

# **Analytical Report on Education**

## **National Focal Point for SPAIN**

Movimiento por la paz, el desarme y la libertad  
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# 1. Executive Summary

The immigration phenomenon has continued to grow in the last year in Spain and as a consequence of this the number of foreign pupils registered in schools has also increased. The drafting of this report on racism, xenophobia, antisemitism and discrimination in the Spanish education system is based on two criteria: a quantitative and a qualitative study.

The first observation that we can make to start this study is that most of the schools that immigrant pupils attend are located in areas in which exclusion and deep poverty prevail. 82,8% of foreign pupils are registered in public schools. This phenomenon means that public schools more and more are becoming ghettos for children from disadvantaged backgrounds and immigrant children are included systematically in this group. Parents from good social economic backgrounds can choose the school they send their children to. Faced with the prejudice that only disadvantaged families send their children to public schools well off parents will prefer to send their children to private schools, ensuring that they receive a good education. This biased view of the public education situation is creating a gap in opportunities and is, at the same time, leading to an increase of discriminatory and racist attitudes that has consequences for the education of the immigrant population. The remaining pupils are enrolled in private and concerted schools (private schools receiving public funding).

In order to deal with this problem, the governments of the Autonomous Communities have developed different strategies. To avoid the unequal distribution of immigrant pupils, the Community of Madrid has created 47 Permanent Education Commissions. To fight against discrimination, actions such as the *Programmes of Attention to Diversity*, *Compensatory Educational Programmes*, *Welcoming Programmes*, and *Programs to Educate Immigrants* have been launched.

The report will identify to start of with, the statistical data that will allow us to evaluate what is the real proportion of foreign pupils in the Spanish School System, in absolute terms and in proportion to native pupils.

The analysis of the statistical information available involves various problems that are a result of the legislative and executive structure of the Spanish education system. The gradual process of devolution of competences in education to the Autonomous Communities ended on 1 January 2002 with the passing of educational competence to the Autonomous Communities of Castilla y León, Castilla la Mancha, Extremadura and Asturias. Currently all Autonomous Communities have education competences apart from the Autonomous Towns of Ceuta and Melilla. The Communities are responsible for organising the statistical information coming from education.

Not all Autonomous Communities collect data on education in the same way, nor in the same time frame or in the same presentation of the data. The Ministry of Education collects every year the information, organises it and edits it but this implies delay in the publication of harmonised data for the whole of the Spanish territory. This means that this report can only study foreign pupils population for the 2001-2002 academic year. However, six Autonomous Communities provided data for this study for the 2002-2003

academic year. This sample gave the opportunity to extrapolate results for the entire Spanish population.

The analysis of the data confirms that the number of foreign pupils is increasing significantly and that the number of native pupils is decreasing regularly. The distribution of foreign pupils in public, concerted and private schools continues to be unequal with a high concentration of foreign pupils in public schools as was mentioned in the 2002 report. Madrid continues to be the Autonomous Community with the highest level of foreign pupils followed by Catalonia, Valencia, Andalusia and the Canary Islands. Regarding the origin of the pupils, the pupils from Latin America continue to be the largest community, followed by pupils from Africa and Europe. In this sense it is necessary to mention that the number of pupils from non-EU countries is increasing.

The second aim of this report is to give a insight into what is the reality of schools and classrooms: how do native and foreign pupils live together and how are they distributed in schools and what is the analysis that social actors have of the situation?

This analytical report is based on the legal situation of the education system. This year the so-called Law of Quality of Education has been implemented as a reform of the previous law, the LOGSE, and to increase the level of teaching and of training of the pupils. This new law contains a part dedicated to special attention for pupils with learning difficulties, called Compensatory Education. It includes disabled pupils, those with cultural, social, linguistic or economic problems. A majority of foreign pupils come into this category.

It is the Autonomous Communities' responsibility to see that the necessary instruments are created for the LOCE (Law on the Quality of Education, implemented in 2003) to be implemented correctly. This study analyses which initiatives the five Autonomous Communities with the highest number of foreign pupils have implemented to this end.

The qualitative analysis is based on a study published by the Spanish Ombudsman on the situation of schooling of immigrant pupils. The study confirms some of the conclusions that the Spanish NPF had come to after analysing the statistical data and gives a new insight of how the academic community is dealing with the immigration phenomenon. In this sense it is necessary to see that the teaching community is adapting to this new phenomenon as a natural course of events, whereas 36.5% of native pupils between 10 and 16 are against the migratory phenomenon and 17% of schools that register a considerable number of foreign pupils do not have a specific plan to attend their academic needs.

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### 3. GLOSSARY

**Foreign people:** Current legislation considers foreigners those who do not have Spanish nationality (Basic Law 4/2000 of 11 of January on rights of foreign people in Spain and their social integration, modified by the Basic Law 8/2000 of 22 of December). This however is not only an administrative condition. Foreigners in Spain suffer in their daily life of their administrative situation. When this study talks of immigrants it offers a sociological focus.

**Immigrants:** In Spanish legislation, there is no legal definition of “immigrants”, there is only a legal definition and status of “foreigner”. The concept of “immigrant” has mainly an economic and administrative meaning. Firstly, “immigrant” refers to foreign people who are employed in sectors of the economy where the reception country can not provide native labour. Secondly, this concept is used to define a regular or irregular administrative situation. Whereas “foreigner” refers to a wider concept, “immigrant” refers only to a part of the foreigners. This is the reason why we never used “foreigner” related to the economic and administrative meaning of immigrant.

**Second generation:** This term refers to children born in Spain of foreign parents. These children have grown up in Spain and although their formal education is Spanish, their traditions and family habits are those of another country and mix with the traditions and habits of Spain. This group and its needs call for a specific education policy that promotes their integration and the acceptance of children of native parents. This policy must focus on intercultural education and not on the promotion of assimilation.

**Public school:** The public school is owned and financed by the state and offers gratuitous education for all. The government makes the annual budget appropriations necessary for all Spanish public schools, that cover human resources and infrastructure. Public schools must be governed by the principles of anti-discrimination and equal treatment and opportunities. Equal opportunities means that ethnic minorities, such as foreign or Roma pupils, have the right to the same education and treatment as native pupils.

The public schools’ goal is to develop the personality of its pupils and the environment they live and study in and overall overcome the barriers that appear when different religions, cultures and economic conditions are brought together.

**Concerted and private schools:** In Spain, the concerted and private schools represent a considerable proportion of schools, one of the highest proportions of privately owned schools in the European Union member states. When talking about the education system in Spain, it is necessary to consider some aspects. The first aspect concerns the debates on the division between public, private and concerted school. The Spain Report 2001 “Education in Spain, Social debate and challenges for the XXI century”<sup>1</sup> emphasises that the most difficult points between the three types of schools is *“the financing, the practical application of the criteria for pupils’ admission and the asymmetric presence in all types of schools of pupils with difficulties (immigration, integration and special needs)”*. Concerted schools receive financing from the Spanish State to supposedly ensure the equal access to these schools and free obligatory education.

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<sup>1</sup> Informe España 2001 “Educación en España, debate social y retos para el siglo XXI”.

The dual financing system of the **Concerted schools** contributes to a certain segregation of students with inequalities of social and economic nature. **Private schools** do not receive public financing and have private financial resources to support their activities.

**Academic Community:** This refers to all those who participate in the education system. It usually means pupils, teachers, parent associations, public administrations or trade unions involved in the running of the education system. This term is used frequently in education laws and in the public debate on education.

**Compensatory programmes:** vary from one Autonomous Community to another and include a series of very different programmes and results, such as preventive measurements for "*students at risk*" and special programmes for students with specific personal, social, cultural or geographical conditions. Compensatory programmes also deal with school drop-outs and school failures.

Each Autonomous Community has, on the other hand, developed its own compensatory programmes for foreign and ethnic minority pupils, that provide specific human and administrative resources to guarantee access to the education system. This kind of programmes put in to practice pedagogical help and guidance for students with learning and integration difficulties in their education.

Finally, compensatory education has gradually become a weapon to defend the right to basic education, recognised in the Spanish constitution.

**Multiculturalism:** The peaceful co-existence or the promotion of the co-existence of different cultures in one country. Many people use this concept when they speak of antiracist attitudes. However, multiculturalism can also mean mutual segregation of cultures, close to the "apartheid" system that existed in South Africa, when different cultures were separated and did not enter into contact or share values. Currently this model is not being applied in the Spanish education system.

**Interculturalism:** The belief that knowing and experiencing other cultures enriches individuals and society. Different people should be able to live together despite having different cultural backgrounds. Interculturalism is based on accepting and respecting differences. People who believe in interculturalism believe they can learn and benefit from living with other cultures. The formal attitude of the Spanish government is based on an intercultural policy for education. However, the implementation of the LOCE gives rise to some doubts about this attitude.

**Discrimination:** The concept of discrimination in education is defined by the lack of free access to all schools, whatever their legal status, for all pupils. The negative consequences of the implementation of the LOCE have affected especially the immigrant and ethnic minorities pupils. The education system has clearly adopted a wrong attitude to immigrant pupils, due to a wrong understanding of their situation. Some articles of the LOCE mention that there will be an evaluation of each foreign pupils' level of education and integration but this has never been properly developed nor is there any sort of allowance for resources. The LOCE mentions also provisions for "specific classes" for immigrant pupils. These classes would be created for students who do not know the "Spanish language and culture", without taking in to account the diversity of the Spanish society nor the diversity of backgrounds of foreign pupils. Thus, in some way the LOCE

seems to promote the segregation of pupils and the separation of foreign and native pupils. The Law also establishes that foreign pupils have the right to receive obligatory education, that is up to the age of 18. Higher and university education is restricted.



## 4. Introduction

In 2003 the new Basic Law 10/2002 of 23 December on the Quality of Education (LOCE) was implemented (ACTES0001, <http://www.boe.es/boe/dias/2002-12-14/seccion1.html>). This supposed a substantial change in many aspects of education in Spain. This new law was subject to a great political debate that reached the general public and provoked many demonstrations for or against the reform of the education system.

The main objective of this report is to analyse whether the proportion of foreign students continues to grow at the same speed as in previous years and the consequences of this phenomenon and of the implementation of *LOCE* (Quality of Education Law). For some groups of the Spanish society, this law could become a segregation law that would create two different school systems. One system would be the public school and would be orientated towards the pupils from disadvantaged backgrounds and among these, foreign pupils. The other system would be the private and concerted schools. The evident result of this dual system would be the creation of education ghettos.

This segregation is also connected with the decision that the religious education class will be obligatory and that it will be included in the final mark of each student. Immigrant associations and Muslim, Jewish and Protestant communities have repeatedly called out against the fact that the only religion that is taught in practice in the majority of public schools is Catholicism.

Finally, the law regulates the hours for Spanish language classes in bilingual Autonomous Communities. The governments of these communities believe that the number of hours dedicated to this subject is excessive and discriminates against the hours dedicated to the teaching of the other official language and of other subjects.

After a brief description of the LOCE, the study will focus on two aspects for an enhanced understanding of the situation of foreign pupils in the Spanish education system. The study will first develop a quantitative analysis and then a qualitative analysis.

As stated before, the Autonomous Communities possess the administrative competences that refer to education. The Ministry of Education, Culture and Sport is the competent institution for education legislation and regulation and drafted the Law of Quality of Education (LOCE).

Education competences are stated in the 1978 Constitution of the Spanish State. In Article 149.1.30, exclusive competence is assigned to the Ministry of Education, Culture and Sport for regulation in the following areas:

- Expedition and homologation of academic qualifications;
- General programming of education activities;
- High Education Inspectorate.

