language section of the host country has the most pupils. In this particular case, the Spanish section has 37% of all pupils.

2.2. Bergen

The number of pupils at the Bergen school decreased slightly from 608 pupils in 2010/2011 to 581 in 2011/2012, with 109 category I pupils (18%) and 472 category III pupils (81%).

Infrastructure works were carried out in 2011, notably the renovation of the sports hall and the air-conditioning system.

2.3. Brussels

The overcrowding continued to worsen at the European Schools in Brussels. The increase in the number of applications for enrolment led to an increase in the total number of pupils at the four European Schools in Brussels, from 9 847 in 2010/2011 to 10 285 for the year 2011/2012.

Brussels I registered an increase of almost 60 pupils between the 2010/2011 and 2011/2012 school years, going from 3 074 to 3 131 pupils. Security (badge system, video surveillance) is still a priority at this European School owing to the size of the campus and its 14 separate buildings.

² The rules governing admission to the European schools are given in the Digest of the Decisions of the BoG of the European Schools (document published on the website of the European schools http://www.eursec.eu/fichiers/contenu_fichiers2/1794/2011-04-D-4-en-1.pdf)

³ See footnote 2.

⁴ See footnote 2.

Brussels II is now the largest of the four European Schools in Brussels with 3 176 pupils enrolled for the school year 2011/2012. This very high number of pupils sets daily organisational challenges. Work started on the new bus-park and it will be opened officially in 2012. This will mean better security in the playground, where around 50 school buses currently park twice a day.

The number of pupils at Brussels III also increased, to 2 919 pupils in September 2011. As is the case at Brussels I and II, overcrowding leads to practical problems with using communal areas.

Brussels IV recorded another significant increase in the number of pupils (31%), from 809 to 1 059 pupils. In view of the lack of classrooms on the temporary site at Berkendael, mobile classrooms were installed for seven additional classes.

2.4. Culham

Following the decision of the BoG of April 2007, the Culham European School will close progressively by 2017 owing to the move of the Joint European Torus (JET) to Cadarache (France). Therefore, there was no new reception class in September 2011.

Furthermore, the British authorities presented a new project to open a national school ('free school') on the site, which will replace the 'academy' project that was initially planned. The 'free school' is set to open in 2012 and will grow progressively with new year groups opening as and when they cease to be available at the European School.

The European School and the new 'free school' will share the Culham site until June 2017. Educational, administrative and financial matters will all be entirely separate but the two schools will have to share the infrastructure and the operational charges related to the site. The Commission supports this project, which will enable school life to continue on the Culham site after 2017.

2.5. Frankfurt

With an increase of nearly 5% compared with the previous year, the Frankfurt European School has one of the highest rates of growth in pupil numbers owing to staff increases at the European Central Bank. In September 2011, 1 136 pupils were enrolled at this European School, 780 of whom were category I. This school is overcrowded and the German authorities have been asked to provide additional infrastructure. However, it is not yet clear whether the Federal State of Hesse or the Ministry of Foreign Affairs will bear the cost of this. The school is organising various festivities to celebrate its 10th anniversary in 2012.

2.6. Karlsruhe

The number of pupils enrolled at the European School of Karlsruhe has been decreasing steadily for several years, going from 979 in 2008 to 933 in September 2011, with 173 category I pupils (18.5%), 267 category II pupils and more than half (493) from category III.

This school provides an example of local cofinancing, as it receives a grant from the town of Karlsruhe (EUR 165 000 in 2011) which it used to second an economist and an assistant from the municipality to work at the European School. The federal state of Baden-Württemberg also provides financial support for the school, amounting to EUR 732 200 in 2011.

2.7. Luxembourg

Luxembourg I is situated in Luxembourg-Kirchberg and became home to Luxembourg II, which will move to its permanent site at Bertrange/Mamer at the start of the 2012/2013 school year.

In 2011, with around 4 500 pupils enrolled (3 579 at Luxembourg I and 957 at Luxembourg II), the site was overcrowded, which led to a restrictive enrolment policy for children whose parents are not on the staff of the European Union.

