



## **EP CULT COMMITTEE**

### **Interparents' written contribution**

#### **Follow-up to the CULT Committee meeting of 25 February 2021 On European Schools**

**Brussels, 15 March 2021**

#### **A. COST SHARING AGREEMENT**

##### **Background**

The 'Cost Sharing' agreement determines criteria, targets and timeframe for Member States to second teachers to the European Schools (Reference 1). The aim is to reach the ratio 65% / 35% between seconded and locally recruited teachers.

The parents support the Commission's endeavors to ensure that the European Schools are financially stable and that there is a fair and equitable contribution from Member States. However, there are serious concerns about two issues related to the agreement.

### **Problem 1: Decoupling of human resource management from the performance of locally-hired teachers**

The European Schools are compelled each year to open posts already filled by high-quality locally-hired teachers — often outstanding teachers who have played a central role in our children’s education. Posts are open irrespective of employment contract (fixed-term or open-ended) or the quality of teacher work. For many posts, there is no requirement that the teacher be from the Member State of the class being taught or even native speaking — a measure which disproportionately impacts vehicular sections (French, German, and English) and in particular the English section, which has spent recent years (since the UK stopped seconding teachers) building up a strong team of locally-hired teachers.

Decoupling of school human resources management from the qualifications and performance of locally-hired teachers **has disruptive and negative effects on the school community** (e.g. insufficient recognition of teachers’ work, precarious working conditions leading to higher staff turnover, increased burden of recruiting and inducting new teachers, lack of continuity in the teaching team with often abrupt changes). It also **undermines the efforts to make the European Schools’ teaching posts more “attractive”** on the international market. Finally, it goes **against the European Pillar of Social Rights Principle 5 on Secure and adaptable employment** asking that “Employment relationships that lead to precarious working conditions shall be prevented, including by prohibiting abuse of atypical contracts.” Paradoxically, in many instances the approach does not lead to real cost savings for the Commission.

### **Problem 2: Insufficient recompense for Member States seconding beyond their obligation**

Language 2 (English, French or German) has a special role in the curriculum of European Schools. All pupils have to study it from first year up to the Baccalaureate. In addition, from the third year secondary, Language 2 gradually becomes the language of tuition for Human Sciences, History, Geography, Economics, Religion and Ethics (“Content and Language Integrated Learning”) (Reference 3).

This creates strong demand for native speaking teachers in German, English and French language. This demand is exacerbated by the fact that the English, French and German language sections serve as “vehicular” sections, hosting more than their national pupils—including SWALS (students without a language section) and a high number of international/diplomatic families. As a result, Germany, Ireland and France, and in the past the United Kingdom, have seconded many more staff than needed.

There is a high risk that those countries will not replace teachers currently in the system once their secondment is finished—let alone take up new posts. As far as parents are aware, no action has been taken to address this problem even though it was clear that it was going to be exacerbated by the departure of the UK from the EU.

## Action Points:

The European School systems is called to avoid a policy of secondment “at any cost”. Secondment of teachers to the European Schools is welcomed as it bring stability and predictability and offers teachers a fair and competitive compensation for their work, but it should never be at the expense of quality education. Instead:

- Ensure that teacher hiring practices are linked to the qualifications and performance of teachers, rather than driven by purely political imperatives.
- Revise the implementation of the Cost Sharing Agreement so that Member State contribution can be channeled to the areas where it is actually needed.
- Revise the Cost Sharing Agreement to ensure that countries, i.e. like Ireland, which provide native teachers in high demand due to the school curriculum and profile are adequately compensated for seconding native speaking teachers beyond their obligation,
- Rethink more broadly about how English may be taught to students across the system while guaranteeing a high level of teaching in the English section following the withdrawal of the UK from the European Schools system.

## Reference

- 1) [Sharing of the costs of seconded staff amongst the Member States \(Cost sharing\)](#) (Cost Sharing; ref. 2018-10-D-62-en-4) and [Annual Activity Report 2019](#) (p. 17-21)
- 2) The European Pillar of Social Rights, [https://ec.europa.eu/info/european-pillar-social-rights/european-pillar-social-rights-20-principles\\_en](https://ec.europa.eu/info/european-pillar-social-rights/european-pillar-social-rights-20-principles_en)
- 3) Language Policy of the European Schools (ref. 2019-01-D-35-en-2), <https://www.eursec.eu/BasicTexts/2019-01-D-35-en-2.pdf>

## B. LACK OF EFFECTIVE LEGAL REMEDIES IN THE EUROPEAN SCHOOLS

### 1. Ombudsman and human rights

EU citizens have a fundamental right to good administration under Article 41 of the Charter of Fundamental Rights of the European Union. Any failure to comply with the principle of good administration may be the subject of a complaint to the European ombudsman.

