



27 April 2011

Dear Mr Kivinen,

Thank you very much for your email dated 7<sup>th</sup> April 2011 regarding SEN at the European School of Varese (the "School").

We appreciate your time and effort in clarifying SEN issues. We have familiarized ourselves with the attached documents on the measures being taken to reduce the SEN budget and we see a number of practical difficulties and issues with the proposals. Consequently we are requesting further clarification on a number of the most urgent and acute matters. We would appreciate it if you could consider the points raised so that a fair solution could be arrived at for all parties.

### Therapies

Currently the documents do not clarify what constitutes 'therapy' nor do they tell us how to distinguish therapy from 'SEN teaching'.

*1. Could you kindly clarify and/or confirm our understanding of therapy and SEN hours as per the interpretations below.*

We interpret 'therapy' as expert support provided by qualified psychologists or medical staff. We understand that such therapy would include specialist treatment (an example could be cognitive behavioural therapy). We understand that typically such therapies are not provided by staff, or teachers of the school. You are proposing that such therapies shall be regulated by a tri-party agreement. Given it is proposed that parents are to bear the costs of such therapies, they would want to have greater involvement in the selection of specialists, type of therapies provided, administration of hours provided and invoicing of such service.

*2. Who will be in charge of administration as we forecast a great burden and potential cost in managing the provision of therapies.*

We understand 'SEN teaching' as the support provided during the lessons or school hours to students who learn at lower pace, need additional academic work to ensure they keep up progress in line with their peers. Such SEN hours are currently provided by staff members of the School, mainly teachers.

You have stated that 'the growth in the SEN budget had to be brought under control by defining strict criteria for expenditure on pupils' integration into teaching and excluding other expenditure on therapeutic provision, which should not be defrayable by the schools.'



*3. We understand that therapeutic provisions shall be excluded in the future while it has NOT been stipulated that the SEN hours shall be excluded in current and future SEN conventions. Please confirm our understanding is correct.*

The School is suggesting a cut to the SEN hours soon after the current Easter Holidays irrespective of the individual needs of the students.

*4. Do you believe this is correct approach and that your directions have been correctly interpreted by the School?*

The additional SEN support has been provided by the teachers from the relevant language sections. This is not only very beneficial to the students, but also relevant to their progress and contains expertise that is otherwise hard to find in Varese. The European School of Varese is a unique place with such expertise. It would be extremely difficult, or even impossible for the parents to find teachers with such expertise externally.

*5. Would you be supportive of teachers engaging directly with the parents? If not, what are the other solutions you propose?*

### SEN Budget

Thank you for prompting us in your letter to analyse SEN expenditure. Upon careful analysis of the figures provided for the SEN costs per pupil we agree it appears to exceed the averages from other schools. However, without having a detailed spreadsheet of costs listing all the expenditure that has been included per student in each of the schools overall, we are not able to conclude where the problem is.

We fully agree that the overall expenditure should be brought under control and therefore we believe an external audit would help in defining exactly how the SEN budget is being spent, and will compare and benchmark it to other schools (both in the member state countries as well as European School Institutions). Only then can recommendations on the best use of such budget be made without detriment to the students. This approach would ensure objective and independent expertise and could also provide valuable suggestions.

*6. Do you plan to launch such an external audit of SEN budget expenditures?*

Based on informal discussions with some of the parents of SEN students, we have concluded they receive approximately 2 to 8 hours per week per student. The average is typically 4 hours per week. We feel the expenditure per student per year does not match actual provided support. Perhaps there are greater overhead allocations and or large items not directly related to individual students that have been included in the average cost per student in Varese that are typically not included at the other schools. We feel that an external



independent audit is crucial in identifying the problem, its cause and making a fair comparison with other schools.

### Current SEN Contracts

There are currently a number of contracts signed and agreed between the School and the parents for the school year 2010/2011. The School proposes to make amendments to such contracts. These proposed changes are to be implemented irrespective of the actual needs of the children. Furthermore, we understand there are several cases where it has been confirmed that the child needs to continue with the support, yet it is being proposed SEN support is to be withdrawn or significantly limited. We also understand from parents that they do not give consent to changes involving a decrease of SEN hours when it has been clearly confirmed by external experts and teachers that children still need continuing support.

*7. Is the School aware of the potential risk of litigations, and risk to its reputation and that the additional costs that such litigation will bring to bear will substantially exceed any amounts that may be saved through a cut of SEN hours?*

You have stated that 'convention might be modified during the year depending on the progress of the SEN child in question'.

*8. Does it mean that the removal of SEN hours from a child that still needs them would be a misinterpretation of your directive and that the removal of SEN hours implies an incorrect approach by the School?*

We truly believe that any withdrawal of support two months before the school year ends brings very little financial benefit to the school and could be exceeded by greater financial risks. Furthermore, parents are not likely to be able to arrange any teaching support at such a late time in the school year which brings further dissatisfaction and a significant risk of litigations. We believe such removal of support is ill timed and to the greatest detriment of children with disabilities.

