



# SCHOOL SEGREGATION IN CATALONIA (I): MANAGEMENT OF THE STUDENT ADMISSIONS

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## SCHOOL SEGREGATION IN CATALONIA (I): MANAGEMENT OF THE STUDENT ADMISSIONS PROCESS - EXECUTIVE SUMMARY

### 10 WARNINGS

For some years now, the Catalan Ombudsman has been calling attention to the imbalances that exist in the social composition of the schools in numerous Catalan neighborhoods and municipalities and, more specifically, to the concentration of educational complexity in certain schools (as opposed to the rest of schools in the same territory). These imbalances in the social composition of the schools mean that, in a single area, there are schools (generally public but also subsidized private schools) with a high concentration of socially underprivileged students, and other schools (generally privately-owned, but also public) with social compositions that are significantly more affluent than those of the schools' environments. Although residential segregation can be one of the causes, school segregation goes beyond residential factors, as it occurs inside the neighborhoods, and is reinforced by other conditions, such as the absence of determined educational policies to favor greater balance in school enrollment of students or to correct imbalances in the offering.

The aim of the fight against school segregation is to work to ensure the various schools of a single area have similar social composition among themselves, equivalent to the surroundings where they are located.

Although it has implications for all social groups, the Catalan Ombudsman is emphasizing school segregation of socially underprivileged students because it makes for a clear violation of the right to education in equal opportunities, protected by the United Nations Convention on Children's Rights and by the legislation relative to education matters. This phenomenon limits their opportunities to achieve the maximum possible development, either because it negatively conditions their educational careers, or because it hinders their opportunities for socialization in school

settings with social and cultural capitals that are comparable to the social reality in which they live. Moreover, school segregation has costs for the rest of society: in addition to the negative effects on academic performance within the educational system, it also has impacts on present and future social cohesion and co-existence.

Within the framework of educational policy, there are two clearly differentiated areas to fight school segregation: on one hand, the management of the student admissions process, generally through measures that limit the range of selection, ordering and orienting access; and, on the other, the development of equal enrollment conditions, generally through measures of consolidation of school educational projects and attraction of the demand.

These two areas of educational policy provide the structure for the Catalan Ombudsman's analysis of this social problem. This report, *School Segregation in Catalonia (I): Management of the Student Admissions Process*, analyzes the margin that the Autonomous Ministry of Education has to fight school segregation through the planning and management of the student pre-registration and enrollment process in the schools. On a different tack, a second report that will soon be presented, *School Segregation in Catalonia (II): Enrollment Conditions*, offers insights on how inequalities among schools in the conditions offered to

students when they must enroll there (enrollment costs, educational projects of the school, etc.) contribute to (re)producing the phenomenon.

The Catalan Ombudsman first presented to the Parliament of Catalonia a special report on this problem in 2008. This report offers an analysis, eight years on, of the state of school segregation in Catalonia.

### 1. Absence of significant structural progress to correct imbalances in the social composition of schools: a lost decade

The sociological research that has been done on this problem shows that the factors with the greatest impact on school

segregation processes are the educational or socio-economic background of the families, and that this phenomenon affects not only the socially underprivileged population (immigrant students, Rom ethnicity students, etc.), but also more affluent social groups (children of families with stronger educational and economic backgrounds). The lack of individualized statistics per school in Catalonia on the educational background or socio-economic status of parents means that the data analysis presented herein will focus specifically on school segregation of foreign students (and nationality is the main statistic on the social origin of students that the Autonomous Ministry of Education holds).

To measure the level of equality in the distribution of foreign students among schools, the “index of dissimilarity” has been used. This index measures the proportion of the analyzed group that would (hypothetically) have to change schools to achieve perfectly equal distribution (it ranges from 0 to 1: the perfect situation of

equality is 0, and the maximum inequality is 1). A dissimilarity index of 0.5, for example, indicates that 50% of the foreign students would have to be enrolled in other schools to achieve perfectly equal distribution.

An analysis of how the indexes of dissimilarity have evolved, as shown in Table 1, leads to the conclusion that, since the 2006-07 school year, in primary as well as secondary school, no significant advancements have been made in the struggle against the school segregation of foreign students: **while in the 2006-07 school year, to guarantee fully equal enrollment of foreign students in primary school, 49% of these students would have had to change schools, in the 2013-14 school year, this percentage was 48%**. The statistics on foreign student distribution corroborate that in aggregate terms for the whole of Catalonia, **over the past decade, there has been no significant improvement in school segregation levels throughout the system.**

**Table 1. Evolution of school segregation levels in Catalonia (2001-2014)**

Period	2001/2002	2006/2007	2011/2012	2013/2014
Primary	0,51	0,49	0,47	0,48
Secondary	0,41	0,40	0,38	0,39

Source: Developed from data from the Catalan Autonomous Ministry of Education.

Note: This refers to grades from preschool for 3 year-olds (P3) to 6th grade of primary school, and from the grades of 1st year to 4th year of the Mandatory Secondary Education (ESO) as secondary school. As opposed to the analysis by municipalities, which is limited to the municipalities of more than 10,000 inhabitants, the indexes of dissimilarity of this table have been calculated for all Catalan municipalities that have, at least, two primary or two secondary schools.

At the local level, the evolution of school segregation has been irregular. If the levels of school segregation between the 2006/2007 and 2013/2014 school years are compared, it is clear that **55.0% of the municipalities of over 10,000 inhabitants have improved the equality in distribution of foreign students among schools, but 45.0% have worsened, while in secondary school, 62.8% of municipalities have evolved positively and 37.2% have done so negatively (with different levels of intensity).**

However, if the levels of school segregation between the 2011/2012 and 2013/2014 school years are compared, it is clear that only 40.8% of the municipalities have reduced school segregation in primary, while 42.5% have done so in secondary school, while 59.2% of the municipalities for primary and 57.5% in secondary school have seen increased imbalances in the distribution of foreign students.

## 2. Significant territorial inequalities in the levels of school segregation among municipalities: there are Catalan municipalities with high levels of school segregation

The data on the distribution of foreign students show that **over 70% of the segregation can be explained by differences within the municipalities (or districts of the city of Barcelona), while less than 30% is explained by the differences between municipalities or districts.** Along these lines, school segregation in Catalonia cannot be explained so much by the differing social composition of municipalities, as by the existing internal imbalances.

In fact, analysis of the data at the local level shows that there are significant territorial inequalities in the impact of school segregation, and that there are numerous municipalities with very high levels of segregation.

The ten Catalan municipalities with populations over 10,000 (not counting the city of Barcelona), and the most internal school segregation of foreign students at the primary level are Terrassa, Cerdanyola del Vallès, Sabadell, Badalona, Tarragona, Esplugues de Llobregat, Sant Joan Despí, Girona, Lleida and Sant Adrià de Besòs. The ten Catalan municipalities (excluding Barcelona) with the most internal school segregation at the secondary school level are Sant Vicenç dels Horts, Badalona, Esplugues de Llobregat, Sant Feliu de Llobregat, Olesa de Montserrat, Tarragona, l'Hospitalet de Llobregat, Terrassa, Sabadell and Sant Boi de Llobregat (see table 2).

These are not necessarily municipalities with significant levels of immigration, or even high concentrations of foreign students in their schools. The level of school segregation as measured through the Index of Dissimilarity measures imbalances in the distribution of foreign students, not the level of concentration of these students in certain schools.

In the case of Terrassa, for example, to fully balance the distribution of foreign students among the schools, 60% of foreign students at the primary level and 41% at the secondary would hypothetically have to transfer to another school; in the case of Cerdanyola del Vallès, 59% in primary and 35% in secondary school; in the case of Sabadell, 57% in primary and 41% in secondary school; in the case of Badalona, 57% in primary and 47% in secondary school; and in the case of Tarragona, 57% in primary and 42% in secondary school.

As for the city of Barcelona, it is worth noting that **all of its districts, without exception, have levels of school segregation equivalent to or higher than the thirty-five municipalities with the most school segregation at the primary level in Catalonia (four of them among the top ten) and the ten municipalities with the most school segregation in secondary school (see table 3).** To demonstrate how relevant the existing imbalances are, it should be noted that, **if we were to achieve a fully equitable distribution of foreign students among the various schools, the enrollment would have to (hypothetically) change for over 40% of the foreign students in primary and secondary school.**

**Table 2. 50 municipalities over 10,000 inhabitants with the highest levels of school segregation (2013/2014 school year)**