One of the main governance issues of the European Schools is the absence of an ombudsman, an independent and impartial person who represents the interests of parents, students and staff by investigating and addressing complaints of maladministration or a violation of rights.

But also, the national ombudspersons and the EU Ombudsman lack of competence to investigate and address complaints of maladministration or violation of rights within the European Schools.

Due to the special nature of European Schools, a full-fledged International organisation (even if is partially financed by the EU Budget and EU Member States and the European Union are parties of the Convention that defines its legal status), European Schools do not have the consideration of EU institution, nor a national institution.

This implies, for example, that neither the Charter of Fundamental Rights of the European Union nor the European Convention of Human Rights apply to the European Schools, to the extent that this International organization is not party of the European Union or the Council of Europe and the Board of Governors of the European School has never explicitly endorsed the principle that either the Charter of Fundamental Rights or the European Convention of Human Rights apply to the European School.

It is worth noting that the European Schools are public institutions with the mission to provide a multilingual and multicultural education for nursery, primary and secondary level to pupils who are European citizens. However, there is no effective system in place to defend the interests of parents and pupils holding a European citizenship when important principles such as accountability, transparency, ethics and effective administration are not respected by the European school governing bodies.

Unfortunately, the Convention defining the Statute of the European school put in place in 1994 a system to address complaints that is, in parents' view, insufficient to the extent that it does not rely in any independent authority to address governance and maladministration issues.

In that respect, InterParents would suggest that the CULT Commission should consider making the following recommendations to the Board of Governors of the European Schools:

- To decide to explicitly endorse the application of the Charter of EU Fundamental Rights to the European School;
- To create an independent ombudsperson, that will be entitled to investigate and address complaints about maladministration or violation of human rights within the European Schools.

## 2. Complaints Board and human rights

The principle of effective judicial protection is a general principle of the Union law and it was reaffirmed in Article art. 47 of the Charter of Fundamental Rights (right to an effective remedy and a fair trial). The Court of Justice of the European Union stated that, under the principle of sincere co-operation laid down in Article 4, paragraph 3, Member States are responsible for ensuring judicial protection of an individual's rights under Union law. In the absence of Union rules, it is for national law to designate the competent courts and establish a system of legal remedies and procedures which ensured respect for the right to effective judicial protection.

The Court of Justice of the European Union stated that the procedural rules established by them must satisfy the familiar **principles of equivalence and effectiveness** i.e., national courts or, in our case, an independent judicial body, are required "to interpret the procedural rules governing actions brought before them ... in such a way as to enable those rules, wherever possible, to be implemented in such a manner as to contribute to the attainment of the objective ... of ensuring effective judicial protection of an individual's rights".

The judicial body common to all the European Schools is the Complaints Board of the European Schools created by all the Member States and by the Union. This is a body of an international organisation composed of independent judges - Article 27 of the Convention defining the Statute of the European Schools.

However, the Complaints Board has jurisdiction only when the illegality of an act is invoked and not for an infringement, fundamentally, of a rule of law. The rule of law and fundamental rights, as enshrined in Article 2 of the Treaty on the European Union, do not fully apply to the European Schools and its governance, this potentially depriving pupils and parents of the right of an effective judicial remedy and a fair trial, general principles of effective judicial protection in EU law.

Even if the legal system of the European Schools is a sui generis system which is distinct both from that of the European Union and from that of the Member States, the fundamental principles generally accepted both in the European Union legal order and in the legal systems of the Member States such as the principles of effectiveness and equivalence of the judicial remedies, must at least serve as a reference for the action of the European Schools' governing bodies. Consequently, the Complaints Board must guarantee and effective system of legal remedies and procedures.

In that respect, InterParents would suggest that the CULT Commission should consider making the following recommendations to the Board of Governors of the European Schools:

- To extend the competences of the Complaints Board to any issue that implies a breach of the Charter of EU Fundamental Rights;
- To extend the remedies and amend the procedural rules applicable to claims brought before the Complaints Board;
- To analyse and possibly revise the legal protection system within the ES System as a whole.

### C. NEW MARKING SYSTEM (NMS)

The European Schools introduced an NMS as of September 2018 which will be applied to the European Baccalaureate 2021 (BAC 2021) for the first time.

The NMS, while not lowering the standards for European School students as confirmed by the Office of General Secretariat of the European Schools (OSG), extended the scale for positive grades. The OSG clarified that the new pass grade (5 out of 10) thus corresponds to the same performance level as the old pass grade (6 out of 10). As a consequence, assessments in the European Schools under the NMS are on average 0.5 grades lower than under the previous marking system.

