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COMMISSION OF THE EUROPEAN COMMUNITIES

COM(75) 390 final

Brussels, 23 July 1975

PROPOSAL FOR A COUNCIL DIRECTIVE

ON THE EDUCATION OF THE CHILDREN OF MIGRANT WORKERS

(submitted by the Commission to the Council)

COM(75) 390 final

Report on the education of the children of migrant workers

1. In the seven host countries of the Community the number of migrant workers' children attending school is as follows (for school years 1972/73 to 1974/75, according to the case):

(x 1 000)	<u>Germany</u>	<u>France</u>	<u>United Kingdom</u> **	<u>Belgium</u>	<u>Netherlands</u>	<u>Luxembourg</u>	<u>Denmark</u>	<u>Total</u>
Pre-school education	2.7	183.3		32.6		2.2		220.8
Level I	149.1	369.8	(45)*	95.8	11.4	7.7	(1.5)	(680.3)
Level II	111.5	156.0	(45)*	63.8	(4.3)	2.9	(1.5)	(390.0)
								1 291.1

The number of migrant workers employed in 1973 was 6 244 000 for the whole of the Community, broken down as follows for the seven host countries:

(x 1 000)	2 345.1	1 770.0	1 665.0	220.0	122.1	40.0	35.5
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2. The most difficult of the obstacles which migrant workers' children have to overcome is that of the language of the host country.

Very many migrant workers' children suffer from a linguistic handicap which prevents them from obtaining normal results at school. Children who have already attended school in their own country have great difficulty in integrating into classes of their level and age.

* The figures between brackets are estimates.

** These figures do not include either Commonwealth citizens or nationals of Ireland.

The need for linguistic adaptation and the lack of similarity between curricula put them back one or more years. As a result young migrants are practically excluded from the advanced level of secondary studies, and even access to apprenticeship and vocational training is difficult for them.

The psychological shock undergone by young foreign children on transfer into an unknown, indifferent or hostile environment which is often incapable of assessing their cultural background should not be underestimated.

Absenteeism or the refusal to go to school are banes which prevail in varying degrees according to region or host country and also according to the origin of the immigrants.

The parents of migrant children are generally on a low socio-cultural level and have a very poor knowledge of the language and educational system of the host country. As a result, they have difficulty in helping and guiding their children. This leads to a bad educational climate whose harmful effects are aggravated by housing conditions which are not very conducive to study.

A survey undertaken in 1974 by the Institut für Sozialforschung und Sozialwissenschaft in Saarbrücken revealed that the Italian children in the Saarbrücken region who had left school could be divided up as follows:

15.7% left school before the seventh year (Grund- und Hauptschule = primary school)

12.7% at the end of the seventh year

19.7% at the end of the eighth year

46.1% at the end of the ninth year (end of Hauptschule)

0.6% had attended Realschule (= intermediate school, "secondary modern")

2.1% had attended a Gymnasium (= secondary general school) (all from families integrated into the host environment)

1.5% had attended special schools

1.6% had attended other types of schools.

47% of the children had not reached the normal level at the end of their compulsory schooling. It should be pointed out that 25% of German children are in the same position.

3. In its Resolution of 21 January 1974^{*} concerning a social action programme for the period 1974 to 1976, the Council of Ministers of the European Communities included in its priorities the implementation of an action programme for migrant workers and members of their families, which also concerned the problems regarding the training and education of the children.

In addition, the Ministers of Education, meeting within the Council on 6 June 1974^{**}, chose, among the priority actions involving cooperation in the sphere of education, improved cultural and vocational training opportunities for nationals from Member States of the Community and non-member states and their families.

In its Action Programme for migrant workers and their children, adopted on 13 December 1974^{***}, the Commission proposed a number of measures concerning education, two of which are extremely important:

- (a) special educational provisions which are essential in order to help migrant workers' children to integrate into the educational and social environment of the host country;
- (b) a place in the normal school syllabus for the language and culture of origin of the migrant worker's child.

The aim of the attached directive is to commit the Member States to take such measures to provide migrant workers' children with equality of opportunity with the children of the host country.

* OJ C 13/1 of 12 February 1974.

** OJ C 98/2 of 20 August 1974.

*** COM(74)2250.

4. The first measure proposed by the Commission is, therefore, the general establishment of a system of reception for migrant workers' children.

The aim of the reception class is to teach the migrant worker's child the language of the host country in order to help him to settle into the new environment and enable him to follow, as soon as possible, the tuition normally provided for children of his age in the host country.

Reception classes are widely used in Denmark and in the Federal Republic of Germany. They are being introduced in France, the Netherlands and Luxembourg. Conclusive experiments have taken place in Belgium. Experiments are being carried out in the United Kingdom for Commonwealth immigrants who have no or inadequate knowledge of the English language.