Municipality	Pre Sch. - Prim. Sch. dissimilarity	% Pre Sch. - Prim. Sch. foreign st.	Pre Sch. - Prim. Sch. % public sector	Municipality	Sec. Sch. dissimilarity	% Sec. Sch. foreign st.	Sec. Sch. % public sector
Terrassa	0,60	14,2	58,1	S. Vicenç dels Horts	0,48	5,5	69,4
Cerdanyola del Vallès	0,59	5,1	66,0	Badalona	0,47	16,2	49,4
Sabadell	0,57	10,3	61,0	Esplugues de Llobregat	0,45	13,1	51,3
Badalona	0,57	14,0	54,2	S. Feliu de Llobregat	0,44	6,9	43,1
Tarragona	0,57	15,8	56,8	Olesa de Montserrat	0,42	8,7	54,1
Esplugues de Llobregat	0,56	8,6	56,4	Tarragona	0,42	16,5	52,4
Sant Joan Despí	0,53	7,4	76,0	Hospitalet de Llobregat, l'	0,41	28,1	51,5
Girona	0,53	15,1	57,1	Terrassa	0,41	15,0	48,8
Lleida	0,52	17,4	59,1	Sabadell	0,41	13,6	51,9
Sant Adrià de Besòs	0,52	7,3	45,8	Sant Boi de Llobregat	0,40	10,3	56,5
Cornellà de Llobregat	0,51	14,9	80,4	Montornès del Vallès	0,37	13,3	100,0
Sant Feliu de Llobregat	0,50	4,3	57,0	Reus	0,37	19,6	60,9
Olesa de Montserrat	0,50	8,9	57,5	Montgat	0,36	3,7	59,9
Vallirana	0,49	5,3	85,4	Parets del Vallès	0,36	6,2	63,0
Gavà	0,49	7,6	44,0	Salt	0,35	49,6	76,6
Salt	0,49	57,6	78,5	Mollet del Vallès	0,35	11,0	63,7
Sant Boi de Llobregat	0,49	8,2	60,0	Lleida	0,35	15,4	59,6
Molins de Rei	0,48	3,4	73,6	Cerdanyola del Vallès	0,35	7,7	67,9
Franqueses del Vallès, les	0,48	10,2	100,0	Granollers	0,34	15,6	51,0
Sant Sadurní d'Anoia	0,47	8,5	50,1	Gavà	0,33	8,6	35,3
Rubí	0,47	12,9	68,0	Sant Celoni	0,33	10,6	39,1
Reus	0,46	20,4	60,7	Sant Cugat del Vallès	0,32	7,6	38,4
Viladecans	0,46	7,6	73,2	Cornellà de Llobregat	0,31	21,8	79,0
Prat de Llobregat, el	0,45	7,7	83,0	Ripollet	0,31	10,0	81,6
Sta. Coloma de Gramenet	0,45	23,3	80,0	Vendrell, el	0,31	16,4	79,1
Hospitalet de Llobregat, l'	0,45	20,5	56,3	Franqueses del Vallès, les	0,31	14,7	100,0
Montornès del Vallès	0,44	15,9	100,0	Tordera	0,30	8,5	57,8
Cunit	0,44	17,1	100,0	Cambrils	0,30	18,7	71,5
Granollers	0,43	15,4	56,7	Rubí	0,30	14,5	64,1
Palau-solità i Plegamans	0,43	2,9	86,1	Sant Joan Despí	0,30	8,2	71,0
Manresa	0,42	21,3	57,1	Manresa	0,29	17,9	57,6
Ripollet	0,42	7,9	83,1	Caldes de Montbui	0,29	7,7	53,7
Castellar del Vallès	0,42	2,6	79,8	Montcada i Reixac	0,29	13,6	66,2
Valls	0,41	17,9	53,4	Sant Sadurní d'Anoia	0,28	7,0	64,0
Salou	0,41	19,3	63,2	Castelldefels	0,27	17,4	71,1
Premià de Dalt	0,41	9,5	78,1	Girona	0,26	17,2	54,3
Sta Perpètua de Mogoda	0,40	9,3	68,2	Malgrat de Mar	0,26	7,4	43,2
Blanes	0,40	11,4	73,6	Viladecans	0,26	7,9	69,2
Mollet del Vallès	0,40	9,0	66,6	Palamós	0,26	15,1	57,8
Tortosa	0,39	20,3	70,0	Sitges	0,26	19,6	68,3
Vendrell, el	0,37	19,3	81,4	Berga	0,26	16,1	69,1
Caldes de Montbui	0,37	5,6	62,7	Sta. Coloma de Gramenet	0,25	23,9	73,1
Deltebre	0,37	10,8	100,0	Martorell	0,25	15,9	80,5
Sant Cugat del Vallès	0,36	6,6	41,9	Roses	0,25	28,7	76,1

Municipality	Pre Sch. - Prim. Sch. dissimilarity	% Pre Sch. - Prim. Sch. foreign st.	Pre Sch. - Prim. Sch. % public sector	Municipality	Sec. Sch. dissimilarity	% Sec. Sch. foreign st.	Sec. Sch. % public sector
Sant Celoni	0,36	9,8	45,8	Sant Adrià de Besòs	0,25	8,8	36,0
Montcada i Reixac	0,36	11,8	71,9	Mollerussa	0,25	20,9	71,6
Calafell	0,35	22,0	100,0	Torroella de Montgrí	0,25	29,0	60,6
Castell-Platja d'Aro	0,35	28,3	100,0	Blanes	0,25	13,1	74,8
Figueres	0,34	30,1	75,0	Pallejà	0,24	4,1	77,2
Sant Vicenç dels Horts	0,34	5,6	75,7	Vilassar de Mar	0,24	8,6	100,0

Source: Developed from data from the Catalan Autonomous Ministry of Education.

**Table 3. School segregation in the districts of the city of Barcelona (2013/14 school year)**

Municipality	Pre Sch. - Prim. Sch. dissimilarity	% Pre Sch. - Prim. Sch. foreign st.	Pre Sch. - Prim. Sch. % public sector	Sec. Sch. dissimilarity	% Sec. Sch. foreign st.	Sec. Sch. % public sector
Ciutat Vella	0,51	35,0	51,4	0,49	35,6	50,4
Eixample	0,43	9,8	32,8	0,43	11,5	22,9
Sants - Montjuïc	0,52	18,7	55,2	0,41	23,5	57,1
Les Corts	0,52	5,0	28,0	0,46	6,4	22,7
Sarrià - Sant Gervasi	0,42	2,4	12,0	0,53	4,7	13,4
Gràcia	0,45	7,9	45,4	0,49	7,7	30,8
Horta - Guinardó	0,53	8,9	42,4	0,45	14,4	34,2
Nou Barris	0,41	18,5	57,3	0,42	23,2	60,0
Sant Andreu	0,48	10,6	55,3	0,42	13,3	39,3
Sant Martí	0,41	11,7	63,0	0,40	15,8	59,4

Source: Developed from data from the Catalan Autonomous Ministry of Education.

**Table 4. 50 municipalities over 10,000 inhabitants with the lowest levels of school segregation (2013/2014 school year)**

Municipality	Pre Sch. - Prim. Sch. dissimilarity	% Pre Sch. - Prim. Sch. foreign st.	Pre Sch. - Prim. Sch. % public sector	Sec. Sch. dissimilarity	% Sec. Sch. foreign st.	Sec. Sch. % public sector	% sector públic ESO
Alcanar	0,04	24,4	100,0	Castellbisbal	0,02	5,6	100,0
Torelló	0,07	14,9	69,5	Canovelles	0,03	22,1	100,0
Llagosta, la	0,09	13,9	84,3	Cubelles	0,04	10,8	100,0
Badia del Vallès	0,10	7,5	100,0	Mont-roig del Camp	0,04	31,9	100,0
Roca del Vallès, la	0,11	3,6	100,0	S. Andreu de la Barca	0,05	10,2	100,0
Abrera	0,11	6,6	100,0	Sant Feliu de Guíxols	0,05	17,1	78,5
Castelló d'Empúries	0,13	41,2	100,0	Bisbal d'Empordà, la	0,05	23,1	91,7
Bisbal d'Empordà, la	0,13	31,9	80,0	Cardedeu	0,06	6,1	100,0
Escala, l'	0,14	28,8	100,0	Banyoles	0,07	17,6	90,9
Sant Andreu de la Barca	0,14	9,6	97,9	St Joan de Vilatorrada	0,07	10,2	100,0
Ripoll	0,16	12,5	51,5	Pineda de Mar	0,07	20,1	100,0
Calonge	0,16	23,2	100,0	Arenys de Mar	0,10	9,5	57,0
Banyoles	0,16	30,3	87,2	Badia del Vallès	0,10	8,6	100,0
Torredembarra	0,17	16,5	100,0	Esparreguera	0,11	8,9	89,2

Municipality	Pre Sch. - Prim. Sch. dissimilarity	% Pre Sch. - Prim. Sch. foreign st.	Pre Sch. - Prim. Sch. % public sector	Sec. Sch. dissimilarity	% Sec. Sch. foreign st	Sec. Sch. % public sector	% sector públic ESO
Canet de Mar	0,17	7,6	68,6	Sant Pere de Ribes	0,11	13,9	100,0
Palamós	0,17	12,0	46,6	Sta. Coloma de Farners	0,12	16,7	70,0
Vilanova i la Geltrú	0,17	10,4	68,0	Piera	0,13	8,9	82,9
Sant Just Desvern	0,18	2,9	53,2	Canet de Mar	0,13	8,1	84,5
Castellbisbal	0,18	3,0	100,0	Torredembarra	0,13	18,1	100,0
Sant Carles de la Ràpita	0,18	16,0	82,4	Seu d'Urgell, la	0,13	16,1	68,6
Olot	0,18	21,2	66,2	Barberà del Vallès	0,13	10,1	100,0
Pallejà	0,19	2,0	81,4	Torelló	0,14	14,6	64,8
Arenys de Mar	0,19	8,2	68,5	Premià de Dalt	0,15	6,6	79,5
Martorell	0,19	18,2	85,5	Olot	0,15	15,6	73,3
Sant Quirze del Vallès	0,19	3,6	100,0	Tàrrrega	0,15	21,3	63,9
Cubelles	0,19	6,2	100,0	Vallirana	0,15	5,9	77,0
Mont-roig del Camp	0,19	21,1	100,0	Amposta	0,15	16,0	75,2
Garriga, la	0,20	6,4	67,2	Garriga, la	0,15	7,2	64,8
Balaguer	0,20	22,3	57,8	Calafell	0,16	23,9	100,0
Cardedeu	0,20	5,9	100,0	Palau-solità i Plegamans	0,17	7,6	84,5
Mataró	0,20	19,8	54,6	Vic	0,17	21,9	42,1
Igualada	0,21	8,9	36,5	Palafrugell	0,17	22,8	70,0
Tàrrrega	0,21	23,0	61,5	Lliçà d'Amunt	0,17	1,6	100,0
Amposta	0,21	18,5	80,1	Ripoll	0,18	14,0	69,4
Sant Feliu de Guíxols	0,21	20,6	78,0	Manlleu	0,18	26,2	47,0
Sant Joan de Vilatorrada	0,22	10,1	100,0	Valls	0,19	14,4	71,1
Canovelles	0,22	30,4	100,0	Figueres	0,19	27,6	76,6
Calella	0,22	19,9	41,6	S. Carles de la Ràpita	0,19	15,3	81,9
Sant Pere de Ribes	0,22	13,2	100,0	Sant Just Desvern	0,21	5,9	62,4
Pineda de Mar	0,23	19,1	89,5	Balaguer	0,21	20,0	63,2
Manlleu	0,24	35,2	64,0	Llagosta, la	0,21	13,8	76,4
Piera	0,24	5,5	82,9	Castelló d'Empúries	0,21	35,6	100,0
Mollerussa	0,25	31,0	59,4	Igualada	0,22	10,3	44,7
Esparreguera	0,25	6,5	81,2	Mataró	0,22	16,2	42,5
Berga	0,25	17,2	54,2	Vilanova i la Geltrú	0,22	11,2	63,4
Premià de Mar	0,25	13,8	53,5	Calella	0,22	19,1	36,7
Sta Coloma de Farners	0,25	23,6	67,8	Lloret de Mar	0,22	31,6	80,5
Seu d'Urgell, la	0,26	11,1	66,7	Prat de Llobregat, el	0,23	8,2	79,1
Tordera	0,27	6,1	68,4	Premià de Mar	0,23	15,3	55,0
Vilafranca del Penedès	0,27	19,6	64,2	Sta Perpètua de Mogoda	0,23	10,4	59,7