The **Member States are obliged to ensure equal treatment of European School graduates** under the Convention of the European Schools. In view of the NMS they are obliged to modify their previous equivalence calculations which translate European School marks into the national systems. As the NMS leads to lower grades for the same performance levels at the European Schools as explained to the Member States by the OSG several times, Member States have to take the changes of the NMS into account when adapting their equivalence calculations.

**Unfortunately, only a minority of Member States have done so, putting the rights of European School graduates under the Convention under threat. By December 2020, only 1/3 of the Member States were ready to grant full equal university access rights to BAC 2021 graduates.**

The other 2/3 of Member States either have **not yet submitted equivalence calculations** or have provided **new equivalence calculations** but **with problematic and potentially discriminatory effects**. Some Member States did not take into consideration the advice provided by the OSG, others erroneously assumed a lowering of the quality of the European Baccalaureate. Their new equivalence calculations are not balancing the effects of the NMS but aggravating them.

Interparents has already suggested to prepare as a **contingency planning** a re-calculation of the final grades for graduates of the BAC 2021 wishing to study in Member States that either have not submitted new equivalence calculations at the time of the BAC 2021 or whose new equivalence calculations do not comply with the obligation of equal treatment of graduates of the European schools pursuant to the Convention, unless these equivalence calculations are corrected in time for the BAC 2021. Such **re-calculation formula** should **fully balance the effects of the NMS**.

Interparents regret that **4 months before the first European Baccalaureate is awarded under the NMS the rights of European School graduates under the Convention are still not ensured**. It calls on the CULT Committee to

- **Urgently ask the Commission to support the contingency planning** of a re-calculation of the final grades for graduates of the BAC 2021 **proposed by Interparents**;
- **Urgently ask the following Member States to verify** whether their **equivalence calculations** take into consideration the lowering of marks caused by the NMS **and** where necessary **to correct them in time for the BAC 2021** in July 2021:

**Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Malta, Portugal, Romania and Sweden.**

## **D. HEALTH & SAFETY – LEGAL COMPLIANCE & RISK ASSESSMENT ARE MINIMUM REQUESTS**

### **Problem description**

There has been increasing concern about the safety and security of particularly, but not limited to, the oversized and overcrowded European Schools, and to the wellbeing of pupils where survey has revealed that many pupils suffer from mental health issues, in particular last four years of secondary school.

The application of host country regulation and other policies for areas other than those regulating educational and pedagogical matters based on separate European School rules are minimum requirement of school leaders of the European Schools. This duty includes occupational health and safety matters, associated physical risks, as well as psychological risks and pedagogical stress factors.

Facing real problems on health and safety at school, Parents have asked for prevention and protection measures to be introduced, some of which have been approved by Schools Administration Boards. In spite of this, the health and safety problems are not solved by introducing appropriate measures but remains. Here two stream of problems can be identified:

- Unclear legal jurisdiction to which school subscribes and
- The distribution of responsibility of costs between host country and the European Commission leading to a budget limbo. As a result, agreed and required measures are not introduced but neglected.

Already in 1989, the EU directive on occupational health and safety introduced measures to encourage improvements in the safety and health of workers at work ensuring general principles on prevention and protection of occupational risks applies to all sectors of activity, incl. the educational sector, stating the employer have a duty to ensure the safety and health of workers in every aspect related to the work.

In spite of attempts by the European School, it cannot demonstrate legal compliance in the area of health and safety at work, neither by external auditors having expertise in the field, nor by control and validation through the national or regional work environment inspectorate authority system. Parents can confirm this by witnessing lack of management system on prevention and protection with no proper documentation, risk assessments, in-house dialogue, self-assessment, reporting, etc., in place.



The lack of conformity to legal compliance on health and safety can be also be illustrated by referring to the Annual Activity Report 2018 of the European Schools: <https://www.eursc.eu/Documents/2019-03-D-1-en-2.pdf#search=internal%20control%20standard>. On page 25, for example, it is stated that EEB2 school (Woluwe, Brussels) is legally compliant including health and safety. The problem is that audits were not made by health and safety auditors with expertise in the field but assessed from a financial perspective, which is in accordance to the official ES document “Risk Management is a legal requirement for the European Schools defined in the Financial Regulation and the Internal Control Standards”.

