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Reference

17787500

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Subject Intended relocation of the European School Bergen

Dear Sir, Madam,

You are directly involved with the European School in Bergen. With this letter, I'd like to inform you on the plans the Ministry of Education in the Netherlands has towards the housing of the school and the background of the conditions that have been set by the ministry.

Starting points

The Ministry of Education (OCW) has the intention to invest in new housing for the European School in Bergen (ESB). It is our aim that ESB will, in time, relocate to an alternative building situated in a more strategic location, where the European School will be better able to service its target student population, the children of the employees of the European institutions (category 1), but also to meet the expectations of students in categories 2 and 3.

The Minister of Primary and Secondary Education has instructed to search for an alternative location for the school, in order to position the school in such a way that it'll be able to attract more students. Also, the Minister established conditions for the search area to be investigated. It is our estimate that within these conditions the school is best able to operate in an efficient way.

In order to fulfil its priority mission of providing schooling for the children of staff members of the European institutions, a location will be sought within a 50km radius of the housing of both the Joint Research Centre (JRC) in Petten and the European Medicines Agency (EMA) in Amsterdam. The search area is further restricted to locations in walking vicinity of an Intercity train station with a direct connection to Amsterdam. A first orientation came up with three possible municipalities where a location may be found that fits the search conditions. The ministry is in contact with these municipalities to discuss the actual possibilities. The municipalities are Alkmaar, Castricum and Zaanstad.

In the annex, further information is provided on the how and why of these starting points.

Further decision making process

The starting points as established by the Minister are the first steps in the decision making process. At the Administrative Board meeting, 2 October 2019, the program manager for the housing of the European School has confirmed that the ministry is committed to an open and transparent decision making process. The school has indicated to be eager to accommodate the participation by making available the School Advisory Council (SAC), where all stakeholders of the school (representatives of staff and of pupils' parents) are represented. Below, you will find at which points in the decision making process either the SAC or the school will be given the opportunity to voice their opinion. In the annex, you'll be able to find more information.

As early as 2019, the ministry will ask the three municipalities to submit a proposition for the possible location of the European School, based on a predetermined assessment framework with requirements, ambitions and wishes regarding location choice. This also includes an, as objective as possible, multidisciplinary testing procedure. The requirements, ambitions and wishes to be set will be coordinated with the school in advance. The moment the request is sent to the municipalities, the SAC will receive a copy of both documents.

The propositions of the municipalities will first be tested to see whether they meet the requirements as set out in the request. The school will be given the opportunity to participate in the multidisciplinary assessment committee by representation, in addition to at least two advisers appointed by the ministry who are already involved in the process, namely the Central Government Real Estate Agency and ICS Adviseurs, a consultancy firm that specializes in school housing. The test serves to determine which propositions meet the set requirements and to what extent they meet the formulated wishes.

On the basis of the submitted propositions, the SAC is asked to indicate which considerations should be applied to these proposed locations. The propositions and subsequent concerns are assessed by the review committee and then weighted by the ministry, together with a location-bound student prognosis and a cost estimate. The ministry will then make a reasoned decision and express a preference for a location.

Once the Ministry has expressed a preference for a location, it will be submitted to the Board of Governors of the European Schools and a proposal will be developed for the adjustment of the seat agreement between the State and the Board. The Board will be asked to give mandate to the Secretary General to adjust the seat agreement once the school has relocated.

Only after approval from the BoG will the Minister take a final location decision and

conclude an agreement with the future municipality for the development of the new school building.

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The choice of location is not the end point of the decision-making process. Only after the choice of location is an investment decision made based on, among other things, a student prognosis, a Program of Requirements for the building, an investment budget and planning. The school is of course involved in the preparation of all relevant documentation that forms the basis of the investment decision.

The investment decision is the final part of the definition phase of the project. Then the design phase starts, until the project can be executed. In this phase too, the Ministry will actively involve the school as much as possible in all relevant steps to be taken.

Indicative planning

Although it is difficult to make definitive statements about the planning now, the ministry takes into account a lead time of approximately five to seven years before the school actually moves to the new location. This depends, among other things, on the period required to establish a definitive location and a Program of Requirements for the building and any planning procedures that may or may not be required at the future location. It is therefore expected that the school will be located at Molenweidtje in Bergen in the coming years.

It is in the interest of all involved to obtain clarity as quickly as possible about the future location of the school. The formal invitation will be sent to the three municipalities concerned this year to come forward with proposals. The current expectation is that it will not be clear before the summer of 2020 which location is preferred by the ministry.

After the location choice has been made, an investment decision will be prepared on the basis of further consultation, research and a set budget, on the basis of which the design and construction phase of the new school can be deployed. It is realistic to expect that a final investment decision will certainly take a year from now to be finalized and not be taken before the end of 2020.

Finally, it is good to emphasize that the final investment decision can only be made if agreement has been reached in the Board of Governors about the intended relocation. This agreement also depends on political decision-making.


Common interest

Relocating the European School Bergen may have a major impact on the people who have organized their lives around the school. The Ministry is well aware of this. In view of the expected completion time for the decision-making, preparation, construction and layout of the new school building, a substantial part of the current staff and students will have left the school before the move actually takes place.