The Luxembourg authorities are making a significant effort to make school bussing easier. This is partly organised by the Luxembourg authorities and the school, and partly by the School Bus Association (ATSEE) of Luxembourg I. In addition, a mobility plan has been drawn up for the Luxembourg II school at Bertrange/Mamer in partnership with the Luxembourg authorities. Preparations are underway for the opening of Luxembourg II on its permanent site at Mamer in 2012.

2.8. Mol

The number of pupils at the Mol school is fairly stable with 767 pupils enrolled at the beginning of the 2011/2012 school year, of whom 618 (80%) are category III and 138 (18%) are category I. The Dutch and English sections are the largest whereas the German section has just 72 pupils across all age groups.

2.9. Munich

The number of pupils at the European School of Munich has been increasing significantly for several years owing to the increase in staff at the European Patents Office, whose children make up the majority of the pupils. A restrictive enrolment policy will continue to apply until the extension to the school has been completed, due for 2016.

2.10. Varese

With 1 366 pupils enrolled for the 2011/2012 school year, the size of this school remains stable. Just over half of the pupils are from category I. The number of category II pupils decreased between 2008 (235) and 2011 (177) owing to the economic situation.

The promised transfer of EUR 400 000 from the Italian authorities to the school to finance additional infrastructure has still not been made despite confirmation given by the Permanent Representative of Italy to the EU to Vice-President Šefčovič.

The Varese school celebrated its 50th anniversary in 2011.

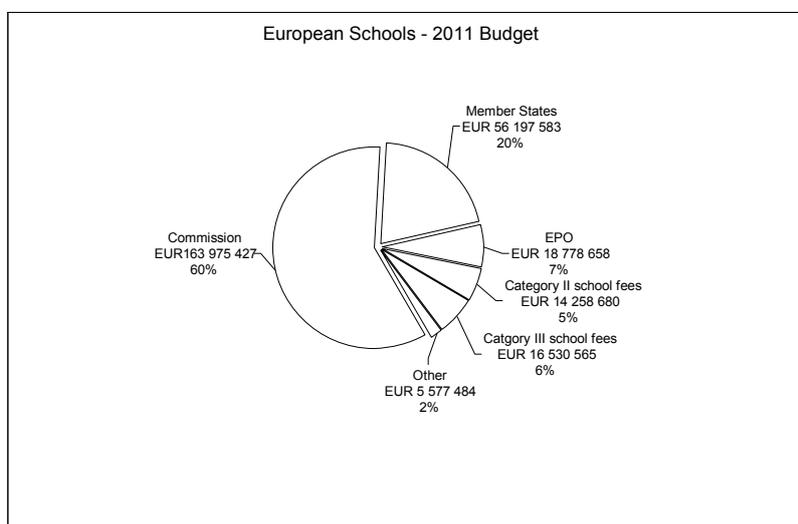
3. BUDGETARY DEVELOPMENTS AND CHALLENGES

The number of pupils enrolled in the European Schools System increased by 2.6% between 2010 and 2011 from 22 778 to 23 367. Category I, with 17 396 pupils, accounts for almost 75% of the total number of pupils. With just over 5% of pupils, category II suffered the consequences of the economic crisis (fewer agreements signed with the European Schools). Finally, category III accounts for 4 774 pupils, or just over 20%.

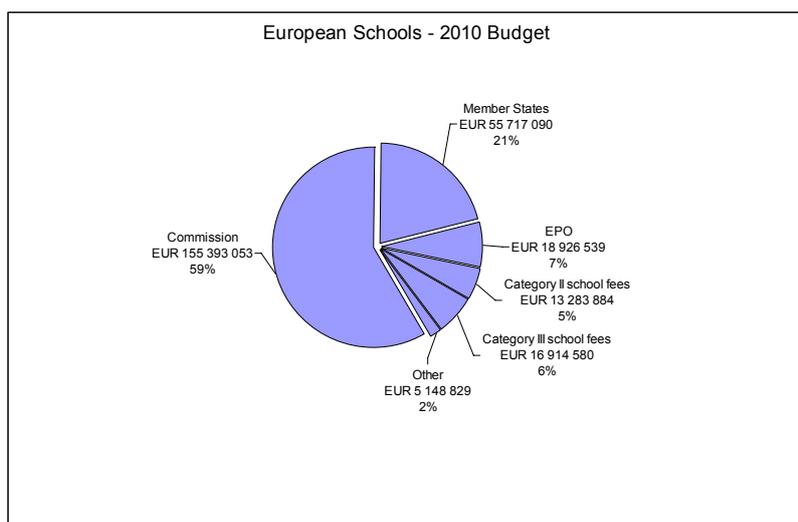
The average annual cost per pupil for all European Schools was approximately EUR 11 918 in 2011. The economic climate has led to a reduction in contributions from the Member States, some of which are seconding fewer teachers. So, in September 2011, 88 seconded teaching posts were not filled by the Member States, 24 more than in the previous year. As a result, the share of the funding from the European budget has increased.