*9. Has the School considered any other options and discussed other possible solutions with parents before implementing the removal of SEN hours?*

You have confirmed in your reply that changes for Primary School SEN students will be implemented in the new school year 2011/2012.

*10. Are you in support of a similar approach for Secondary School SEN students? If not, why? What would be the rationale for such drastic steps and the different treatment of primary and secondary school pupils?*



You have used the terminology 'all new conventions that started in school year 2010-2011.

*11. Could you kindly clarify it further? What is exactly the criteria for 'new' convention versus 'old' convention.*

#### Future SEN contracts

Typically, SEN contracts and Advisory group meetings take place in April/May for the future school year. We are not aware of any such meetings, nor contracts being drawn.

*12. What would happen to SEN students from September 2011?*

In the past years, the knowledge of SEN hours prior to 1 September and beginning of new school year enabled SEN coordinators to allocate the support accordingly and appropriately. Furthermore, SEN children could be benefiting from support straight away.

*13. How will it be resolved in new academic year? Do you believe there might be a risk of no support to some groups due to potential staffing problems?*

#### Disability Insurance & Sickness Fund

You have assumed that most parents are covered by sickness insurance scheme covering learning disabilities. In fact, this is often NOT the case.

*14. What do you propose such parents shall do? What would be treatment of such children in the absence of sickness insurance scheme?*

You have mentioned there are currently discussions on a Sickness Fund.

*15. Could you please clarify what do you mean by Sickness Fund and who could be entitled to it?*

#### Issue of disability discrimination practices

The documents provided confirm European School has only 2.7% SEN students while the average across the state members countries is 5%. This clearly implies that SEN support is insufficient as it is below the average. Consequently, we are surprised that a European Union Institution actively implements further measures to decrease this average. We would expect the launch of an investigation to ensure it promotes best practices in its institutions and at least meets the averages. Such statistics imply that there are discriminatory practices in the European School and that cost cutting measures are focusing on the most vulnerable groups such as children with disabilities.



*16. Could you kindly clarify why there is a focus on the most vulnerable groups where the actual savings are doubtful? Is this European Union official policy to target such groups?*

#### Teachers' Training on learning disabilities

We truly believe and support the idea of raising greater awareness and providing teachers with appropriate training to ensure they are able to understand, early identify and handle appropriately children with learning disabilities. However, when we asked in September 2010 Mr Da Torre whether he has such plans for the training, he answered there are no such plans.

*17. Have you arrived at the tangible schedule of training focusing on learning disabilities for teachers of the European Schools in all major language sections? Does the budget have allocated amounts for in Service Training for Teachers related to learning disabilities?*

#### Creation of Dyslexia/Learning Disability friendly Environment at European School

We truly believe there are many solutions and actions that could be taken in order to create a dyslexia/ADHD/learning disability friendly environment at schools. Such actions could be beneficial to SEN children as well as other pupils at school. Many of these solutions are cost neutral or relatively small impact on the budget. We believe currently alternatives have not been sufficiently explored, nor the appropriate solutions proposed.

The introduction of SEN Program at the European Schools ten years ago has resulted in many successful stories of students with learning disabilities graduating, pursuing further academic studies and embarking on successful career path. If it was not for the successful SEN integration, these students would have to leave the school with the label of 'failure'. It would be a great shame if such beneficial program was to be removed and no alternative solutions explored (at least) and implemented.

We kindly ask for a meeting with yourself, Mme Christmann and the SEN inspectors at the earliest opportunity to explore the questions that we have collected from parents, the issues raised and to have an open dialogue that could be beneficial to all parties.

Best regards,

Luca Recalcati  
President  
On behalf of the Directive Council  
of the Parents Association European School Varese

-----Original Message-----

From: Associazione Genitori [mailto:parents.associati on@j rc. ec. europa. eu]  
Sent: 28 April 2011 21:49  
Subject: RE: SEN at European School of Varese

Dear Mr. Kivinen,

please find herewith enclosed the reply to your email dated 7th April.

Best regards

Luca Recalcati  
President  
On behalf of the Directive Council  
of the Parents Association European School Varese

-----Original Message-----

From: Kivinen Kari [mailto:kari.kivinen@eursc.org]  
Sent: giovedì 7 aprile 2011 15.38  
To: Associazione Genitori  
Subject: RE: SEN at European School of Varese

Dear Mr Recalcati,

Thank you for your letter concerning Special Education Needs teaching in the European School of Varese.

SEN MATTERS

The Board of Governors approved the budget 2011 in their meeting in April 2010 with three conditions. One of the conditions was that the growth in the SEN budget had to be brought under control by defining strict criteria for expenditure on pupils? integration into teaching and excluding other expenditure on therapeutic provision, which should not be defrayable by the schools.?