Parents also note the extended use of risk management system as a guiding management tool at the European Schools. While Parents do appreciate a risk-based approach to school’s activities and other areas, any risk identified must be assessed based on context and its own merits, such as health and safety, but not be contrasted with different risk categories and consolidated at central level. With such approach, significant risks on health and safety risks being overlooked and disregarded although it may be a major concern at local level. All risks have both probability and impact, and in daily life defined as “the possibility of something bad happening”. However, in spite of meaning completely different things depending on the area assessed, such as financial risks arising from financial procedures and budget allocation, or fraud risks or reputational risks further as detailed in the on risk management approved by the Board of Governors, the European School’s non-stringent approach to risks is itself a great risk.

At school, stressful event is common in educational settings in “normal times“ with a multitude of exams, evaluations and deadlines creates an enormous pressure to perform which may negatively impact on learning and memory processes. Beyond their relevance in educational contexts, stress-induced alterations in learning and memory are thought to contribute to complex stress-related disorders. The Covid-19 pandemic situation makes it even more difficult to provide a proper atmosphere for learning as school is facing extraordinary challenges. Additional weight is put on both pupils and teachers dealing on the one hand with fear concerning the disease, e.g. themselves or relatives becoming seriously ill, on the other hand the educational setting with many restrictions.

European Schools need to get away from semi-structured plans and programs, inadequate guidance and follow-ups, and ad hoc mentality. Without finger-pointing, Parents that would like school to assure it is set to deliver and perform well on health and wellbeing, safety and security matters of essential concern.

## Proposed solutions

With the objective to ensure the health and wellbeing, safety and security of our children at school, and to support and foster a prevention culture and good management practices at school, INTERPARENTS would like to ensure minimum standards on safety and wellbeing conditions at European School by:

- Receive an official documented position by OSGES that host country regulation applies to occupational health and safety matters for children in all European Schools securing legal protection, support structures and legal recourse in agreement with the hosting countries;
- Request that the responsibility of host countries for budget and other means for infrastructural and other non-pedagogical matters and verified in agreement with the host countries, ensuring resources for the fulfillment of legal compliance in accordance with host country regulation and other requirements and policies on health and safety for pupils and staff at European Schools;
- Reconfirm the duty of the employer to ensure the safety and health of pupils and staff in every aspect related to the school, as well as the full application of the responsibility by implementing measures necessary for the safety and health protection, including prevention of risks and provision of information and training, and provision of the necessary organization and means;
- Request the child protection policy is in place at every school given this issue dates back to 2007.

## E. STUDENT WELL-BEING AT THE EUROPEAN SCHOOLS

### Problem description

The whole area of pastoral care and measures in place to protect and support the mental health and well-being of students has been sorely lacking in the European School system for many years. The results of well-being surveys conducted at some of the schools have confirmed this lack of care as has a recent exposé published in Fall 2020 detailing the increasing incidents of student suicide, drug abuse, growing social tensions, and physical assaults and bullying, many of which are left unaddressed or barely addressed due to the absence of adequate student support structures and services at the schools (see: <https://www.neweurope.eu/article/a-mental-health-crisis-in-the-european-schools-community/>). For example, the number of psychologists currently employed at most of the European Schools is gravely disproportionate to the large, and in many host countries, rapidly increasing population of students that they are expected to serve. Right now, students seeking mental health support must generally wait considerable periods of time before they can be seen. Meanwhile, teachers and educational advisors do what they can and are involved in important initiatives such as LGBTQ+ Support Groups, Peer Mediation, and KIVA, but they are often limited to what extracurricular work they can do outside of their already long workdays. The Covid-19 pandemic has in turn also had a major negative impact on the well-being of many students this year and further exposed the inadequacy of the mental health and well-being services currently available to students at the European Schools.

### Possible solutions

On the one hand, the European Schools lack (1) *an adequate number of trained staff* capable of meeting the mental health and well-being needs of students on a continuous basis. However, since this is a long-term, structural, and even ideological issue, simply hiring more psychologists or other trained support staff will largely fail to meet the mental health and well-being needs of students, if this is not also accompanied by (2) *a Whole School Approach to student well-being* that involves **(a) all of the stakeholders in the schools** (students, Direction, teachers, staff, families, the surrounding community), **(b) is built on the understanding that schools must also work to develop the non-cognitive, socio-emotional skills of students** (e.g. empathy, creativity, resilience, self-awareness, etc.), and **(c) operates according to a clear multi-annual student well-being plan that embeds well-being and socio-emotional skills development within the daily practices and curriculum of the European Schools** (Article 1.4 of the existing ES Child Protection policy foresees this possibility, for example). The following areas ought thus to be urgently considered in the formulation of a Whole School Approach on Student Well-Being:

