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Framework for the Enrolment of Ukrainian Pupils in the European Schools in the 2022/23 School Year

Approved by the Board of Governors by means of the Written Procedure N°2022/23
on 31 May 2022

I. Background

By Written Procedure 2022/10, the Board of Governors approved a proposal for a temporary admission of Ukrainian pupils in the European Schools until the end of the 2021/22 school year. The conditions and the scope of this temporary admission are illustrated in document 2022-03-D-5-en-2.

In the meantime, all 13 traditional schools have admitted Ukrainian pupils (see overview on the current situation in annex 1 of this document). In addition, also Accredited European Schools (AES) have admitted Ukrainian pupils on a temporary basis in line with national regulations and procedures applicable to them.

Besides this ad-hoc admission until the end of the current school year, the Board of Governors also addressed a potential enrolment of Ukrainian pupils for the coming 2022/23 school year.

More concretely, the Board of Governors mandated *“the Office of the Secretary-General to set up an ad-hoc working group to develop a concept of a potential temporary enrolment of displaced pupils from Ukraine in the 2022/23 school year which needs to be forwarded to the Budgetary Committee and the Board of Governors for approval.”*¹

Based on this decision, the Office of the Secretary-General of the European Schools provided the Board of Governors with a detailed proposal on

- the composition of the ad-hoc working group,
- its timelines and
- a further precision of the scope of the mandate of the ad-hoc working group².

At its meeting on 6 to 8 April 2022, the Board of Governors unanimously approved this proposal and expressed its support to elaborate the conditions for a continuation of the schooling of Ukrainian pupils in the 2022/23 school year. In this respect, the members of the Board expressed that future decisions should be in the best interest of the pupils concerned.

1. Composition of the ad-hoc working group

The Board of Governors agreed on the following composition of the ad-hoc working group:

- Secretary-General of the ES
- Deputy Secretary-General of the ES

¹ See document 2022-03-D-5-en-2.

² See document 2022-03-D-26-en-1.

- Head of Unit Pedagogical Development
- One Inspector Nursery/Primary Cycle
- One Inspector Secondary Cycle
- One Director
- One Director Nursery/Primary Cycle
- One Director Secondary Cycle
- Two Representatives of the EU COM
- One Representative of Interparents
- One Representative of the Directors of the AES

The Board agreed that additional experts linked to aspects of educational support as well as representatives of the hosting Member States may be invited.

2. Timeline

The ad-hoc working group is supposed to start its work immediately after the meeting of the Board of Governors and to provide the Budgetary Committee and the Board of Governors with its proposals by mid-June 2022 at the latest by written procedure. Any earlier decision will be most welcomed, as this would be in the interest of the concerned pupils and their parents, but also in the interest of the schools.

A consultation of the Joint Board of Inspectors and the joint Teaching Committee will depend on the concrete proposals.

Furthermore, it was agreed that the ad-hoc working group will report to the Board of Inspectors and the Joint Teaching Committee in October, to the Budgetary Committee in November and to the Board of Governors in December 2022.

3. Scope

According to the approved mandate, the ad-hoc working group will have to provide - by taking in consideration the development of the war in Ukraine and the refugee situation in the different Member States hosting a European School - proposals about how to support Ukrainian pupils in the coming school year 2022/23.

In this context, the ad-hoc working group will have to take in consideration the limitations of the European School system and the limited resources of individual schools.

Finally, the ad-hoc working group should also elaborate a potential cooperation with the national school systems of the hosting Member States including ways to ensure a smooth transfer of currently admitted pupils to national schools, wherever this would be in the best interest of the pupils concerned.

4. Meeting of the ad-hoc Working Group

The ad-hoc Working Group met on 26 April 2022 and discussed a first draft³ of a framework for the enrolment of Ukrainian pupils in the 2022/23 school year. For this meeting, also Head of European Baccalaureate Unit was invited as an expert.

In their discussions, the members of the ad-hoc working group took in consideration the experiences already gained with the admission of Ukrainian pupils in the European Schools including the Accredited European Schools.

Based on these discussions, the first draft was reviewed and subject to further consultation of the members of the ad-hoc working group by written procedure.

