

CHAPTER IX

ASSESSMENT OF PUPILS RULES FOR PROMOTION TO THE YEAR ABOVE

A-Primary cycle

Article 55

School report and communication with pupils' legal representatives

The school report, harmonised across all the language sections, is a tool for communication with the pupil's legal representatives

- At the beginning of the school year, the teachers will inform pupils' legal representatives about the planned implementation of learning processes and about assessment of learning.
- In the autumn term, they will see pupils' legal representatives individually to report orally on the pupil's social activities and attitude towards the school based on cross-curricular competences. If necessary, and in a spirit of joint responsibility, they will determine a strategy to improve the pupil's attitude to learning.
- Written information will be given to pupils' legal representatives at the end of each semester in the school report:
 - a) During February, the information will concern the competences being acquired. In the space provided for this purpose, teachers make observations about the pupils' strengths and areas for future development.
 - b) At the end of the school year, the school report must indicate the pattern of development of learning during the year and the standard of attainment. If during the second semester the teacher detects a definite risk of a pupil's having to repeat the year, the Director shall be required to notify his/her legal representatives in writing in late April or early May at the latest.
 - c) In the case of pupils with special educational needs, there must be a permanent dialogue between the teachers and the pupil's legal representatives.

Article 56

Assessment

Pupils' results will be assessed on the basis of specifically defined learning objectives and competences for each subject. For the assessment of achievement of subject objectives, teachers will use the following four levels assessment scale :

- learning objectives are not yet achieved (+)
- learning objectives are partially achieved (++)
- learning objectives are satisfactorily achieved (+++)
- learning objectives are fully achieved (++++).

For the assessment of cross-curricular learning areas, teachers will use the scale:

- seldom (+)
- sometimes (++)
- frequently (+++)
- most of the time (++++)

For each learning area, in each subject, and on the basis of observations, portfolio tests and other forms of assessment done in class, the teacher will indicate the standard of attainment.

The last page of the school report indicates the Class Council's decision as to whether the pupil should be promoted or should repeat the year.

Article 57

Promotion to the year above

- At the end of the school year, the Class Council shall decide whether pupils are fit for promotion to the year above. The standard of attainment in Language 2 will not be taken into consideration in the case of pupils without a language section (SWALS) coming from outside the system and who have attended the European School for less than two years. The Class Council may overlook unsatisfactory results in subjects taught in a vehicular language in the case of a new pupil at the end of his/her first year in the school.
- In exceptional cases, where the standard of attainment of the competences fails to guarantee normal progression of learning, the Class Council may decide that a pupil should repeat the year. In that case, a report shall be made setting out the grounds on which the decision is based.
- As laid down in the Provision of Educational Support in the European Schools , cases of pupils with an adapted curriculum i.e. pupils with special educational needs receiving Intensive Support A shall be considered with reference to the criteria set out in the agreement; the Support Advisory Group¹² shall propose arrangements for progress and for the continuation of schooling to the Class Council. Pupils with an Individual Learning Plan ILP will receive the same school report as other pupils. However, it will be noted on the school report that the pupil will also be assessed against the objectives of his/her ILP.

Article 58

Admission to the secondary cycle

Decisions on promotion from the primary cycle to secondary year 1 in the European Schools shall be taken by the Class Council composed of the Director or the Deputy for the primary cycle and the teachers of primary year 5.

¹² Provision of Educational Support in the European Schools – Procedural document – 2012-05-D-15-en-9

To establish the necessary link between the primary and secondary cycles and to obtain useful background information on their prospective pupils, some future secondary year 1 teachers shall attend the meeting of this Class Council. Where this procedure proves inapplicable, the Director shall put in place a different coordination system.

The decision on admission to the secondary cycle shall be taken on the basis of each pupil's individual file, which shall contain the school reports and any other relevant information.

- a) Pupils shall be promoted from the primary cycle to secondary year 1 in the European Schools provided that they have attended school regularly during primary year 5 and that the Council referred to in the previous article has decided that they are fit for promotion. In the event of non-admission to the secondary cycle, a reasoned decision, stating the grounds on which it is based, shall be given.
- b) The standard of attainment in Language 2 will not be taken into consideration in the case of pupils coming from outside the system and who have attended the European School for less than two years and whose knowledge of this subject is inadequate.
- c) The Director shall inform the pupil's legal representatives of the Class Council's decisions.