The principal responsibility of the Ministry of Education, Culture and Sport is to supervise that the education system respects the Constitution and the different Statutes of the Autonomous Communities. The issues not included in article 149 of the Constitution

will be the responsibility of the different Autonomous Governments. When the government approves the law on education, the competence is transferred to the Autonomous Communities. All the public, concerted and private schools depend directly or indirectly of the Autonomous Administration, except for Ceuta and Melilla.

The Central Administration transfers the Autonomous Communities the budget appropriation for the management of schools and administration related to education.

Regarding the collection of data on pupils, the Autonomous Communities collect the data that is then send to the Ministry that processes and harmonises the data of the whole of the Spanish territory. It then publishes on a yearly basis the results on the Ministry's website and publishes in hard copies and in a CD-ROM.

The process of data collection of the different administrations and the deadlines for the publication of this report mean that the Spanish NPF had to take the following steps for the drafting of the report. First we contacted the Ministry of Education so as to receive the collected data for the academic years 1996-1997 to 2001-2002 (ACTES0006). In this way we were able to elaborate an evaluation of the most significant data related to students of foreign origin. The second part of the quantitative study consists of an analysis of the data for the academic year 2001-2002. The third part is an analysis of the 2002-2003 year which we have been able to do by getting in contact with all Autonomous Communities. We asked them for the most recent data available. Unfortunately the majority of communities have not got available data yet so we have only been able to do the study on eight Communities. The Ministry has been able to provide us with data for the year 2002-2003 (ACTES0006).

We based our qualitative report on two sources of information. The Ministry of Education has an administrative organism called the State Academic Council (*Consejo Escolar del Estado*). This institution has a delegation in each Autonomous Community which is called Autonomic Academic Council (*Consejo Escolar Autonómico*). It is of consultative and counselling nature and its members meet a few times every year to talk over specific issues. In 2003, the XIV Conference of State and Autonomic Academic Council met in May to discuss ***"Immigration and Education. The Intervention of the Academic Community"*** (Salamanca, 6-9 May) (ACTES0025). In this conference the Autonomous Communities presented the plans and initiatives that they are developing for the educational integration of foreign students. Working document of this conference explaining the contributions of the Autonomous Communities were the core of this qualitative research.

The other source of information for this report was drafted by the Spanish Ombudsman: ***"The Enrolment of Pupils of Immigrant Origin in Spain: A Descriptive Analysis and Empirical Study"*** (ACTES0026). This report can be consulted on the Ombudsman's website (<http://www.defensordelpueblo.es>). The Ombudsman's report comprises a descriptive analysis (based on statistical data of the Autonomous Communities and the Ministry of Education until the academic year 2000-2001) and an empirical study based on questionnaires distributed in 181 public, private and concerted schools of primary and secondary education in the Autonomous Communities with the highest number of immigrants: Madrid, Catalonia, Andalusia, Valencia and Murcia.

## 5. LEGISLATION AND POLICIES IN THE AREA OF EDUCATION RELEVANT FOR MIGRANTS AND MINORITIES

As we have mentioned before, at the end of 2002 the new law on Quality of Education (Basic Law 10/2002 of 23 December, LOCE) was implemented. It was foreseen to come into force in the academic year 2004/2005<sup>2</sup>. This law was promoted by the central government to reform the previous law and offer solutions to dysfunctions of the previous law. The Popular Party, the political party in government, considered that these problems were provoked by the previous law called the Law of Ordination of the Education System (LOGSE, Basic Law 1/1990, 3 October).

The LOCE respects the basic rights and obligations of the Spanish people regarding education as stated in article 27 of the Spanish Constitution: *"Every individual has the right to education, that must be based on the full development of the human person and the respect of democratic principles of living together and the fundamental rights and liberties"*. It also recognises the liberty to teach and the obligation of the public authorities to guarantee the right to assist parents in the religious and moral education of their children in accordance with their own convictions. Basic education must be compulsory and free. Public authorities must ensure the right of all to education through the General Education Plan. Regarding education, schools are recognised as physical and legal persons.

The LOCE mentions in its explanatory memorandum the challenge that the Spanish education system now faces the immigration phenomenon: *"There is a new challenge, that has suddenly flooded the educational and social scene in Spain and that needs special and adequate treatment. The rapid increase of immigrant pupils means that the education system must establish new normative instruments that will facilitate the effective social and educational integration of all pupils coming from other countries who often speak another language and share different cultures. The level of social and economic integration of adults depends, on short and medium term, of the capacity that the education system possesses to integrate immigrant children and adolescents."*

In the Preliminary Title, the basic principles designed to increase the quality of education are mentioned. All of them are based on the recognition of rights and obligations of pupils and parents. This article recognises the guarantee of basic conditions of equality in the full exercise of their right to education.

It also mentions one of the most controversial measures which provoked complaints of secondary education students and parent associations: the *Bachillerato* exam is the

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<sup>2</sup> However, in 2004 the newly elected Socialist government abandoned the LOCE, thus returning to the previous LOGSE. This Law, adopted by a Parliament ruled by the right wing PP's absolute majority, stirred a big social debate and demonstrations. The LOCE (Law of Quality of Education) has been stopped by a Royal Decree of implementation, launched by the new elected government, after the 13th of March elections. This report reflects the state of affairs before the implementation of the new law.

principal exam to finalise secondary education and to get access to university education. The law says that it is necessary to *"respond to the necessity to harmonise our education system with the ones of other neighbouring countries and at the same time, ensure that the basic levels of equality in the requisites for every pupil, whatever may be his or her residence, to obtain the title with academic and professional effects valid in the whole of the Spanish territory."*

In this law all provisions referring to the education of foreign pupils are included in Chapter VII, Title I dedicated to pupils with special needs. In this chapter, in the second section, article 42 is dedicated entirely to foreign pupils. The third section talks about gifted children and the fourth section talks about children with special educative needs (pupils with physical or other disadvantages that cause problems and changes in personal behaviour).

#### ARTICLE 42. INTEGRATION TO THE EDUCATION SYSTEM

1. The education administrations would favour the incorporation of foreign pupils, especially those in age of compulsory education. For the pupils who do not know the Spanish language and culture or who have important gaps in their basic knowledge, the education administrations will develop specific programmes of apprenticeship to facilitate their integration to the level that corresponds to their age.
2. The programmes that the sub-section 1 refers to will be taught, in accordance to the plans of the education administrations, in specialised classes established in schools that teach the regular education programme. The development of these programmes will be simultaneous to the schooling of the pupils of the normal groups, following the level and evolution of the apprenticeship.
3. The pupils older than 15 that have serious problems to adapt to the obligatory secondary education will be able to join programmes of professional training established in this Law.
4. Foreign pupils will have the same rights and the same obligations as the Spanish pupils. Their incorporation to the education system will mean the acceptance of the established norms of the Schools which they are joining.
5. The education administrations will adopt the necessary measures so that the parents of foreign pupils will receive the necessary guidance on the rights, obligations and opportunities that the integration to the Spanish education system implies.

Students with gaps in their education are, in a majority of cases, foreigners or ethnic minorities such as Roma, and thus enter in the clauses of the Compensatory Education Programmes. Basic rules were explained previously and it has already been mentioned that these programmes are drafted and implemented by each Autonomous Community. It is very difficult to analyse all of these and their specific aspects as it is impossible to give in detail a general vision of the main measures adopted in each case. In general, these programmes are put in practice in normal school hours and consist of Spanish language classes or basic knowledge of maths or language. For this reason it is necessary to create boards of teachers that have the capacity and the professional knowledge to teach pupils in these areas. It also entails a supplementary budgetary allowance, for teaching staff, material and infrastructure. Many schools with students of foreign origin do not have

these budgetary resources and they cannot put into practice any compensatory education programme. The instruments to develop these programmes are often poor and produce low results.

As we mentioned in the last education report in 2002, Roma children continue to have a lot of problems in schooling and integration. This group has a high percentage of school failure. LOCE does not make reference to this problem in any article or disposition.

During the period of this study, no more statistical data or studies on the situation of Roma students in education have been published. The last report on this issue was included and analysed in the previous education report that corresponded to the academic year 2001-2002.

Compensatory Education Programmes (some of them are analysed in Chapter 8) can generate indirect discrimination. This indirect segregation of the students can cause ghettos inside schools. The most important objective is to reach a normal and fast adaptation of immigrant pupils, so the Compensatory Programmes should be as short as possible. The main challenge is to ensure that immigrant pupils or pupils with difficulties can integrate the normal education stream as soon as possible. On the other hand, schools do not have enough funding to run the Compensatory Programmes for a long time so it is in the interest of all that these programmes are short and effective.

As we have already mentioned, the LOCE is a widely discussed and very controversial law. A sign of this is the manifesto "*For a Law of Quality for All of People*" signed by the Spanish Socialist Workers Party (PSOE), the United Left (IU), trade unions such as the Workers Commission (C.C.O.O.), the General Union of Workers (UGT) and the Spanish Confederation of Associations of Parents of Pupils (CEAPA) (ACTES0079). In general lines, this manifesto is against the LOCE as it states that the law is trying to reduce the number of students who will be able to continue studying after compulsory education. This would create different types of schools. On the one hand, public schools are said to become a charity network for the most disfavoured groups of the population. On the other hand, importance and influence of the network of private and "*concerted*" schools would grow. The signatories of the manifesto believe that the law could become one of segregation in not treating all students equally.

To avoid this danger, the manifesto proposes a series of measures:

- To assume the commitment of reaching the level of knowledge and learning for all pupils regardless of their social origin.
- To avoid any kind of discrimination in the education system and promote future activities to raise awareness of students.
- To increase the financial support to public schools.
- To consolidate the support activities to pupils with learning difficulties through the increase in human and material resources.
- To promote an equal integration of all pupils in all schools that receive public funds, for public schools and concerted schools.
- To consolidate independence of schools in their organisation. To evaluate schools, staff, pupils and all agents that take part in the education system.
- To engage in a dialogue between families and schools and to apply measures oriented to improve coexistence in schools.

This manifesto is not the only action that was taken against the law. The governments of the Autonomous Communities of Andalusia, Aragon, Asturias, Balearic Islands, Castilla-La-Mancha, Catalonia and Extremadura, six of which have PSOE (Spanish Socialist Workers Party) regional governments, have presented a motion of unconstitutionality against the law to the Constitutional Tribunal. This motion claims that the Law of Quality of Education (LOCE) is unconstitutional in 44 of its articles and dispositions and that through this law the government is usurping the legislative and executive competences of the Autonomous Communities and altering the judicial order by giving itself the responsibility of developing the basic norms of posterior rules (ACTES0022).

One of the biggest controversies of the law are the dispositions concerning the classes of religious education. As we have mentioned in the education report 2001, the Spanish Constitution in **Article 18** states that *"all person has the right to the liberty of thought, of conscience and religion; this right includes the liberty to change religion or beliefs and to express ones religion through practice, cult and observation"*. **Article 27 ("Liberty of education. Right to Education. Autonomy of Universities")** establishes that *"public authorities ensure the right that assists parents so that their children can receive the religious and moral education that is in accordance with their own convictions"*.