Source: Developed from data from the Catalan Autonomous Ministry of Education.



### 3. Differences between municipalities in the implementation of admissions management policies to fight school segregation: one of the key factors to comprehend territorial inequalities

Territorial inequalities do not only affect the levels of school segregation. There are also **noteworthy differences between municipalities when it comes to prioritizing the struggle against school segregation and the intensive use of all the instruments available to them:** while there are municipalities that have ostensibly improved their use of these instruments, and bettered their situation, there are others that have not.

In recent years, the Catalan Ombudsman has opened a number of ex-officio actions related with school segregation in several of the municipalities with the most segregation in Catalonia (Terrassa, Tarragona, Lleida, Barcelona, etc.), and has found significant shortcomings in the admissions management policies for students to fight school segregation (not using reservations of places, situations of excess offer that favor imbalances in the levels of demand for schools, etc.).

Imbalances in the levels of segregation among municipalities, according to each case, due to the convergence of various factors related with their individual social, educational and political conditions, (social composition, characteristics of the school map, levels of residential segregation, internal structuring, etc.). **The implementation of balanced student enrollment policies is also a factor that explains existing territorial inequalities.**

Some evidence of this is:

- Among the 50 municipalities with the lowest levels of segregation there are municipalities with significant immigrant population, where active policies of equal distribution of students have been underway with more or less intensity for years. This is the case, at the primary and/or secondary school levels, of Manlleu, Olot, Banyoles, Mataró and Vic, to mention just a few examples. In fact, school segregation of foreign students is not related with the proportion of the immigrant population in the municipalities.

Of the 20 municipalities with the greatest immigrant populations, only one (Salt) is among the 20 municipalities with the most school segregation.

- Among the municipalities that have worsened the most, some had stood out for having successful models for the struggle against school segregation, such as Manlleu. But following the elimination of the program contracts, they have seen a weakening of their balanced enrollment policies. On the other hand, among the municipalities that have most improved, there are some that have recently taken more active roles in the struggle against school segregation, such as Valls.

The activity of the Catalan Ombudsman demonstrates that in many places, the Autonomous Ministry of Education does not believe in the capacity of its own admissions management tools to fight school segregation. However, the Catalan Ombudsman has also found proof of the positive impact of these instruments in the municipalities where they are actively used.

### 4. More schools with high foreign student concentrations at the primary level (fewer at secondary): today more primary schools (and fewer secondary schools) are ghettoized

At times, the imbalances in foreign student enrollment cause high concentrations of this type of students in certain schools (to the point of ghettoizing their social composition).

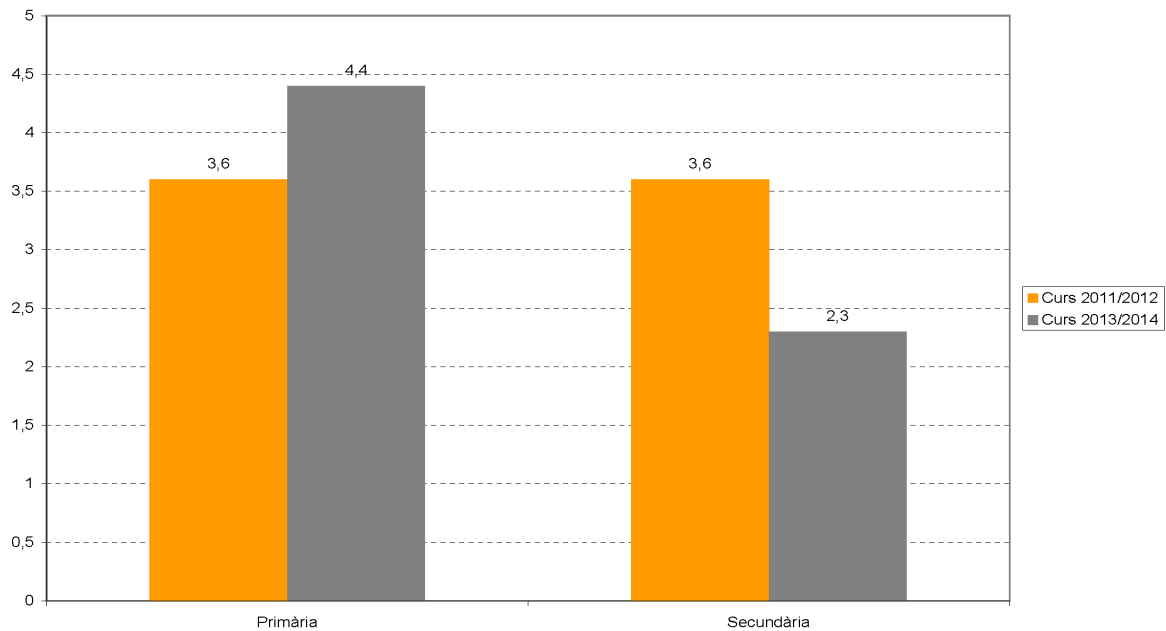
In Catalonia, in the 2013/14 school year, there were a total of 101 primary schools with more than 50% of foreign students in their student bodies, 4.4% of the total. 20 of them had more than 70% of foreign students. In secondary school, there were 24 schools with more than 50% foreign students in their student bodies, 2,3% of the total. Four of them had more than 70% of foreign students (see Table 5).

In primary school, in the 2013/14 school year, there were 23 more schools than in the 2011/2012 school year with concentrations of foreign students greater

than 50%, and 33 more schools than in the 2006/2007 school year. Schools with more than 50% of foreign students in their student bodies stood for 3.6% of the total in the 2001/2012 school year, while this proportion had risen to 4.4% in the 2013/2014 school year.

On the other hand, at the secondary level, there were 13 fewer schools with concentrations of foreign students over 50% in the 2011/2012 school year. While 3.6% of the schools had more than 50% of foreign students in their student bodies in the 2011/2012 school year, this proportion diminished to 2.3% in the 2013/2014 school year.

**Graph 1. Evolution of the percentage of schools with more than 50% of foreign students in primary and secondary school (2011/2012 and 2013/2014)**



Source: Developed from data from the Catalan Autonomous Ministry of Education.

**Table 5. Number of primary schools by level of foreign student concentration (2011/2012 and 2013/2014)**

Schools by concentration of foreign students								
2013/2014 school year	> 70%	> 60%	> 50%	> 40%	> 30%	> 20%	< 20%	Total
Primària (n)	20	21	60	62	146	247	1.785	2.341
Primària (%)	0,9	0,9	2,6	2,6	6,2	10,6	76,2	100,0
Secundària (n)	4	8	12	30	65	139	808	1.066
Secundària (%)	0,4	0,8	1,1	2,8	6,1	13,0	75,8	100,0
2011/2012 school year	> 70%	> 60%	> 50%	> 40%	> 30%	> 20%	< 20%	Total
Primària (n)	20	15	43	65	135	260	1.776	2.134
Primària (%)	0,9	0,7	2,0	3,0	6,3	12,2	83,2	100,0
Secundària (n)	8	9	20	38	81	165	732	1.053
Secundària (%)	0,8	0,9	1,9	3,6	7,7	15,7	69,5	100,0

Source: Developed from data from the Catalan Autonomous Ministry of Education.

In the studied primary schools, in municipalities with more than 10,000 inhabitants, there were 28 with more than 50% of foreign students, although only one has presence of more than 50% of these students in the municipality where

it is located (Salt). All of these municipalities, where 90 of the schools with this high concentration of foreign students are located, also have other schools (611) with less than 20% of these foreign students.

