

Luxembourg, 7th April 2004

CONCLUSION 232/04

APPROVED BY THE HEADS OF ADMINISTRATION BY WRITTEN PROCEDURE ENDED ON  
7th APRIL 2004

Subject: Education allowance; interpretation of the term "imperative educational reasons duly supported by evidence" (Article 3 of Annex VII to the Staff Regulations)

SEC(2004)411

The first indent of the third subparagraph of Article 3(1) of Annex VII to the Staff Regulations lays down that the education allowance paid shall be subject to a ceiling of twice the maximum for

- officials whose place of employment is at least 50 km either from a European school or from an educational establishment working in their language which the child attends for imperative educational reasons duly supported by evidence.

The Heads of Administration conclude that three situations should be taken into account:

1. Educational problems affecting a child attending a European School or "an educational establishment working in his [or her] language"

In this case it is necessary to provide a certificate from an education authority stating that it is in the child's interests to leave the school or establishment which he or she is attending and take up another form of education.

In addition, a certificate evidencing that the child has been enrolled in a school corresponding to this new type of education will have to be produced in order to qualify for the education allowance subject to a ceiling of twice the maximum.

2. Educational problems affecting the child because the parent who is an official takes up employment in or is reassigned to a place where there is a European School

In this case, it is considered that there are imperative educational reasons for keeping the child at the establishment which he or she is attending at the time when the parent who is an official takes up employment in or is reassigned to a place where there is a European School

- a. where the child is in the final year of a course leading to a level of higher education. A certificate from the head of the educational establishment is necessary in such cases;
- b. where the child is in a different year, if the change of school would occur during the latter part of the school year and have a serious detrimental effect on the child. A certificate to this effect from the head of the school attended is necessary in such cases.

3. Language problems affecting the child in cases where there is a European School at the place of employment of the parent who is an official

In this case, it is necessary to produce a certificate from the head of the European School stating that the child's knowledge of languages prevents him or her from being educated at the European School.

This Conclusion shall apply from 1 May 2004.

It repeals and replaces Conclusion 11/77, approved by the Heads of Administration at their 109th meeting held on 2 December 1997, and Conclusion 73/82, approved by the Heads of Administration at their 141st meeting held on 5 October 1982.

Done at Luxembourg, 07.04.2004

For the College of the Heads of Administration