B-Secondary cycle

Article 59

Assessment

- 1. Marking system: For assessment purposes teachers shall use a marking scale of 0 to 10. Equivalences between the various marks on the scale and the pupil's performance are set out in the table below.

| | |
|---|-------|
| The performance meets the requirements of the subject and the question particularly adequately. The mark 10 does not mean that the performance is flawless but it does denote a performance which is outstanding in all respects. | 9-10 |
| The performance fully meets the requirements of the subject and the question. | 8-8.9 |
| The performance generally meets the requirements of the subject and the question. | 7-7.9 |
| The performance does show weaknesses but still meets the requirements of the subject and the question on the whole. | 6-6.9 |
| The performance does not meet the requirements of the subject and the question but shows that the necessary basic knowledge | 4-5.9 |

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| exists and that the weaknesses can be remedied in the foreseeable future. | |
| The performance does not meet the requirements of the subject and the question, the basic knowledge being so sketchy that the weaknesses can be remedied only in the comparatively distant future. | 2-3.9 |
| The performance does not meet the requirements of the subject and the question, the basic knowledge being so sketchy that the weaknesses cannot be remedied in the foreseeable future. | 0.1-1.9 |
| This assessment will be given in the event of a blank or unacceptable script, of the absence of an answer or of a practical project or of cheating. | 0 |

2. In years 1-3, the term or semester mark and the final mark shall reflect all the observations and results available to the teacher of the subject concerned. It shall be expressed in whole marks.
3. In years 4-7, the semester mark shall comprise two components:
 - the A mark is the reflection of all the observations and of the pupil's overall performance, both written and oral, not taken into account in the B mark for the subject in question.
 - the B mark corresponds:
 - in year 4, for each of the semester reports, to the average score of the two B assessments taken each semester; these assessments will consist of two tests taken in lesson time or one such test and a semester examination.
 - in year 5, for the first semester report, to the mark obtained in the 1st semester examination (harmonised or not) and for the second semester report, to the mark obtained in the harmonised 2nd semester examination;
 - in year 6, for the first semester report, to the mark obtained in the 1st semester examination and for the second semester report, to the mark obtained in the 2nd semester examination;
 - in year 7, to the marks obtained in the part examinations of the Baccalaureate according to the Arrangements for implementing the Regulations for the European Baccalaureate;
 - in year 4-6, for subjects for which no B assessments or semester examinations are organised, to the average score of tests organised in normal lesson times or to the mark obtained by other rules of assessment specific to the subjects.
4. The A and B marks shall be expressed in whole and half-marks except in year 7, where they shall be expressed in whole marks accurate to one decimal place

Article 60

School reports

1. Calendar

1.1 Years 1-6

a) The schools should use the following information system:

- November: November report, containing comments plus numerical assessments, if considered appropriate.
- January: First semester report, with the Class Council's opinion, where appropriate.
- March/April: Report containing comments and numerical assessments, where appropriate, and indication of possible risk of failing the year.
The fact that such a letter is not received is not in itself a guarantee of promotion to the year above, nor a procedural irregularity within the framework of the deliberations concerning promotion to a higher class.
When pupils' legal representatives receive a warning letter about the risk of failing, they are required to provide spontaneously any information in their possession liable to have an influence on the forthcoming Class Council's deliberations.
- July: end-of-year report, with the Class Council's decision on promotion.

b) Schools which have opted for a term calendar for years 1-3 must use the following information system:

- December: term report with the Class Council's opinion, where appropriate.
- March: term report with the Class Council's opinion, where appropriate, and indication of possible risk of failing the year.
The fact that such a letter is not received is not in itself a guarantee of promotion to the year above, nor a procedural irregularity within the framework of the deliberations concerning promotion to a higher class.
When pupils' legal representatives receive a warning letter about the risk of failing, they are required to provide spontaneously any information in their possession liable to have an influence on the forthcoming Class Council's deliberations.
- July: end-of-year report, with the Class Council's decision on promotion.

1.2 For year 7, without prejudice to the Arrangements for implementing the Regulations for the European Baccalaureate, the information system will be as follows:

- End of February: semester report
- Before the start of the European Baccalaureate written examinations, communication of the preliminary mark.

