

PRIORITY MEASURES AND MEASURES AGAINST ETHNIC SCHOOL SEGREGATION IN THE NETHERLANDS AND IN OTHER COUNTRIES

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ABSTRACT

Ethnic school segregation exists. In The Netherlands, in other countries of Europe and in other parts of the world. It seems that it is partly caused by the freedom of parents to choose a school for their children. In The Netherlands this freedom has been initiated decades ago. In other European countries this is a more recent development. The result is a growing segregation between children with different cultural backgrounds. Proof is found for a white flight in The Netherlands, Denmark and the United Kingdom (Heckmann, 2008, p. 22). Countries, once they have acknowledged this development, are faced with a scope of possibilities for measures. In The Netherlands several initiatives are started and some measures to desegregate primary education are implemented. The main measures are parental initiatives and dispersion policy. In this paper we will introduce these measures and initiatives in order to inform other countries, which are confronted with a growing ethnic school segregation mainly due to the introduction of some form of parental freedom of choice.

Keywords: ethnic segregation, desegregation measures, freedom of education, inclusion, priority education

1. INTRODUCTION

This paper is written within the context of the study “Inclusion and education in European countries”. This is a meta-assessment of inclusion and education on assignment of the Commission’s DG for Education and Culture. It was carried out by a consortium of ten EU Member States: France, Germany, Hungary, Italy, The Netherlands, Poland, Slovenia, Spain, Sweden and the UK. Leading partner of the consortium was the independent Dutch research unit DOCA Bureaus.

The aim of the study was to come to comparative conclusions and recommendations on inclusion and education, based upon national reports of the ten European countries, expert advice and further sources as available. The issues and frames for applicable inclusion measures were:

- Reduction of early school leaving,
- Priority education,
- Inclusive education,
- Safe education,
- Support measures for teachers.

Measures to reduce ethnic school segregation is part of priority education. “It offered a more or less coherent frame for means and measures to compensate schools and pupils for deficiencies and/or discrimination. Without these priority means and measures, deficient and/or discriminated pupils would run the risk of failing in their educational career and to be excluded from schools for further education.” (Muskens, 2009a, p. 29)

The second paragraph of this paper, consists of a brief introduction into ethnic school segregation. Paragraph three introduces freedom of school choice. The connection between these two issues, with a reference to several European countries, is explained in paragraph four. The fifth paragraph introduces several policy lines from The Netherlands in order to reduce ethnic school segregation, followed by the conclusion in paragraph six.

2. ETHNIC SCHOOL SEGREGATION

Ethnic school segregation exists. In Dutch public debate it is often referred to as the distinction between ‘black schools’ and ‘white schools’. A so-called ‘black school’ is a school with many immigrant pupils –mainly Turkish and Moroccan- and a ‘white school’ predominantly has indigenous pupils. Since the early nineties, large numbers of ‘white parents’ have stopped to register their children at ‘black schools’ in their neighbourhood. In combination with high numbers of ‘white migration’ from ‘black neighbourhoods’ in the major cities, this trend is known as ‘white flight’. ‘Black schools’ are often regarded as weak schools with low performances, independent of the actual achievement figures. Most local policy makers define ‘black schools’ and ‘white schools’ as a problem when schools are ‘too black’ or ‘too white’ compared to the neighbourhood where the school is located. This means that the percentage of immigrant or indigenous pupils in a school has been compared with the percentage of immigrant or indigenous pupils who live in the district of the school. “A school is ‘too black’ respectively ‘too white’ if there is a major difference between these two percentages. The relative criterion shows the degree of an unequal dispersion of immigrant and indigenous pupils over a district or a city. This degree is called ethnic school segregation degree.” (Muskens & Peters, 2009, p. 31) Although this started as a problem in the largest cities, smaller cities and some villages also have to deal with it. It regards, among others, small cities in industrial zones, where large numbers of ‘guest workers’ have settled since the nineteen-sixties and –seventies, as well as rural places with major asylum centres.

Parents are fearing that ‘black schools’ undermine the learning performances of pupils, because of deficiency in language skills and the lack of presence of indigenous classmates to learn from. (Bakker, Denessen, Pelzer, Veneman, & Lageweg, 2007) have tested this fear in The Netherlands. From their research it appears the fear is not justified, as a reasonable portion of the ‘black schools’ improved the language and arithmetic skills very well, compared to the performance of the ‘white schools’, e.g. in relation to the priority measures and budgets they could rely upon. Moreover, they showed that immigrant pupils do not necessary perform better in ‘white schools’ than in ‘black schools’. In addition, Heckmann

showed evidence for the theory that segregation undermines learning performances by mentioning the peer effects (Heckmann, 2008). He justified his statement with literature from (Stanat, 2006), (Entorf & Lauk, 2006), (Nordin, 2006), (Szulkin & Jonsson, 2007) and (Farley, 2006).