- The need for systemic, top-down support, including adjustments to the budget, to address student well-being issues;
- The adoption of a transversal approach. There is currently a serious disconnect between many European Schools and their host countries, which has meant that our schools do not benefit from the well-being expertise and youth social/care services available to national public schools (for example, the PMS & CLB youth services organizations in Brussels). There is also a disconnect with other institutions within the EU doing important and relevant policy development work on education and SEE, for example the DG EAC;
- The need for additional support staff, not just teachers, to achieve lower student-teacher/adult ratios in many of the European Schools;
- Reorient the job duties of Educational Advisors towards student support services (away from administration);
- The introduction of **student-led forms of participation around well-being, such as peer-to-peer counseling and** peer-to-peer mediation around areas such as harassment and bullying and restorative justice;
- Integration of socioemotional skills into the multi-annual plans of all European Schools using a whole-school approach. It should be very clear how “well-being” is defined and how the school intends to promote and implement SEE policy at the instructional, contextual and organisational levels;
- The LRT/Seconded Teacher divide is hurting teachers and students alike. Due to the schools’ legal status as an international entity, there is a lack of oversight and not all labour rights are afforded to all teachers in the system. This disempowers and discourages many teachers from assuming much-needed pastoral roles in the ES high-stress, high-demand system;
- The professional development of school leaders is also important, to ensure they will be able to inspire, guide and support their staff in the effective delivery of SEE in their school;
- Continuous education and training for parents around the importance of prioritising their children’s well-being and socioemotional skills at school and the ways in which parents can play an active part in helping their children develop and refine these non-cognitive skills;
- Fostering student well-being will always require both universal and targeted interventions that draw on internal as well as external stakeholders and support, depending on the issue and level of need. Schools must therefore strive to make provisions for the adequate support of all students at all levels of risk as well as those students with chronic and complex social and emotional needs;
- More focus on well-being and identity issues in relationship to the realities of Third Culture Kids (TCK) in the European Schools;
- Fostering student well-being/SEE will require regular, sustained well-being interventions, both universal and targeted. As such, well-being and SEE should be made part of the Ethics & Religion curriculum, which continues to lack sufficient purpose in the curriculum;

- The introduction of a yearly Well-Being Survey at the school and/or system level to give a quantitative and qualitative picture of students' current socioemotional needs and concerns. Currently, most of the schools do not do surveys on mental health, or track incidents such as drug abuse, bullying, etc. This makes it difficult to see where the issues are and whether policies are effective or not;
- The introduction of "E-mental health" services (e.g. a school-based or system-wide crisis text/chat service that provides free, 24/7 crisis support for students dealing with suicidal thoughts, self-harm, eating disorders, etc.).

## F. EDUCATIONAL SUPPORT AT THE EUROPEAN SCHOOLS

### Issue at stake

Educational Support is an area which the system of the European Schools is trying to enhance in order to ensure a more inclusive environment, especially when dealing with pupils having relevant learning disabilities impacting their education.

In particular, weaknesses in schools arrangements came particularly to light in 2018 when – among others – the Human Rights Watch denounced that children with disabilities at the European Schools continued to be rejected, pressured into changing schools, or not provided with appropriate accommodations and support to allow them to learn and thrive in an inclusive environment. In this context, it was particularly highlighted the lack of compliance with the United Nations Convention on the Rights of Persons with Disabilities (CRPD) the European Schools should adhere to.

Afterwards, upon request, the Board of Governors has approved a comprehensive action plan (<https://www.eurisc.eu/Documents/2018-12-D-34-en-5.pdf>) with several actions to be implemented over the following years in order to fill-in all the relevant gaps in terms of available resources dealing with students with learning disabilities, their qualification and training, accessibility, adaptability of curricula and exams, compensating measures, personalized support etc<sup>1</sup>.

A progressive implementation of the requested actions has started since then; among others it worth mentioning the appointment of a central coordinator in the area of the educational support at the office of the Secretary General and improvements in the Educational Support Policy and procedures (<https://www.eurisc.eu/en/European-Schools/studies/educational-support>). Yet many actions have not yet completed and an overview in terms of effective implementation of measures put in place so far is lacking.

Overall, despite steps gradually undertaken to build a more appropriate framework towards inclusiveness, the level of adequate support to students with learning disabilities is still depending on a case-by case scenario determined by competencies, willingness and attitude of teachers and local schools to help. Schools continue lacking proper and full-inclusive tools, resources and adaptations during the school year and at the final exams, which could trigger considerations from parents about a better option that their children leave the European school before final exams. The offer of proper IT tools and broad digitalization as well as other tailored accommodations is not at the right speed and much more dependent on sometimes complex procedural steps.

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<sup>1</sup> In response to the recommendations issued to the EU by the UNCRPD Committee in 2015, the European Schools System (the ESS) established a sub-Working Group "UN Convention" which has developed such Action Plan.