2. Detailed arrangements

a) For years 1-3, the term or semester report shall deal separately with each subject in the curriculum. The teacher responsible for teaching each subject shall give a mark (see Article 59). These marks shall be supplemented by teachers' written comments and, if necessary, by a general assessment of all the results, made by the Class Council.

b) For years 4-6

- i. The November and March/April reports shall deal separately with each subject in the curriculum. The teacher responsible for teaching each subject shall give an evaluation in the form of a comment and a numerical assessment, if considered appropriate.
- ii. The semester reports shall include for each subject an A mark and a B mark (see Article 59). These marks shall be supplemented by teachers' written assessments and, if necessary, by a general assessment of the results (for the whole semester or year), made by the Class Council.

c) For year 7, the February report shall indicate the A and B marks achieved in the first semester, supplemented by comments, if considered appropriate.

Article 61

Promotion to the year above

A-Competence

1. Decisions on promotion to the year above shall be taken at the end of the school year by the relevant Class Council in accordance with Article 18 of these Rules.
2. The Class Council shall not reach a decision on the basis solely of the results achieved by the pupil in each subject but on the basis of the overall picture of the pupil as it emerges from all the information available to it.
3. Parents shall ensure that they communicate during the school year any relevant element which is likely to influence this general image of the pupil.
4. The outcome of the Class Council's assessment cannot be challenged on the basis of opinions given by psychologists, therapists, experts or any other third party external to the European Schools.

B- Criteria taken into account

1. Decisions on promotion to the year above shall be taken by the relevant Class Council, following examination of pupils' results, presented in the form of summary tables of final marks, expressed in whole marks in years 1-3 and in whole marks and in half-marks in years 4-6.
2. The final mark shall not be an arithmetical average of the term or semester marks. It must be a reflection of all the observations and results available to the teacher of the subject concerned, enabling him/her to judge in particular whether the pupil will be capable of keeping up successfully with the work in this subject in the year above.

3. During their deliberations Class Councils shall take account of the following considerations:
 - i. To be promoted a pupil needs to have the basic knowledge and skills, motivation and maturity required to keep up successfully with the work in the year above.
 - ii. A pupil's promotion should not impede the academic progress of the class in the year above.
 - iii. The marks for all subjects which a pupil may drop at the end of years 5 and 6 shall also be taken into account, irrespective of the pupil's choice of subjects for the following year.
4. The Class Council may disregard unsatisfactory results in Languages 2, 3 or 4 or in subjects taught in a vehicular language in the case of a new pupil at the end of his/her first year in the school. However, this derogation shall not apply to Language 3 in year 2 or to Language 4 in year 4 if the pupil has been attending the course in this subject since the beginning of the school year.
5. In fully justified special cases, notably prolonged absence because of illness, and where the pupil's interest so demands, the Class Council may waive the above rules in order to promote a pupil. Such a derogation shall be authorised only where, in view of the precise circumstances characterising it and differentiating it from other cases, a given situation requires promotion to be granted notwithstanding unsatisfactory results, in so far as it is accepted that the pupil will be able to continue his/her schooling successfully in the year above. The decision, and the reasons justifying promotion, must then be recorded in detail in the minutes of the Class Council's meeting.
6. A pupil shall not be allowed to repeat the same year in the secondary cycle twice. In special cases the Class Council may grant an exception to this rule. Before taking a decision the Class Council will hear the opinion of the pupil's legal representatives.
7. As laid down in the provision of Educational Support in the European Schools, the cases of pupils with special educational needs with an adapted curriculum shall be considered with reference to the criteria set out in the agreement; the Support Advisory Group¹³ shall propose arrangements for progress and for the continuation of schooling to the Class Council. The pupil's legal representatives will receive an achievement certificate giving details of the progress made.

C-Guidelines for the promotion of pupils in secondary years 1, 2 and 3

1. Pupils who have achieved a mark of at least 6 out of 10 in each of the promotion subjects shall be automatically promoted to the year above, without the need for deliberation.

¹³ Provision of Educational Support in the European Schools – Procedural document – 2012-05-D-15-en-9

2. The situation of pupils who are not promoted automatically shall be subject to special scrutiny. On the basis of all the information available to it, the Class Council shall decide whether or not to promote the pupil to the year above, applying Article 61.B-5 if need be. The Class Council alone shall be competent to judge whether it is advisable to make use of that provision.
3. Without prejudice to Article 61.B-5, pupils in the following situation shall not be promoted to the year above:

Pupils who have failed to achieve an average of 6 out of 10 calculated on the basis of all the marks achieved in the promotion subjects and who have achieved either three or more marks under 6 in all the basic subjects or two marks under 6 in all the basic subjects and two or more marks under 6 in the other subjects.