Another argument against ethnic segregation includes the lack of inter-ethnic contact, inter-cultural learning and grass-root multiculturalism (Muskens & Peters, 2009, p. 32) and (Muskens, 2009a, pp. 34-35; 46-51). According to the 'contact hypotheses' of Allport long-lasting contact should result in decreasing ethnic prejudices and it should stimulate reciprocal ethnic appreciation (Allport, 1954). In this case 'mixed schools' would be the best condition to improve contact between immigrant and indigenous pupils. However, Bakker and his research group did not find convincing proof for this hypothesis (Bakker, Denessen, Pelzer, Veneman, & Lageweg, 2007). This problem remains an issue of debate.¹

Segregation in housing is another important factor related to ethnic school segregation: poor people live concentrated in cheap housing areas, the number of immigrant people among the poor people in the cities is high. Furthermore, education laws and regulations contribute to segregation. The former Jim Crow laws – that authorized de jure segregation in the South of the United States between 1876 and 1965 - are an example of this. "... segregation in public education had powerfully buttressed Jim Crow, the state-sponsored, constitutionally protected system of racial discrimination and segregation that deliberately disadvantaged more than 10 million black people in the South and parts of the border states." (Patterson, 2001, p. XVI) Another cause which has been distinguished in The Netherlands, is the way schools promote themselves: some schools are apparently better for indigenous pupils from affluent families, while others make themselves attractive for immigrant pupils (e.g. to attract priority measures and budgets) or have become the wastebasket of the local educational market. According to Pas and Peters these mechanisms can result in segregation of 'black schools' and 'white schools' (Pas & Peters, 2004). This situation is possible because of the freedom parents have to choose any school they want. According to Karsten et al. parents have different motives to choose a school, e.g. the distance between home and school, the education level, differentiation within classes, religion and identification with the school (Karsten, Roeleveld, Ledoux, Felix, & Elshof, 2002). The latter motive may explain the occurrence of 'white flight', referring to the mechanism that parents withdraw their children from a school because it has a large population of immigrant pupils or the fact that parents avoid such a school in the first place (Pas & Peters, 2004, p. 43). Heckmann indicates three main factors which cause the 'white flight': "the obligation or freedom of choice for attending particular schools in certain residential districts", "the definition of school districts" and "opportunities or restrictions to attend private-sector schools" (Heckmann, 2008, p. 22). He also shows that evidence has been found for the occurrence of 'white flight' in Denmark, The Netherlands and the United Kingdom (Heckmann, 2008, p. 22). A 'white flight' is has a causal connection with ethnic school segregation. Besides, the schools with predominantly immigrant pupils can become this small that they have to be closed. The remaining pupils need to be distributed over the schools in the surrounding. The result might be a domino effect: an ongoing 'white flight', a too small a school which has to close, the distribution of mainly immigrant pupils, a 'white flight' etcetera.

¹ The comparative analysis of the ten national reports revealed that intercultural education is enhanced in all countries by special measures and programmes, except in The Netherlands. Most reports included interesting case studies of intercultural school projects. In his ECER 2009-paper, Muskens argued that the interesting examples are to be taken seriously by all relevant actors, but that there is no convincing proof the general effectiveness and feasibility of the projects, independent of local circumstances,

As can be concluded from the above arguments, ethnic school segregation is a negative side effect of freedom of choice. This situation is possible in countries with a so called freedom of education. The next paragraph will explain this phenomenon in The Netherlands.

3. FREEDOM OF CHOICE

In The Netherlands, the freedom of choice is a result of the so-called pillarisation since the early Twentieth Century. The pillarisation is a fragmentation in society, based on religion. Since a change of the constitution in 1848 this segmentation was introduced in education as well, because the constitution allowed to set up schools based on a religion. These schools had to be privately financed. However, the education pacification of 1917 ended the political fight about the financial equalization of public-authority and private-sector schools (Onderwijsraad [Education Council], 2002, p. 17). Groups of e.g. parents received the constitutional right to establish and maintain their own private-sector schools and other educational institutions (within the limits of certain conditions and rules with regard to quality and numbers). Such private-sector schools were to be financed from the state budget under the same conditions as public-authority schools and educational institutions (Muskens & Peters, 2009). In 1968, Lijphart showed the result of article 23 of the Dutch constitution: [translated from Dutch] “Approximately half a century ago [1917; DP] more than ¾ of all primary school pupils visited public-authority schools. In 1957 the situation was almost the opposite. Only 28 percent of the pupils visited public-authority primary schools and 72 percent visited private-sector primary schools.” (Lijphart, 2007, p. 61) According to Miedema and CBS (Statistics Netherlands) 43 percent of these pupils visited a Catholic primary school, 27 percent a Protestant-Christian primary school and 2 percent went to a different kind of private-sector school (Miedema, 1957, p. 49) en (CBS [Statistics Netherlands], 1959, p. 31). At that time the private-sector schools were visited by pupils with the same religious background. In 2007 approximately 33 percent of the 1.663.500 pupils visit a public-authority primary school and about 66 percent a private-sector primary school (Eurydice, The education system in The Netherlands 2007/08, 2007a, pp. 27, 53). The majority of the private-sector primary schools are Catholic or Protestant-Christian schools. In addition, there are also Muslim, Jewish and Hindu schools. The distribution over the schools of pupils with a specific religious background is not as strict as before: pupils with a liberal background (former public-authority school visitors) visit private-sector schools and religious pupils visit schools from another religion, or a public-authority school. This means that parents have given another interpretation to their freedom of choice. Laemers (1999) concluded that there is a disintegration of the religious foundation of the mainstream religious schools on the one hand and on the other hand the few new built schools might have a strict religious foundation (Islamic, evangelical and Hinduistic) (Laemers, 1999).²