**Table 6. Municipalities of over 10,000 inhabitants with primary schools that have more than 50% of foreign students by level of concentration of these students (2013/2014)**

Municipality	Schools by concentration of foreign students							Total	% Pre Sch. - Prim. Sch. foreign students
	> 70%	> 60%	> 50%	> 40%	> 30%	> 20%	< 20%		
Salt	4	2	1	1	-	-	3	11	57,6
Lleida	3	2	2	1	2	6	28	44	17,4
Terrassa	3	-	1	3	5	4	39	55	14,2
Barcelona	2	2	15	14	22	29	262	346	11,1
Girona	2	1	1	2	2	1	22	31	15,1
Sabadell	2	-	1	2	3	3	50	61	10,3
Vic	2	-	1	-	2	5	1	11	33,5
Figueres	1	-	2	-	3	4	4	14	30,1
Tortosa	1	-	1	-	1	3	8	14	20,3
Badalona	-	2	3	3	5	6	39	58	14
Sta. Coloma de Gramenet	-	2	3	2	3	3	17	30	23,3
Reus	-	2	3	1	6	-	18	30	20,4
Manresa	-	1	1	2	4	1	10	19	21,3
Valls	-	1	1	-	-	-	7	9	17,9
Manlleu	-	1	-	-	2	2	-	5	35,2
Castelló d'Empúries	-	1	-	-	2	-	-	3	41,2
Vendrell, el	-	1	-	-	1	1	5	8	19,3
Torroella de Montgrí	-	1	-	-	-	1	1	3	28,6
Hospitalet de Llobregat, l'	-	-	5	6	3	10	35	59	20,5
Tarragona	-	-	3	2	6	3	19	33	15,8
Cornellà de Llobregat	-	-	2	1	1	1	16	21	14,9
Granollers	-	-	1	2	2	2	10	17	15,4
La Bisbal d'Empordà	-	-	1	-	2	1	-	4	31,9
Roses	-	-	1	-	1	2	1	5	28,4
Balaguer	-	-	1	-	-	2	3	6	22,3
Cambrils	-	-	1	-	-	2	5	8	14,2
Vila-seca	-	-	1	-	-	1	5	7	18,8
Torredembarra	-	-	1	-	-	-	3	4	16,5
<b>Catalunya</b>	<b>20</b>	<b>21</b>	<b>60</b>	<b>62 (65)</b>	<b>146</b>	<b>247</b>	<b>1.785</b>	<b>2.341</b>	<b>13,1</b>

Source: Developed from data from the Catalan Autonomous Ministry of Education.

As for secondary schools, there are 10 municipalities with over 10,000 inhabitants that have schools with over 50% of foreign students (three fewer than in the 2011/2012 school year), despite the fact that none

has this proportion over the entirety of schools in the municipality, and that, at the same time, they also have schools with concentration levels below 20% (except Castelló d'Empúries).

**Table 7. Municipalities of over 10,000 inhabitants with mandatory secondary schools that have more than 50% of foreign students by level of concentration of these students (2013/2014)**

Municipality	Schools by concentration of foreign students							Total	% Sec. Sch. foreign students
	> 70%	> 60%	> 50%	> 40%	> 30%	> 20%	< 20%		
Barcelona	2	3	5	10	17	20	157	214	14,1
Hospitalet de Llobregat, I'	1	3	-	4	6	7	13	34	28,1
Salt	1	1	1	-	-	-	3	6	49,6
Sitges	-	1	-	-	-	-	3	4	19,6
Badalona	-	-	1	2	3	4	22	32	16,2
Terrassa	-	-	1	1	3	1	23	29	15,0
Sabadell	-	-	1	1	2	2	29	35	13,6
Lloret de Mar	-	-	1	-	2	-	1	4	31,6
Cornellà de Llobregat	-	-	1	-	-	1	7	9	21,8
Castelló d'Empúries	-	-	1	-	-	1	-	2	35,6
Tarragona	-	-	-	2	2	1	14	19	16,5
Sta. Coloma de Gramenet	-	-	-	2	1	4	9	16	23,9
Lleida	-	-	-	1	3	3	20	24	15,4
Tortosa	-	-	-	1	-	-	5	6	22,4
<b>Catalunya</b>	<b>4</b>	<b>8</b>	<b>12</b>	<b>30</b>	<b>65</b>	<b>139</b>	<b>808</b>	<b>1.066</b>	<b>14,6</b>

Source: Developed from data from the Catalan Autonomous Ministry of Education.

### 5. Advancements in the implementation of measures focused on municipalities and schools, but no structural improvement in school segregation levels in the system

Currently, the Autonomous Ministry of Education is essentially fighting school segregation through policies related with the consolidation of educational projects at the most socially underprivileged schools, with measures designed to improve their enrollment conditions: magnet school projects, pedagogical audits, more robust staffing of high-complexity schools, etc. are a few examples.

These measures, which will be the subject of another analysis by the Catalan Ombudsman's Office in the upcoming report *School segregation in Catalonia (II): enrollment conditions*, are positive on the whole. They do not generate much social resistance because they are based on the improvement of the schools and their specialization as ways to attract the demand. They are also grounded in stronger identification by families. Nonetheless, their results tend to be less immediate, as

they require greater investment by public authorities and above all, are concentrated in certain schools (there are more difficulties in making systemic changes that reduce the overall imbalances of the system).

Policies related with the consolidation of the educational projects of the schools must be coupled with policies to combat school segregation related with the management of the student admissions process: it is very difficult to retain and progressively attract demand to a school that is socially stigmatized without a minimally attractive, quality pedagogical proposal. But it is equally difficult to revert this rejection without recurring to the instruments that stem this flight in the admissions process and that optimize the admissions conditions of schools with the most difficulties in the attraction of the demand.

The policies related with management of the student admissions process that are being analyzed in this report involve implementation difficulties due to the limitations they place on the selection of the school, and are often based on low levels of identification by families.

Nonetheless, they **have the capacity, if universally, intensely applied, to generate short-term structural impacts at a low cost.**

In the Catalan Ombudsman's view, strictly from a student admissions process perspective, there have been advancements over recent years. However, **these advancements have been focused on a few municipalities (generally, with high educational complexity), and have not been of a structural nature.**

From the complaints filed with the Catalan Ombudsman, it is clear that oftentimes, on the local level, the Autonomous Ministry of Education minimizes the prevalence of school segregation in our educational system, and **limits the scope of the problem to only markedly ghettoized schools**, with high concentrations of socially underprivileged students, especially immigrant or Rom ethnic groups, and low academic performance. Less extreme inequalities in the social composition of the schools, on the other hand, are not viewed as problems, even less so when such inequalities affect social categories that go beyond students with specific educational needs. **Many of the specific actions carried out by the Autonomous Ministry of Education to fight segregation, from the student admissions process management and the educational project improvement perspectives, are geared to schools with high educational complexity** (pedagogical audits, ratio reductions, more robust faculty staffing, etc.).

**Most significant advancements in the admissions process management to fight school segregation:**

- Application of ratio reductions in schools with high educational complexity, facilitating management of enrollment in schools that have high concentrations of socially underprivileged students, and reducing the educational impact of school segregation in these schools.

- Improvement in the social appreciation and demand for schools with underprivileged social composition, that are socially stigmatized, through educational project consolidation

measures, but also through specific measures for accompaniment of families in the admissions process.

- Closure of certain highly ghettoized schools, given the low demand and difficulties in reverting the situation.

- More awareness-raising by the various admissions guarantees committees on the need to fight the ghettoization of certain schools and prevent the practices most visibly related with the reproduction of school segregation, such as the concentration of the so-called "dynamic enrollment" in some of the more stigmatized schools.

- Programming criteria for 3 year-old preschool (P3) offering made public by the Autonomous Ministry of Education in the admissions process for the 2016/2017 school years, that involve providing the maximum number of opportunities to families, but also preventing stigmatization of the schools in underprivileged areas, or ensuring the continuity of all schools' educational projects. This does not necessarily imply eliminating places or groups in schools with less social demand, or augmenting the offer in schools with more social demand.

- Implementation in some municipalities of best practices to detect students with specific educational needs and assign them to reserved places.

**6. The Autonomous Ministry of Education's lack of determined policy to fight school segregation from the management of the admissions process over the past decade: segregation cannot be effectively fought with half-hearted measures**

The lack of structural improvement that would correct levels of school segregation in the educational system can be explained not only by the focused nature of the measures taken but also, partially, the low intensity of the policies to fight school segregation implemented in recent years.

Although there have been very positive experiences at the local level, **the Autonomous**

Ministry of Education has not shown a sufficiently active and convincing position from which to fight school segregation through the instruments offered by the laws that regulate the pre-registration and enrollment procedure. The undesired effects generated by the anti-school segregation policies through the management of the student admissions process foster the belief that these instruments have very limited efficacy and that there is no real possibility to interfere in the school selection made by families.

However, this lack of conviction on the effectiveness of these policies has come about without an intensive, prolonged use of the instruments now available, except for a few positive exceptions. In fact, the positive experiences carried out locally demonstrate that these measures do not completely resolve the social problem (which actually has roots that go beyond the realm of education), though they are effective in creating a more cohesive, socially balanced educational system. The partial, or sporadic use of these instruments is ineffective in territories where the phenomenon is more consolidated.

#### *Insufficient regulatory development of available legal instruments*

- The lack of a new Admissions Decree to further regulatory development, and develop the main instruments created to fight school segregation by the Catalonia Education Act of 2009, especially the possibility of establishing maximum proportions of students with specific educational needs in schools or the extension of validity of place reservations until the beginning of the school year (Art. 48.1), seven years after ratification of the CEA, is evidence of the insufficient political determination in this area.

#### *Persistence of shortcomings in the admissions process management present a decade ago*

- Underuse (or passive use) by the Autonomous Ministry of Education in many municipalities of the various instruments offered by the regulations to

promote a balanced enrollment of students. There are still many widespread shortcomings. For example, in the use of the place reservations, the main instrument currently available, especially due to the low level of proactive detection of specific educational needs during the regular admission process, the poor determination of the number of reserved places, and the lack of specific accompaniment actions for students with special educational needs to these reservations in the admissions process. The low level of detection prior to or during the process means that the impact of reservations is low, if they are used.

- Insufficient usage of augmentations or reductions of ratio as a measure to promote balanced enrollment outside the regular period. Despite being students with specific educational needs, they are enrolled too often in any school with places, that have an underprivileged social composition.