The LOCE establishes in the second additional disposition that there will be lessons on "Society, Culture and Religion" split into two alternative classes. "Religious Education" is a confessionally bound class, meant to be taught by teachers of the respective confession. For this purpose, the Government has signed agreements with the officially recognised confessions. "Religious Fact", on the other hand, should be a non-confessional class. However, it has never been sorted out who would choose the teachers of this subject. According to LOCE, Parents and pupils will have to choose between one of the two classes. The education employers associations of private and concerted education put pressure on the government as to give the same importance to the subjects of "Society, Culture and Religion" as to any other subject and to make it relevant for the final mark of the pupils. In this sense, the Superior Tribunal of Justice of Catalonia considers that this situation puts **article 16.2.** of the Constitution in a vulnerable situation and establishes that *"no-one can be obliged to declare what his or her ideology, religion or beliefs are"* (ACTES0011). The Confederation of Secular Parents, CEAPA has recommended that the families reject religious education for their children and declare that these children will not attend the alternative class to religion, dedicated to "the Religious Fact" (ACTES0012).

Until the drafting of the LOCE, religious education was optional for those who wanted to study it. Schools were obliged to offer it as long as the number of students that requested it was significant. The State signed a series of agreements with the representatives of the officially recognised confessions with the highest number of followers in the Spanish territory: the Catholic Church, the Protestants, the Jewish and Muslim communities. However, in practice, the only religious education classes that were taught in the majority of the schools in Spain was those of the Catholic confession as the only agreement which is actually at work is the one with the Catholic church. Thus, the majority of non-Catholic pupils chose not to attend classes of "Religious Education", which in the most cases only comprised Catholic religious education. This situation must be considered as indirect discrimination of non-Catholic pupils. Moreover, teachers of Catholic religious education are appointed and dismissed by the Episcopal Spanish Conference. As these teachers do

not have to pass examinations which their colleagues teaching secular subjects, this situation is generating indirect discrimination.

If we take the example of the Jewish Community, it is thought that in Spain there are about 40.000 Jewish people, 20.000 of which are related to a Jewish organisation, while the other 20.000 have no links to Jewish organisations. There are in Spain two private schools of the Judaic confession.

Another point of contention of the new law is the obligatory hours allocated to the teaching of Spanish in bilingual Autonomous Communities. The Ministry of Education has decreed that, as a minimum, the bilingual communities must provide 275 hours of Spanish in primary schools and 210 in secondary education. Currently in Catalonia, 140 hours of Spanish are taught and 245 of Catalan in primary education and 140 hours of Spanish and 210 of Catalan in secondary education. This means that hours dedicated to learn Spanish have increased by 96,4% in primary education, and in secondary education the increase would be close to 50%. This means that teaching time of other subjects will be cut down, especially classes on other official languages or just as important subjects.

The Education Directorate of the Catalan government announced the intention to appeal to the Supreme Tribunal against this Royal Decree promoted by the central government. The Catalan government considered that if eight hours a week are dedicated to language classes there will not be much time left for other subjects (ACTES0013).

## **6. Description and analysis of existing data and sources in the education sector**

This report is based on two complementary studies. The main idea is to understand the phenomenon that has occurred in Spanish schools during the last few years up to the present, that is, the increase of foreign pupils in schools.

The first study is based on statistics of the population in education and the proportion of foreign pupils. We started the analysis in the academic year 1996-1997 and have seen a steady increase of foreign pupils. We also wanted to study whether this increase continued in the academic year for 2002-2003 and the evolution of this percentage in each Autonomous Community.

To study this phenomenon we contacted with Autonomous Communities' administration and the Statistical Department of the Ministry of Education that compiles every year the data for the Autonomous Communities.

The Ministry of Education gave us the data starting in 1996-1997. In this way we were able to analyse the following indicators:

1. Evolution of foreign pupils from 1996-1997 to 2001-2002.
2. Evolution of the percentage of foreign pupils.
3. Percentage of foreign pupils.
4. Evolution of foreign pupils by gender.

In the second part of the study we analysed the data for 2001-2002 that the Ministry of Education sent us. The indicators we analysed are:

1. Foreign pupils per Autonomous Community.
2. Foreign pupils at each level of education.
3. Foreign pupils by gender.
4. Foreign pupils per Autonomous Community and type of school.
5. Number of foreign pupils per 1.000 pupils per centre and per Autonomous Community.

The third part deals with the data for 2002-2003. We requested statistics from all Autonomous Communities, but only received positive contribution from Navarra, Catalonia, the Canary Islands, Asturias and Aragon. However, the statistics that these communities sent us do not have the same format and a lot of these statistics do not comply with the indicators that we had asked for. This made the analysis at a national level a difficult task. The Ministry of Education was also contacted having informed us that the Ministry was working on the collection of statistical data for the Autonomous Communities at the time of the drafting of this report. For the academic year 2002-2003 the Ministry has sent to us statistics for the Canary Islands, Cantabria, Catalonia, Valencia, Navarra and the Basque country. We considered these communities a representative sample of the total population and we analysed the following indicators:

1. Foreign pupils per continent of origin.



2. Foreign pupils per course.
3. Foreign pupils per type of centre.
4. Comparison of foreign pupils in the 7 Autonomous Communities where data was available.

The second analysis of this report is an analysis of the situation of foreign pupils in schools. For this analysis we have used two sources of information.

The first is an analysis based on the Working Document for the XIV Meeting of School Councils of the Autonomous Communities of the State entitled "Immigration and Education. The work of the Academic Community". In this document, each Autonomous Community analysed the statistical data for 2001-2002 and proposed strategies and plans that are being developed to enable the integration of foreign pupils. We will analyse those of the 17 Autonomous Communities which have the highest number of foreign pupils, as these are most interesting for this study.

The second source of data is the report of the Spanish Ombudsman: "The Schooling of Foreign pupils in Spain: Descriptive Analysis and Empirical Study". This report is divided into two parts. The first part is a quantitative analysis of the number of foreign pupils in the Spanish education system. The data collected for this report is available at the Ministry for Education, Culture and Sports and in the Autonomous Communities. This data corresponds to school years 2000-2001. The qualitative report is based on data collected from a survey done in 181 primary and secondary schools, public and concerted ones of the Autonomous Communities with the highest proportion of foreign pupils: Madrid, Catalonia, Andalusia, Valencia and Murcia. Surveys were made during the school year 2001-2002 and 1270 foreign pupils and 10.963 native pupils answered the survey. We will reproduce the most relevant conclusions in this report.

With the data that the education institutions have given us, we have done a quantitative analysis on three levels. The first level is a depiction of the evolution of the situation of foreign pupils since the academic year 1996-1997 to 2001-2002. The second analysis is a more detailed description of the different indicators or variables for the academic year 2001-2003. The third and last part is an analysis of the data collected in six Autonomous Communities for the academic year 2002-2003.

Indicators illustrate changes in the process of schooling of immigrants. It is reasonable to explain the changes through the comparative analysis of items collected in the following tables. It is necessary to analyse the changes produced since 1996 to 2002. We have also included in the tables information on the changes produced by gender immigration because they suffer a double discrimination. We have not found relevant statistical data published about Roma pupils by the public administrations, research institutes and NGOs. It is hard to find statistics on the Roma population in schools as the Spanish law stated that it is forbidden to classify people according to their religion, ethnic origin or gender. So it is almost impossible to find data about the number of Roma pupils in schools and their conditions. The same applies to other ethnic or religious minorities, such as Jewish pupils. In the same way there are no statistics that refer to pupils who are second generation immigrants.

## 6.1. EVOLUTION ANALYSIS

**Table 1.- Increase of foreign pupils since the academic year 1996-1997 to 2001-2002**

	School year 96/97	School year 97/98	School year 98/99	School year 99/00	School year 00/01	School year 01/02
European Union	19.176	20.673	22.045	27.299	30.775	34.257
Non-EU Countries	4.811	5.218	6.045	8.954	12.427	20.047
Africa	17.076	21.458	24.281	31.899	38.873	48.757
North-America	2.008	2.135	1.939	2.401	2.824	3.634
Central America	3.161	4.184	4.910	6.761	8.791	10.674
South-America	10.961	12.283	14.484	21.037	37.667	76.226
Asia	5.417	6.291	6.806	8.663	10.233	12.131
Oceania	97	107	103	143	134	167
Country is not available	0,0	14	74	144	144	632
<b>TOTAL</b>	<b>62.707</b>	<b>72.363</b>	<b>80.687</b>	<b>107.301</b>	<b>141.868</b>	<b>206.525</b>

*Source: Ministry of Culture, Education and Sports. Data available of June of 2003*

1- Non EU means all countries that are candidates to the EU and will become members in May 2003 or at a later stage.

As the table indicates, during the academic year 1996-1997 the largest group of foreign pupils was comprised of the pupils from the European Community with 19.176 pupils, followed by those from Africa, with 17.076 pupils, from South America with 10.961 and from Asia with 5.417. In the year 2001-2002, the highest proportion of foreign pupils came from South America with 76.226 pupils. The largest increase has taken place in the group originating from South America as its percentage has increased nearly by seven since 1996-1997. The second largest group of foreign pupils in 2001-2002 is the pupils from the EU, with 34.257 pupils. Their number has triplicated since 1996-1997, making up a net growth of 20.047 pupils. The total amount of foreign pupils has tripled in the period of analysis. These statistics are the only official information that the Spanish administration has on foreign pupils in schools.

### 6.1.1. Percentages (%) of growth of the foreign student population.

**Table 2.- Growth (%) of foreign pupils**

	96/97-97/98	97/98-98/99	98/99-99/00	99/00-00/01	00/01-01/02
European Union	7,8	6,6	23,8	12,7	11,3
Non EU	8,4	15,8	48,1	38,8	61,3
Africa	25,6	13,1	13,1	21,8	25,4
North America	6,3	-9,1	23,8	17,6	28,6
Central America	32,3	17,3	37,6	30,0	21,4
South America	12,0	17,9	45,2	79,0	102,4

Asia	16,1	8,2	27,8	18,1	18,5
Oceania	10,3	-3,7	38,8	-6,3	24,6
<b>TOTAL</b>	<b>15,4</b>	<b>11,5</b>	<b>33,0</b>	<b>32,2</b>	<b>45,5</b>

Source: Ministry of Education, Culture and Sports.  
Data available of June of 2003

According to the data in this table, in the academic year 1999-2000 the increase of foreign pupils became significant. In 1999-2000 and in 2000-2001 their number increased by one third whereas in 2001-2002 the growth was nearly 50%. The partial increase per continent of origin follows the pattern we described in 7.1.1.: the increase of foreign pupils from South America and the EU is the biggest one.