As mentioned earlier, Dutch parents can choose a suitable school for their children; they have a freedom of choice. This provides them with a powerful position in the debate on ethnic school segregation. Measures imposed from above can hardly be executed without the corporation of parents. Because of the freedom of choice they can choose any school they want, apart from some limited restrictions (admission standards, accessibility and the regulation of transportation of pupils) (Laemers, 1999). As Rutten and Peters (2005) stated, they hold the key to a successful desegregation policy. Rutten and Peters, and Peters

² In parallel, most public-authority schools have been ‘privatised’ in the past decade. They are now governed at arm-length distance of the municipal authorities.

showed that parents are a decisive actor in the local policy field and a necessary partner for all other actors (Rutten & Peters, 2005) (Peters, 2006).

According to article 23 of the Dutch Constitution, the government cannot interfere with the parental school choice from the current supply of schools. But this does not mean that free school choice is a fundamental right laid down in the Constitution or international treaties (Laemers, 1999). The role of the government is restricted and regards three major issues (Muskens & Peters, 2009):

- To guarantee education for all children and pupils and to establish schools under its own authority or that of municipalities for everyone, whenever and where-ever necessary,
- To set rules for the establishment of private schools, with regard to the minimal number of pupils that is required, and with regard to the quality of education, and
- To guarantee equal financial conditions for public schools and private schools that are all fully financed by the state.

For a long time, the arrangements in The Netherlands were rather unique in Europe, but more countries in Europe have introduced some form of freedom of school choice.

4. EUROPEAN COUNTRIES

As mentioned before, the countries which participated in the study “Inclusion and education in European countries” have been object of observation with respect to decentralization and freedom of choice in relation to ethnic school segregation. This paragraph will describe the freedom of school choice related to ethnic segregation in France, Hungary, Poland and Slovenia. This choice is based on the level of information in the reports of the countries, which produced within the European inclusion and education study (Zay, 2009) (Tamàs, 2009) (Federowicz & Sitek, 2009) (Necak Lük & Novak Lukanovic, 2009).

4.1 France

French public education is based on the separation between state and church. Another fundamental principle of French education is teaching freedom. Parents have a certain level of free school choice. They can choose any public school in their educational district. If they would like to enrol their child in a public school outside their district they can send a request for dispensation from the school sector to the mayor of the municipality in which they reside. When the preferred school is located in another municipality, they have to ask permission of the mayor of that municipality (Eurydice, 2007b, p. 48).

Besides the choice for a public school within, or by exception outside, a school district, parents can choose for a private school. Over two million pupils go to private education institutes (from pre-school to post-baccalauréat). This is 17 percent of the total school population (13 percent of these pupils in primary education and approximately 21 percent in secondary education) (Eurydice, 2007b, p. 59). The number of private institutions in primary and secondary education represents on average 13 percent of the total number of institutions (Eurydice, 2007b, p. 60).

In order to support schools in socio-economically deprived areas, Zones d'Éducation Prioritaire (ZEP) were set up. ZEP's are areas where social conditions are a social risk and an obstacle to successful schooling for children living there. This is considered as a risk for their social integration. "The aim of priority education policy is to obtain significant improvement of pupils' school results, particularly of the most unfortunate." (Eurydice, 2007b, p. 247) It is a form of positive discrimination ("giving more to those who have less" (Zay, 2009, p. 59)) that corresponded to "a policy of territorialisation that the decentralisation laws gave rise to at the same period in France (1982). However, this is in line with Anglo-Saxon principles of differentiated treatment of pupils nationwide, which prefers to take the conditions of local community life into consideration and partnerships with parents, associations, elected representatives, while the original republican school was designed as a sanctuary and protection from the external and negative influences of the street". (Zay, 2009, p. 60)

According to Zay, from the moment the ZEP's were created, there was a risk of a growing gap between the marginalised schools and those which are not (Zay, 2009). This increasing segregation is evident from the following quote: "The main criticism of ZEPs is their tendency to develop a ghetto effect. In a way, the school transfers a geographical and social reality that subsequently gives rise to segregation. No one wants to live in a trouble spot and no one voluntarily chooses to go to school in a priority education area" (Raynal, 2006 in: Zay 2009, p. 122-123). Although this thesis has not been proven yet, it seems that it makes sense if taking the white flight into consideration.

4.2 Hungary

In Hungary parents can choose a school for their children within a school district. Since the nineties, enrolment regulations have given parents the freedom of choice between schools (Tamàs, 2009). If they would like to attend a school outside their district, they have to ask permission of the principal of the school. This is the principle of the free choice of institution (Eurydice, 2006, p. 75). General schools may also enrol pupils seeking admission from outside the school district, provided they have vacancies after accommodating pupils domiciled in the school district. "A large circle of experts believe this practice has largely contributed to increasing inequalities and segregation of Roma pupils within the education system." (Tamàs, 2009, p. 10) According to Tamas, in Hungary there is a growing segregation, xenophobia and exclusion of several groups and issues; although the political debate concentrates solely on the Roma community. "The special attention is understandable, the selective blindness not." (Tamàs, 2009, p. 9).