The 'Framework for the enrolment of Ukrainian pupils in the 2022/23 school year' illustrated in the following chapter of this document found the support of all members of the ad-hoc working group.

II. Proposal for a 'Framework for the enrolment of Ukrainian pupils in the 2022/23 school year'

1. Fundamental understanding

The temporary admission of Ukrainian pupils in the European Schools in the 2021/22 school year is seen as an act of humanity and solidarity with the displaced Ukrainian pupils and their families, who suffer from war in their home country.

Independently of future developments in Ukraine, the members of the Board of Governors expressed in their meeting in April 2022 their strong wish that the European Schools should offer the possibility of enrolment of Ukrainian pupils in the 2022/23 school year and even beyond whenever this would be in the best interest of the pupils concerned.

This fundamental understanding forms the basis of this framework.

³ Document 2022-04-D-15-en-1.

2. Entitled pupils

Currently, in accordance with the decision of the Board of Governors⁴, the following categories of ‘displaced Ukrainian children’ can be **temporarily admitted** at the European Schools present in sites with a relatively large number of EU officials’ families (ex. Brussels, Luxembourg):

- displaced Ukrainian children of local agents of EU representations from Ukraine,
- displaced Ukrainian children hosted by EU officials or other agents of the EU,
- displaced Ukrainian children hosted by staff members of the European Schools.

Moreover, in the European Schools with a relatively low number of pupils, also other displaced Ukrainian children may be admitted, subject to a decision of the school’s Director and available resources.

In this context it is worth to mention that the term ‘displaced Ukrainian pupils’ needs to be read in accordance with Article 2 of the Council Implementing decision ((EU) 2022/382) of 4 March 2022 introducing temporary protection due to the mass influx of persons fleeing Ukraine as a consequence of the war (see the wording of Article 2 of the Council decision in annex 2 of this document).

For the 2022/23 school year, it is proposed to maintain this pre-defined scope of potentially entitled pupils and to maintain some room for discretion to Directors of schools with a relative low number of pupils.

However, there is also a common understanding that a link to a hosting EU Official or other agents of the EU or a link to a hosting staff member of the European Schools is a condition for the initial admission in the current and the 2022/23 school year, but not for the continuation of enrolment in line with this framework.

3. Conditions for the enrolment

a) Class size

With respect to the temporary admission, it was decided that the admission “*may never lead to a split of classes*”.

This general principle will also be maintained for the enrolment in the 2022/23 school year and beyond.

In case, an enrolment will not be possible, the school management shall endeavour with other European Schools’ Directors to find a place in another European School. In this

⁴ Written Procedure 2022/10.

respect also the Directors of the Accredited European Schools should be consulted. Moreover, the school management may liaise with the management of local schools.

In any case, as a matter of exception, the schools are encouraged not to refuse enrolments, but to seek for the exceptional approval of the Administration Board in cases where the maximum class size would be exceeded. In such cases, the school management will take compensatory measures to minimize the impact on the teaching and learning of all pupils concerned.

In this context it also needs to be noted that the enrolment of Ukrainian pupils may lead in rather exceptional cases to the creation of additional courses.

b) School fees

Currently, temporarily admitted Ukrainian pupils are exempted from all school fees charged to category II and category III pupils.

Also, this principle will be maintained for the enrolment in the 2022/23 school year. A further exemption from the school fees as of the 2023/24 school year will be subject to the envisaged review of this framework for the enrolment of Ukrainian pupils.

c) Access to educational support and other individual support

Displaced Ukrainian pupils at the European Schools shall have – like all pupils – access to educational support and inclusive education. Their individual needs should be assessed as soon as possible to prepare the necessary support also in the coming school year 2022/23.

Moreover, some of these pupils may need pastoral care which should be provided by the “care teams” within the schools. In addition, the schools may liaise in this context with local services and resources provided at the place where the school is located.

d) Provision of Ukrainian language

As of the 2022/23 school year, the provision of Ukrainian language should be foreseen for Ukrainian pupils.