5. The second measure proposed by the Commission concerns the teaching of the language and culture of origin.

For several years research workers and educationalists in many countries have emphasized the prime importance for migrant workers' children to continue to use their mother tongue and to keep in touch with their culture of origin.

It is now acknowledged that native language and culture play a decisive role in the educational process: conceptualization, acquisition of another language, formation of personality, family relations. The native language and culture are therefore fully entitled to be included in the education of migrant workers' children. A knowledge of their native language is obviously essential in the case of children who have to be reintegrated into the educational system of their country or for young people who look for a job in their country of origin after having received training abroad.

In the past, this type of teaching was given entirely outside school hours. A very strong motivation was necessary on the part of the child and of his parents in order to achieve any significant results. It became very obvious that a system implemented entirely outside school hours gave rise to educational overwork. A very low percentage enrolled, and their

attendance at courses was very irregular, so that results were quite inadequate.

Educationalists, psychologists and linguists demand nowadays that native language and culture be taught as part of the normal school syllabus. As long as the early teaching of a foreign language is not generally accepted at primary school level, it will be difficult to find four to five hours for it in the school timetable without encroaching on other subjects. In secondary education, the mother tongue of the migrant worker's child may count as a compulsory foreign language without disrupting syllabuses and timetables.

In the Federal Republic of Germany and in Denmark the mother tongue of migrant workers' children is taught at primary and secondary level. The Netherlands plans to introduce a similar system. In France the principle of the need to teach the mother tongue has been recognized.

6. The reception classes require teachers trained to look after migrant workers' children. As far as the teaching of the language and culture of origin is concerned, this should be entrusted, in most cases, to foreign teachers. At the present time the Member States do not have enough qualified teachers available to enable them to introduce the numerous languages spoken by the migrants into their education system. Moreover, it is extremely important that teachers of the same language and culture as the migrants should establish and maintain contacts between the school and the families.

7. In accordance with the Decision of the Council of Ministers for Social Affairs of 27 June 1974 the European Social Fund may contribute towards additional expenditure arising from teaching courses adapted to the children of foreign workers. The Social Fund may also cover operations to facilitate the basic and advanced training of social workers and teachers responsible for teaching migrant children. Under this head the Social Fund finances half the expenditure resulting from operations carried out by public or private organizations, subject to the conditions and limits laid down by the existing regulations.

8. Furthermore, the Commission will support studies and research projects designed to elucidate the problems posed by the education of the children of migrant workers. It will support, as far as possible, pilot schemes carried out in connection with the education of such children and with the training of specialized teachers.

At regular intervals the Commission will bring together teachers and experts in order to enable them to exchange ideas and to cooperate actively in the preparation of methods and teaching material intended to cater for migrant workers' children. The Statistical Office of the European Communities is drawing up educational statistics showing the number of foreign pupils according to nationality and educational category.

9. The reasoning behind the planned measures is valid for all migrant workers' children whatever their country of origin. The draft Directive therefore covers the children of all foreign nationals residing on the territory of a Member State in which their parents or guardians pursue a professional or trade activity or are employed.

PROPOSAL FOR A COUNCIL DIRECTIVE
ON THE EDUCATION OF THE CHILDREN OF MIGRANT WORKERS
(Proposals by Mr Brunner and Dr Hillery)

EXPLANATORY MEMORANDUM

1. In its Resolution¹ of 21 January 1974 concerning a social action programme, the Council of the European Communities requested the Commission to establish an action programme for migrant workers. The chief aims of this programme are to improve the conditions of freedom of movement within the Community of workers from Member States, to improve the social infrastructure of the Member States which is indispensable for resolving the problems of educating and training migrant workers' children, and to achieve equality of treatment for Community and non-Community workers and members of their families with regard to living conditions. It should also be recalled that one of the tasks of the Community is to abolish restrictions on freedom of establishment for nationals of Member States on the territory of the other Member States.

2. On 19 December 1974 the Commission forwarded to the Council an Action Programme for migrant workers and their families (COM(74)2250), which envisages a number of measures concerning the education of migrant workers' children. These measures include the following: the development in the Member States of reception and crash training classes to assist the migrant workers' children to settle into their new linguistic and educational environment; the inclusion of courses, during normal school hours, to enable these children to retain their original culture and mother tongue; the recruitment of teachers from the country of origin and suitable training for teachers responsible for the education of migrant workers' children.

¹OJ C 13/1 of 12 February 1974.

3. The Ministers of Education of the Member States, meeting in the Council on 6 June 1974¹, considered an action programme for the education of children of nationals of the other Member States and non-member countries to be a matter of priority.