### 6.1.2. Growth of foreign students compared to total educational population (except University levels)

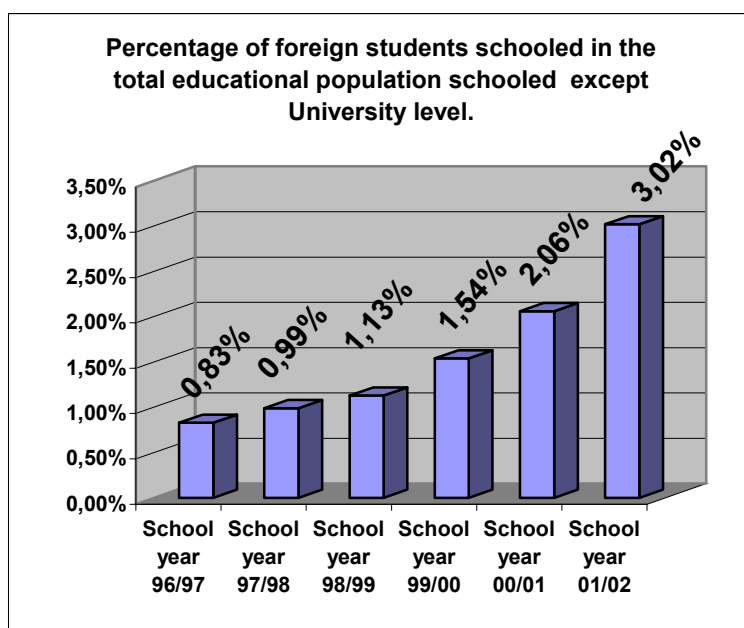
**Table 3- Growth of foreign students compared to total educational population (except University levels)**

	Total Students	Foreign Students	Percentage
School year 96/97	7.496.288	62.707	0,83%
School year 97/98	7.309.097	72.363	0,99%
School year 98/99	7.128.251	80.687	1,13%
School year 99/00	6.972.500	107.301	1,54%
School year 00/01	6.871.380	141.868	2,06%
School year 01/02	6.834.464	206.525	3,02%

Source: Ministry of Education, Culture and Sports. Data available of June of 2003

There has been a gradual reduction of the total number of pupils since 1996/1997. In 1996-1997, there were 7.496.288 pupils in compulsory education whereas by 2001-2002 their number had decreased by 9% respectively 518.006 pupils. As a contrary phenomenon, the percentage of foreign pupils has increased by 329% but this does not counterbalance the overall decrease of pupils. The Spanish Ombudsman's Report on the schooling of immigrants (item number 26 (activities) template Education, <http://www.defensordelpueblo.es>) published in May 2003 coincides with this observation. We can therefore affirm that the number of immigrant pupils in compulsory education is a significant and important issue when dealing with the evolution of the population in schools. The main reasons of the decrease in pupils in Spanish schools is the low birth rate in Spain, one of the lowest of the EU and still is decreasing. The birth rate of foreign women in Spain has increased in the last and is just over 10% (<http://www.ine.es/prensa/np285.pdf>; National Statistical Institute). This is mainly a result of the feminisation of the immigration phenomenon to Spain.

**Figure 1**



Source: Ministry of Education, Culture and Sports. Data available of June of 2003

In the figure 1 we can observe the evolution of the number of foreign pupils that is very similar to the exponential curve. From 1999-2000 onwards there is a clear acceleration of the increase.

### 6.1.3. Percentage of foreign pupils by gender (% of females) (statistics of all the Spanish education system excluding higher education)

**Table 4. Size of the percentage of foreign pupils per gender (%) (only related to female statistical data)**

	School year 96/97	School year 97/98	School year 98/99	School year 99/00	School year 00/01	School year 01/02
Europe EU	46,6	46,0	47,8	50,2	50,5	50,8
Europe non-EU	45,2	45,4	46,8	52,5	50,6	50,9
Africa	43,2	40,8	39,2	44,3	45,0	45,4
North America	43,5	44,6	45,1	47,1	47,1	48,3
Central America	48,1	48,2	48,0	51,5	51,9	51,6
South America	45,3	44,4	46,4	49,7	50,4	50,0
Asia	46,0	45,1	44,4	48,7	48,4	49,6
Oceania	53,6	49,5	55,3	53,1	53,7	52,7
Country is not available	10,0	57,1	47,3	58,3	59,7	50,3
<b>TOTAL</b>	<b>45,2</b>	<b>44,2</b>	<b>44,6</b>	<b>48,4</b>	<b>48,8</b>	<b>49,1</b>

Source: Ministry of Education, Culture and Sports. Data

available of June of 2003

1-The zero in the first cell is a consequence of the Table 1. It means all the students ask for their origin country have answered this question.

The proportion of women students has increased steadily over the years, nearly to the same extend as male foreign pupils. This table shows the very low number of female pupils from Africa, 43.2%, in 1996-1997 and 45.4% in 2001-2002 and the higher percentage of female pupils from Oceania of 52.7%.

## 6.2. ANALYSIS OF THE ACADEMIC YEAR 2001-2002

### 6.2.1. Foreign pupils by Autonomous Community and continent of origin

Table 5- Foreign pupils by Autonomous Community and continent of origin

	Europe		Africa	North America	Central-America	South America	Asia	Oceania	Country not available	TOTAL
	Total	EU								
<b>Andalucía</b>	10.797	8.664	5.238	589	384	4.492	1.140	43	66	<b>22.749</b>
<b>Aragón</b>	1.186	445	1.499	109	296	1.881	241	2	0	<b>5.214</b>
<b>Asturias</b>	337	184	109	69	187	898	56	5	0	<b>1.661</b>
<b>Baleares</b>	3.573	3.008	1.625	71	296	2.791	345	11	0	<b>8.712</b>
<b>Canarias</b>	5.302	4.643	1.445	130	875	5.026	1.397	10	0	<b>14.185</b>
<b>Cantabria</b>	247	106	60	49	103	529	46	0	0	<b>1.034</b>
<b>Castilla y León</b>	2.270	1.123	1.069	180	488	1.951	309	6	1	<b>6.274</b>
<b>Castilla-La Mancha</b>	1.110	326	1.815	55	308	2.331	177	3	2	<b>5.801</b>
<b>Cataluña</b>	5.446	3.046	14.277	553	2.122	11.256	2.641	13	0	<b>36.308</b>
<b>Comunidad Valenciana</b>	8.893	5.188	3.450	295	559	8.282	1.056	23	534	<b>23.092</b>
<b>Extremadura</b>	272	218	1.297	12	30	286	52	0	1	<b>1.950</b>
<b>Galicia</b>	880	619	345	68	244	1.536	99	9	0	<b>3.181</b>
<b>Madrid</b>	10.634	4.730	10.882	1.206	4.139	26.607	3.916	30	19	<b>57.433</b>
<b>Murcia</b>	1.167	655	3.105	43	108	3.767	174	0	6	<b>8.370</b>
<b>Navarra</b>	728	380	498	54	193	2.086	51	1	0	<b>3.611</b>
<b>País Vasco</b>	1.141	789	833	130	297	1.849	301	11	0	<b>4.562</b>
<b>Rioja</b>	285	102	403	10	44	654	124	0	0	<b>1.520</b>
<b>Ceuta</b>	9	6	119	0	1	2	4	0	0	<b>135</b>
<b>Melilla</b>	27	25	688	11	0	2	2	0	3	<b>733</b>
<b>TOTAL</b>	<b>54.304</b>	<b>34.257</b>	<b>48.757</b>	<b>3.634</b>	<b>10.674</b>	<b>76.226</b>	<b>12.131</b>	<b>167</b>	<b>632</b>	<b>206.525</b>

Source: Ministry of Education, Cultura and Sports. Data available of June fo 2003

The Autonomous Communities with the highest number of foreign pupils are Madrid, with 57.433 foreign pupils, Catalonia (36.308), Valencia (23.092), Andalusia (22.749) and the Canary Islands (14.185). The Autonomous Cities of Ceuta and Melilla have the lowest percentages of foreign pupils, which is quite surprising considering that Ceuta

especially is one of the main Spanish gateways. We can suppose that Ceuta is just a passage way through to the Spanish mainland.

## 6.2.2. Foreign pupils by school type

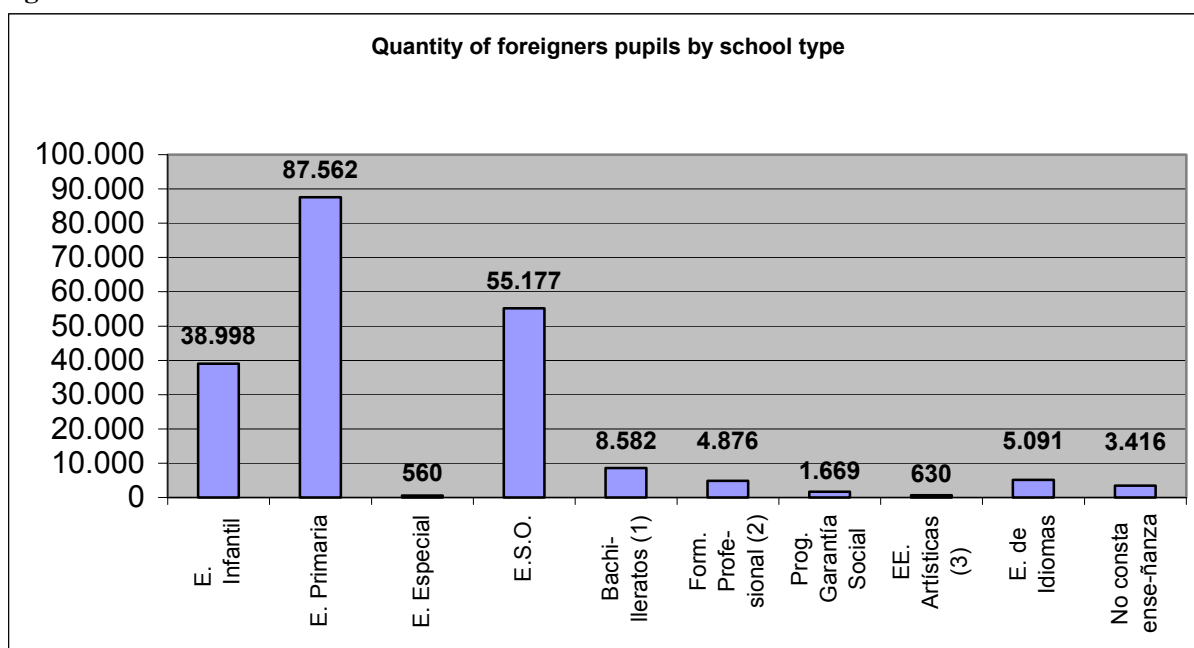
Table 6- Foreign pupils per type of education 2001-2002

	TOTAL	E. Infantil	E. Primaria	E. Especial	E.S.O.	Bachilleratos	Form. Profesional	Prog. Garantía Social	EE. Artísticas	E. de Idiomas	<sup>1</sup> Not available
<b>TOTAL</b>	<b>206.525</b>	<b>38.998</b>	<b>87.526</b>	<b>560</b>	<b>55.177</b>	<b>8.582</b>	<b>4.876</b>	<b>1.669</b>	<b>630</b>	<b>5.091</b>	<b>3.416</b>
<b>Andalucía</b>	<b>22.749</b>	2.970	9.146	0	5.190	879	365	58	108	617	3.416
<b>Aragón</b>	<b>5.214</b>	1.130	2.256	15	1.218	144	147	110	10	184	0
<b>Asturias</b>	<b>1.661</b>	227	678	3	515	106	83	12	4	33	0
<b>Baleares</b>	<b>8.712</b>	1.817	3.988	16	2.083	290	92	54	24	348	0
<b>Canarias</b>	<b>14.185</b>	2.022	5.492	19	4.210	999	427	34	0	982	0
<b>Cantabria</b>	<b>1.034</b>	139	463	0	318	64	41	9	0	0	0
<b>Castilla y León</b>	<b>6.274</b>	897	2.498	2	1.649	339	174	256	29	430	0
<b>Castilla-La Mancha</b>	<b>5.801</b>	1.270	2.655	12	1.488	149	86	40	7	94	0
<b>Cataluña</b>	<b>36.308</b>	7.519	14.664	232	11.090	1.576	1.220	0	7	0	0
<b>Comunidad Valenciana</b>	<b>23.092</b>	4.209	10.836	0	6.509	960	578	0	0	0	0
<b>Extremadura</b>	<b>1.950</b>	350	864	10	553	59	29	13	12	60	0
<b>Galicia</b>	<b>3.181</b>	363	1.361	5	1.118	208	95	31	0	0	0
<b>Madrid</b>	<b>57.433</b>	12.182	24.597	211	14.424	2.224	1.101	795	403	1.496	0
<b>Murcia</b>	<b>8.370</b>	1.856	3.580	6	2.177	219	118	170	13	231	0
<b>Navarra</b>	<b>3.611</b>	806	1.606	8	849	86	93	51	5	107	0
<b>País Vasco</b>	<b>4.562</b>	775	1.735	10	1.172	207	180	0	6	477	0
<b>Rioja</b>	<b>1.520</b>	323	707	0	391	25	30	24	2	18	0
<b>Ceuta</b>	<b>135</b>	32	50	1	39	5	8	0	0	0	0
<b>Melilla</b>	<b>733</b>	111	350	10	184	43	9	12	0	14	0

Source: Ministry of Education, Cultura and Sports. Data available of June of 2003

1- The last column refers to foreigners pupils schooling, but the Ministry does not know what kind of schools they attend .