As a president of the SEN policy group I drafted a document which I presented to the Board of Governors meeting in December, 2010. The BoG once more requested concrete measures to reduce the costs pertaining to the integration of SEN pupils into the European Schools to be proposed to it for approval at its April 2011 meeting.

I attach to this mail the document which will be presented to the BoG next week. The SEN inspectors and SEN policy group have prepared also a SEN Vademecum to clarify the initial SEN document.

The objective of the tripartite agreement is to improve the SEN provision in the schools. Some SEN children need e.g. weekly language therapy sessions. The proposed solution would allow external therapists to work on the school premises and give therapy for the children with this type of needs. The specific tripartite agreement should be signed between the therapist, parents and the director of the school. The school?s role is confined to making a suitable room available to the pupil and to the professional whose services are to be used, to agreeing on a timetable, taking due account of class activities, and to providing coordination and monitoring through the SEN Advisory Group. Therapists provide services as self-employed persons and freely fix their fee rates with the parents, who pay the cost directly, without any contribution from the school (without prejudice to the right to reimbursement of the cost of these services from the sickness insurance scheme or sickness fund of which the parents are members). We are at this moment discussing the practical aspects of implementation of this new type of service.

The individual SEN conventions are made based on the confidential discussions in the Advisory Group meetings and they are signed by parents and the director. The School cannot inform any third party about the content of the SEN contracts.

The Admin Board of the School is annually informed about the SEN situation

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in the school. SEN inspectors draft an annual SEN statistics which is presented to the Joint Teaching Committee and to the Budgetary Committee. I attach this email the annual SEN statistics of 2010. I advice you to study the table concerning SEN costs per pupil.

The maximal length of the SEN convention is one year. Very often there are follow-up Advisory Group meetings in which the situation of the pupil is monitored and the initial convention is modified in the middle of the school year depending of the progress of the SEN Child in question.

According to the information I have received from primary SEN coordinator in Varese

- All NEW conventions started in the school year 2010-2011 will be reviewed at the end of the school year and agreed changes implemented in September (existing school procedure)

- No new conventions would be set up before September 2011. Existing LS would be remain in place until the end of the school year.

- SEN conventions which have been in existence for 2 years or more would be reviewed early ( March 2011) and the changes which were envisaged for September would be implemented as soon as the advisory group had met and the convention was approved. There have been 8 such meetings. Each case has been reviewed individually.

#### BUDGET MATTERS

In spite of the fact that the Board of Governors approved the budget 2011 in their meeting in April, 2011, the draft budget proposal of 2011 has been drastically cut twice after the meeting.

First of all the European Council and European Parliament did not agree about the draft budget of 2011. The Commission presented a new proposal for the 2011 budget during the conciliation procedure. The figure of the ES budget was reduced from 171 million euro to roughly 164 million euro.

Later on in December the European Court of Justice made a decision concerning the salary increase of 1,85 % for the European Civil Servants and European School teachers. The schools were obliged to make further cuttings in the 2011 Budget in order to be able to be ready to pay their statutory expenses. The written procedure concerning the Budget 2011 was finalised only last week.

As a conclusion, some schools were obliged to revise twice most of their budget lines in order to present a balanced budget for 2011. So the 11 % initial global increase of the SEN budget (situation April 2010) was also revised twice between April 2011 and March 2011.

Best wishes,  
Kari Kivinen

-----Original Message-----

From: Associazione Genitori

Sent: Montag, 4. April 2011 09:38

To: CHRISTMANN Renee

Cc: Kivinen Kari;

Subject: SEN at European School of Varese

Dear Mrs. Christmann,

In November 2010 we sent a letter to Mr. Da Torre, Director of the European School of Varese, requesting that he provide us some crucial information on the SEN review and proposed changes.

Furthermore, we have been informed that there will be potential immediate reduction of support hours to SEN students implemented starting in April 2011. The SEN contractual obligation had been made for the full 2010/2011 school year. We believe such approach, if implemented, is a potential breach of contract and constitutes discriminatory practice towards the most vulnerable SEN students. We believe discontinuation of support hours to SEN students two months before the end of school year is detrimental to the students' progress. Given that teachers are commissioned for the full school year, we do not believe this approach will deliver any cost savings. The criteria of SEN review and allocations are still unclear and arbitrary. We are very disappointed with the most recent approach, because we were reassured in various correspondence that budgetary cuts do not affect SEN students, and

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yet this sudden approach does.

We would like to emphasize that we are in opposition to budgetary cuts affecting the SEN group which we see as discriminatory practice, exclusion of students with learning difficulties/disabilities from the European School system, and detrimental to students themselves in the long term.

We trust you are able to provide us the needed answers (attached letter) and we very much look forward to open a dialogue on SEN issues.

Yours faithfully,

Luca Recalcati  
President  
On behalf of the Directive Council  
of the Parents Association European School Varese