



Schola Europaea

Office of the Secretary-General

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Rules of Procedure for the Board of Governors of the European Schools

Approved by the Board of Governors of **European** Schools on 1st, 2nd and 3rd December 2020.

Amendment of Articles 6 and 15 of the Rules of Procedure for the Board of Governors of the European Schools

Having regard to the Convention defining the Statute of the European Schools and in particular Article 12.5 thereof;

Having regard to the Protocol on the Setting-up of European Schools and in particular Article 3 thereof;

Having regard to the decision of the Board of Governors concerning the 'Reform of the European School System' (2009-D-353-en-4);

The Board of Governors of the European Schools has adopted these rules of procedure:

Article 1

The President shall convene two meetings of the Board of Governors per school year, normally in December and in April.

In addition, a meeting of the Board of Governors may be convened either at the request of 20% of the members sitting on the Board of Governors or at the request of the Secretary-General. In this case, it shall, if possible, meet within one month.

Valid reasons justifying the holding of an extraordinary meeting must be provided by the persons proposing it.

Article 2

The Board of Governors shall deal with strategic, pedagogical and general policy questions concerning the system as a whole, such as:

- the general policy of the European schooling system
- Statutes and regulations
- Type I schools:
 - opening/closure of schools/ language sections
 - policy on admission of pupils (categories of pupils)
 - creation of posts
 - establishment of the framework of schools' autonomy
- adoption of the overall budget of the European Schools and of the General Secretariat
- statutory appointments
- validation and recognition of studies and of the European Baccalaureate
- areas of jurisdiction of the Complaints Board;
- accreditation of Types II and III schools
- evaluation of the system's performance.

The Board of Governors shall examine and discuss, comment on and, where appropriate, approve the reports mentioned in Article 8 of these rules of procedure.

It shall delegate certain decisions to the Boards of Inspectors, to the Joint Teaching Committee, to the Budgetary Committee and to the Administrative Boards.

Decisions which may be delegated shall be indicated in the rules of procedure for these Boards and Committees.

Article 3

Each year the Presidency shall pass to a representative of a different Member State, the order followed being that of the alphabetical list of the names of the Member States in their own language. A Member State may only become eligible to assume the Presidency of the Board of Governors when a period of three years has elapsed from its depositing with the Government of Luxembourg its instruments of accession to the Convention defining the Statute of the European Schools.

The period of one year mentioned in Article 8 of the Convention defining the Statute of the European Schools shall run from 1 August to 31 July of the following year.

Article 4

Members of the Board of Governors sending deputies to represent them shall inform the President of the name of their representative.

Once an appointment has been made it shall remain valid until the name of another representative is submitted in writing.

There may be one representative for each of the Ministers whose responsibilities include National Education and/or External Cultural Relations.

In the event of one of the Contracting Parties having two representatives on the Board of Governors, it shall have a single vote, in accordance with Article 9.3 of the Convention.

Article 5

Attendance at each of the meetings shall be as follows:

- a) The December meeting shall be attended by the members of the Board of Governors, in accordance with Article 8.1. and 8.2. of the Convention defining the Statute of the European Schools.

The following shall also attend this meeting:

- the two Chairs of the Joint Teaching Committee and the Chair of the Budgetary Committee
- a representative of the Directors. The latter may be accompanied by a second representative.
- a representative of the AAS.

- b) The April meeting shall be attended by the members of the Board of Governors, in accordance with Article 8.1. and 8.2. of the Convention defining the Statute of the European Schools, each accompanied by a member of the Budgetary Committee.

The following shall also attend this meeting:

- the two Chairs of the Joint Teaching Committee
- a representative of the Directors. The latter may be accompanied by a second representative.
- a representative of the AAS.

- c) In accordance with Article 8.3. of the Convention defining the Statute of the European Schools, a representative of the pupils may be invited to attend meetings as an observer for items concerning the pupils. He/She may be accompanied by a second representative.

- d) Pursuant to Article 28 of the Convention defining the Statute of the European Schools, the EPO may attend meetings of the Board of Governors.
- e) A representative of Eurocontrol shall be invited to meetings of the Board of Governors as an observer.
- f) The Secretary-General shall take part in the deliberations.
- g) The members of the Board of Governors or their representatives may be accompanied by an expert.
- h) The President of the Board of Governors may, moreover, invite experts in so far as he/she judges their presence to be essential.

Article 6

The Secretary-General of the Board of Governors shall be responsible for the secretarial work connected with meetings of the Board of Governors and for producing the summary of the *Decisions and the Decisions and the Statements of the Delegations*¹ in accordance with the arrangements set out in Article 14.

Article 7

All meetings shall be held in Brussels, unless the President in office wishes the April meeting to be held in his/her own country and informs the Board of Governors thereof at the December meeting. The agenda shall be kept as short as possible, with in principle no more than ten items for discussion (B items) at each meeting.