**Figure 2**



Source: Ministry of Education, Culture and Sports. Data available of June of 2003

### 6.2.3. Number of foreign pupils by gender

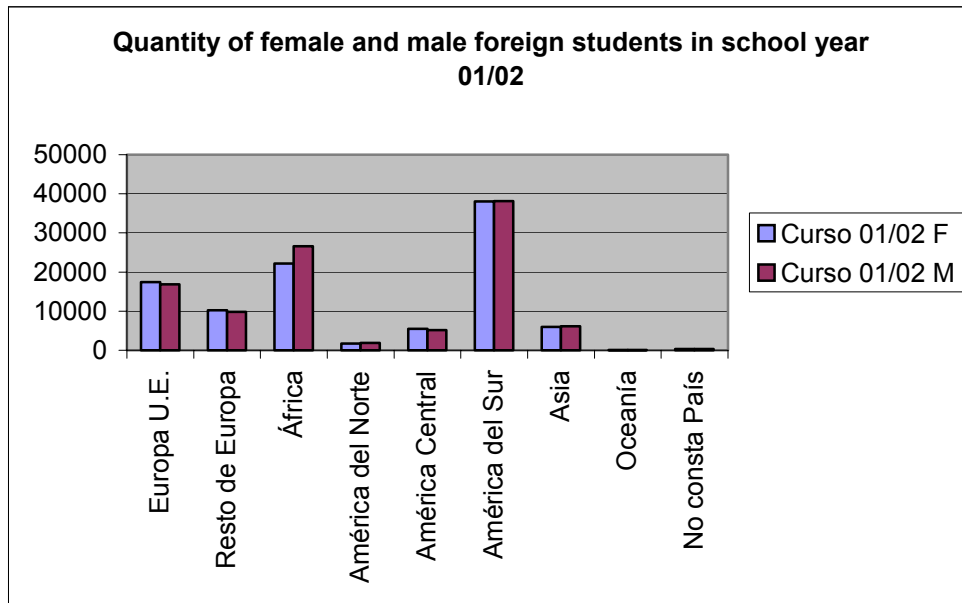
The percentage of feminine pupils is slightly superior to the percentage of masculine pupils from Europe (EU and non-EU countries), Central America and Oceania and is nearly the same for pupils from North America, South America and Asia and is slightly less for pupils from Africa, where the number of male pupils is slightly higher.

**Table 7. Number of foreign pupils by gender**

	F	M
European Union	17.392	16.865
Non-EU countries	10.202	9.845
Africa	22.146	26.611
North America	1.756	1.878
Central America	5.504	5.170
South America	38.084	38.142
Asia	6.012	6.119
Oceania	88	79
Country not available	318	314
<b>TOTAL</b>	<b>101.511</b>	<b>105.023</b>

Source: Ministry of Education, Cultura and Sports. Data available of June of 2003

**Figure 3**



*Source: Ministry of Education, Culture, Sports. Data available of June of 2003*

Of the total number of foreign pupils, the highest number is found in primary education. In primary and secondary education there are 63% of pupils who are under 12 years of age (see schema of the Spanish Education system in SPANISH EDUCATION SYSTEM). If we add to these the pupils of ESO, we have 88% of all pupils registered in compulsory education, the 12% remaining being those in higher education. We do not have data to analyse the level of transition between the different cycles, nor the level of success or failure.



**Table 8- Foreign pupils by Autonomous Community and type of school**

	<b>PUBLIC SCHOOLS</b>	<b>PRIVATE SCHOOLS</b>	<b>TOTAL</b>
Andalucía	17.168	5.581	22.749
Aragón	4.056	1.158	5.214
Asturias	1.380	281	1.661
Baleares	7.148	1.564	8.712
Canarias	11.479	2.706	14.185
Cantabria	689	345	1.034
Castilla y León	4.901	1.373	6.274
Castilla-La Mancha	5.215	586	5.801
Cataluña	30.093	6.215	36.308
Comunidad Valenciana	19.332	3.760	23.092
Extremadura	1.850	100	1.950
Galicia	2.697	484	3.181
Madrid	41.747	15.686	57.433
Murcia	7.495	875	8.370
Navarra	2.756	855	3.611
País Vasco	3.162	1.400	4.562
Rioja	1.198	322	1.520
Ceuta	127	8	135
Melilla	712	21	733
<b>TOTAL</b>	<b>163.205</b>	<b>43.320</b>	<b>206.525</b>

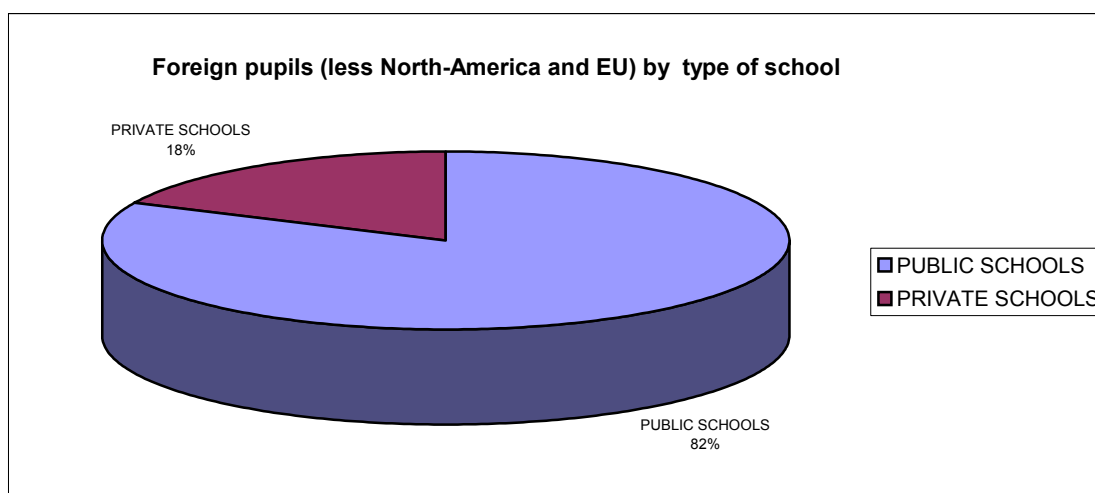
*Source: Ministry of Education, Culture and Sports. Data available of June of 2003*

#### **6.2.4. Foreign pupils by Autonomous Community and local centres**

The Autonomous Communities with the highest proportion of foreign pupils attending public schools are Melilla, with 97% of foreign pupils in public schools, Ceuta (94%), Castilla la Mancha (90%) and Murcia (90%). The ones with the lowest number of foreigners in public schools are Cantabria, with 67%. For the Autonomous Communities with the highest number of foreign pupils, the percentages of these in public schools are as follows: Madrid (73%), Andalusia (75%), Canary Islands (81%), Catalonia (83%) and Valencia (84%).

The total of foreign pupils for the entire Spanish territory is distributed as follows: 79% in public schools and 21% in private schools. If in these figures we exclude the pupils from developed countries (Europe and Northern America), we can see the results as shown in the table below: 82% of foreign pupils are registered in public schools. This lets us assume that migrant pupils from Western countries attend private schools, not necessarily Spanish private schools but institutions such as the Lycée Français that allow them to maintain a link with the original culture. This is not surprising as the EU and US citizens residing in Spain belong very often to higher social classes than their Spanish counterparts.

**Graph 4**



Source: Ministry of Education, Culture and Sports. Data available of June of 2003

### 6.2.5. Number of foreign pupils per 1.000 native pupils registered, by cycle and Autonomous Community.

**Table 9- Number of foreign pupils per 1.000 native pupils registered, by cycle and Autonomous Community. 2001-2002**

	E. Infantil			E. Primaria			E.S.O.		
	Total	Public Schools	Private Schools	Total	Public Schools	Private Schools	Total	Public Schools	Private Schools
<b>TOTAL</b>	<b>32,1</b>	<b>38,9</b>	<b>19,4</b>	<b>35,4</b>	<b>42,9</b>	<b>20,4</b>	<b>29,1</b>	<b>35,3</b>	<b>17,2</b>
Andalucía	13,4	15,1	7,3	16,7	19,3	8,5	12,6	15,3	4,7
Aragón	38,0	47,5	21,4	36,1	45,4	20,7	25,3	31,4	16,3
Asturias	11,5	13,6	7,0	15,1	18,5	8,0	12,6	15,5	6,8
Baleares	65,7	95,2	24,9	70,6	96,1	31,4	52,5	70,0	29,0
Canarias	37,8	39,3	32,7	45,3	47,5	38,7	45,1	46,5	40,3
Cantabria	11,5	11,4	11,6	17,3	18,8	15,1	13,8	14,5	12,7
Castilla y León	15,4	18,4	9,5	20,2	24,4	12,0	15,4	18,3	10,0
Castilla-La Mancha	23,9	27,0	11,1	21,9	24,3	12,1	16,5	18,5	9,0
Cataluña	33,4	47,7	16,2	42,1	61,7	13,8	43,8	66,1	16,0
Comunidad Valenciana	35,1	44,9	16,8	42,7	54,1	20,0	34,0	42,9	17,1
Extremadura	11,3	13,2	2,9	11,5	13,7	2,9	9,4	11,6	2,0
Galicia	6,6	8,3	2,8	10,0	12,0	5,6	9,7	11,6	4,8
Madrid	69,7	90,7	43,3	78,1	105,2	46,7	59,4	76,7	38,5
Murcia	43,1	54,1	15,4	41,0	50,5	15,5	34,3	42,1	13,5
Navarra	52,4	68,2	26,4	54,0	67,9	32,1	39,5	48,1	28,0
País Vasco	12,7	17,1	8,0	17,9	25,4	11,5	15,1	24,1	8,7

Rioja	44,8	52,8	30,8	48,1	57,3	31,2	34,3	45,7	15,8
Ceuta	11,5	15,7	0,0	8,1	10,2	2,9	9,4	11,5	2,9
Melilla	37,3	50,1	0,0	59,7	70,9	16,5	48,7	55,4	2,1

*Source: Ministry of Education, Culture and Sports. Data available of June of 2003*

In this table we can see in the Autonomous Communities with a high number of foreign pupils these actually represent a low percentage of the total number of pupils. In the case of Andalusia, foreign pupils do not even represent 20‰ of the total number of pupils. On the contrary, in Communities with a small number of foreign pupils, these represent a high percentage of the total pupil population of that community, like the Balearic Islands that has 90‰ in Primary and Secondary public schools like Navarra, with 60‰, or even La Rioja with more than 50‰. In the Madrid Autonomous Community there are up to 150‰ of foreign pupils in Primary and Secondary public schools, in Catalonia there are 66‰ of them in ESO (Secondary) and Valencia or the Canary Islands.