In the near future, Hungary will modify the procedure of general school enrolment in order to stimulate desegregation. According to Tamas, the right of schools to exercise a large degree of liberty in selecting their pupils from the pool of candidates has been restricted (Tamàs, 2009). Since 2005 the ratio of pupils with disadvantages must already be taken into account during the delineation of school districts. The aim is to prevent concentration of pupils with disadvantages in a set of schools.

Another way to fight segregation is, for example, through the COMENIUS programme, which emphasises quality education, European dimension in education and the promotion of foreign language education. "At the same time it supports the creation of multicultural environment for education and fights against segregation of disadvantaged students." (Eurydice, 2006, p. 293)

4.3 Poland

In Poland there are nine national minority groups, which represent 0,14 percent of the total Polish population (Federowicz & Sitek, 2009). Since the end of the eighties, in Poland non-public 'social' schools (without making profit by their 'owners') and private schools (mostly religious) have been created. Between 1990-2000, both social and private schools started to develop dynamically. The basis of this development was the School Education Act of 7 September 1991. When non-public schools have received the legal status of a public school, they can be subsidised either by the local government budgets (the commune and the district) or receive financial support directly from the state budget. In 2006/07 there were 545 non-public primary schools, with the number of pupils amounting to 36 780 (1.48 percent of the total number of Polish primary scholars). 92 Percent of these schools are social schools (Eurydice, 2007c).

Because of the implementation of non-public schools in Poland, parental choice has been growing. Besides, parents can request for schooling of ethnic and national minorities, in separate groups (Federowicz & Sitek, 2009, p. 36). There can be additional school lessons organized to teach language or one's national history or culture. It is also possible to organize special school lessons to be attended by children from different schools.

From the minority groups, mainly Roma pupils have to deal with discrimination and segregation in education. For example, in 2005 European Commission against Racism and Intolerance (ECRI) noted that, while in some areas an integrated approach promoted by the Programme for the Roma Community in Poland was introduced, there were still primary schools in which separate classes were created attended only by Roma. While the declared motivation was improvement of Roma pupils' skills in Polish, in practice this was discriminatory and detrimental for the pupils' integration and education (Federowicz & Sitek, 2009, p. 37).³

4.4 Slovenia

In Slovenia, parents have the right to choose a public or private school. This is a statutory right. They can also educate their child in a home situation. Parents can choose a school in the school district of their residence. This school is obligated to enrol their children. But they can also choose another school outside their residence, in which case they need the school's approval. (Eurydice, 2009, p. 3)

The private school sector is not very large yet, because 99 percent of the primary, lower and upper secondary school pupils are attending public schools.⁴ These schools are set up and funded entirely by the state and municipalities. Private schools are set up by private entities and provide education according to state-approved programmes. These schools are partly subsidized by the state. In the school year 2008/09, there were three private schools for primary and lower secondary education (two Waldorf schools, one Catholic school). In upper secondary education, there were 136 public and 6 private schools for youth. (Eurydice, 2009, p. 1)

³ This practice might be in conflict with the landmark judgment of the Grand Chamber of the European Court of Human Rights of 13 November 2007, ruling that outplacement and segregation of Roma students in special schools is a form of unlawful discrimination that violates fundamental human rights (Muskens, 2009b, p. 1)

⁴ In Slovenia, primary and lower secondary education have been brought together in a so-called single structure.

Slovenia has to deal with a segregation of Roma and migrant children in education. Necak Lük and Novak Lukanovic: “It is a well known fact that in any society (state) the process of the Roma integration is a complex and long lasting endeavour; owing to their predominantly nomadic way of life the inclusion of the Roma children in the educational system is a demanding scheme. For several decades now Slovenia has dedicated considerable efforts to the integration of the Roma, one of the ways being also the inclusion of their children into educational system.” (Necak Lük & Novak Lukanovic, 2009, p. 27) In the two regions with the largest Roma population, the social inclusion rate is 90 percent (Prekmurje) and 39 percent (Dolensjka) (Necak Lük & Novak Lukanovic, 2009). It appears that Roma parents are not involved in the school and education of their children. This has reduced the performance of their children. Schools try to counteract this trend by making an effort to commit the parents.

4.5 Other countries

In conclusion, Italian parents prefer schools with less Roma and less foreign pupils, because language deficiencies would distract from the content of the lessons (Gobbo, 2000, in: Gobbo, Ricucci, & Galloni, 2009). Swedish parents are inclined to choose non-municipal schools, when the municipal schools have a large amount of immigrant pupils. What we see here is a white flight, which is possible because of the parental freedom to choose a school for their children (Dingu Kyrklund, 2009).

5. POLICY AND MEASURES IN THE NETHERLANDS

When countries recognize the mechanisms mentioned in this paper, what are the possible actions to reverse this motion? In The Netherlands, several initiatives and measures have been taken. A selection of these will be elaborated in this paragraph.