4. The education of migrant workers' children raises numerous problems of an educational, psychological, linguistic and administrative nature at all levels of training. Article 12 of Regulation 1612/68², which stipulates that the Member States shall encourage all efforts to enable migrant workers' children to attend general education, apprenticeship and vocational training courses under the best possible conditions, has not produced all the expected results. The lack of educational structures able fully to ensure the education of the children of migrants from Member States who have settled in the territory of another Member State constitutes a major obstacle to freedom of movement for workers in paid employment and freedom of establishment for self-employed workers.

5. It therefore appears necessary and urgent to guarantee, in the Community, through practical measures, that migrant children from Community and non-Community countries shall receive an education suited to their situation and capable of ensuring them equality of real opportunities vis-à-vis children of the host country.

6. The aim of this Directive (Article 1) is to call upon the Member States to make special educational provisions enabling migrant workers' children to be integrated into their educational system and enabling the cultural identity of the children to be preserved. These provisions must be taken by the host country for children who live with their parents or guardians in the country where the latter are employed or pursue a professional or trade activity.

¹OJ C 93/2 of 20 August 1974.

²OJ L 257 of 19 October 1968.

As was acknowledged both by the Ministers for Social Affairs and by the Ministers of Education, meeting within the Council, Community action to improve living conditions, particularly with regard to education and vocational training, should benefit both nationals of non-member States and persons originating from Member States. The proposed provisions, conceived in this way, will make an effective contribution to the accomplishment of the Community's social objectives.

7. The first measure proposed (Article 2) concerns the setting up of educational reception arrangements. Migrant workers' children who do not know or have a very poor knowledge of the language of the host country should be given a crash language course which will help them to integrate as quickly as possible into their new educational and social environment. It is absolutely essential for the reception arrangements to operate, from the time of their arrival, in respect of all migrant workers' children subject to compulsory education as defined in the laws of each host country. In the Member States where the law provides for part-time education for young people aged 15 to 18 years who no longer attend school full-time, reception arrangements should be provided for young migrants who, without suitable language teaching, could not make use of the existing educational and vocational training structures.

The initial teaching is generally carried out in special reception classes with a small number of pupils. Other reception arrangements are possible when there are only a few pupils or when they already have an adequate knowledge of the language of the host country. It is the responsibility of the Member States to define the reception arrangements which they intend to implement and the minimum and maximum number of pupils in each reception class. Such instruction should meet the pedagogic demands made, for instance, by the age of the children, the degree of similarity between the mother tongue and the language taught, and, where applicable, the linguistic diversity within the class.

8. The intellectual and spiritual development of children living in different cultural environments, in their family and at school, must take place in both these reference systems if the children are not to be condemned to both scholastic failure and failure in their family relationships. It is therefore necessary to reserve a place in the education of migrant children for the teaching of the language and culture of their country of origin (Article 3). This need was stressed in a resolution adopted

by the Standing Conference of European Ministers of Education at their 9th meeting (Stockholm, 9-12 June 1975). Moreover, knowledge of their mother tongue is indispensable for young migrants who wish to return to school, or find a place in economic and social life, in their country of origin.

Teaching the language and culture of the country of origin outside school hours leads to overwork. The Directive therefore requests Member States to make all the arrangements necessary to ensure that such teaching is included in the normal school curriculum, for the entire duration of full-time compulsory education. It would be desirable for pupils at the advanced level of secondary schools (15 to 18 years) to be able to choose their mother tongue as first or second foreign language. It does not seem realistic to try to compel all schools to offer this choice beyond the period of compulsory schooling. The reasons for this are of a practical nature: the difficulty of finding qualified teachers at this level for all languages, the small numbers of pupils, the need to teach a widely-used foreign language in technical schools.

The Commission realizes that the nature of the bicultural schooling to be introduced may vary according to the objectives and the methods chosen by the different Member States. However, the Commission considers that this bicultural education should offer children the opportunity to learn their mother tongue and to receive tuition concerning the historical, geographical, social, artistic and literary aspects of their country of origin.

The Member States shall make use of those methods and techniques which are best suited to the needs of the children of migrants, e.g., "peripatetic teachers". Moreover, they shall apply the same standards as those in force in their educational system as regards the minimum or maximum number of pupils per class. The decision as to whether or not a foreign child should receive education in the language and culture of his country of origin is entirely the responsibility of the parents or guardians.

9. All teachers (Article 4) of migrant workers' children should be made aware of the specific problems of their pupils. The teachers who are to be in charge of the reception classes should learn to make concrete use of a method of accelerated language teaching and receive detailed information on the psychology and cultural background of the children who will be entrusted to them. None of the Member States at present has at its disposal enough teachers capable of teaching the language and culture of origin of all the migrants. It may therefore be necessary to have recourse to foreign teachers, who, in their turn, must be initiated into the language, educational system and teaching methods of the host country.