However, the provision of Ukrainian language will be foreseen in complementary lessons like for other pupils whose dominant language might not be one of the languages taught in the European Schools.

The creation of Ukrainian Language sections or SWALS arrangements are not foreseen.

To offer complementary lessons in Ukrainian language either in situ or by means of distance teaching and learning, the schools may

- liaise with Ukrainian institutions offering education to displaced Ukrainian pupils,
- liaise with national schools and other local authorities,
- liaise with other European Schools including Accredited European Schools.

In this context, the schools may also recruit on a temporary basis locally recruited teachers or assistants with the required language skills and pedagogical qualifications.

Moreover, Member States are invited to second teachers with the necessary language skills and pedagogical qualifications.

e) Maintaining the link to the Ukrainian national education system

Despite the war, the Ukrainian national education system is functioning. Many schools and their teachers offer distance teaching and learning to their pupils who may follow the teaching at the place where they have found shelter.

The European Schools are encouraged to develop links with Ukrainian schools and to support their Ukrainian pupils in this respect.

The concrete arrangements for each individual pupil will depend on his/her personal situation, the provision of teaching and learning of his/her (former) school and the mid-term perspective of the pupil and his family.

f) Assessment and European Baccalaureate

In principle, Ukrainian pupils enrolled in the European Schools in the 2022/23 school year will be subject to assessment as their peers.

Moreover, the rules linked to the European Baccalaureate will be applicable to these pupils, especially Article 2.2 of the document 2015-05-D-12-en-28.3 Arrangements for Implementing the Regulations for the European Baccalaureate (Applicable for the Year 2022 European Baccalaureate session) stating the following:

“Except for duly justified reasons, regular and consecutive attendance at classes, whether in situ or online as specified in Article 26a of the General Rules of the European Schools, in years 6 and 7 of the secondary cycle is a sine qua non condition to be admitted to the European Baccalaureate session. Pupils must have completed without interruption not less than the final two years of secondary education in a European School or in a School Accredited by the Board of Governors.”

This means in particular, that pupils who have been admitted in the second semester of the 2021/22 school year in the year s6 will be required to be enrolled in the coming school year in the year s6 again, in order to be eligible for the European Baccalaureate.

Finally, the Assessment Secondary Working Group will be mandated to explore potential needs to address the particular situation of Ukrainian pupils.

g) Access to extracurricular activities, canteen, and bus services

Ukrainian pupils should have access to extracurricular activities and to the canteen and bus services. This access should be – at least for the 2022/23 school year – free of charge.

The school, together with the parents' associations, will agree on the necessary arrangements at school level.

4. Budget

The temporary admission in the current 2021/22 school year will be covered by means within the approved budget 2022.

Also, the enrolment in the 2022/23 school year should be – in principle – covered by the approved budget 2022 and the approved budget 2023. However, additional financial means can be subject to an amending budget.

In this context, the schools are encouraged to closely cooperate with the national and local authorities of the hosting Member States and to explore possibilities to access national/local resources including access to language courses, provision of educational and psychological support, pastoral care, etc.

5. Enrolment at the Brussels European Schools

The enrolment policy for the Brussels European Schools in the 2022/23 school year is based on the 'Guidelines for the 2022-2023 Enrolment Policy' which were approved by the Board of Governors at its meeting in December 2021⁵.

The current admission of Ukrainian pupils in the 2021/22 school year and the enrolment of Ukrainian pupils in the 2022/23 school year within the 'Framework for the enrolment of Ukrainian pupils in the European Schools in the 2022/23 school year' might require amendments to the Enrolment Policy 2022/23. Any such potential amendment will be subject to a separate decision-making process in line with the rules and procedures of the European Schools.

⁵ See document 2021-11-D-27-en-1.

6. Accredited European Schools (AES)

Accredited European Schools (AES) admit Ukrainian pupils in line with the national policies and rules and procedures. Therefore, this framework does not apply to them.

However, the temporary enrolment of Ukrainian pupils at the AES will lead to an increase of the number of pupils in the AES.

According to the principle of 'cost-neutrality' of the AES, the contribution of each AES to the budget of the Office of the Secretary-General (OSG) is directly linked to the number of enrolled pupils in a given year.