Budgetary contributions (not including surpluses carried over and use of contingency funds):

2011 (total: EUR 275 318 397)



2010 (total: EUR 265 383 975)



The draft budget for 2011 of EUR 171 million, supported by the Commission, was adopted by the BoG in April 2010. The BoG's approval of this amount was however dependent on savings being made, such as by revising the pay scale for seconded staff at the European Schools, reorganising the lessons and options, and clarifying the use of funds for SEN (Special Educational Needs) pupils. The Commission entered EUR 171 million into the draft budget that was forwarded to the budgetary authority (Council and European Parliament).

In December 2010, the budgetary authority set the contribution from the European budget for 2011 at EUR 164 million. The Commission informed the Office of the Secretary-General of the European Schools and asked the European Schools to make urgent savings in order to comply with the budgetary framework. At the Administrative Board meetings at the beginning of 2011, it also asked the European Schools to indicate specifically which savings they would be able to make. In April 2011, the BoG adopted some important decisions concerning rationalisation, in particular with regard to lessons and options in addition to the internal organisation, for example reducing free periods for careers coordinators, and revising the calculation method for the coordination time dedicated to assisting learning, SEN pupils and SWALS pupils⁵. The pay scale for seconded teaching staff and locally recruited teaching staff was also revised to align it with the Staff Regulations for Officials of the European Union applicable since the 2004 reform.

4. POLITICAL DEVELOPMENTS AND CHALLENGES

4.1. Opening up the system – accredited schools

Opening the European Schools System up to the national systems is one of the main aspects of the reform adopted by the BoG of the European Schools in April 2009 in Stockholm. This means accrediting national schools so they can offer a European education leading to the European Baccalaureate. These European Schools, known as Type II make it possible to educate the children of staff of the European Union based at EU sites where there are no European Schools. These accredited schools are financed as part of the national system but can receive a financial contribution from the budget of the European Union on a prorata basis for the children of staff of the Union who are educated there. On 8 December 2010, the Commission adopted a decision concerning the financial contribution from the EU.

Applications for schools to be accredited are made on the initiative of the Member States. The accreditation procedure is reflected in the signature of an agreement between the legal representative of the school and the Secretary-General of the European Schools representing the Board of Governors of the European Schools.

Of the six national schools approved by the BoG, five signed a contribution agreement in 2011 and received the first payments from the Commission for the school years 2009/2010, 2010/2011 and 2011/2012. The contribution from the EU for these three school years is EUR 7 419 967.

⁵ SWALS: Students Without A Language Section, usually enrolled in one of the procedural languages

The six accredited schools are: the 'Scuola per l'Europa' in Parma (Italy), located near the EFSA agency (European Food Safety Authority); the 'Centre for European Schooling' at Dunshaughlin (Ireland), located near the Commission's Food and Veterinary Office; the 'School of European Education' in Heraklion (Greece), located near the ENSIA agency (European Network and Information Security Agency); the 'European Schooling' in Helsinki (Finland), near the ECHA agency (European Chemicals Agency); the 'Ecole Européenne de Strasbourg' (France), situated near the European Institutions (European Parliament and Ombudsman); and finally, the 'Ecole Internationale Provence-Alpes-Côte d'Azur' in Manosque (France), located near the Cadarache ITER Research Centre.

Three other schools are currently going through the approval procedure: the 'Ecole d'Enseignement Européen' in the Hague (Netherlands), which is due to open in August 2012; Tallinn European Schooling (Estonia); the "European School of Copenhagen"(Denmark). Furthermore, opening up the system also makes it possible, as a pilot project, to accredit schools at which no children of staff of the European Union are enrolled but which follow the European syllabus and in this way become European Schools of a type known as Type III. Germany has submitted a file for a school that will open in September 2012 in Bad Vilbel.