## Possible Solutions

Going forward, an effective and timely implementation of all the measures included in the action plan (including the ones which have recently started as proposals , such as development of ad-hoc Policies and Guidelines to hire qualified staff, minimum ratio of allocation of time for Educational Support coordinators, improvements related to educational support assistants, Educational Support Training Policy etc.) should ensure - in a long-term horizon - a more inclusive environment of the European Schools<sup>2</sup>.

Yet the System of the European schools should invest much more and with increased speed in:

- Increasing awareness of educational support matters and inclusiveness at each school by involving all the stakeholders (e.g. teachers, school staff, educational support coordinators, students, parents);
- Better monitoring and more properly measuring the effective implementation of minimum standards at each school based on tailored identifications of gaps (e.g. in terms of specific learning disabilities to be supported, such as dysgraphia, dyslexia, gifted children, autism, dyspraxia, dyscalculia etc.);
- Keeping the educational support as priority in each school (e.g. via inclusion of tailored and implementable actions within schools pedagogical plans), including financial implications;
- Ensure an adequate number of trained and experienced staff capable of meeting the educational support needs and their well-being on a continuous basis.
- Remove barriers, where existing (also when potentially depending on local regulations); especially to early identify special needs of children, ensure fair adaptations of curricula and conclusion of the entire school cycle, including exams.

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<sup>2</sup> Moving to this direction, recently (March 3<sup>rd</sup> 2021) the Commission adopted its new Strategy for the Rights of Persons with Disabilities 2021-2030 [https://ec.europa.eu/commission/presscorner/detail/en/ip\\_21\\_810](https://ec.europa.eu/commission/presscorner/detail/en/ip_21_810). In particular, it is said that *the Commission will: (...) as a member of the Board of Governors of the **European Schools**, support increased efforts to implement **the Action Plan Educational Support and Inclusive Education** .... Furthermore, the Commission **calls on Member States:** to support the development of **inclusive schools** that can become a reference in inclusive and innovative teaching and learning across the EU along the objectives of the European Education Area and the Digital Education Action Plan; to ensure that their education systems at all levels comply with the UNCRPD to advance on **supported learning in inclusive mainstream settings**, as announced in the Communication on the European Education Area; to support the implementation of Article 24 UNCRPD in the **European Schools**.*

## G. CHALLENGES FACED BY STUDENTS WITHOUT A LANGUAGE SECTION (SWALS)

### Background

SWALS are Students Without a Language Section corresponding to their mother tongue/dominant language as they are too few to meet European Schools' quantitative criteria to open the section at given school (Reference 1). These students normally enrol in the English, French or German-speaking sections (vehicular sections) or in the language section of the host country in the European Schools located in Italy, Spain or in the Netherlands. They are entitled to tuition in their mother tongue/dominant language (Language 1), while an important number of subjects is taught in the language of the section that they join, which becomes their second language (Language 2) when this corresponds to a vehicular language.

In September 2019, 3107 (11 %) students of traditional European schools were SWALS. Their share ranged from 4 to 30% of student population per school and was higher in the schools outside Brussels and Luxembourg. Each of 13 European schools had SWALS. Language 1 tuition for SWALS was provided in 20 different EU languages (Reference 2).

The mission of the European Schools is to provide a multilingual and multicultural education of high quality from nursery level to the Baccalaureate, with the primary importance of mother tongue/dominant language. Continued improvement in competence in the dominant language is conducive to the learning of other languages and leads to better academic progress in other subjects. **This is the main reason why the European Schools offer part of the education in the dominant language of the students, as competence in all the other languages they have in their curriculum is built on the dominant language** (Reference 3). In addition to that, the mother tongue/dominant language is also the basis of the individual's culture/traditions/national belonging, which should be constantly nurtured.

The European Parliament 2011 Resolution on European Schools encouraged the creation, once the quota of students is reached, of new language sections so the SWALS can be educated in their mother tongue and there is no discrimination with regard to students from other language sections (Reference 4). The number of language sections has indeed increased following the two most recent EU enlargements. However, in the case of some languages/school sites, the number of pupils probably will never reach the "critical mass". This leads to a large and increasing number of pupils (and EU languages) without the corresponding language section.

SWALS are a diverse group, with some of them spending their whole education in the European Schools and others joining later and/or only for a few years. SWALS, in particular those joining the school later, may need language educational support to be able to follow the curriculum and its provision has been improved.