However, in the context of the current humanitarian crisis and in order not to create any potential obstacle to the admission of Ukrainian pupils at the AES, it is proposed that the temporary enrolled Ukrainian pupils are not taken in consideration in the 2021/22 and 2022/23 school year for the calculation of the contribution of the AES to the OSG budget.

7. Review clause

This 'Framework for the enrolment of Ukrainian pupils at the European Schools in the 2022/23 school year' will be subject to a review during the 2022/23 school year to allow the Board of Governors to decide on potential modifications by April 2023 at the latest.

III. Budgetary Committee

The Budgetary Committee was consulted by means of the Written Procedure 2022/22 launched on 6 May 2022 and ended on 16 May 2022. The Budgetary Committee expressed a positive opinion on this document and on the proposals.

IV. Board of Governors

The Board of Governors approved the draft 'Framework for the enrolment of Ukrainian pupils in the European Schools in the 2022/23 school year' by means of the Written Procedure 2022/23 launched on 17 May 2022 and ended on 31 May 2022.

The ad-hoc working group will follow-up the decision of the Board of Governors and provide the schools with further guidance with respect to the enrolment of Ukrainian pupils within the approved framework.

Annex 1

Overview on the current admission of Ukrainian pupils in the European Schools on 27 April 2022

School	Total number of admitted Ukrainian pupils	Number of pupils linked to staff ⁶	Other pupils	Pending requests	remarks
Alicante	11	10	1	8	
Bergen	9	5	4	0	
BXL I	16	16	0	0	
BXL II	22	22	0	0	
BXL III	11	11	0	6	
BXL IV	21	19	2	2	
Mol	3	3	0	0	
LUX I	20	20	0	0	1 pupil in S 6
LUX II	12	12	0	0	all are cat. 1 pupils
FRF	13	11	2	4	
KAR	32	29	4	7	
MUN	40	37	3	2	4 pupils in S 6
VAR	12	7	5	4	
total					

⁶ Pupils linked to families of staff of the EU Institutions or the ES.

Council Implementing decision ((EU) 2022/382) of 4 March 2022 introducing temporary protection due to the mass influx of persons fleeing Ukraine as a consequence of the war

Article 2

The persons to whom the temporary protection applies

1. This Decision applies to the following categories of persons displaced from Ukraine on or after 24 February 2022, as a result of the military invasion by Russian armed forces that began on that date:
 - a) Ukrainian nationals residing in Ukraine before 24 February 2022;
 - b) stateless persons, and nationals of third countries other than Ukraine, who benefited from international protection or equivalent national protection in Ukraine before 24 February 2022; and,
 - c) family members of the persons referred to in points (a) and (b).
2. Member States shall apply either this Decision or adequate protection under their national law, in respect of stateless persons, and nationals of third countries other than Ukraine, who can prove that they were legally residing in Ukraine before 24 February 2022 on the basis of a valid permanent residence permit issued in accordance with Ukrainian law, and who are unable to return in safe and durable conditions to their country or region of origin.
3. In accordance with Article 7 of Directive 2001/55/EC, Member States may also apply this Decision to other persons, including to stateless persons and to nationals of third countries other than Ukraine, who were residing legally in Ukraine and who are unable to return in safe and durable conditions to their country or region of origin.
4. For the purposes of paragraph 1, point (c), the following persons shall be considered to be part of a family, in so far as the family was already present and residing in Ukraine before 24 February 2022:
 - a) the spouse of a person referred to in paragraph 1, point (a) or (b), or the unmarried partner in a stable relationship, where the legislation or practice of the Member State concerned treats unmarried couples in a way comparable to married couples under its national law relating to aliens;
 - b) the minor unmarried children of a person referred to in paragraph 1, point (a) or (b), or of his or her spouse, without distinction as to whether they were born in or out wedlock or adopted;
 - c) other close relatives who lived together as part of the family unit at the time of the circumstances surrounding the mass influx of displaced persons, and who were wholly or mainly dependent on a person referred to in paragraph 1, point (a) or (b) at the time.