The Directive obliges Member States to employ foreign teachers in all situations where recourse to national teachers for the tuition referred to in Article 3 is impossible. The host country is, of course, in charge of the tuition provided on its territory. Foreign teachers will therefore be placed under the jurisdiction of the organizing national authorities in the host country. Various formulas are possible for the employment of foreign teachers: secondment on a temporary basis or for an unspecified period, status of privately employed person, the same status as for nationals. It is the responsibility of the host country to find, where necessary with the aid of the authorities of the country of origin, a reasonable solution to the problems of status, recognition of qualifications, terms of service, continuity of career, and social benefits which may arise.

10. Articles 5 to 7 reproduce the general clauses in use in directives. A time limit of three years seems reasonable to enable Member States to adopt the necessary measures to comply with the provisions of this Directive.

PROPOSAL FOR A COUNCIL DIRECTIVEon the education of the children of migrant workers

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 49 and 235 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament;

Having regard to the Opinion of the Economic and Social Committee;

Whereas in its Resolution of 21 January 1974 concerning a social action programme, the Council included in its priority actions those designed to improve the conditions of freedom of movement for workers, particularly with regard to the problem of the reception and education of children;

Whereas, moreover, the same Resolution fixed as an objective the achievement of equality of treatment for Community and non-Community workers and members of their families in respect of living conditions;

Whereas in their Resolution of 6 June 1974 the Ministers of Education, meeting within the Council, also acknowledged as a priority matter the development of better opportunities for cultural and vocational training for nationals of other Member States and of non-member countries and their children;

Whereas it is necessary for the children of migrant workers to receive an education suited to their particular situation and to be guaranteed access to all forms of education and vocational training;

Whereas it is necessary to provide the children of migrant workers with a crash course in the language of the host country so that they can be integrated as quickly as possible into the educational environment or the vocational training system of the host country;

Whereas it is advisable that the children of migrant workers receive tuition in their mother tongue and their culture of origin, in order to ensure the full development of the personality of children situated between two cultures and to maintain the possibility of reintegrating them into the educational system and the social and economic life of their country of origin;

Whereas application of the system of education thus envisaged should be extended to all children of migrant workers residing in the Community, irrespective of their country of origin and the nature of the occupations of the persons responsible for them; whereas the system thus conceived is such as to contribute towards improving living and working conditions in the Community; whereas the Treaty has not provided all the powers of specific action necessary to bring about this objective; whereas recourse should therefore be made for this purpose to the provisions of Article 235;

HAS ADOPTED THIS DIRECTIVE:

Article 1

The Member States shall facilitate within their territory the gradual adaptation of the children of migrant workers to the educational system and social life of the host country whilst ensuring that the linguistic and cultural links are maintained between the children and their country of origin.

For the purposes of this Directive, children of migrant workers are children who are the responsibility of any national of another Member State or non-member state residing on the territory of the Member State where the said national is employed or pursues a professional or trade activity.

Article 2

For this purpose the Member States shall make all the arrangements necessary in order to organize on their territory appropriate gratis initial education in reception classes for the children of migrant workers, including, in particular, a crash course in the language or in one of the official languages of the host country. This education shall be provided for such children following compulsory education on a full or part-time basis as defined by the laws of the host country.

Article 3

The Member States shall also make all the necessary arrangements to include in the school curriculum gratis tuition in the mother tongue and culture of the country of origin of children of migrant workers suitable for achieving the aims laid down in Article 1. While the Member States should make use of those methods and techniques which are best suited to the needs of migrant workers' children, such tuition must be given in accordance with the education standards normally applicable in the host country, particularly as regards the minimum or maximum number of pupils per class. This tuition shall cover the entire period of full-time compulsory education as defined by the laws of the host country.

Article 4

The Member States shall make all the necessary arrangements to ensure the training of teachers who are to provide the crash course in the language of the host country and the tuition in the mother tongue and culture of the country of origin of the children of migrant workers. For the tuition in the mother tongue and culture of the country of origin, the Member States shall, where necessary, make use of foreign teachers.

Article 5

The Member States shall bring into force within three years following notification of this Directive the laws, regulations and administrative provisions necessary to comply with the Directive, and shall forthwith inform the Commission thereof.

The Member States shall also inform the Commission of all laws, regulations and administrative or other provisions which they bring into force in the sphere governed by this Directive.

Article 6

The Member States shall submit to the Commission within four years following notification of this Directive all useful data to enable the Commission to report to the Council on the application of the Directive.

Article 7

This Directive is addressed to the Member States.