

Attn. European Investment Bank
General Secretariat
98-100, boulevard Konrad Adenauer
L-2950 Luxembourg

Náquera, 13 April 2012

Ref: CreaEscola Funding Complaint – Parents' Association of Emilio Lluch Public School

[REDACTED]
[REDACTED] as representative of the **Parents' Association of Emilio Lluch Public School in Náquera,**

STATES:

In 2007, in an EIB Press Release (2007-013-EN), the Valencia Regional Government and the European Investment Bank announced an agreement on the funding of new investments in education and discussed the possibilities of future cooperation to finance the upgrading of various primary, secondary and vocational educational facilities in the Autonomous Community of Valencia under the "**Crea Escola**" programme. One of the objectives of the "Crea Escola" programme was to get rid of portable classrooms used in many primary schools, on the assumption that "educational facilities commensurate with the demands of the modern world are indispensable to improve the quality and effectiveness of education."

In 2008, the **Valencia Centros Escolares II-2** funding project was approved (<http://www.eib.org/projects/loans/2006/20060215.htm>) for the upgrading of various primary, secondary and vocational educational facilities in the Autonomous Community of Valencia for an amount of EUR 300 million.

In 2010, a **Valencia Centros Escolares III** funding project was approved (<http://www.eib.org/projects/pipeline/2009/20090090.htm>) for the period 2009-2013 for a further amount of EUR 350 million.

However, the annual report of the Spanish Ombudsman, María Luisa Cava de Llano, reveals that 203 entire schools operate with a total of 1,091 Portakabins in the Autonomous Community of Valencia.

The number of portable classrooms was:

Year	Number of portable classrooms	Source
2007	1,111	Official source quoted in Levante El mercantil valenciano 14/12/2007

2008	1,300	Source: unions quoted in Levante El mercantile valenciano 29/08/2008
2009	1,028	Source: unions quoted in El País 13/09/2009
2010	848	Source: unions quoted in El Mundo 03/09/2010
2011	1,091	Source: Spanish Ombudsman - 2011 Annual Report

To take the specific case of Náquera (Valencia), as of 13 April, there are 13 portable classrooms in a school that has been waiting to be extended for many years already. In fact, the increase in population, nearly 30 years after the construction of the single **Emilio Lluch Public School**, which dispenses nursery and primary education, has meant that the educational facilities have become substandard and inadequate. The situation is not new, given that since 1999, the School Board has repeatedly denounced the shortcomings of the school's facilities, as is reflected in the minutes.

The school currently has 22 classes with 441 pupils:

- All the nursery pupils have been housed in portable classrooms for the past 6 years. These are portable classrooms that do not meet the minimum requirements imposed on schools that are laid down by Royal Decree 1537/2003 (Official Spanish Gazette of 10/12/2003). This affects 9 classes and a total of 176 pupils.
- 11 primary classes are taught in obsolete and substandard facilities that are not big enough. This affects 231 pupils
- From this school year 2011-2012, 2 primary classes on top of all the nursery classes are housed in portable classrooms set up in the primary school playground. This affects 34 pupils.

The Department of Education is fully aware of this precarious situation, as the situation has been the subject of warnings and complaints via numerous letters sent by the parents and the school since 1999.

After a long processing period by the different authorities involved, a decision was finally taken to launch appropriate action to extend the school: on 07/06/2010 a call for tender was published on the Contractor Profile portal of the Autonomous Community of Valencia, posted by the institution of the Regional Government of the Autonomous Community of Valencia via the Department of Construction and Infrastructure of Valencia Regional Government (CIEGSA), for the Execution of the Work on Emilio Lluch Nursery and Primary School in Náquera under file number COB 632/10, with the deadline for submission of tenders set at 28/06/2010.

Today, **the contract is yet to be awarded and work has still not started.**

In 2011, the AMPA (Parents' Association) filed a **complaint with the Valencian Ombudsman** (Sindic de Greuges), which, after a detailed study of our complaint, issued its report on 28/09/2011, concluding that:

- "the very configuration of a building that is over 30 years old, as has been pointed out before, allows us to conclude that the education offered to pupils at the school in

question is an education that, in accordance with the regulations in force in this respect, **is not conducive to achieving the expected level of quality**, given that it has not provided the facilities necessary for the proper dispensation of teaching that the law itself lays down as minimum requirements to guarantee a quality education"

• and making a recommendation to the Department of Education, Training and Employment to **"take the necessary measures**, both technical and **budgetary**, to upgrade/extend "Emilio Lluch" nursery and primary school in Náquera."

Since then, according to the answers given to the recommendation issued by Valencia's Ombudsman, to our written queries, to parliamentary questions submitted by the different political groups of the Valencia Parliament and, according to the interviews we have had within the Department of Education, Training and Employment with several senior officials, the answer is:

1. The upgrading/extension work is planned and tendered, as we understand it to appear on the Crea Escola programme.
2. The school shall be extended to the extent permitted by the available budget.

We know that:

- The European Investment Bank has financed a significant part of the Crea Escola programme for many years.
- The work of extending/upgrading Colegio Emilio Lluch in Náquera has been planned for several years.
- The work has been the subject of a call for tender and therefore must have had a corresponding budget

In view of the above, and since we understand that the European Investment Bank should be aware of the results of operations it has financed, the Parents' Association of Colegio Emilio Lluch in Náquera

REQUESTS the institution to provide us with the following information:

o Is there an evaluation report relating to the aforementioned operations? Is there any information about the rollout of the Crea Escola programme?

o Is there a list of the schools included in the Crea Escola programme? Was the Emilio Lluch nursery and primary school in Náquera included in this programme?

o Is there an indicator of its financial impact?

Also REQUESTS

- o Clarification as to whether there may have been irregularities in the public procurement procedure, given that the law requires budgetisation before a call for tender is made and that the budget shortfall is the reason given for the delay in the works. How can a tendered project, with its attendant budget, in

which the European Investment Bank is involved, not have been awarded two years later due to a budget shortfall?

- That the European Investment Bank demands, within the scope of its responsibilities, the education authorities of the Autonomous Community of Valencia:

not to allow the exceptional and temporary situation of the school facilities to continue and that it confers on our educational community appropriate facilities in line with the legal provisions, ensuring that our children can partake in a quality education under conditions equal to those enjoyed by all the children of the European Union.

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Emilio Lluch Public School

Attachments:

- The Ombudsman's Recommendation
- Closure of the complaint and acceptance
- Parliamentary Answers