The agenda shall be adopted by a two-thirds majority vote at the beginning of the meeting. However, any item not on the draft agenda can be adopted only if the voting is unanimous.

Article 8

- a) The following reports shall be presented to the Board of Governors at its December meeting:
 - each school's annual activity report, provided for under the road map, produced by the Director
 - the annual report of the Chairs of the Boards of Inspectors
 - the annual report of the Chair of the Budgetary Committee
 - the report of the Chairman of the European Bacculaureate
 - the annual report of the Head of the Bacculaureate Unit.
- b) The following reports shall be presented to the members of the Board of Governors at its April meeting:
 - the annual report of the Secretary-General
 - the report of the Financial Controller
 - the report of the Court of Auditors
 - the internal audit report
 - the ICT report
 - where appropriate, the report of the Chairman of the Complaints Board.

¹ "Delegations' statements" means an intervention for which the delegation concerned will have expressly made a request to the Presidency that it be appended to the summary of decisions.

Article 9

a) The Secretary-General shall have an office which shall perform executive management duties in the pedagogical, administrative, legal, budgetary and financial areas and shall provide the different organs of the system with services.

b) The Office shall draft documents for the Board of Governors with care, so that they are concise and clearly explain their purpose, whether for decision or information. In the former case they shall explain at the outset what the issue is, briefly indicate the relevant considerations and conclude with a precise statement of the decisions sought. Where appropriate, they will be accompanied by the opinions and recommendations of the Board(s) of Inspectors or the Preparatory Committees: Joint Teaching Committee and/or Budgetary Committee. The decisions taken by the other organs of the system shall be communicated to the Board of Governors.

c) Documents to be examined and discussed at meetings should be circulated so that they reach the members of the Board of Governors at least ten working days before the meeting of the Board of Governors. If a member has not received all the documents mentioned on the agenda before the meeting of the Board of Governors, the documents may not be discussed, unless the Board of Governors decides otherwise.

d) The Secretary-General shall make available to the members of the Board of Governors the documents under consideration by the Board of Governors and, where appropriate, by the other organs of the system. Documents adopted by the Board of Governors or finalised in other ways shall be published on the website www.eurasc.eu.

Documents containing confidential data shall not be published.

Article 10

The agenda shall be prepared by mutual agreement between the President of the Board of Governors and the Secretary-General.

Items on the agenda shall be arranged under headings A and B. Items under A shall be those which have been unanimously proposed by one of the Preparatory Committees. Items under B shall constitute the remainder of the agenda.

The proposals under A shall be approved at the beginning of the meeting. Any member of the Board of Governors may request, however, either before the meeting, or when the items under A are being approved, that a proposal be removed from the list. In this case any member of the Board of Governors may request that after the item has been discussed, the decision be taken using the written procedure.

Items shall be listed under A only when a working document, together with a precisely formulated proposal for a decision, has been sent to members of the Board of Governors if possible two weeks before and no later than one week before the date of the meeting.

Article 11

The Troika shall support the Presidency's work and ensure its continuity. It shall monitor certain specific subjects considered by the Board of Governors to be priorities. It shall support the Secretary-General in his/her task of coordination of the system. It shall not have decision-making power.

It shall convene at the Presidency's instigation.

The Troika shall be composed of:

- the President of the Board of Governors and, where applicable, the head(s) of the delegation of the Member State holding the Presidency during the current school year, and the head(s) of the delegation which held the Presidency during the previous school year and the head(s) of the delegation which is to hold the Presidency during the following school year
- the Commission
- the Secretary-General.

Article 12

Meetings of the Board of Governors shall be prepared by a Joint Teaching Committee and a Budgetary Committee.

The function of these two Committees shall be to discuss issues and proposals submitted to them by the Board of Governors or its Secretary-General, so that, where possible, unanimous agreement can be reached, or if this is not feasible, the positions of members can be clarified, together with the various alternatives to be considered.

The composition, the role, the decision-making arrangements and production of the summary of decisions and writing of the minutes of meetings of the Boards of Inspectors, of the Joint Teaching Committee and of the Budgetary Committee shall be specified in their own rules of procedure, approved by the Board of Governors.

The Chair of the Budgetary Committee shall be invited to the meetings of the Joint Teaching Committee. The Chairs of the Joint Teaching Committee shall be invited to the meetings of the Budgetary Committee.

Their participation is highly desirable for pedagogical issues with financial implications.

Article 13

Decisions of the Board of Governors shall be taken in conformity with the relevant provisions of the Convention defining the Statute of the European Schools and the Protocol on the Setting-up of European Schools.