5.1 Policy framework

The Dutch measures to reduce ethnic school segregation can be distinguished as measures imposed from above (stated by the national or local government) or as initiatives arising bottom-up (from ‘grassroot’ society). A precondition for measures imposed from above is often a self-imposed contract (*convenant*) between the municipality and the school boards. Such a contract is self-imposed because according to the Dutch constitution, schools cannot be forced to take action against ‘white flight’ or other mechanisms and trends of ethnic school segregation.

The coalition agreement of the Dutch Cabinet, concluded in 2007 between Christian democrats and social democrats, stated that schools have to use fixed moments of registration as a measure to reduce ethnic school segregation. Due to an inquiry of primary schools of Regioplan (Bergen, Leenen, & Meer, 2007), the complexity of the problems and the unclear effects of fixed moments of registration, the minister of education decided to fund a scheme for further desegregation pilot projects. The testing of fixed registration is part of some pilots. The purpose of the pilots is to investigate the best desegregation measures by testing several measures in practice. In 2008, seven municipalities started

their pilot. They were supported by the National Knowledge Centre Mixed Schools. After one year, four municipalities joined the scheme. According to a letter from the State Secretary of Education (Tweede Kamer [Parliament], 2008), the milestones of the several pilots are:

- The administrative burden of organizing fixed moments of registration;
- Double waiting lists;
- Information of native Dutch and foreign parents on choosing a school for their children;
- Agreements with schools on their registration policy;
- Agreements with schools on quota per category of pupils;
- Monitoring of the results; and
- Further development of the concept 'friendship schools'.

The pilots are monitored by an independent research unit. The results are expected in 2012. Apart from these pilots, the State Secretary also intended to support parental initiatives, stimulate schools in their desegregation processes and endeavours, prevent segregation in pre-primary education and use communication strategies to bring the message 'go to school with each other' out into the open.

In the next subparagraphs, I will elaborate cases with regard to registration policies, quota and parental initiatives.

5.2 Registration policy in natural recruitment zones

In most municipalities, the policy objective is to realize a school population which is a reflection of the population in the neighbourhood. In relation to a so-called natural recruitment zone policy, they try to realize this by registering children at a school in the neighbourhood they live in.⁵ A very interesting case is Tiel because its policy scheme has been formed and implemented by the school boards themselves. Tiel is not one of the pilots from the ministry of education. Another remarkable example is Nijmegen, where they developed a 'gambling machine' to regulate registrations of new pupils is. Both of these cases will be discussed here.

A. 'Zoned access rules' in Tiel

Tiel is a middle large municipality in The Netherlands with 41.132 inhabitants in 2008. As in most Dutch 'middle towns' a considerable portion of the population consists of immigrant minority people, in this case 13,5%. Half of this group is under the age of 20, of which most of them are attending a school in Tiel. Among the native population a quarter is in the 'school-going' age (CBS [Statistics Netherlands], 2009a).

Dispersion policy in the past

In terms of school choice many native parents living in 'mixed city districts' appeared to be inclined to register their children at popular 'white schools' in other parts of the city. This process had led to a rather obvious ethnic segregation in Tiel, particularly in primary

⁵ In the above-mentioned European countries, registration in the district of residence is usual practice and rule.

education: some schools were much more 'black' than the population in the surrounding district and some were too 'white' in this respect. Already in the early nineties, the local government and the three local school boards agreed that such segregation was the wrong outcome of the parental freedom of school choice. With the aim to foster desegregation they have developed and implemented local dispersion schemes. According to the verdict of the Commission of Equal Treatment⁶, the initial scheme apparently was in violation with the constitution and legislation against discrimination, in the sense that this scheme was discrimination for immigrant pupils because of a distinction between pupils based upon race (Commissie Gelijke Behandeling [Commission of Equal Treatment], 2005). Therefore the initial scheme was followed up by an approved one, named natural recruitment zones scheme. In the frame of this scheme, primary schools should be a representation of the neighbourhoods in which they are located. This means that the ethnicity of the children in the schools should be proportionally equal to the population in the neighbourhood of the schools. As such, children with different backgrounds should get the opportunity to come together in schools, as well as meet each other in the neighbourhood. Their parents will meet each other too. According to the BCP, this should strengthen the social cohesion in the neighbourhoods.

The natural recruitment scheme

The natural recruitment zones scheme has been implemented by the three school boards of Tiel, gathered in a co-ordinating body for all their schools, called the BCP (*Bovenschools Coördinatie Punt*). These school boards are private Catholic and Protestant as well as public. The boards divided Tiel in three education zones. Each zone has a 'mixed population' and in each zone there is a Catholic, Protestant and a public school. Thus, according to the boards and the BCP, parents have sufficient opportunities to choose a school in relation to their constitutional freedom of education. Children should go to a school in the zone they live in. This means that schools are not allowed to admit children from other zones. In case of admittance against this rule, the admitting school will have to explain the scheme and aims to the parents. Then, they should advise them to register their child at a school in the recruitment zone they live in. Although not all the headmasters agreed with this line of action (they were afraid of losing children, and becoming a smaller school), they promised their board to carry it out appropriately. Although they cannot be obliged to do this, in relation to the constitutional and legal framework with regard to the freedom of education. In the first period of the natural recruitment zone scheme the headmaster of the Montessori School in the city centre of Tiel supposed that the scheme was not meant for his school, because the school is a private school without religious background. This type of school is rare in the region of Tiel, so pupils from outside the city also visit the school. He continued to recruit pupils from other recruitment zones in Tiel. Under the pressure of the other schools he had to stop this action. Still he thinks that an exception for his school is desirable, he carries out the natural recruitment scheme. Parents who insist on bringing their child to the Montessori School can ask the BCP for permission. After all, in case parents would insist on registration at a school outside their recruitment zone, parents would be allowed to refer to a special procedure of exception. In a letter to the BCP the parents should explain why they prefer to register their child at a specific school outside their own zone. In relation to the arguments the BCP may give permission to