- A lack of active usage of the assignments or districting to fight school segregation, when in many municipalities, itineraries of continuity are consolidated among segregated schools or internally homogeneous areas are consolidated that reproduce urban segregation. It may also occur that when these instruments are deactivated, through models of multiple assignment (of all the schools with all the secondary schools of an area) or single areas (which make for a de-districting of the municipality), without considering the impact that this planning has on school segregation.

- Still-current, sporadic use of ratio augmentations as a means of satisfying the demand in the student admission process, even though other schools in the area have vacancies.

- Abandonment of the mechanisms to monitor false census registrations made for the student admissions process, especially when the students who have committed irregularities withdraw voluntarily from the Municipal Census Registry before the Local Council completes the ex-officio removal process due to wrongful registration.

*Regulatory developments more geared to maximizing the range of school selection for families than fighting school segregation*

The main regulatory developments related with management of the student admissions process, and that have impacted the struggle against school segregation, have focused more on expanding the range of school selection and satisfying the demand, than directly tackling this phenomenon.

It is worth noting that fairness of admissions and freedom of choice in school selection are principles that often come into conflict, either because certain criteria of school selection followed by families reproduce school segregation and negatively affect equality, or because the measures to fight this problem partially involve limiting the range of school choice.

■ **Approval of Organic Law 8/2013, of 9 December, for the improvement of educational quality (LOMCE)**, that grants more legal protection to parents' or guardians' right to choose the type of education and the school for their children, and to the programming of the offering to the demand of the schools. It incorporates social demand as a criterion for programming the offer (consistently with the incorporation of families' right to school selection as the guiding principle). This social demand often reproduces school segregation in the school selection processes. This new law also does away with necessary provision of public places in the programming of the offer (Art. 109.2) and incorporates other items that could hinder the fight against school segregation, such as the publication of results attained by schools (art. 120.3) or the prohibition of the choice of school on the grounds of its own character making for less favorable treatment, or a disadvantage, when entering subsidy arrangements (Art. 116.1).

■ **Approval of Decree 10/2012, of 31 January, modifying Decree 75/2007, of 27 March, on the admission of students, that incorporates the tie-breaking criterion for students who have had family members enrolled at the school they are applying to**, approved the prior year by Government Agreement and applied for the first time in

the 2011/2012 school year admissions process. This new criterion has brought about greater demand for more sought-after schools, but done little to fight school segregation. As stated previously, although the student admissions decree in force up to then was modified to include new criteria of priority, the instruments for the struggle against school segregation have yet to be deployed, even today.

■ **Approval of Royal Decree-law 14/2012, of 20 April, on urgent measures for rationalization of public spending in the educational realm**, which establishes the possibility of augmenting ratios up to 20%. Though it has not been applied on a widespread basis, there are numerous subsidized schools for which ratio increases have been authorized on the pretext of this Royal Decree-law 14/2012, despite the existence of places in the area.

■ **Modification of school districting models** (with larger or single districts) in numerous municipalities, that have been more oriented toward augmenting the range of school selection and satisfaction of demand than on righting the imbalances in the social composition of the schools.

*Weakening the measures meant to promote co-responsibility of the subsidized schools in the enrollment of students with specific educational needs*

■ **Elimination of program contracts as of the 2012/2013 school year due to budgetary restrictions of the Autonomous Ministry of Education**. Program contracts, implemented in the 2006/2007 school year, proved to be an effective instrument for promoting balanced enrollment of students among public and subsidized private schools in municipalities such as Vic, Manlleu or Olot. The fact that students enrolled in subsidized schools did not have to pay any additional economic amounts favored the selection of schools by families not being so conditioned by their socio-economic status, and the ownership mode of the school. Although it was an insufficiently developed measure (only 27 subsidized private schools throughout Catalonia had signed program contracts with the Ministry of Education at some point), and despite

the existence of the subsidy program to provide additional financing to private schools that provide the Educational Service of Catalonia in underprivileged socio-economic settings, the Catalan Ombudsman has already been made aware that the elimination of the program-contracts with these subsidized schools has led to complementary activities newly becoming a factor of inequality in the access to these schools, due to the charging of fees.

■ **Reduction in the investment devoted to financing the enrollment in conditions of equal opportunity for students with specific educational needs in subsidized schools.** For the 2015/2016 school year, subsidies meant to provide additional financing to subsidized schools in areas that are socio-economically underprivileged amount to 6.6 million euros (to be distributed among over 60 schools). It bears mentioning that in the 2010/2011 school year, some 6 million euros were devoted to program contracts (in 27 schools) and 7 million euros were set aside for a program to subsidize complementary activities for students with specific educational needs at other subsidized schools without program contracts. Since the 2010/2011 school year, the budget meant to finance complementary activities (either through program-contracts, through purpose-designed subsidies for complementary activities, or through additional financing of subsidized schools) has been reduced overall by over 50%. This reduction in investment complicates the promotion of co-responsibility of subsidized schools in the balanced enrollment of students.

## 7. Evolution of the educational demography as a risk for the struggle against school segregation: lesser weight of the public sector in second-cycle preschool education and situations of excess offer, conducive conditions for the repetition of imbalances among schools

In recent years, demographic evolution has imposed, and will continue to do so in the future, the need for the Autonomous Ministry of Education to make structural decisions on the configuration of the educational offering in every territory, for the creation of an offering that is increasingly intense in secondary education, but also, as the most novel factor of the past four years, the elimination of 2nd cycle preschool education offerings. In fact, after years of steady increases due to the effect of immigration and the rise in the birth rate, the 2012/2013 school year was the first to witness a diminishment in the overall offering of second-cycle preschool. Since the 2011/2012 school year, the number of students in this educational period has dropped by 12,616, 5.1% of the total (see tables 8 and 9), and the reduction of units has neared 500.

In the latest admissions process for the 2016/2017 school year, the applications for 3-year-old preschool were down by 5.5% from the prior school year, and the number of groups declined by 67.



Table 8. Evolution in the number of students by public/private-owned schools (2000-2015)

2nd cycle presch	2000- 2001	2001- 2002	2002- 2003	2003- 2004	2004- 2005	2005- 2006	2006- 2007	2007- 2008	2008- 2009	2009- 2010	2010- 2011	2011- 2012	2012- 2013	2013- 2014	2014- 2015
Total	168.479	173.878	181.396	190.990	198.719	205.952	214.290	226.146	236.407	241.040	244.071	249.230	247.832	244.002	236.614
Public	101.318	105.357	111.616	119.701	126.564	132.839	139.690	148.845	156.791	161.232	165.299	170.281	168.860	165.961	159.012
Privat	67.161	68.521	69.780	71.289	72.155	73.113	74.600	77.301	79.616	79.808	78.772	78.949	78.972	78.041	77.602
Primary	2000- 2001	2001- 2002	2002- 2003	2003- 2004	2004- 2005	2005- 2006	2006- 2007	2007- 2008	2008- 2009	2009- 2010	2010- 2011	2011- 2012	2012- 2013	2013- 2014	2014- 2015
Total	346.604	348.665	354.597	362.817	368.267	376.585	389.878	408.902	423.703	433.614	446.775	457.229	465.558	471.871	481.362
Public	202.851	205.879	211.260	218.796	224.476	232.462	244.372	257.320	269.986	279.357	291.641	300.902	307.052	312.079	319.863
Privat	143.753	142.786	143.337	144.021	143.791	144.123	145.506	151.582	153.717	154.257	155.134	156.327	158.506	159.792	161.499
SEC. SCH	2000- 2001	2001- 2002	2002- 2003	2003- 2004	2004- 2005	2005- 2006	2006- 2007	2007- 2008	2008- 2009	2009- 2010	2010- 2011	2011- 2012	2012- 2013	2013- 2014	2014- 2015
Total	257.318	253.340	253.424	256.268	258.746	260.966	264.829	271.946	274.452	276.754	279.125	283.576	288.088	289.806	293.876
Public	142.168	140.393	142.318	146.694	150.355	152.889	156.316	160.821	163.620	166.623	169.366	174.089	178.486	179.610	182.052
Privat	115.150	112.947	111.106	109.574	108.391	108.077	108.513	111.125	110.832	110.131	109.759	109.487	109.602	110.196	111.824

Source: MEC

Table 9. Evolution in the number of units by public/private-owned schools (2005-2015)

2nd cycle preschool	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15
<b>Total</b>	<b>9.173</b>	<b>9.515</b>	<b>9.972</b>	<b>10.302</b>	<b>10.483</b>	<b>10.546</b>	<b>10.768</b>	<b>10.658</b>	<b>10.434</b>	<b>10.183</b>
Public	6.140	6.454	6.888	7.193	7.350	7.400	7.611	7.521	7.355	7.097
Private	3.033	3.061	3.084	3.109	3.133	3.146	3.157	3.137	3.079	3.086
SEC. SCH.	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15
<b>Total</b>	<b>9.741</b>	<b>9.750</b>	<b>9.783</b>	<b>9.878</b>	<b>9.952</b>	<b>9.956</b>	<b>10.158</b>	<b>10.202</b>	<b>10.340</b>	<b>10.481</b>
Public	5.816	5.831	5.884	5.978	6.055	6.056	6.253	6.300	6.405	6.540
Private	3.925	3.919	3.899	3.900	3.897	3.900	3.905	3.902	3.935	3.941

Source: Autonomous Ministry of Education

### The public sector: less weight of first cycle preschool, increased weight of Secondary School

The weight of the private sector in a municipality or the degree of co-responsibility of the private sector in the enrollment of foreign students have an impact on school segregation and partially explain the differences among municipalities. Municipalities with a highly weighted private sector and lower percentage of foreign student enrollment generally have higher levels of school segregation. As for the differences among municipalities' levels of school segregation, 8.0% can be attributed to the impact of the private sector's weight, while 21.4% of the

differences in the levels of school segregation can be explained by the co-responsibility of private schools.