Members of the Board of Governors may also vote on a proposal using a written procedure, in the following circumstances:

- a) when the Board of Governors is not yet in a position to take a decision on a proposal appearing on the agenda for the meeting, it may decide to have recourse to the written procedure;
- b) when the Secretary-General, in agreement with the Presidency of the Board of Governors, sends a written **request** for approval by the members of the Board of Governors of a proposal in an urgent matter.

Members required to vote shall be allowed a minimum of ten working days in which to do so.

Should a member have failed to respond after ten days, he/she shall be deemed to have given his/her approval.

The decision shall be deemed to have been adopted when two thirds of the members of the Board of Governors indicate their agreement to the Secretary-General, except in cases where unanimity is required. In this latter case the decision shall be deemed to have been adopted when all the Board members indicate their agreement to the Secretary-General, without prejudice to possible abstentions.

Decisions taken by written procedure shall be recorded in the summary of decisions and of the delegations' statements of the next meeting of the Board of Governors.

Article 14

Decisions taken by the Board of Governors shall enter into force on the date indicated or, if no date is indicated, on the day after their adoption.

Article 15

The Board of Governors hereby decides that the Office of the Secretary-General shall circulate the Decisions of the Board of Governors among its members within 10 working days following the meeting.

The members of the Board of Governors shall forward their approval or their comments on the text of the decisions as well as their statements in writing within five working days of receiving the draft decisions.

Comments on the text of the decisions made by the members shall be taken into consideration for the definitive version of the document.

The *Decisions of the Board of Governors* shall then be published on the website of the Office of the Secretary-General of the European Schools: www.eursec.eu

The statements made by the members of the Board of Governors will be appended to the *Decisions*. The *Decisions and Statements of the Delegations* shall be produced and distributed among the members of the Board of Governors following their approval by written procedure.

In urgent cases, exceptionally, an accelerated procedure will be followed. In such occasions the Presidency will inform the members of the Board of Governors that the given point will be accepted via an accelerated procedure. The proposed text of the decision will be circulated during the meeting in writing for a proper discussion before its adoption. The *draft decision* in question will be sent to the Presidency within one working day after the meeting.

The Presidency will have 24 hours, after sending an acknowledgement of receipt to the Office of the Secretary-General, to approve the document or add their comments. The *Decision* will be published on the website of the Office of the Secretary-General immediately after receiving the approval/comments of the Presidency and making the necessary amendments to the text, but in any case within 24 hours. This procedure will allow to publish the decision on the website within 5 working days after the meeting of the Board of Governors.

Article 16

The Secretary-General of the Board of Governors shall arrange for there to be simultaneous or consecutive interpretation into the official languages of the European Schools for all meetings of the Board of Governors, taking account of the logistical constraints and within the limits of the budget appropriations available. The Secretary-General will organise this interpretation taking account of the need to ensure good communication within the Board of Governors.

Article 17

Travel expenses and a daily subsistence allowance shall be paid to members of the Board of Governors or their representatives and to participants who received an invitation issued by the General Secretariat.

These expenses shall be charged against the budget of the Office of the Secretary-General under the terms of the Regulations approved by the Board of Governors

The total cost of each meeting shall be indicated in the summary of decisions and of the delegations' statements.

Any expenses incurred as a result of the attendance of persons other than those mentioned in Article 5 shall be met by the national authorities.

ANNEX TO THE RULES OF PROCEDURE FOR THE BOARD OF GOVERNORS

Conduct of meetings

1. At the start of a meeting, the Presidency shall give any further information necessary regarding the handling of the meeting and in particular indicate the length of time it intends to be devoted to each item. It shall refrain from making lengthy introductions and avoid repeating information which is already known to members.
2. Items for information only shall be included on the agenda for the meeting in the form of written communications and shall not be discussed.
3. At the start of a discussion on a substantive point, the Presidency shall, depending on the type of discussion which is required, indicate to members the maximum length of their interventions on that point.
4. Full table rounds shall be proscribed in principle; they may be used only in exceptional circumstances on specific questions, with a time limit on interventions set by the Presidency.
5. The Presidency shall give as much focus as possible to discussions, in particular by requesting members to react to compromise texts or specific proposals.
6. During and at the end of meetings the Presidency shall refrain from making lengthy summaries of the discussions and shall confine itself to concluding precisely on the results (substance and/or procedure) achieved.
7. Members shall avoid repeating points made by previous speakers. Their interventions will be brief, substantive and to the point.
8. When discussing texts, members shall make concrete drafting proposals, in writing, rather than merely expressing their disagreement with a particular proposal.
9. Unless indicated otherwise by the Presidency, members shall refrain from taking the floor when in agreement with a particular proposal; in this case silence will be taken as agreement in principle.
10. The Presidency will call for a vote to be taken when it considers it necessary in order to clarify the decision. At the request of one third of the members of the Board of Governors, the Presidency will always put a question to the vote.