⁶ This Commission cannot give binding verdicts, but these verdicts are indicative for a verdict of a judge.

register at that school. The procedure includes an appeal opportunity, in which the BCP writes a final conclusion after hearing the parents.

Evaluation and dissemination

As far as evaluation studies have been carried out, these discuss process evaluations and case studies. It might be concluded from the case of Tiel that relevant actors have to be sure of full support of the school boards and the schools, when they want to initiate desegregation policies and schemes. In a country as The Netherlands with its constitutional freedom of education, they should also take serious notice of the role of the parents. In addition, actors should take side-effects and boomerang-effects into account. Some schools lost new pupils, because of the introduction of the school districts. Before, they attracted many children from the whole city, while registrations decreased under the new scheme. The support of the headmasters for the measures may easily diminish in relation to an effect such as this one.

However, the case of Tiel appears to prove that, even under the condition of a large freedom of choice for schools and parents, there are opportunities for desegregation schemes. This success was enhanced and fostered by:

- The mutual agreement between the local actors – i.e. school boards, schools, parents and municipality,
- No fear of discrimination, and
- A high level of parents' participation.

The first dispersion policy of Tiel received a lot of media attention, since a parent asked the Commission of Equal Treatment whether this policy is a discrimination of immigrant pupils. Before the Commission could verdict this policy as discriminating, the municipality and the school boards had ended this policy. After the attention for this case became silent, the school boards implemented a new scheme in silence.

B. The Nijmegen 'Gambling machine'

Nijmegen is a city in the east of The Netherlands with 161.000 inhabitants (CBS [Statistics Netherlands], 2009b). This city is counting 14.000 children in 42 schools for primary education. On average, 20 percent of these children are disadvantaged pupils (immigrant and indigenous pupils). They are living concentrated in some city districts. The highest concentration is 60 percent. 17 schools have a large amount of disadvantaged pupils: in 11 schools this percentage is between 30 and 60 percent and 6 schools have more than 60 percent disadvantaged pupils. (Gemeente Nijmegen, 2009)

The natural recruitment scheme

To attack this lopsided growth between advantaged and disadvantaged pupils, the municipality and the school boards implemented a type of a natural recruitment zones policy. This started with a self-imposed contract of the municipality and the school boards. The goals of the municipality are a reduction of the distinction between advantaged and disadvantaged schools, a reinforcement of the relation between the schools and their neighbourhood and a reduction from the number of parents, who are driving their children by car through the city (bringing them to school at the other site of the city instead of a

school in their neighbourhood). An important appointment between the municipality and the school boards was the promise of the municipality to invest in a desegregation policy for at least four years.

The pilot regards a centralised application system for new pupils in primary education with rules about capping percentages of advantaged and disadvantaged pupils per school. It regulates the influence of parental choices for a school. This should help 'mixed schools' to remain a 'mixed school'. The wider policy frame is driven by wish to desegregate the neighbourhoods. In Nijmegen, every important actor became involved. All school boards and every school joined the pilot. All of this is on a voluntary basis, which means it is a fragile point in the arrangement as a whole.

Rules of the game

The centralised application system of new pupils is the main instrument of the desegregation policy of Nijmegen. Parents have to make an application through the newly built website www.schoolwijzernijmegen.nl by selecting at least three up to six schools of preference. Application is possible from the moment that a child is in the age of 2 years and 9 months. Parents who are not able to fill in the digital application form can ask the municipality for support. Starting from April 2009 it is possible to submit an application. The assignment will start for the school year 2010-2011. The municipality and the school boards arranged the following rules of priority (Gemeente Nijmegen, 2009):

1. Brothers and sisters will be first to be assigned to the same school,
2. Children who live in the nearest surrounding of the school get the second priority,
3. Remaining applications (out of this group, children who give a positive contribution to the division of 30% disadvantaged and 70% advantaged pupils in a classroom will be assigned).

If there are more applications than places for pupils, places will be determined by a lottery system. The school will conclude the registration of the pupil after receiving a permission of the municipality to do so. In case of disagreement, parents can lodge an objection with a Commission of Reconsideration.

Goal

The idea of the recruitment zone policy in Nijmegen is to give more opportunities to disadvantaged pupils to go to a popular school. The intention is to give fair chances to both advantaged and disadvantaged pupils to visit a school in the neighbourhood. This is quite an idealistic intention. The municipality and the school boards are aware of that. They will monitor the progress permanently and evaluate the process and its effects every year.