### 6.3. ANALYSIS OF THE 2002-2003 ACADEMIC YEAR

As we have mentioned already, statistical data related to foreign pupils in the academic year 2002-2003 was only available for some of the Autonomous Communities. The Ministry of Education provided us with data for the Canary Islands, Cantabria, Catalonia, Valencia, Navarra and the Basque Country. The Autonomous Communities that sent us data are Navarra, Catalonia, the Canary Islands, Asturias and Aragon. The data provided by these two sources clashes often and it is thus impossible to compare both sources. For this reason we decided to base our analysis only on the data provided by the Ministry for six Communities during 2001-2002. We consider that these six Communities are a good sample and give a representative view of the overall situation in the Spanish territory.

#### 6.3.1. Foreign pupils by continent of origin

**Table 10. Foreign pupils per continent of origin**

	TOTAL	Europe		Africa	North-America	Central America	South America	Asia	Oceania	Country is not available
		Total	U.E.							
Canarias	18.143	5.924	4.961	1.779	146	1.088	7.571	1.618	17	0
Cantabria	1.798	400	133	103	62	131	1.067	35	0	0
Cataluña	51.926	8.068	3.524	17.028	315	23.619		2.896		0
Comunidad Valenciana	37.500	14.225	6.992	4.560	315	668	16.586	1.072	27	47
Navarra	5.375	1.059	453	628	51	243	3.322	69	3	0
País Vasco	5.978	1.127	681	1.003	108	319	3.106	312	3	0
Aragón	5.978	1.551		1.518	3.136			233		81

*Source: Ministry of Education, Culture and Sports*

The data is the same as for 2001-2002. Most people originate from South America, followed by those from African and non-EU European countries of origin. Catalonia's

proportion of foreign pupils is still increasing especially because of pupils from Latin America and Africa entering school. In Valencia, the share of foreign pupils is also increasing, with pupils coming from the non-EU European countries making up the largest group.

### 6.3.2. Foreign pupils by level of education

**Table 11- Foreign pupils by level of education**

	E. Infantil	E. Primaria	E. Especial	E.S.O.	Bachilleratos	Form. Profesional	Prog. Garantía Social	EE. Artísticas	E. de Idiomas	TOTAL
Canarias	2.697	7.100	23	5.409	1216	513	54	0	1131	<b>18.143</b>
Cantabria	267	761	1	536	109	115	9	0	0	<b>1.798</b>
Cataluña	9.655	22.653	0	15006	2.340	1.898	202	172	0	<b>51.926</b>
Comunidad Valenciana	7.070	17.213	113	10.556	1384	1024	0	140	0	<b>37.500</b>
Navarra	1079	2.378	3	1263	120	152	80	127	173	<b>5.375</b>
País Vasco	1257	2.491	14	1.605	263	348	0	0	0	<b>5.978</b>
<b>TOTAL</b>	<b>22.025</b>	<b>52.596</b>	<b>154</b>	<b>34.375</b>	<b>5.432</b>	<b>4.050</b>	<b>345</b>	<b>439</b>	<b>1.304</b>	<b>120.720</b>

*Source: Ministry of Education, Culture and Sports. Data available of June of 2003*

If we take the same variables as in point 7.2.2., the proportion of the pupils in Primary education is 62%, practically the same for all the population of foreign pupils during 2001-2002, that was of 61.3%. If we add to this the pupils registered in ESO (secondary education) the percentage increases of 90%, two points more than 2000-2001.

### 6.3.3. Foreign pupils by type of school

The percentage of foreign pupils registered in public schools has increased from 79% (Graph 3) to 82.8%, more than three percentage points for 2002-2003. In all Autonomous Communities of the study the percentage has increased except in the Basque Country where it decreased from 69% to 68%. In Cantabria, Catalonia, and Valencia the share of foreign pupils has increased approximately by one percentage point, whereas in the Canary Islands and Navarra their share has increased by three percentage points.

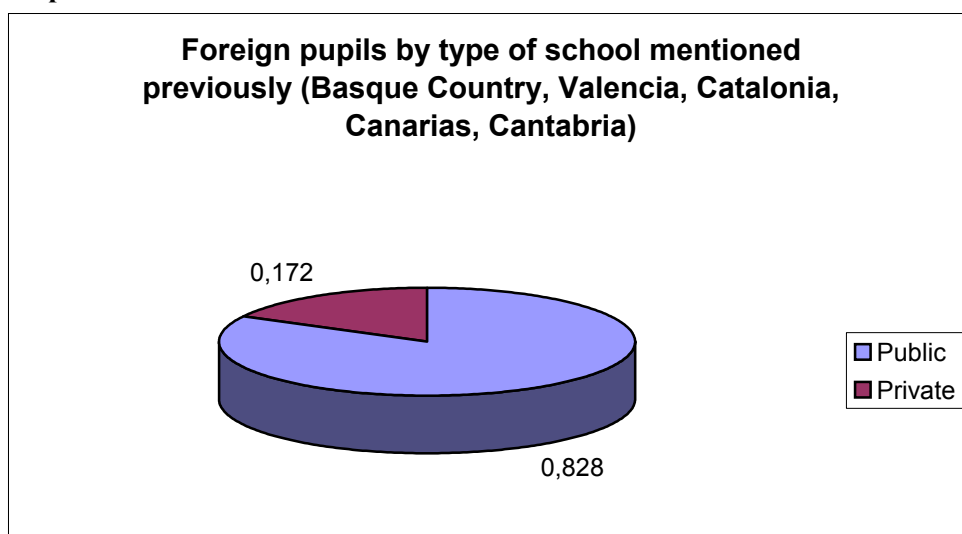
**Table 12 . Foreign pupils by type of school (private and public schools) in Autonomous Communities**

	Public	Private	Total
Canarias	15.211	2.932	<b>18.143</b>
Cantabria	1221	577	<b>1798</b>
Cataluña	43.370	8.556	<b>51926</b>

<b>Comunidad Valenciana</b>	31.769	5.731	<b>37500</b>
<b>Navarra</b>	4238	1.137	<b>5375</b>
<b>País Vasco</b>	4088	1.890	<b>5978</b>
<b>TOTAL</b>	<b>99.897</b>	<b>20.823</b>	<b>120.720</b>

Source: Ministry of Education, Culture and Sports. Data available of June of 2003

**Graph 6**



Source: Ministry of Education, Culture and Sports. Data available of June of 2003

**Table 13- Comparison of number of foreign pupils years 2001-2002 and 2002-2003**

	EU	Europe non-EU	Africa	America	Asia and Oceania	No country mentioned	TOTAL
TOTAL year 2001-2002	14.152	7.605	20.563	34.388	5.550	534	82.792
TOTAL Year 2002-2003	16.944	14.059	25.101	58.717	6.052	47	120.720

Source: Ministry of Education, Culture and Sports. Data available of June of 2003

As can be observed in the table and the graph, the increase of the 2002-2003 compared to the 2001-2002 trend is of 45.8%, which is very similar to the increase between 2000-2001 and 2001-2002 which was of 45.5%. The greatest percentage increase is of pupils from the rest of Europe (84.8%): 6.454 pupils. The pupils from North, Central and South

America increased by 24.3299 (70.7%). The pupils from Africa increased by 24.329 pupils (22%).

Based on this percentage and the growth of foreign pupils we calculate a hypothetical number of foreign pupils in the whole of the Spanish territory, arriving at about 301.526 foreign pupils in the Spanish education system.

We still try to obtain additional information such as the extent of compensatory classes and special training for immigrants and minorities (Spanish language compensatory classes and other courses) information on the performance of immigrant and foreign pupils in the education system, participation of foreign pupils in higher education or in vocational and professional training courses, special training for teachers working with immigrant pupils. Unfortunately, as we have already stressed this information would come from the Autonomic Administrations or even in some cases from the schools themselves, which makes our research work particularly difficult. On the other hand as the compilation of such information takes a while and as compensatory programmes take time to implement we can hope to obtain such information in a near future.

## 7. Indirect and direct discrimination

As we analysed in the education report 2002, Roma children face many problems in schooling and integration. This group has a high percentage of school failure.

Despite the lack of a legal framework it is interesting to mention the existence of integration Programmes, such as the “Global Programme for Coordination and Regulation of Foreign and Immigrants” or the “National Programme for the Development of the Roma Community”. The results of these programmes have been far from satisfactory. During the period of this study no statistical data has been published by the government on these programmes. This leaves us without any possibility of evaluating the result of the implementation of these programmes, their success or failure and does not answer the question of whether the government and the Autonomous Communities respond correctly to the needs of integration of the Roma community and the immigrant community. During this year, none of the contacted organisations have produced any sort of study on the Roma community in schools. Therefore, the latest information refers to the previous education report corresponding to the 2001-2002 academic course.

Compensatory Education Programmes (some are analysed in Chapter 8) can sometimes produce indirect discrimination. This indirect segregation of the students can create ghettos within the schools. The main aim of the Compensatory Programmes should be a rapid and effective integration of immigrant pupils to the normal stream of education and this is why the period of these programmes must be as short as possible for students to be able to integrate into the education system. As this does not always occur two education systems are created within the same school: one for native pupils and one for immigrant pupils, even though not all immigrant pupils need the same back-up to adapt to the education system. For this reason tests to evaluate the level of each pupil would be necessary as classifying able pupils as lagging behind could prevent them from starting their apprenticeship.

Until the coming into force of the LOCE, religious education was optional. Schools were obliged to offer it if the number of students that requested it was significant. A series of agreements was signed by the government and the representatives of the biggest religious confessions: the Catholic Church, the Protestant Church, Jewish and Muslim communities. In practice, the only religious education classes that could be taught in most schools were those of Catholic confession. Teachers of this subject are named by the Episcopal Spanish Conference and can be sacked by this institution without the State or the Autonomous Communities being able to voice their opinion. This situation generates indirect discrimination of all those of different confessions. The majority of students from another confession than the Catholic one choose not to attend Religious classes due to the impossibility to study their own confession. For example, the Jewish community is affected by this indirect discrimination. The contacts made by this NFP have provided us with the data that shows that the Jewish population in Spain is of about 40,000 people. 20.000 people have links to a Jewish organisation while the remaining 20.000 have no contacts to a Jewish organisation. There are two Jewish private schools in Spain but we were not able to obtain any information on these for the completion of the education report 2003.

## 8. Analysis of strategies, initiatives and good practices

In this part we will analyse briefly the initiatives of some of the Autonomous Communities and of the Spanish State, as exposed in the “*XIV Meeting of the Autonomous Councils and State Academic Councils*”. Later, we will address the conclusions of the study of the Spanish Ombudsman and good practices.

It is impossible to analyse in depth the integration programme of the seventeen Autonomous Communities. So we will analyse the most representative programmes designed in this area. For example, the Autonomous Community of Madrid has implemented various actions plans geared towards foreign pupils: “Attention Plan for Immigrant Pupils”,<sup>3</sup> Attention Plan to Diversity<sup>4</sup> and Plan of Compensatory Education Compensation.<sup>5</sup> Among the adopted measures regarding the process of schooling of pupils, 47 Permanent Schooling Commissions have been created. A Programme for Integration of Foreign Children to Schools has been created to develop measures for the integration of migrants into the education system. This programme consists of the creation of a “Link Class” to every pupil who joins the system. The main objectives are the integration into the social, cultural and linguistic context through activities after school and the development of actively living together. The schooling process of these pupils is supported by a series of complementary activities such as the Mediation and Coordination Activities such as participation, the Schools for Parents, the support services to schools and the services of translators and language teachers (SETI) (ACTES0018).