The system of offering provision, whether public or private, can generate significant effects on school segregation: the more private offering a territory has, the more imbalances there tend to be in the social composition of the schools. Therefore, generally speaking, **in a context of reduction of school places due to the effects of demographic evolution, reducing the weight of the public sector without increasing the co-responsibility of the private sector generates conditions less conducive to fighting school segregation.**

Of the 12,616 fewer students enrolled in the second cycle of preschool since the 2011/2012 school year, 11,269 were from the public sector, and 1,347 from the private sector. **There has been a 6.6% reduction of students in the public sector, and 1.7% reduction in the private sector** (see table 7). Over the same period, 584 units of 2nd-cycle preschool have been eliminated; 514 in the public sector (with a decrease of 6.7%) and 71 in the private sector (2.2%), although 22 preschool and primary schools have been eliminated, 14 from the public sector (0.8%) and eight from the private sector (1.3%) (see table 9).

The data demonstrate that **the private sector has had a more stable performance over the past 15 years, while the public sector has been more sensitive to demographic evolution**: although the number of 2nd-cycle preschool students has dropped over the past three years, more so in the public than the private sector, between the 2000/2001 and 2011/2012 school years, enrollment in the public sector rose by 64,924 students, 61.6% more, while that of the private sector did so by 10,428, or a 15.2% climb (see table 8).

It is worth noting that the elimination of groups in the 2013/14 and 2014/2015 school years shows that close to 50% of this phasing-out has come about in municipalities where there is no alternative offering to the public sector (because the municipality only has one or more public, and no private schools).

In any event, **the inverse effect of this elimination of the public 2nd-cycle preschool offering is occurring in mandatory secondary school, now in a process of sustained growth at a more intense pace than in the private sector**. Over this period, since the 2011/2012 school year, 10,300 more students have entered the system, a 3.6% increase; 7,963 in the public sector (with a rise of 4.6%) and 2,337 in the private sector (2.1% more). Along the same lines, the number of units has risen by 323, an increase of 3.2%: 287 in the public sector (4.6%) and 36 in the private sector (0.9%).

If in 2nd-cycle preschool the provision of offering has its origin in more conditions that make it more complex to fight school segregation, these conditions ought to be

more favorable in mandatory secondary education.

### *Differentiated treatment in the elimination of groups in the public and private sectors*

The complaints received by this institution demonstrate that the procedure followed by the Autonomous Ministry of Education for the modification of groups in public schools and subsidized private schools is different. In the first case, there is a tendency to reduce the number of groups before pre-registration, in the initial offering, while in the second case, the elimination usually occurs in the final offering, if they do not manage to cover the necessary places.

The procedure usually followed at subsidized schools is the one derived from compliance or non-compliance with the minimum ratios of students in the subsidized units established in the regulations: the groups (and the subsidies) are maintained when, once pre-registration is complete, the minimal ratios of 20 students in 2nd-cycle preschool and primary education, and 25 students in mandatory secondary school education, are met.

In relation with this matter, **the Catalan Ombudsman advocates modification of the initial offering of places before the admissions process begins (even if they have to be corrected later on), to avoid conditioning the elimination of groups to criteria related with the evolution of the demand, often a reproduction mechanism for school segregation**. This way, there would be a systematic tendency to reduce groups in schools with weaker demand, without this procedure contributing to consolidation of their demand, and “heterogenizing” their social composition.

Elimination before the pre-registration process of the public sector units, and not those of the private subsidized sector, favors concentration of these modifications in publicly-owned schools.

The Catalan Ombudsman calls attention to Decree 56/1993, of 23 February, on educational subsidies, which specifies that the reduction in the number of subsidized units can follow the previously-described procedure, or the Autonomous Ministry of

Education can reduce the subsidized units or groups on an ex-officio basis, with a prior hearing (Art. 30), with no need for this to be done after the pre-registration.

*Maintenance of situations of excess offering in enrollment areas, and imbalances between offering and potential demand by areas*

The imbalances between offering and demand or between offering and potential demand in the different areas also generate conditions conducive to the reproduction of school segregation. **There are numerous municipalities with significant surpluses in the initial offering of places.**

On one hand, the existence of areas with over-offer—or more school places than applications— contributes to schools with weaker social demand not being able to cover their places, and concentrating vacancies, which further weakens their demand. On occasion, they wind up being used to enroll students outside the standard term, who are often socially underprivileged.

On the other, the existence of areas with higher offerings of places than the potential resident demand in their area facilitates mobility from certain territories to others.

In light of these situations, the Catalan Ombudsman states that the criterion of actual demand (first choice applications presented by families) of a given school, or a given area, is not necessarily the main factor to take into account when programming the offering.

Quite often, the movements of school demand from certain areas to others have to do with imbalances in the characteristics of the existing offering, and also with processes of “flight” by certain resident

families from schools, or areas, with less affluent social compositions. Good demand results of a school or area, unto themselves, do not justify the need to maintain the existing offering. This is because the imbalances and movements between areas can also be hiding other realities that would be inadmissible from a children’s rights perspective. These situations could be worse than not fulfilling families’ first-option school selections, such as situations of school segregation.

**8. Consolidation of demand in the public sector as an opportunity, but with significant internal inequalities: internal differentiation of the public sector as a risk**

One of the lines of argument traditionally used to explain school segregation is the imbalance in the social composition between public and subsidized private schools. The public sector, for example, enrolls three times as many foreign students as the private sector.

Nevertheless, school segregation is not limited to imbalances in the social composition of the public and private schools. Notwithstanding this imbalance, **there are major internal inequalities within school systems of every ownership mode. In fact, only 20.5% of the school segregation in Catalonia can be explained by differences between the public and private sectors, while the remaining 79.5% can be attributed to differences within the ownership modes.** Although, on average, the private sector has a more affluent social composition, public schools do not always have a higher proportion of socially underprivileged students than subsidized private schools (see, for example, table 10).

**Table 10. Socio-economic profile of students in the schools of various Barcelona city neighborhoods (2013-2014)**

Sagrada Família / Camp d'en Grassot	Students with lunchroom benefits	Foreign students
	(2013-2014)	(2013-2014)
	%	%
Public school 1	23,1	25,8
Public school 2	17,1	9,6
Public school 3	14,0	13,1
Subs. priv. school 1	13,9	23,0
Public school 4	11,5	9,3
Public school 5	10,7	10,0
Public school 6	5,5	6,9
Subs. priv. school 2	5,1	4,0
Subs. priv. school 3	3,8	3,2
Subs. priv. school 4	1,6	2,9

Bon Pastor	Students with lunchroom benefits	Foreign students
	(2013-2014)	(2013-2014)
	%	%
Public school 1	77,6	44,7
Subs. priv. school1	10,7	11,0
Public school 2	7,3	2,6

Source: Developed from data from the Barcelona Education Consortium and the Autonomous Ministry of Education.

In recent years, partly due to the impact of the financial crisis, social demand for the public sector has grown stronger in many municipalities. The case of Barcelona is paradigmatic: the percentage of public sector demand in the 3 year-old preschool (P3) admissions process for the 2012/2013 school year was 45.8%, while this proportion

rose to 49.6% for the 2016/2017 school year. The education administration, over the course of meetings with the Catalan Ombudsman, has admitted that this increase of the demand for the public sector has meant that increasing numbers of middle class families are applying for access to this sector.

**Table 11. Evolution of P3 enrollment demand by mode of ownership in Barcelona city (2016-2017)**

P3	2012/2013	2013/2014	2014/2015	2015/2016	2016/2017
Public sector demand	5.929	6.004	5.930	6.128	6.201
Private sector demand	7.025	6.778	6.869	6.636	6.313
% public sector demand	45,8	47,0	46,3	48,0	49,6

Source: Barcelona Education Consortium.

The complaints processed by the Catalan Ombudsman reveal, however that the **access to the public sector by middle class families, with stronger educational backgrounds, is accompanied by stronger demands regarding the types of educational service desired (especially as regards the pedagogical project and availability of complementary services) and also the social profile of the students enrolled.** Therefore, it is a choice made for the

public sector, but with a strong selective component.

Although this increase in demand for the public sector can be an opportunity to heterogenize their social composition, especially those of schools with more underprivileged social compositions, **there is a risk of differentiating the social composition of the schools within the public sector.**

It must not be overlooked that this increased demand is not coming about on a uniform basis throughout all the different public schools. An analysis of the school demand data shows that, **within the public sector too, there are major inequalities in the levels of demand for the schools and in their social composition.**

For example, in the P3 admissions process for the 2016/2017 school year in the city of Barcelona, there were 199 schools that had more applications than places (over-demand), of which 83 are public. Of the schools with over-demand, there are 36

that received over-demand greater than 50% of their offering, and of these, 17 are public schools. On the contrary, there were 109 schools with less demand than places offered, of which 76 are public schools. Among the schools with under-demand, there were 18 that had a number of first-choice applications that did not cover 50% of the offering of available places. Of these, 12 are public schools. **We have public schools with marked over-demand, and under-demanded public schools, with significant differences as regards their social composition** (see, for example, table 12).

**Table 12. Public schools with more first-choice applications in the 2015/2016 school year admissions process in the city of Barcelona (2015)**

	% foreign students		% students with lunchroom benefits			
	School	Dist.	Two nearest public schools	School	Dist.	Two nearest public schools
School 1 (Eixample)	10,0	11,2	25,8	10,7	12,8	21,3
School 2 (Sant Martí)	8,5	11,3	11,9	11,4	10,7	16,8
School 3 (Gràcia)	13,7	13,9	16,3	9,6	11,3	16,1
School 4 (Eixample)	9,3	11,2	14,9	11,5	12,8	19,1
School 5 (Sant Andreu)	5,2	8,6	10,7	8,2	13,2	14,4

Note: Developed from data from the Education Consortium of Barcelona and the Autonomous Ministry of Education.