Both current and future pupils, parents, teachers and staff benefit from the rapid clarity of the future of the school. Just like you, the pupils and the institutions, the ministry has an interest in a future-proof school, which can take a new step in European education at a suitable location. You are cordially invited to contribute to this goal.

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Sincerely,
The Minister for Primary and Secondary Education and Media,
On his behalf,



Ria Westendorp
Director of Primary Education

Annex. Explanation of the principles.

Structural research commissioned by the Ministry of Education, Culture and Science and carried out in 2018 shows that the proper operation of the school requires a substantial investment in the current building. This study also shows that new construction is a more attractive alternative.

New construction not in Bergen

However, this new housing will not be realized in the municipality of Bergen. The motivation for this choice is based on three points, all of which are related to the expected size and composition of the student population.

- The Ministry estimates that the school outside of Bergen will be better able to attract sufficient Category 1 pupils and to maintain a minimum of three language sections. This increases the chance that the school will continue to have a sustainable future existence, which is necessary to justify such a large investment;
- The ministry has established that the school can operate more efficiently at a location outside Bergen, where more Category 1 students can be drawn. The school has the opportunity to grow substantially outside of Bergen, particularly in the number of Category 1 students. As a result, the quality of education can be better guaranteed and the costs per student decrease;
- The European School is a facility that is primarily intended for Category 1 pupils and the only school facility in the Netherlands whose housing is funded nationally. Housing for all other non-private schools in the Netherlands is funded through the local government. A location where the percentage of Category 1 pupils is substantially higher is an important consideration for the national government to make an investment.

A relocation of the school can have major consequences for those directly involved and the decision about the future location must therefore be made carefully. For the Dutch State, two different assessment frameworks apply in particular to the decision to relocate the school. The first assessment framework concerns the statute of the European schools and the underlying documents, including the housing agreement. The second relevant framework concerns national education legislation for primary education.

The treaty organization of the European Schools has an extensive legal framework, arising from the Statute. However, relocation from one school to another location has never occurred.

The rules regarding the establishment of a Type 1 European School are laid down in the statute and underlying texts. Part of the relevant legal documents mentioned above is a set of criteria for opening, closing and maintaining European Schools.

Article 30 of the Convention on the Statute of the European Schools provides that the Board of Governors may negotiate with the government of the country in which a school has its seat any supplementary agreement in order to ensure that the school operates under the best possible conditions.

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In addition, a central principle of Dutch education legislation is that pupils in the Netherlands who enter compulsory education enter regular education funded by the government. Nevertheless, the rules for access to the European Schools are laid down by the Board of Governors, which is empowered to impose limits on the number of pupils in categories 2 and 3, in accordance with Art. 1 par. 2 of the Statute.

In the case of the European School, the national government provides an educational facility, where this is not done elsewhere in the Netherlands. Expenditure and investments at national level are effective if they benefit from obligations of the central government. This is the case here to the extent that the expenses go to the Category 1 students.

The historical development of the student population shows that the school at the current location has rarely had more than 51% Category 1 students and until recently even stagnated around 20%. Since the arrival of EMA in Amsterdam, this figure has risen to around 38%. This does not unleash the full potential of EMA students, a situation that according to EMA is mainly caused by the fact that the school is now further than 50 km from the final EMA location.

Based on the above, the ministry concludes that an investment in a school building in Bergen is not desirable. The school in Bergen will remain relatively small and will not attract enough Category 1 pupils, as a result of which the quality of education and long-term viability is uncertain and a relatively large part of the required investment will go to a different target group than the school is primarily intended for. The ministry cannot advise positively on an investment proposal for a new building in Bergen. Since the starting point for the Dutch government is to maintain the school, an alternative location for the school must be sought.

The search area

The European School in Bergen has traditionally been linked to the JRC in Petten, with the school being located in the vicinity of the JRC. Now that enforcement of the school in Bergen is out of the question, a new interpretation of the concept of proximity must be found. The Minister has given substance to this concept by linking up with the distance criterion that is included in the employment conditions of the employees of the institutions associated with the school.

The terms of employment include a strong incentive to enroll students at the European School, if it is within a 50 km radius of the relevant institution. In that case, no reimbursement is offered for the costs associated with the student's registration with a school other than the European School. If there is no European

School within the 50 km radius, the employees will receive a fee for registering their compulsory education pupils at a school of their choice.

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With the objective of obtaining more certainty about the number of Category 1 students at the new location, the above has led to the restriction of the search area to that area, which is within 50 km from both the JRC and the EMA. Only then can it be expected that in the long term a majority of students associated with both of the two institutions will enroll in the school. In addition, a location with a good public transport connection to the EMA is being specifically sought, given the expectation that a substantial part of the EMA employees will use public transport to go to their work location and will have no other option, given the restricted amount of parking space.

Decision-making in the Board of Governors (BoG)

When establishing a Type 1 European School, a seat is established in the Board of Governors after consultation with the Member State. In addition, an agreement is concluded between the BoG and the relevant Member State with regard to the provision of housing. The municipality where the school is located is specified in this agreement. The Member State undertakes to make housing available in such a way that the school can operate efficiently and meet the requirements set from the curriculum of European education.

According to art. 30 of the Statute of the European Schools , the procedure to be followed is the subject of discussion between the Ministry and the office of the Secretary General of the European Schools.

However, it is emphasized in various places that open and transparent decision-making should be the starting point for all decisions concerning the school.