Discussion

Intentionally, Nijmegen received major publicity with this policy, followed by many reactions, some positive and some negative. Treatment of ethnic school segregation is a loaded political issue, with the result that reactions about the measures are following political dividing lines. The policymakers in Nijmegen are not afraid of negative comments. Although several lawyers told them that this policy might be in line with the constitutional freedom of education, they are not sure about it. Parents are still free in choosing a school for their children, but this choice is a bit restricted because of the application rules.

In Parliament, the rightwing party PVV, the Christian democratic party CDA and the conservative Christian party SGP raised parliamentary questions to the State Secretary of Education, whether this policy is diminishing the constitutional freedom of education. According to the State Secretary the school advice as given in Nijmegen is not a binding advice, because parents can lodge an objection against the decision, with a careful reconsideration as a result. Parents can choose for at least three up to six schools, and they can opt for a school outside their neighbourhood. Therefore, the State Secretary stated that the parents are not hurt in their constitutional freedom to choose a school for their children. The constitutional freedom of education would not be at stake in Nijmegen.

Nijmegen based this policy on the assumption of Bowen Paulle that “schools with 70% middle class students can successfully absorb 30% low-income students” (The Bridge Research). According to Paulle, this would be the best proportion for an optimal learning gain for the disadvantaged pupils, whereas the advantaged pupils would not have to face with decreasing school performances. In fact, there is no hard evidence yet for this claim.

Last topic to mention in the discussion of the natural recruitment zones policy in Nijmegen is the idea that this policy will introduce a ‘gambling machine’ or ‘lottery’ in school enrolment: parents put something (information about the pupil accompanied by school preferences) in a machine (the pc) and something (a school) comes out (Walraven, 2009). For parents it might feel like they are lucky, if they can register their child at the school of their first preference.

Evaluation and dissemination

The policy has just been implemented, so nothing can be said about the effectiveness of the policy. However, the Dutch politicians, policymakers and media pounce on the developments in Nijmegen. This kind of policy, supported by all relevant actors, on the borderline of the constitution and with a website as a basis, is unique in The Netherlands. Truly, Nijmegen invented a policy breaking new ground.

5.3 Parental initiatives

The former examples of desegregation schemes are large scale measures, because they have been implemented for every school in the whole city. Measures on a smaller scale are often parental initiatives. The current discussion on desegregation of the Dutch education more or less started with a successful parental initiative in Amsterdam. Since this initiative several initiatives have been started in Dutch cities, some gained success and ‘mixed’ the school, others did not.

A. “Best” practice in Amsterdam

De Baarsjes is a city district of Amsterdam. In 2007, 35,8 percent of the citizens were immigrants. (Stadsdeel De Baarsjes [City district De Baarsjes], 2008). The percentage has been higher in the past, but since the renovation of the city district, the population has become more diversified. A number of years ago most primary schools in De Baarsjes were so-called ‘black schools’. Most indigenous parents who lived in De Baarsjes brought their children to ‘white schools’ or ‘mixed schools’ in other parts of Amsterdam, with no or lower numbers of immigrant children.

The initiative

In 2002, two native Dutch middle class neighbours wanted to undertake action, because they found the distinction between immigrant and native Dutch in De Baarsjes undesirable. They decided to register their children at the nearest primary school. This was a 'black school' with 75% pupils of immigrant descent. It was located next door in their street. The school was to be ranked as a 'quality school' in relation to the achievements of its pupils and the assessment of the educational inspectorate. So, the two parents wondered why other native Dutch parents brought their children to other, i.e. 'white schools' in other parts of the city. The neighbourhood around the school is ethnically and culturally mixed, which gives an excellent opportunity to create a 'mixed school'. The two parents thought this to be important for the children and their development. They were to become acquainted with different ethnic backgrounds and cultural lifestyles. And for all parents, it would also create an opportunity for meeting each other.

The two parents asked the headmaster of the school what he would think of becoming a 'mixed school' and what actions parents, headmaster and staff could undertake to do so. The headmaster liked the idea. So the school and the 'initiative-parents' decided to recruit a considerable number of native Dutch children and transform a 'black school' into a 'mixed' one. The parents volunteered to recruit more native Dutch children. But, for the intended change further changes and investments of the school would be needed. The headmaster decided to inform some key figures and institutions in his school. They all responded in a positive way on the possible change from a 'black school' into a 'mixed school'.

The two parents and the school staff produced a leaflet to inform other 'white-middle class' parents in the vicinity of the school about the school and the initiative. The two parents handed it over in person to other parents with young children. The locations to do this were for example playgrounds and crèches in the neighbourhood, or supermarkets where they met other parents with young children. The leaflet included an invitation for an information evening in the school. Parents who were interested could see the school, feel the atmosphere in the school and meet with each other. Local media and local authorities provided serious publicity. The promoting activities took effect. The result of the initiative was the registration of native Dutch middle-class pupils, although in a rather in drops.