In the report *School segregation in Catalonia (II): enrollment conditions*, the Catalan Ombudsman will more closely analyze how the educational projects of a school in a context of rising levels of pedagogical and organization autonomy partially explain these imbalances in the levels of demand for schools. In any event, this internal differentiation of the school educational projects over the entirety of the educational system, but also in the public sector, has contributed to differentiating the social demand for the schools due to the effects of increasing the range of autonomy that they have.

### **9. Dissemination practices of public and subsidized private schools that reproduce the imbalances in the social composition of the schools in the student admissions process**

Strictly from a student admissions process management standpoint, which is the

subject of analysis of this report, an assessment must be made of certain practices conducted by the schools themselves, generally related with the job of informing families, that can reproduce this internal differentiation of the demand. They are not widespread practices, but they have an important effect when they take place.

■ **They attract families of a certain profile to the open-house days, or the rest of information systems available to public and subsidized private schools with the “unique” educational projects, with traits that clearly differentiate them from those of their surroundings, and that require families who apply to these schools to share more or less actively these differentiating traits (and that therefore, they be families with certain beliefs, ideologies, values, ways of understanding education, etc.). “We want families that...” or “This**

school was conceived for families that...” are expressions often used on open-house days, or in the informative interviews of certain schools. This type of advertising is a reality at certain religious subsidized private schools, with a clear evangelizing intent. But it is also present at some public schools, often newly-opened, which, under certain discourses of educational innovation linked to social transformation, end up crafting proposals that are non-inclusive of the social diversity in their environments. They attract a certain type of student, but deter demand from other types. This institution believes that schools’ autonomy in the definition of their educational projects must ensure inclusion of the social diversity in their environment, and respect the principles of equal opportunities, pluralism, social cohesion and non-indoctrination.

■ **Social prejudices on the quality of different schools (often ill-founded, but fostered by the schools themselves), that markedly condition families’ choice of school, especially those families of stronger cultural and economic backgrounds,** which engage in more strategic behavior in school selection. These social images, which are highly conditioned by the social origin of the families, are not only built on certain ghettoized, socially discredited schools, but also on public and private subsidized schools that have greater social prestige. The prejudices on “schools that work better” (according to the social imagery of the neighborhood or of each social group) can be as negative for the reproduction of school segregation as the prejudices built on “schools that don’t work”, especially when the positive assessment of a certain school in the neighborhood bears the implicit or explicit association of the degradation of the rest of schools in the area, even though they may objectively be alike. Beneath certain pedagogic (or those intended to be pedagogic, in some cases) discourses, or those extolling certain characteristics of the type of desired school (religious character innovative educational project, etc.), quite often there are selection logics closely related with the school’s social composition. These are images with social connotations, according to the social group one belongs to, that attribute prestige to certain school profiles identified with given social groups and discredit others. The intensity and deep-rooted nature of

these prejudices are often so strong that it is very difficult to fight them simply through open-house days or the other systems that schools have to inform families prior to or during the admissions process.

■ **Discourses to attract demand based on competition among schools, without any “system logic” inspiring the informative duty.** There are schools that, when presenting their projects during the admissions process, attempt to attract demand through a discourse based on competitive logic that does not just inform families on the school but also attempts to differentiate it from the other schools in the area through a biased presentation of the school’s virtues, and explicit or implicitly stating the defects of the others.

■ **Discourses of specialization in the enrollment of socially underprivileged students.** In the case of schools with high concentrations of socially underprivileged students, although specialization in tending to diversity has become a necessity, this specialization itself, when it structures the school’s educational project, becomes a factor of reproduction of the concentration, because less underprivileged families feel less inclined to apply to this kind of school in the admissions process. This reality occurs at certain schools with high educational complexity, for example, those that are presented as schools specialized in providing education to socially underprivileged students.

**The Autonomous Ministry of Education does not implement active policies of subjectivity to build alternative social images more conducive to equality in student admissions.** Institutional campaigns have been conducted to promote parents’ selection of the best school for their children (for example, one with the slogan, “You want to find the best school,” from the Barcelona Education Consortium) but none to promote selection with a commitment to social cohesion. The will to prioritize the governability of the process among the families and the fear of jeopardizing the demand for the more socially stigmatized schools have often led to inhibition among public institutions in the construction of imagery more favorable to equality.

### *Lack of transparency regarding fees to be paid in public and private subsidized schools*

The existence of different enrollment costs generates imbalances in the social composition of the schools, both between the public and private subsidized sectors and internally within these modes of ownership. The report *School segregation in Catalonia (II): enrollment conditions* features a closer analysis of the impact of enrollment costs on school segregation.

Decree 75/2007, of 27 March, which establishes the student admissions process to schools with publicly-funded education, also stipulates schools' obligation to inform on the complementary activities and the school services they offer, as well as the relevant fees and the voluntary, non-profit nature of these activities and services, and whether they receive financial aid or subsidies from the public administrations to finance these activities (art. 4.3). As opposed to other aspects, such as their educational project, their offering of publicly-funded education, the offering of places, the assignment of the school to other schools, the student admissions criteria or the school's area of proximity (art 4.2), the regulations do not establish that the information on fees has to be published on the school bulletin board and in all systems of public information that the school has.

Law 12/2009, of 10 July, on education, establishes in its article 50.2 on guarantees of education being free of charge, that in enrollment of students in mandatory education and those declared free of charge, the schools that provide the Educational Service of Catalonia must take responsibility for them remaining free of charge and that, "No obligation to make contributions to foundations or associations of any kind may be imposed, nor can enrollment be linked to the mandatory nature of receiving any additional school service that requires any economic contribution from families."

However, schools do not usually provide this information in this way on open-house days or any other information systems during the admissions process. On a general level, subsidized schools omit the information on the various concepts that constitute these fees, and also fail to mention that their payment is voluntary. Often, these fees are

presented as if they were a mandatory payment associated with admission to a given school. This "mandatory" concept exists in relation to the complementary activities, with the "voluntary" contributions to the foundations that many subsidized schools call upon families to make, and the charging of fees for services clearly linked to the enrollment of students, that families cannot refuse to pay.

Often, contrary to the terms of Decree 75/2007 (art. 4.3) schools also fail to include the information on whether they receive the subsidy for additional financing of private schools that provide the Educational Service of Catalonia in areas with underprivileged economic characteristics. The subsidy is provided by the Autonomous Ministry of Education, and blocks them from charging for complementary activities offered to socially underprivileged students.

Along the same lines, there are public schools that do not properly inform on the fees that are paid (supplies, etc.), as they do not break them down by concepts. Another possibility is that they do not inform on the voluntary nature of certain fees, such as those for the Parents' Association or certain complementary activities or services.

This lack of information on the guarantees of education being free of charge contributes to generating a collective image of voluntary fees being mandatory. The differences in fees that exist from school to school, including public ones, are determinant factors in families' selection of schools.

Schools with more affluent social compositions, whether public or private, tend to have higher fees than schools with underprivileged constituencies. This differentiated cost ends up filtering admissions by socio-economic situations, especially if no information is given on the free nature of education.

### **10. Little collective awareness on the need to fight school segregation and preserve the equality of the system as a common good**

Over the past decade, one of the main structural changes that our educational system has undergone is the increase in the

ranges of autonomy that schools have to define their educational projects. This has led to a growing diversification of the offering, and consequently, higher pressure from families to secure a place in the school that best fits their own preferences (even if these preferences are sometimes built on prejudices or discourses that may have little to do with reality).

From the perspective of admissions process management, **the increase of schools' autonomy has been socially associated with the idea that choice of school is an individual right that cannot be limited or conditioned by anyone else, and that the success of the student admissions process inexorably involves the satisfaction of this individual demand.** At times, the Administration itself fosters this social imagery, although this position ends up generating resistance and limiting the range of action that it has to fight school segregation.

■ **Lack of a success indicator on the workings of an admissions process that takes equality into account.** The satisfaction of the demand (% of students that enter the requested school in the admissions process) continues to be the main success indicator in the student admissions process used by the education administration.

**The pressure from families leads the Administration to conduct certain practices related with the admissions process that aim to maximize the range of freedom in choice of school,** without taking sufficiently into account, sometimes by action and others by omission, the negative effects that this range of action generates on educational equality. This is partially due to the fact that the pressure from social groups claiming greater freedom of school choice to be able to enter the desired schools is greater than the pressure from social groups segregated into certain schools, that generally do not perceive this situation as a violation of rights.

Among the educational planning and admissions governance practices that contribute to consolidating the under-occupancy of schools with weaker demand, and not promoting balanced enrollment of students, in the belief that they are the way to better guarantee, in a more generalized manner, families' choice of school are:

augmentations of ratio or adding places to groups at certain schools when there are still sufficient vacancies in other schools of the same area; configuration of school districting models that reproduce the isolation of residentially segregated neighborhoods, or that prioritize the integration of public and private schools in all areas beyond other considerations; the subjection of the programming of initial offer of places to the processes of "flight" of certain families from the schools of their own school district; low application of ratio reductions in schools of areas with excess offer; assignments between segregated primary and secondary schools, and the underuse of place reservations for students with specific educational needs.

Many families consider choice of school as a strictly individual right, with collective implications in a context of educational inequality. This explains the incomprehension sometimes generated by the use of instruments like the reservation of places for students with specific educational needs, that restrict families' options to access ordinary places. It is also the reason for the irregularities that some families commit to access the desired school, infringing the rights of others.