4.2. Revision of the salary scale for seconded teachers/locally recruited teachers

The Staff Regulations for Members of the Seconded Staff of the European Schools is similar to those for the staff of the European Institutions. The Staff Regulations for Members of the Seconded Staff of the European Schools were not adapted following the reform of the EU Staff Regulations in 2004, and in particular the revision of the basic salary tables. The BoG therefore adopted a revised basic salary table in December 2010 to bring it into line with the EU Staff Regulations.

These new provisions apply to those who join the European School System from 1 September 2011. The Staff Regulations for Members of the Seconded Staff of the European Schools was amended accordingly.

4.3. Over-crowding/infrastructure

The constant increase in enrolment applications from category I pupils is leading to the need for additional space. Some of the European Schools are faced with serious overcrowding, which causes practical problems on a day-to-day basis. This is the case in the schools in Brussels, Luxembourg, Frankfurt and Varese.

In view of the increase in the number of children of EU staff and the foreseeable increase in the number of pupils in the coming years, the BoG decided on 20 April 2010 to ask the Belgian authorities to propose a site for a 5th European School in Brussels. The estimated figures show that, despite Laeken opening in September 2012, a 5th European School will be needed in Brussels from 2015.

The Secretary-General of the European Schools wrote to the Belgian authorities several times in 2011 asking for proposals for sites that might be suitable for a 5th European School in Brussels. Throughout 2011, the Commission urged the Belgian authorities to open negotiations on the location of the 5th European School and insisted that it should be near the main areas in which staff live and where the offices of the European Institutions are located. When the Belgian Prime Minister Elio Di Rupo was appointed in December 2011, Vice-President Šefčovič wrote to him asking to start negotiations with a view to proposing sites for the 5th European School. Meetings were held with the Belgian authorities, followed by a second letter from the Vice-President to the Prime Minister, but there has not yet been an official reply containing a proposal.

The European School Luxembourg II, with a capacity of 3000 pupils, will move to its permanent site in Bertrange/Mamer ready for September 2012. Opening this large school with modern equipment will considerably improve daily life for both schools, which have been sharing a single site up to now.

The European School Brussels IV, which will be able to accommodate around 2800 pupils, will also move to its permanent site - in Laeken - in September 2012. The renovation and building work on this site, which is a significant architectural project, is progressing according to plan.

The pupils at Brussels IV, who are temporarily housed on the Berkendael site, will be transferred to Laeken in September 2012. The school is making a lot of effort both in terms of practicalities and of involving the pupils so that this change will take place under the best possible conditions.

4.4. Sharing costs between the Member States

In 2011, at EUR 164 million, the financial contribution from the European Union to the European School System corresponded to almost 60% of the total budget.

The contribution from the EU is a balancing subsidy and depends on the size of the contribution from the Member States in terms of seconded teachers, who continue to receive their national salary. For several years the number of seconded teaching posts not filled by the Member States has been increasing, as a result of which the financial contribution from the European Union has increased. Vice-President Šefčovič spoke to the Education, Youth and Culture Council and wrote to the Member States in September 2011 to remind them to meet their obligations in this regard.

When it held the Presidency of the European School System in 2011/2012, the United Kingdom decided to reopen the debate on the cost-share between the Member States and to make this question a priority during the year of its presidency. The United Kingdom and Ireland want to review the number of teachers they have to second, which they consider to be particularly high owing to the large number of applications for teaching in English. Indeed, as a result of the budgetary difficulties faced by all the Member States, it is increasingly difficult for them to second teachers to the European Schools. This places an additional financial burden on the European Union, which has to finance locally recruited teachers.

The Secretariat-General of the European Schools prepared a position paper that was presented to the BoG meeting in December 2011. The Specific Working Group that was set up to deal with this matter will have to analyse the situation and propose solutions.

4.5. Legal cases

Two judgments were issued following appeals to the Court of Justice.

The first appeal was brought by the Commission against the United Kingdom (C-545/09). The Commission considered that the United Kingdom was not meeting its statutory obligations and was in breach of the Convention defining the Statute of the European Schools by excluding teachers seconded to the European Schools from the salary adjustments (career and promotion options) awarded to teachers employed in national schools for the duration of their secondment. This was the first appeal under Article 26 of the Convention defining the Statute of the European Schools. In February 2012, the Court, on the advice of its Advocate-General, found in favour of the Commission.