## **SWALS issues that haven't been sufficiently dealt with:**

### **1) Limited exposure to SWALS dominant language makes it difficult for students to fully develop it with negative consequences for their overall learning and academic progress in other subjects that are built on the dominant language**

- The school curriculum assigns too few periods and subjects to the study of the SWALS dominant language. Language 1 is the only subject SWALS have in their dominant language (around 5 periods a week). Their peers in the language section have more subjects and periods in their dominant language (e.g. in the first level of secondary this amounts to 5 subjects/ 18 periods). Yet, they all take European Baccalaureate in their first language at the end of their schooling, where Language 1 has 30 % weight in the final exam;
- Decision of the Board of Governors to reduce the number of periods or to vertically group classes of different levels if the number of students is below threshold (Reference 5) goes against the Language policy principles that protection of the Language 1 of SWALS pupils is „a priority in order to counter-balance the effect of the multilingual environment and the lack of use of the dominant language in most of the subjects.” SWALS do not have a language section precisely because there are too few of them. The system further punishes them with taking away the precious few hours of Language 1 with detrimental pedagogical impacts on students.

### **2) Organisation of Language 2 (section language) in secondary, inadequate for SWALS level**

- The issue with organisation of L2 is linked to the SWALS' intensive exposure to and use of the language of their sections in particular for SWALS who spend their whole education in the European Schools. Over time, the section language becomes more of an additional dominant language rather than a “second” language;
- While the SWALS are fully immersed in their language section during primary, in secondary they are separated from their section and placed in mixed Language 2 classes with non-SWALS students coming from other sections. The consequence of this is that the learning objectives of Language 2 become neither sufficiently challenging nor motivating enough to develop the language competences that SWALS need for other subjects, including mathematics and science, which they study with students in their respective section. Students who are not adequately challenged tend to become bored and do not engage with the learning process;
- Not enough has been done for students who have reached the required level of proficiency (e.g. level B2 in secondary 5, or level C1 in secondary 7) earlier than their peers. The Language policy (Reference 3) acknowledged that SWALS needs are different, but stopped short in providing guidance and support to the schools to cater for them. The analysis carried out by an EEB1 teacher recognized that the learning needs of bilingual students, including SWALS, are fundamentally different from those of foreign language learners and they should ideally be taught in a separate group (Reference 6);

- The European School Rules oblige the schools to take into account students' differing abilities. Some European Schools organise separate groups for bilingual/high proficient students ("bilingual" classes) to facilitate teaching and appropriate learning for all students, while taking account of categorically different learning needs. Others are using enrichment, where students attend enrichment classes with more advanced lessons few times a week instead of their regular L2 classes. In some schools, students are allowed to attend the classes of the section with their peers. Many schools do not do anything.

The SWALS system was introduced as a hasty temporary solution twenty years ago. Even after repeated parents' requests for a revision, the system hasn't been improved, the approaches vary across the schools and some decisions made it even more precarious, such as the Decision on the organisation of studies. A considerable number of parents no longer wish to enrol their children in the European Schools as SWALS, which deprives children from the possibility to learn their mother tongue.

The call of the European Parliament that SWALS should not be penalised in any way because they do not have a language section hasn't been fully accommodated. SWALS face double disadvantage as they are not able to fully develop the language potential of their Language 1 (insufficient exposure to the language) nor Language 2 (neither sufficiently challenging nor motivating given the SWALS faster progression in competence in Language 2 compared to other students).

#### **Proposed action points:**

To fulfil the European Schools' mission to provide a multilingual and multicultural education of high quality from nursery level to the Baccalaureate; to ensure, that SWALS are not penalised or disadvantaged in any way owing to the fact that they do not have a language section and to better address students' learning needs, the European Schools' system is called to:

#### **Immediately:**

- Ensure that SWALS are guaranteed the full number of periods of their Language 1 and that the rules on the reduction of periods or vertical grouping do not apply for them;
- Complement Language policy with guidance to promote and support the differentiation of Language 2 teaching including the setting of "bilingual" classes that use the same approach to teaching as it is done for the dominant language. The European School System already allows the differentiation of L2 in upper secondary classes (S6 and S7) and this could be extended to lower secondary levels and to primary.

#### **In short- to medium-term**

- Increase the exposure of SWALS to their Language 1 (e.g. building on the "other national language" approach);
- Start a pilot project that allows SWALS with the necessary linguistic competence at primary and secondary level to follow the classes of the language section (Language 2 for SWALS) with their section peers;

- Carry out an in-depth and comprehensive analysis of the SWALS system and make necessary changes.