In the Autonomous Community of Valencia a programme of activities has been set up, called “Education 2002-2004”. It aims to support pupils with specific needs that originate from social, economic and cultural necessities (ACTES0018). Some of the measures that are contemplated in this programme are:

- Reception Plan: a series of activities that every school must have to facilitate the adaptation of the pupils.
- Compensatory Education Programme: Develop aims such as orientation and collaboration with schools to facilitate the elaboration of the Reception Plan.
- Offer advice for registration in schools, initial reception, schooling, organisation of resources and facilitation of information to families and pupils.
- Linguistic Attention Projects: Complementary resources to help the schools with the teaching of Valencian.
- New Specific Plan for 2003-2006: The main objectives are knowledge of Valencian in its written and oral form, the access to the same curriculum as the rest of the pupils and the progressive achievement of personal autonomy at school and in society.

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<sup>3</sup> Plan de Atención al Alumnado Inmigrante.

<sup>4</sup> Plan de Atención a al Diversidad.

<sup>5</sup> Plan de Compensación Educativa.



- Grants and Helps Plan: The government of Valencia (Generalitat) calculates that 20% of grants and helps for transport and canteens are received by immigrant pupils.
- Vocational Training of the teachers.

The Valencia Autonomous Community has set up two plans designed to foster the integration of foreign pupils.

- Action Plans for Diversity: Elaborated by every school, it must define the curriculum and incorporate aspects that promote knowledge, respect and the appraisal of social and cultural diversity.
- Compensatory Education Programme: elaborated by the schools. It is geared towards pupils who lag behind in the school programme or who do not know the language. Immigrants and ethnic minorities are the main users of this program.
- Other complementary activities: support and counselling of the schools, translator services and teaching of the own language and culture, the Office of Reception of immigrant pupils and their families, the Pedagogical Services (SPE), and the support teachers and cultural mediators.

In Andalusia, the legal framework that defines the activities in education for foreign pupils is the Law 9/1999 of 18 November, of Solidarity and Education. This is a pioneer law in Spain that tries to give the adequate compensation to situation of inequalities that some communities suffer from (ACTES0018, <http://www.andaluciajunta.es/SP/AJ/CDA/Secciones/Boja/visual/BojaCache/0,18806,bi%3D40225,00.html>). The specific plans to favour immigrant pupils are:

- First Integral Plan for Immigration in Andalusia (2001-2004). The principal objective is to promote the complete social, professional and personal integration of the immigrant population. One of the areas of action is social affairs and education.
- Andalusian Plan for Education of Immigrants: The principal objective is to promote the schooling of all children belonging to immigrant families in the same terms as the promotion of Andalusian pupils.
- Andalusian Plan for Education for Peace Culture and Non-Violence Projects: **“School: a place of Peace”**, Plan of support to Schools in Educational Action Areas, that is capitals of provinces and towns of more than 100. 000 inhabitants. Reduction of the ratio of Schools for Difficulties.

The Autonomous Community of the Canary Islands has designed the following plans and actions (ACTES0018):

- Canary Plan for Immigration: in the education chapter, actions to incorporate foreign immigrants are set up.
- Social Pact for Education. “Quality and Commitment for All”. One of the activities developed is the Development of the Plan for the South and the Law on Compensation of Inequalities.

- Plan for the South: reacting to a situation caused by the increase of immigrants in the geographical areas of the Archipelago.
- Law on Compensation of Inequalities. To guarantee equal opportunities and the respect of diversity. Establishes as one of its lines of action multiculturalism with programmes of integration and cultural enrichment.

We will present next the most relevant conclusions of the qualitative study done by the Spanish Ombudsman (ACTES0026) which is based on a survey done in 181 schools of primary and secondary education, in public and concerted schools in the Autonomous Communities with the highest proportion of Immigrant pupils: Madrid, Catalonia, Valencia, Andalusia and Murcia, to which 1270 immigrant pupils and 10.963 native pupils go.

Regarding the social, cultural and educational context of the pupils, the study concludes that the majority of schools that have immigrant pupils are areas that are often working-class areas with high unemployment. The Public Administration has developed programmes to ensure the access of immigrant pupils to the education system in an equal condition. The main objective consists of reaching the integration of all immigrant pupils. The next paragraph outlines strategies to reach some of them, for example, by offering enough places for pupils in public school. To ensure that disadvantaged groups, like immigrants, can attend public, private or concerted schools it is necessary to promote measures to control schools in the implementation of admission rules or an individual attention for each student. The Ombudsman Report also explains the cultural resources that the native families have. In many cases these are superior to those of immigrant families of the same socio-cultural level. Some of the parents of immigrant origin have a higher level of university education than autochthonous parents but are employed in areas inferior to their education.

The overall academic results of foreign pupils are not as good as those of native ones. The lagging behind in education is also more problematic and this is increased at the end of compulsory education. The results are better for students coming from Latin America and Eastern Europe and are somewhat worse for those from Africa. The Ombudsman report suggests that it is important to investigate the causes of these problems that occur especially among North-African or Asian students, being the only way to develop in the future efficient measures to achieve a complete integration.

Regarding the attitude of teachers towards foreign pupils, most teachers consider that the presence of foreign pupils does not have a negative influence on the achievements of the student community. They claim that the hardest subject for foreign pupils is languages. In this sense, the Ombudsman Report invites the Public Administrations to reinforce human and material resources to improve language programmes because this is the principal means to effectively promoting integration.

Regarding the analysis of attitudes towards immigration, the study shows that the majority of teachers (75.2%) have a positive attitude towards immigration, whereas only 36.5% of native pupils share this conviction. Remarkably, 15.6% of foreign pupils show an unfavourable attitude towards immigration. The attitude of the teachers is based more on the right to education than on the consideration that immigration is a positive and enriching experience. The native pupils that are in schools with more than 30% of foreign pupils show a favourable attitude to integration. Regarding the training of the teachers, it

is clear that there is not enough preparation towards the culture of the immigrant pupils. In order to ensure the integration of foreign students additional knowledge of the teachers seems to be necessary. More detailed information is available on the website [www.defensordelpueblo.es](http://www.defensordelpueblo.es).

Good practices mentioned in the Ombudsman's study are those that were implemented during the 2002-2003. For this reason the quantity of good practices collected have been less than in other reports.

The document drafted by the "XIV Meeting of Autonomous Communities and State School Councils" concludes that a majority of Autonomous Communities spent an important part of their budget for the promotion of activities related to Compensatory education programmes and NGOs integration plans. There are NGOs dedicated exclusively to dissemination of respective information in schools. It is a new line that the Spanish NFP started to research to find data useful in the elaboration of this report. Collecting this information is complicated because a lot of activities implemented for NGOs are not coordinated with Autonomous Administrations. Usually schools use their own initiative to design education strategies. Schools contact NGOs to put into practice integration programmes. We hoped that as we advanced in the elaboration of the Mapping Exercise the NGOs themselves would participate and send us information on some of their activities that are being developed in this field. Unfortunately, this is not the case and we are still in an initial phase of collecting information from NGOs and hope to develop communication in the future.

As far as good practice achieved by the civil society or NGOs during the period of this study, we can mention *the Short-story Competition for pupils of the schools of Cordoba*. This activity was implemented by *Mujeres Progresistas de Andalucía* (Progressive Women of Andalusia) with the aim of developing positive attitudes towards immigrants, and create awareness in pupils on racism and xenophobia. A book has been published called "Short stories on Human Rights", with a selection of 30 awarded stories (ACTES0017).

The Bishop of Cadiz organised celebrations during the month of March 2003 in schools, parishes, congregations, associations and in the street called "in the church, no-one is a foreigner" to sensitise, and educate society on immigration (ACTES0023).

As for good practice carried out by the different state institutions, we would like to mention the *"Plan for the Social Integration of immigrant population"* and the *"Plan for Attention to Diversity"*. The aim of these plans is to achieve social and cultural integration of immigrant pupils, under the principle of mutual understanding and cultural wealth. It pays special attention to cultural diversity from integration to normalisation (ACTES0008).

The Autonomous Community of Madrid offers for the academic year 2003-2004 a total of 67.969 places in public and concerted schools. The largest number of places available corresponds to public schools with 48.265, whereas concerted schools have 19.704 places (ACTES0010).

The Education Department of the Generalitat of Catalonia, aims to achieve a schooling of all foreign pupils in the same conditions as native pupils for obligatory education (6-16) and offers sufficient places for the 3 to 6 year-old children (ACTES0067).

The municipalities of Urretxu and Zumarraga have launched a programme of Basque classes for immigrant children. This will promote the development of equal treatment and possibilities for underprivileged groups. People in charge use this programme to integrate immigrants in an efficient way (ACTES0036).

Finally, related to good practices for the Roma population and in order to fight against absenteeism of Roma pupils, the Galileo Galilei Institute has created a plan that involves the participation of Roma pupils in mixed classes with other pupils. Eight hours a week they will have their own class where a teacher will attend their needs. The more complex classes, such as mathematics, languages or social sciences will be taught in a practical way (ACTES0019).

## 9. Summary and Conclusions

The first conclusion that we can draw from this report is that the Spanish education system has been capable of absorbing a growing number of immigrant pupils. However, this inclusion has been a simultaneous phenomenon to the reduction of national/autochthonous pupils in these schools and we cannot evaluate what would have happened if the number of this group had been stable.

In all cases, it seems that the attention given by the corresponding education authorities in the different Autonomous Communities has avoided problems that could have been caused by urgency or improvisation.

What is clear is that the significant annual increase of immigrant pupils produces a change in many of the education system's structures, focusing on absorbing this new demand and searching for an education model where pupils from different countries and cultures can coexist. This is the challenge that politicians, teachers and the Spanish society as a whole will have to face in the coming years.

In Spanish education, attitudes of racism, xenophobia, anti-Semitism or discrimination are associated to the growing number of foreign pupils in schools, as a consequence of immigration and the presence of ethnic or cultural minorities in conditions of social or cultural marginalisation.

In this report we have centred our analysis on the first group that is foreign pupils, because we could not have access to sufficient data in order to analyse adequately ethnic or cultural minorities.

If we consider the statistical data the Spanish education system has been capable of absorbing the growing number of foreign pupils that arrive in its schools. This is in part due to the gradual reduction of the total number of autochthonous pupils. From 1996-1997 to 2000-2001, there has been a reduction of 518.006 pupils, whereas the number of foreign pupils has increased by 143.818. The percentage of foreign pupils has increased by 0.83 in 1996-1997 and by 3.02% in 2001-2002. During the same period the percentage of female foreign pupils has reached the same proportion as that of male foreign pupils with respective percentages of 45.2% and 49.1%. The increase estimated for 2002-2003 is about 45%, which would suppose a total number of 300.000 foreign pupils.

Regarding the origin of the foreign pupils, the most numerous group for 2001-2002 continues to be pupils from Latin America, followed by those from Africa and the EU. The community of pupils from non-EU European countries is growing, and has increased from 4.811 pupils in 1996-1997 to 20.047 in 2001-2002. This increase is maintained in the six Autonomous Communities with available data for 2002-2003 with an increase of 84.8%.

The distribution of pupils by types of education is clearly unequal. 61.3% of the total of foreign pupils are in primary and secondary education (pupils under the age of 12). If we add to this the pupils in ESO, we have 88% of all foreign pupils in compulsory education.

One of the most relevant issues is that 79% of foreign pupils are registered in public schools. From the data that we have for 2002-2003, the percentage is 82.2%. This is one of the issues that the Spanish education system must deal with in the following years in order to ensure that no segregation between public and private schools, foreign and native pupils occurs. The Spanish education system will have to receive additional funds to ensure that the quality of all public schools is maintained and that no division occurs between schools.