Promotion subjects

Basic subjects

1. Language 1
2. Mathematics
3. Language 2 (called first foreign language as from year 6)
4. Human sciences
5. Integrated science
6. Language 3 (called second foreign language as from year 6)

Other subjects

1. Art
2. Music
3. Physical education
4. Latin
5. ICT
6. ONL (Other National Languages)

Religion/Ethics courses and Complementary Activities are not promotion subjects.

D- Guidelines for the promotion of pupils in secondary years 4, 5 and 6

1. Pupils who have achieved a mark of at least 6 out of 10 in each of the promotion subjects shall be automatically promoted to the year above, without the need for deliberation.
2. The situation of pupils who are not promoted automatically shall be subject to special scrutiny. On the basis of all the information available to it, the Class Council shall decide whether or not to promote the pupil to the year above, applying Article 61.B-5 if need be. The Class Council alone shall be competent to judge whether it is advisable to make use of that provision.
3. Without prejudice to Article 61.B-5, pupils in the following situation shall not be promoted to the year above:
Pupils who have failed to achieve an average of 6 out of 10 calculated on the basis of all the marks achieved in the promotion subjects and who have achieved four or more marks below 6 out of 10 in all the promotion subjects.

E-Guidelines for distance learning

At the school's request, pupils may follow courses using distance learning methods, in accordance with the arrangements determined by the Board of Inspectors. The pupils concerned will then follow a syllabus identical with the one taught in 'traditional' classes. Examinations and assessment shall be organised in accordance with the rules and regulations in force.

C-Appeals

Article 62

Appeals against decisions on repeating a year

1. Pupils' legal representatives shall have no right of appeal against Class Council decisions except in cases of procedural irregularity or recognition of new facts by the Secretary-General, on the basis of a file provided by the school and the pupil's legal representatives.

Procedural irregularity means any infringement of a rule of law pertaining to the procedure to be followed for promotion to the year above, such that if it had not been committed, the Class Council's decision would have been different.

Failure to provide assistance in the form of the pupil's integration into the Educational Support programme shall not constitute a procedural irregularity, unless it can be demonstrated that the pupil or his/her legal representatives sought such assistance and that it was improperly refused by the school.

It shall be the schools' responsibility to make practical organisational arrangements for examinations and the said arrangements cannot be regarded as a procedural irregularity.

New fact means any element which might not have been brought to the Class Council's attention because it was unknown to all – teachers, parents, pupil – at the time of its deliberation and which might have influenced the purport of its decision. A fact of which the parents were aware but which was not brought to the Class Council's attention cannot be described as a new element as meant by this provision.

The Class Council shall have sole discretionary power in respect of assessments of pupils' abilities, the award of a mark for an examination, test or a piece of work done during the school year and assessment of the particular circumstances referred to in Article 61.B-5. Appeals may not be lodged against these assessments.

2. The deadline set for the lodging of an appeal with the Secretary-General shall be seven calendar days after the end of the school year. The original appeal file will be sent to the General Secretariat by registered letter, the postmark being taken as proof. The appeal, written and signed by the legal representatives, shall expressly indicate the address to which notification can be sent of any administrative communication or decision in relation with the appeal lodged.

The appeal shall set out the facts and the procedural irregularities or new elements invoked. A complete set of the supporting documents adduced in support shall be attached to the appeal. No new pleas in law or new documents may be submitted in the course of proceedings, except in cases of *force majeure*.

A copy of the appeal must be deposited with the directorate of the school concerned, which shall be charged with forwarding to the Secretary-General all the relevant documents for the handling of the case, including a detailed confidential opinion on the admissibility and validity of the basis of the appeal.

The Secretary-General (or, by delegation, the Deputy Secretary-General) must give a ruling on the appeal by 31 August. Articles 66 and 67 of these Rules shall be applicable. Should the appeal be deemed admissible and well founded, the Class Council shall reconsider the case.

An administrative appeal may also be lodged with the Secretary-General against the new decision in accordance with the same arrangements as those defined in this article but within a maximum of seven calendar days of notification. The Secretary-General (or, by delegation, the Deputy Secretary-General) shall be required to respond within 14 calendar days of the lodging of the appeal.