## Reference

- 1) Criteria for the setting up, closure or maintenance of European Schools (2015-04-D-18-en-1), <https://www.eursec.eu/BasicTexts/2015-04-D-18-en-1.pdf>
- 2) Facts and figures on the beginning of the 2019- 2020 school year in the European Schools, (2019-10-D-32-en-2), <https://www.eursec.eu/Documents/2019-10-D-32-en-2.pdf>
- 3) Language Policy of the European Schools (2019-01-D-35-en-2), <https://www.eursec.eu/BasicTexts/2019-01-D-35-en-2.pdf>
- 4) European Parliament resolution of 27 September 2011 on the European Schools system (2011/2036(INI)), [https://www.europarl.europa.eu/doceo/document/TA-7-2011-0402\\_EN.html](https://www.europarl.europa.eu/doceo/document/TA-7-2011-0402_EN.html)
- 5) Revision of the Decisions of the Board of Governors concerning the organisation of studies and courses in the European Schools (2019-04-D-13-en-2), <https://www.eursec.eu/BasicTexts/2019-04-D-13-en-2.pdf>
- 6) EEB1 Apeee: L2 bilingual classes <http://www.uccleparents.org/apeee/prises-deposition/classes-bilingues-l2/?lang=en>
- 7) Varese parent representatives' letter to the European Parliament President, Mr Sassoli 13/05/2020

## H. SUSTAINABILITY AND THE EUROPEAN SCHOOLS

In 2020 the UN declared there were 12 years left to address the climate crisis, change course and keep global warming within 1.5%. There are now 11. We need to educate this generation of change makers to embody the change we need to see.

The European Schools have an opportunity to be at the heart of Europe's sustainable transformation by putting sustainable education and leadership at the heart of their operations.

25 years ago the Commission created the Eco-Schools framework, which outlines a 7-step process whereby schools can meaningfully implement the Environmental, Social and Economic aims of the UN Sustainable Development Goals. The JTC has approved an exploration of the implementation of this strategy, subject to budgetary approval.

The parents would recommend that a fully qualified Sustainability Manager is employed or contracted to support our directors in implementing strategies in each school. The Eco-schools offer an excellent framework, but it will take sustained, focused leadership and a multi-stakeholder approach to keep us on target, and shift stakeholder focus towards key areas.

In Varese, the director has access to a parent-professional, and has set up an eco-committee which is working on a benchmarking audit. But it is not yet clear if other Directors intend to follow in this direction, or if sustainability will be left within in four walls of the classroom.

Will there be opportunities to match curriculum content to real-world work – and to genuinely involved other stakeholders? When our physics department students work to calculate carbon emissions before and after installation of solar panels, will practical learnings be presented and shared as an educational opportunity for the whole community? Will sustainable investment and financial literacy be on the programme? Are we open to making new kinds of partnerships, such as with the WWF, to support the rewilding work that urgently needs doing?

A shift in mindset is urgently needed, with education around diversity and the creation of inclusive environments within our schools becoming a matter of necessity. As a society we need the kind of radical thinking that diverse and inclusive communities produce - our children's differences need to be *actively celebrated* so they are inspired to leverage their differences for future success. Teacher training should as a necessity include teaching for diverse needs.

By harnessing the energy and cooperation of all stakeholders under the banner of sustainability, the European Schools could lead the change that we are all committed to seeing. We could produce leaders able to translate classroom learning into concrete action, becoming the change-makers who will take us into the zero carbon future we need.

## Addendum

- Example of a tension in the system which cannot be addressed without multi-stakeholder action:

### Short food chains.

- What foods can we produce onsite or buy locally?
  - How closely do the canteens work with students and parents to share knowledge on food sustainability?
  - Have we made use of local Green Deal initiatives to retrofit and future-proof our canteens and buildings?
  - How are we dealing with our waste and are we showing the circular economy in action?
  - What are we doing to eliminate single use plastics across the whole-school food supply chain?
  - What external businesses or organisations can help us achieve our goals?
  - How do we maintain and celebrate our partnerships, and measure our contribution to the sustainability goals of our local community?
  - How do these concrete actions link back into the cross-curricular classroom?
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- The order of action recommended by the Eco-Schools Framework

### The Seven-Steps – *in an iterative process*

- 1) Create an eco-committee of all stakeholders
  - 2) The committee carries out an environmental review
  - 3) The committee prepares a SMART action plan
  - 4) Link the curriculum with sustainability actions needed
  - 5) Informing and involving
  - 6) Monitor and Evaluate actions.
  - 7) Create an eco-code for the whole community to share
- 
- If the [circular economy](#) ([doughnut economics](#)) is going to take hold, a reduction in waste and pollution is a priority. Waste management needs to be tackled [by design](#). Resources need to be directed towards prioritizing education on circular thinking and waste management if we are going to reach our goals.