The qualitative study of the situation of the schooling of foreign pupils done by the Spanish Ombudsman has detected other problems of a deeper nature. This report shows that the majority of schools that welcome these pupils belong to a relatively poor social and cultural context. On the other hand, the academic results of foreign pupils are inferior to those of native pupils. The lagging behind is accentuated at the end of the compulsory education cycle.

The teachers consider that the presence of immigrant pupils is not a negative influence on the results of the overall group and that the hardest subject is apprenticeship to the language.

Regarding the analysis of the attitudes to immigration, the study concludes that the majority of teachers (75.2%) have a positive attitude to immigration, whereas 36.5% of native pupils and 15.6% of foreign pupils have an unfavourable attitude to immigration.

The different Autonomous administrations competent in education are implementing policies for the integration of foreign pupils to their schools. In this study we have analysed briefly the actions of five Autonomous Communities which have the highest number of foreign pupils.

In 2003, the Law on Quality of Education (LOCE) that involves important changes for the future of education has been implemented<sup>6</sup>. This law regulates that foreign pupils with social, linguistic or cultural difficulties must be ascribed to programmes of Compensatory education for which all the Autonomous Communities must be prepared.

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<sup>6</sup> As abovementioned we should keep in mind that, meanwhile, the LOCE (Law of Quality of Education) has been stopped by a Royal Decree of implementation, launched by the new elected government, after the 13th of March 2004 elections .

## **10. ANNEX EDUCATION REPORT 2002/2003**

### **10.1. IMMIGRATION EDUCATION POLICIES**

The Spanish education system has been capable of absorbing a growing number of immigrant pupils. It is easy to find information in the media that shows the difficulties or gaps that a lot of schools suffer from, fundamentally in public schools. These schools have a huge percentage of foreigner students. In Spain, there are three kinds of schools. The schools of public ownership whose financial resources correspond to the different Autonomous Administrations. In these schools, obligatory education is free. The concerted schools are of private ownership, but receive public funds to ensure that the obligatory education is free. The private schools are financed only by private funds. The concerted and private schools have their own rules, depending on the administrators of the school, and contract teachers according to their internal criteria.

Every child has the right to obligatory, free education in public and concerted schools. Public Administration adjudges the school where the student must register following parameters like the family income, choice of the student, close to the family's home, the work place of parents, the existence of older siblings in the same centre, etc.

Nevertheless, this does not happen. In practice the analysis shows that foreign students go mainly to public schools, and not to concerted schools. Also we have found that foreign pupils are taught in public schools situated in problematic socio-economical areas with the most deprived surroundings.

These problems provoke an unbalance in the system and influences the attitudes of persons involved in education and this is then transposed to public opinion and to the cultural reactions to immigration.

In the suburb of San Blas (South of Madrid) the First Party in Defence of Public Education was celebrated (ACTES0078) with the participation of the Madrilenian Federation of Parents, the Trade Union Workers Commissions (CCOO) and the support of many neighbour associations. During the event participants warned of the dangers of the development of the LOCE (Law on the Quality of Education) that would accentuate the differences in the education system: immigrants, Roma children, children from marginal groups or children with special needs would be left out of the educational process, due to the strict application of itineraries that the LOCE implies.

Associations of immigrants like ATIME, talked out against the lack of prudence and inefficiency of the education system. The very nature of the LOCE would create ghettos for the underprivileged by the accumulation in schools of those who do not fit in to the traditional Spanish mould. This event is not the only initiative of this kind in Spain and we clearly detect a resurgence of involvement of parents and education associations in the process of reformulation of the education system.

There is a real preoccupation in all education sectors to know what will be the real stock taking of the situation that the annual increase in foreign pupils is creating. In all Autonomous Communities, in those that have many foreign pupils and those that have

less, policies, educational programs and budgetary lines are being devised to implement integration programmes. These plans are destined to solve the issues that arise when foreign and autochthonous pupils have to live and study together and different culture and mother tongues are involved.

A sign of this preoccupation is the XIV Conference of State and Autonomic Academic Councils was solely dedicated to how the Academic Community could cope with the integration of immigrant pupils. Another sign is that the Spanish Ombudsman dedicated a great part of his efforts in 2002 and 2003 to drafting a study on the situation of enrolment of foreign pupils in schools.

## **10.2. INTEGRATION POLICIES**

The debate about which education model should be adopted originated from the drafting of the new Law on the Quality of Education that has two very different approaches to the issue. On the one hand, the champions of cultural assimilation, that is, those who claim that pupils of foreign origin must assimilate to Spanish cultural values and that the education system must not suffer any curricular variation from what has been traditionally taught in Spain.

On the other hand, those who think that integration must be a phenomenon based on the respect of multiculturalism, which is a fundamental characteristic of our current societies, push for intercultural education, understood as a pedagogical attitude that favours interaction between different cultures as the main way of fighting against racism and xenophobia. This last line of thought considers that for ethnic and cultural diversity to be an enriching experience it is necessary to start by recognising that we are all equal, respect diversity and promote exchange between cultures. This is the only way to ensure that multiculturalism becomes interculturalism.

What is clear is that the substantial annual increase of immigrant pupils is producing a change in many of the education system's structures, focusing on absorbing this new demand and searching for an education model where pupils from different countries and cultures can coexist. This is the challenge that politicians, teachers and the Spanish society as a whole will have to face in the coming years.

## **10.3. BRIEF DESCRIPTION OF SIZE AND COMPOSITION OF FOREIGNERS IN SPAIN (MAINLY IMMIGRANT MINORITIES)**

Further on we will offer a brief description of the principal immigrant groups that come to Spain. However, we will first point out the following differences: the statistical data that the Ministry of Interior gathers only takes in to account the foreigners with a residence permit. Later we will have to add the unofficial numbers of the population that comes in an irregular way and that does not appear in any official statistics. Different NGOs have calculated that about 500.000 immigrants are in an administrative irregular situation. Nevertheless we cannot extrapolate these numbers to the educational area, since the age and the educational levels are different depending on the places of origin of the



immigration that we are considering. We have done this analysis in the Chapter 6 of the present report. The foreigners with residence permit come mainly from the European continent (35,56 %), followed by foreigners of the American continent (28,75 %) and the African continent (27,70 %) according to the sources of the Ministry of Interior (Annual Statistical Report about Foreigners 2002). If we distribute the foreigners by nationality following information from the Home Office, we get the following information. The main groups of foreigners with residence permits are Moroccans with 21,35 % followed by the Ecuadorians 8,72 % and the Colombians with 5,38 %. We can offer more detailed information of the Latin-American groups which together with the Magreb groups are the most important at this moment. There is a significant difference between the people with residence permits and those who are in the process of application for a permit.

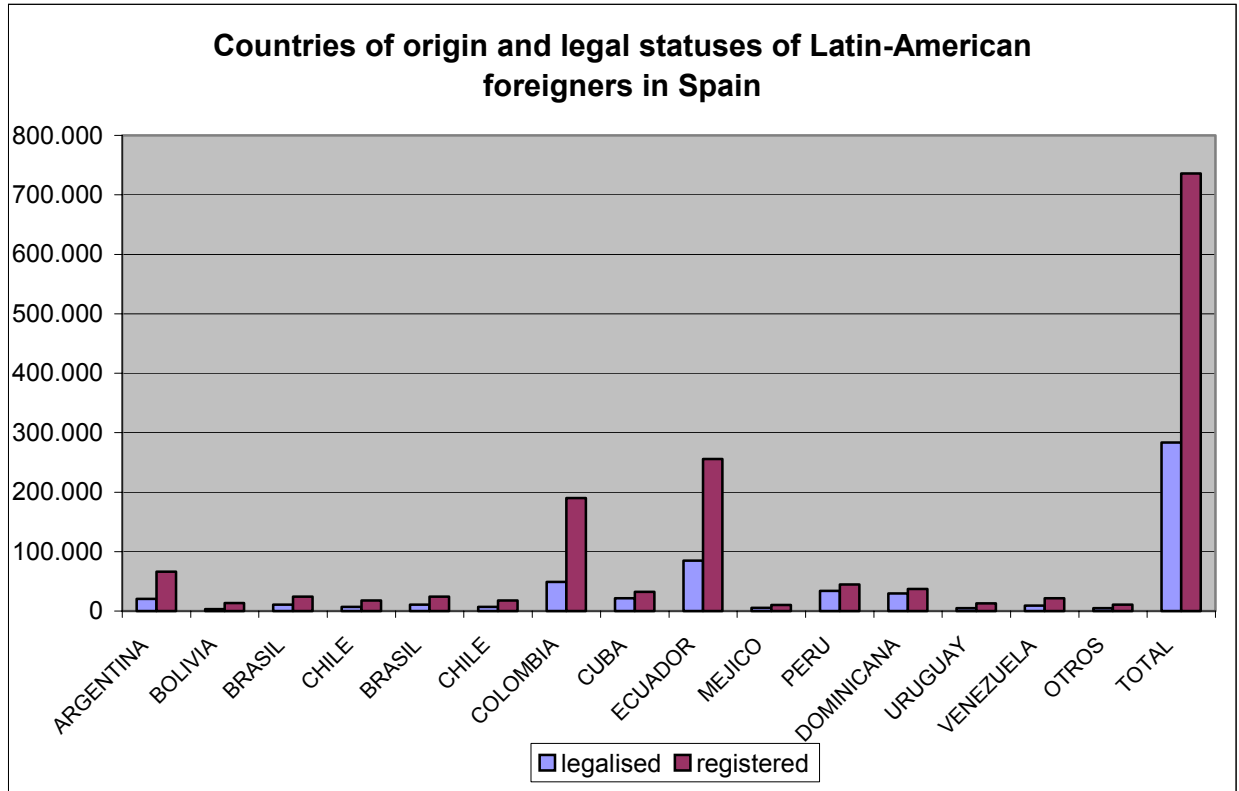
**Table a).- Latin Americans in Spain**

	<b>legalised</b>	<b>registered</b>	<b>ratio legalised/registered</b>
<b>ARGENTINA</b>	20.412	66.296	30,79%
<b>BOLIVIA</b>	3.344	13.427	24,91%
<b>BRASIL</b>	10.910	24.036	45,39%
<b>CHILE</b>	6.900	17.775	38,82%
<b>BRASIL</b>	10.910	24.036	45,39%
<b>CHILE</b>	6.900	17.775	38,82%
<b>COLOMBIA</b>	48.710	190.226	25,61%
<b>CUBA</b>	21.467	32.383	66,29%
<b>ECUADOR</b>	84.699	255.350	33,17%
<b>MEJICO</b>	5.173	10.298	50,23%
<b>PERU</b>	33.758	44.488	75,88%
<b>DOMINICANA</b>	29.314	36.898	79,45%
<b>URUGUAY</b>	4.754	12.715	37,39%
<b>VENEZUELA</b>	9.067	21.522	42,13%
<b>OTHER</b>	5043	10.793	46,72%
<b>TOTAL</b>	<b>283.551</b>	<b>736.207</b>	<b>38,52%</b>

*Source: MPDL. Report about Latin-American foreigners in Spain. 2002/2003*

“Legalised” refers to foreigners who have obtained work and residence permits in Spain. “Registered” differs from legalised as it refers to the foreigners registered in the “padrón”, that is the city council register that gives access to health and compulsory education. To regularise one’s situation in Spain, one must first register with the Padrón and then go through the process of regularisation. Thus, “registered” foreigners are going through the process of regularisation their situation but are still considered as irregular immigrants.

**Graph a): Latin-Americans in Spain**



Source: MPDL. Report about Latin-American foreigners in Spain. 2002/2003