Together with these new children, a new group of parents entered the school. They have their own ideas and opinions on what is good for their children, different from the existing curriculum, practices and physical conditions of the school. A remarkable issue that offered new opportunities for new school curricula and practices regarded the field of (fine) art and (high) culture. Therefore, as to become more attractive for native Dutch middle-class children and their parents, the school started with new activities in the field of (fine) art and (high) culture. The native Dutch parents as well as the immigrant parents were invited to help to organise these activities. As to enhance the promotion effects of the activities, the local media were invited for special events, like the opening of an arts and culture route. As intended, it produced considerable publicity for the school. At the same time the teachers introduced new issues in the school's curriculum. This produced extra publicity too. As an attractive school building is important for parents, the school board invested in the maintenance of the building and the school square. During the initiative, the two parents created several newsletters about the initiative to inform parents with young children about the initiative and its result so far. The initiative used publicity through the media in a positive way. The local media still visit the school regularly. And also the national media

and other schools make site-visits to the school. This initiative is a 'classic' under the parent initiatives.

Evaluation

All the activities attributed to the intended effect. Three years after the start of the activities, the lowest grades showed a 'mixed population' of pupils (50 – 50 percent). The school is still investing in mixing the school population, by organizing activities and the targeted recruitment of new pupils, both native and immigrant. Because of the change in population the school received less financial support from the government. This is a reason why some 'black schools' do not want to have a 'mixed population'. But according to the headmaster, this is not a problem. Since the school is a 'mixed school' the population increased from 210 pupils in 2006 to 280 pupils in 2008. As a result, the school received more financial resources. Besides, the school also received a special grant for the transition from a 'black school' to a 'mixed school'. So the school did not experience any negative financial consequences.

According to the evaluation studies which were carried out, the actors dealt with factors of success and failure (pull-factors) in particular and interesting ways:

- Large and goal-oriented effort of the two parents who took the initiative, the headmaster and the teachers,
- The school and the parents worked together in a most cooperative way,
- Parents who had to choose a school for their children were not forced to do this in a particular way; the municipality neither the school told the parents what to do, but the two parents invited them to consider a visit of the school,
- Interesting and binding activities for different groups of parents and their children; a strong team of teachers to take care of a new group of pupils,
- Positive media attention and word-of-mouth advertising. Parents were confronted with the school and the initiative in several ways,
- Arranging preconditions, like the physical appearance and maintenance of the school building and the renovation and rehabilitation of the surrounding city district attracting people from higher socio-economic classes,
- The school was a quality school already.

Apart from the success factors, there also might be a boomerang effect. The school has become very attractive for native Dutch-middle class parents. At this moment the school is a 'mixed school', but it might turn into a 'white school' in the end, by pushing out lower class immigrant parents and their children. This case has demonstrated the decisive role of individual parents, who want to initiate change in the field of ethnic school relations. In several other cases of desegregation schemes, the parents were forced by policy makers to subscribe to the one school or another, without reference to their constitutional and educational freedom. In this case parents 'made' and implemented the scheme.

Dissemination

This case has still been seen as the best practice in The Netherlands with regard to parental initiatives and desegregation on a local scale. Several new initiatives in Amsterdam and other cities started after consulting the initiative parents and/or the school director. In analogy of the initiative at this primary school, the municipality of Rotterdam has set up a website on which parents can meet each other in order to start a parental initiative together. This website should lower the threshold for parents to start an initiative. The name of the website is 'a school nearby' (www.eenschooldichtbij.nl).

6. CONCLUSION

In this paper a possible consequence of the freedom of choice for parents is explained: ethnic school segregation. This phenomenon can be seen in a growing number of European countries. As an introduction to Dutch desegregation measures, this paper elaborated several cases. In this paragraph the main focus is on the conditions under which these measures might be successful.

- For desegregation measures, the necessary actors are: municipality, school boards, schools and parents.
- In order to prevent the creation of so-called 'safe heavens' for parents who do not want to be involved in desegregation policy (e.g. want to bring their child to a 'white school'), every school board and every school should participate in desegregation measures.
- Actors have to trust each other. They must be sure that every school will commit to the agreements on dispersion of pupils over the schools.
- In order to reach the policy goals, parents have to choose a school in the way that fits into the desegregation policy. They make the final decision what school they want to bring their child to. So, it appears that parents hold the key to policy success. This is a consequence of the (constitutional) freedom of education.
- The neighbourhood conditions have to require desegregation measures, such as an ethnically mixed neighbourhoods with sufficient numbers of indigenous as well as immigrant pupils.
- In general, desegregation measures should respect the freedom of choice as guaranteed in the national constitutions and are to be enforced without strict obligations of the actors. Actors cannot be forced to commitment to these measures. They have to agree with the goal of the policy and its measures. If not, they do not have to participate. Therefore, the measure may need a targeted information campaign on behalf of e.g. national and local authorities, directed towards actors who appear to fear to lose their constitutional rights, who hesitate to show the commitment as requested and who continue to find refuge in their 'safe heaven'.

As mentioned before, these conditions for success were assessed in the Dutch situation and the Dutch legislation. But the conditions related to the free school choice of parents are important for other European countries, which introduced some form of parental freedom of choice. Parents have to be informed and tempted not to choose a school on prevalent ethnic prejudices.

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