The second matter concerned a preliminary ruling of the Board of Appeal of the European Schools on adjusting the salaries of the English teachers in line with fluctuations in the exchange rate. The Court declared that it lacked jurisdiction as the Board of Appeal is not a national body but is part of an international organisation.

Finally, an appeal, on which a ruling was expected in 2011, is still awaiting judgment. It is the case of a teacher recruited locally who lodged an appeal with a Belgian national tribunal asking for a holiday allowance to be paid before 2004. The payment itself was deemed admissible but a judgment has not yet been issued on the question of retroactivity. This judgment could mean major expenditure for the budget of the European Schools.

5. EDUCATIONAL AND ORGANISATIONAL DEVELOPMENT

5.1. The reform of the European baccalaureate

As part of the 2009 reform and the opening up of the European School System, the BoG wanted to simplify and reduce the cost of the European baccalaureate whilst maintaining its high standard. The BoG meeting in April 2011 adopted decisions that aimed to simplify the organisation of the exam, to reduce its cost and to review its content. Also, in December 2011, the BoG adopted changes to the procedures for correcting exam papers for the European baccalaureate (in particular anonymity) and the type, number and weighting of the written and oral examinations.

These procedures will have to be integrated into the Regulations for the European Baccalaureate and the Implementing Regulation before entering into force in September 2014.

5.2. Actions for pupils with Special Educational Needs (SEN)

During the 2010/2011 school year, there were 619 pupils with SEN in the European School System, which is an increase on previous years (477 in 2008/2009, 574 in 2009/2010). The decisions of the April 2011 BoG to create a new staff category 'SEN Assistant' and to group together pupils with the same type of difficulties for SEN support lessons have made it possible to rationalise the use of the resources dedicated to SEN pupils and to limit the total cost of SEN support to EUR 4 526 927 in 2011, EUR 180 988 less than in 2010.

5.3. Organisation of the lessons and year groups

The adoption of the 2011 budget was dependent on measures being introduced to control the rising costs. As a result, at its April 2011 meeting, the BoG adopted new measures to clarify and detail the rules for organising lessons and options⁶ (in particular class sizes for language lessons, ONL⁷ lessons and SWALS).

These decisions made it possible to organise the teaching more efficiently and to make the savings needed in the current budgetary climate.

6. FUTURE CHALLENGES

Controlling the budget whilst maintaining the quality of the teaching, and sharing the cost of the European Schools fairly between the Member States are major challenges for the coming years to guarantee the future of the European School System.

The European Schools will have to continue controlling their budget and making savings whilst guaranteeing the quality of the teaching they are providing. The Commission is as concerned as everyone else involved in the European School System that the main educational elements should be preserved and that pupils should be guaranteed a level of education that gives them access to the higher education of their choice after the baccalaureate.

The Member States will have to find solutions if an agreement is to be reached on a cost share that rebalances the burden between them. The Commission will continue to work towards finding a sustainable solution.

The Commission will also continue to urge the Belgian authorities to provide a site for a 5th European School in Brussels by 2015 in order to be able to respond to rising pupil numbers and to satisfy the constantly increasing number of applications for enrolment. The discussions on the opening of the European School at Laeken showed the impact of the location of the school on the work-life balance of EU staff members who do not always have the option of educating their children in local schools. The 5th European School will therefore have to be close to the main areas in which staff of the European Institutions live and where the offices are located.

Finally, the developments in opening up the European School System will allow national schools to offer the European School syllabus leading to the European baccalaureate. In addition, the financial contribution from the European Union for children whose parents are on the staff of the EU should encourage the Member States to request accreditation for national schools, enabling many pupils to benefit from the European School syllabus and the European baccalaureate which is recognised in all Member States.

⁶ Document . 2011-04-D-7-en-3 (Decisions taken at the meeting of the Board of Governors of 12-14 April 2011 IX(B)(4)) published on the website of the European Schools: http://www.eursc.eu/fichiers/contenu_fichiers2/1664/2011-04-D-7-en-3.pdf

⁷ ONL: Other National Language (Irish, Maltese, Finnish/Swedish)