**This resistance against the usage of the instruments is also a reality among schools.** Many public schools do not share the view that socially underprivileged students need to be redistributed. Others specialize in tending to socially underprivileged students, without considering concentration a problem.

The existence of irregularities committed by the schools themselves in the admissions process, the identification of educational projects of schools with certain types of families on open-house days or other adverse student selection practices, shortcomings in the information given on the fees to be paid at public and private schools, and on the legal system governing them, to mention a few examples, are also practices that, though not widespread, are indicative of the weak commitment by some schools to the system's guarantees of equality.

**It must also be borne in mind, however, that school choice by families also has a**



**collective dimension**, partially because this selection is at the root of school segregation itself, especially when it is conditioned by the social composition of schools (even if indirectly, through their pedagogical proposals) and by the imbalances of the offering.

**Therefore, this reproduction of school segregation through families' selection of schools can only be fought if, directly or indirectly, the Administration develops policies to condition (and logically, also limit and order) school selection.**

The Catalan Ombudsman calls attention to the fact that, although the legislation establishes it as a right, the choice of school is not an unlimited right, nor does it have an absolute character, because, among other reasons, its unconditional application would derive into a violation of other basic educational rights, such as children's right to equal educational opportunities. The

legal system currently in force establishes that access to the educational system must take place in conditions of equality, and that the freedom of choice of school is limited by the available educational offering. Further, the right to freedom of choice of school by parents must be compatible with equal distribution among schools of students with specific educational needs.

The Catalan Ombudsman believes that, **without collective awareness of the need to preserve equality of the system as a common good, it will be very difficult to fight the phenomenon in the framework of admissions process management.** Along these lines, and as opposed to the fight against school failure and the improvement of the system's academic results, the Autonomous Ministry of Education does not hold a public position, nor does it practice clear leadership on the need to fight school segregation in our country.

## RECOMMENDATIONS

### 1. Develop regulatory measures, such as a new Student Admissions Decree, to implement new instruments to fight school segregation

- Implement Article 48.1 of the LEC, which establishes the possibility of setting maximum proportions of students with specific educational needs.
- Abolish the complementary criterion that grants priority to the applications from relatives of former students of a school.
- Abolish the complementary criterion related with having chronic digestive illnesses.
- Incorporate a criterion of complementary, additional priority for students who wish to be admitted as a group into schools with underprivileged social compositions (assigned by the Autonomous Ministry of Education itself, pursuant to certain conditions and limitations, as a measure of promoting equality in student admissions).
- Regulate the need for the criterion of brothers or sisters enrolled in the school to be applied in the admission of students in second-cycle preschool only when these students have brothers or sisters in the school offering financed with public funding (not the offer of the first cycle, not financed by public funding).
- Establish stronger demands for accreditation of proximity for students who modify their municipal census residence before the school year begins (if appropriate, with a modification of the definition of the criterion of proximity, and the procedure to accredit compliance with this criterion), as well as the possibility that, to keep families from eluding the control mechanisms, and in the event complaints are filed, and only in such case, a census registry movement made before beginning the school year in which a student has been admitted will lead to the loss of the relevant priority points for the purposes of the admissions process, whenever the person on whom the complaint has been filed cannot prove that they actually resided there during the pre-registration process.
- Regulate the mandatory nature of publishing the list of enrolled students, as occurs with the students admitted, and also any modifications that occur until the beginning of the school year in the list of enrolled students.
- Limit the enrollment outside the standard period of students with specific educational needs in certain schools with high concentrations of social problems.
- Extend the validity of place reservations for students with specific educational needs until the beginning of the school year.
- Limit by law the augmentations of ratio not related with balanced enrollment of students when there are other schools with vacancies.
- Strengthen the roles of the admissions guarantees committees in the management of enrollment outside the standard period and ensure updated information on the vacancies that exist at any time.
- Stipulate that any enrollment application not included in the list of admitted students that covers a vacancy can be admitted by a school only if this school has previously informed the admissions guarantees committee and the municipal enrollment office of the existence of this vacancy (so that these bodies can have this vacancy available on a priority basis to assign students yet to be enrolled and thus promote balanced enrollment).
- Regulate the obligation of public and private schools to publish all fees and the legal regime under which they operate in the school pre-registration period.
- Incorporate the possibility for schools with underprivileged social compositions to temporarily grant additional points that make it possible to fight school segregation and attract demand.

## **2. Develop active measures for planning the offering of school places in municipalities to fight school segregation**

- Avoid situations of over-offer in municipalities prior to the pre-registration process, with a balance between potential demand (children registered in the municipal census with the age of access), the actual demand (applications) and places offered by area, even if this means phasing out groups in certain schools.

- Work for the elimination of groups to be planned on a priority basis in the initial offering, prior to the pre-registration process. This should also apply to subsidized schools, and the criteria of offering programming should be the same for both modes of ownership.

- Avoid augmentations of ratio when there are schools in the area with vacancies, with the only exceptions being enrollment needs in a certain area, or for them to be applied as a balanced enrollment measure for students with specific educational needs.

- Promote the use of ratio reductions, not just in ghettoized schools or those of low demand, to prevent the concentration of vacancies and enrollment outside the standard period, but also throughout all schools in areas with an over-offering of places, even if they have high demand, to promote more balanced distribution of the enrollment.

- Strengthen the educational continuity between primary and secondary schools and the perception of schools assigned as single schools through assignments that establish clearly defined itineraries, and modify the assignments between schools in municipalities where there are primary schools with weak or socially underprivileged demand assigned to secondary schools with weak or socially underprivileged demand.

- Apply the school districting model most effective in fighting school segregation, with the configuration of areas with internal social heterogeneity, even though the different school districts do not have both public and private offerings.

## **3. Actively use reservation of places as a balanced student enrollment instrument**

- Promote the design of detection protocols in the various municipalities, and that the admissions guarantees committees plan in all necessary municipalities procedures for active detection of the educational needs of students, before and during the pre-registration process, in coordination with schools, social services, Municipal Enrollment Offices, local organizations, etc.

- Adapt the reservation of places to the volume of students with specific educational needs present in every enrollment area, in accordance with the detection made, and that there be augmentation of place reservations in municipalities where there is a clear will for detection and balanced enrollment, and in which the specific educational needs detected exceed the reserved places.

- Develop proactive opening assignment and student (and family) accompaniment policies among schools in the regular admissions process, before, during and after the pre-registration period, to guarantee balanced enrollment.

## **4. Strengthen the role of guarantee and supervisory bodies to detect irregularities**

- Diligently check (local councils), pursuant to custody competencies and updating of the municipal census of inhabitants and the established procedures, in coordination with the Autonomous Ministry of Education, the veracity of the census data provided in the student admissions process when there are complaints or signs of irregularities.

- Promote the design of a shared strategy at the local level to fight school segregation with the various public authorities and educational agents who participate in student admissions and that are represented in the admissions guarantees committees.

- Encourage the admissions guarantees committee to promote agreements among schools at the local level for the school

network to centralize the management of applications outside the standard period in municipal enrollment offices or in admissions guarantees committees.

- Promote the admissions guarantees committees' guaranteeing the balanced distribution of students enrolled outside the standard period, and that they actively apply the measures established in the legal framework in force, such as augmentation of ratio, to prevent the existence of schools with a high concentration of socially underprivileged students enrolling more of this type of students outside the standard period, despite an availability of vacancies.

- Use ratio reductions and apply place reservations at all levels to limit mobility among schools of a single municipality, especially when they have high internal mobility and promote balanced enrollment of students with specific educational needs at these levels.

- Manage changes of school derived from co-existence problems or enrollment difficulties without increasing the educational complexity of schools with high concentrations of social problems (despite having vacancies).

- Initiate disciplinary proceedings and apply the measures established by law for violations of the educational subsidy agreement in subsidized schools that do not comply with the student admissions regulations, and take the disciplinary measures necessary in the case of public schools.

## **5. Develop actions to raise awareness of families and schools regarding the need to preserve equality of the educational system as a common good**

- Develop actions of (group) accompaniment for families of nursery school and primary school students with affluent social compositions that must participate in the student admissions process, for the selection of primary or secondary schools with weak demand and underprivileged social composition.

- Develop policies of subjectivity to fight erroneous social prejudices regarding the reality of schools with weaker demand, and that can reproduce school segregation and stigmatization.

- Develop policies of subjectivity to disassemble and fight social images that extoll certain types of schools and discredit others, to build alternative images favorable to equality in admissions. This can involve raising awareness in society on the need to fight school segregation with the available instruments, including management of the student admissions process.

- Urge public and subsidized private schools to refrain from using, during open-house sessions or other information systems used in the student admissions process, a competitive message to attract demand that, beyond presenting the school, directly or indirectly damages the social image of other area schools.

- Work to provide families, before or during the admissions process, accurate information on the rights they have in the choice of school and, in the interest of teaching and improving effectiveness, informing on the political measures for balanced enrollment implemented in every area.

- Analyze the information that public and subsidized private schools give families during the admissions process and guide them in the correction of adverse practices to recruit students and families of a certain social profile.

- Urge public and subsidized private schools to thoroughly adhere to the principles of equality and inclusion of social diversity in their environment in the management of the admissions process and the presentation of the school's educational projects.

- Guarantee that the public and subsidized private schools properly inform on the legal system governing fees, especially their voluntary nature, and non-association with enrollment. The same applies to the subsidies they receive to reduce enrollment costs of socially underprivileged students.

- Assess the information systems used by the schools (open-house sessions, websites, etc.) and give guidance and support to improve their quality, especially of schools with weaker demand.
- Promote integrated work experiences among schools and other educational agents of the same area to strengthen the social image of schools with weak demand.
- Develop territory-wide information-sharing systems on the school map of every enrollment area, with specific actions to reach the various social groups.

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