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

Approved by the Board of Governors of the European Schools on 10,
11 and 12 April 2024 in Parma (Italy)

**Amendment of Articles 1-13, 15-17 and Annex 1 of the Rules of Procedure for the Board
of Governors of the European Schools approved on 10-12 April 2024 (ref.: 2024-03-D-3)**

**Amendment of Articles 6, 14 and 15 of the Rules of Procedure for the Board of
Governors of the European Schools approved on 1-3 December 2020 (ref. 2020-11-D-36)**

**Amendment of Articles 6, 13, 15 and 17 approved on 7-9 December 2016, document
2016-11-D-20 repealed and replaced document 2010-D-154-en-1**

**Original version (ref. 2010-D-154-en-1) approved by the Board of Governors on 14-16
April 2010 (ref. 2009-D-175-en-7)**

Having regard to the Convention defining the Statute of the European Schools (hereafter 'Convention') 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, an extraordinary 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.

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,
- European 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 Office of the Secretary-General,
- Statutory appointments,
- Validation and recognition of studies and of the European Baccalaureate,
- Areas of jurisdiction of the Complaints Board,

- Approval of the accreditation processes and the relevant rules of Accredited European 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 of the European Schools.

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.

The period of one year mentioned in Article 8(5) of the Convention 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 and the Office of the Secretary-General 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:

- (1) The meetings shall be attended by the members of the Board of Governors, in accordance with Article 8.1. and 8.2. of the Convention:
 - the representative or representatives at ministerial level of each of the Member States of the European Union authorised to commit the Government of that Member State;

- a member of the European Commission¹;
 - a representative designated by the Inter Staff Teaching Committee (from among the teaching staff) in accordance with Article 22 of the Convention²;
 - a representative of the pupils' parents designated by the Parents' associations in accordance with Article 23 of the Convention³.
- (2) At the April meetings, the representatives at ministerial level of each of the Member States of the European Union may be accompanied by a member of the Budgetary Committee.
- (3) In accordance with Article 8.3. of the Convention, 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.
- (4) The following shall also be invited to attend the meetings as observers:
- the two Chairs of the Joint Board of Inspectors and the Chair of the Budgetary Committee;
 - a representative of the Directors, who may be accompanied by a second representative;
 - a representative of the Administrative and Ancillary Staff;
 - a representative of the Directors of the Accredited European Schools.
- (5) Pursuant to Article 28 of the Convention, public organisations governed by public law that have concluded a Participation Agreement with the Board of Governors concerning an existing School or one to be established in accordance with Article 2, may have a seat and a vote on the Board of Governors for all matters regarding the School in question. In this respect, the Board of Governors may be attended by a representative of the following organisations:
- European Patent Office shall have a seat and a vote for all matters regarding the ES Munich⁴;
 - European Investment Bank Group shall have a seat and a vote for all matters regarding the ES Luxembourg I and II⁵;
 - European Union Intellectual Property Office⁶ shall have a seat and a vote for all

¹ He/She may be accompanied by a second representative.

² He/She may be accompanied by a second representative.

³ He/She may be accompanied by a second representative.

⁴ EPO shall have a seat and a vote for all matters regarding the European School Munich (Participation Agreement entered into force on 7 November 1977).

⁵ EIB Group shall have a seat and a vote for all matters regarding European School Luxembourg I and II (Based on the approval of the Board of Governors (ref.: 2015-11-D-12), the participation Agreement entered into force on 1 January 2016).

⁶ EUIPO shall have a seat and a vote for all matters regarding the European School Alicante (Based on the approval of the Board of Governors (ref. 2016-12-D-6), the Participation Agreement entered into force on 1 September 2017).

matters regarding the ES Alicante;

- European Central Bank shall have a seat and a vote for all matters regarding the ES Frankfurt⁷.

(6) A representative of Eurocontrol shall be invited to meetings of the Board of Governors as an observer.

(7) The members of the Board of Governors or their representatives may be accompanied by an expert. The member accompanied by the expert must provide and submit valid reasons beforehand to the President of the Board of Governors and the Secretary-General of the European Schools justifying the attendance of the expert.

(8) The President of the Board of Governors, in consultation with the Secretary-General of the European Schools, may invite experts in so far as their presence is deemed to be essential.

Article 6

The Secretary-General 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 Members of the Board of Governors* in accordance with the arrangements set out in Article 15.

Article 7

The 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 meeting will normally be arranged on site (in situ) with the possibility of online participation (hybrid solution) if necessary. Extraordinary meetings will be held, in principle, online.

Article 8

(1) The following reports shall be presented to the Board of Governors at its December meeting:

- 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.

(2) The following reports shall be presented to the members of the Board of Governors at its April meeting:

⁷ The ECB shall have a seat and a vote for all matters regarding the European School Frankfurt (The Participation Agreement entered into force on 1 September 2017).

- the Global Annual Activity Report;
- Annual Activity Report of the Office of the Secretary-General of the European Schools;
- Annual Plan of the Office of the Secretary-General of the European Schools;
- the Report of the Court of Auditors;
- the Report of the Internal Audit Service;
- the ICT Report;
- Statistical Report on the provision of Educational Support and Inclusive Education in the European Schools;
- the Report of the Chairman of the Complaints Board.

Article 9

- (1) The Office of the Secretary-General 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.
- (2) 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.
- (3) 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.
- (4) 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.

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 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, 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 representative of the European Commission;
- the Secretary-General of the European Schools.

Article 12

Meetings of the Board of Governors shall be prepared by the Boards of Inspectors, the Joint Teaching Committee and the Budgetary Committee.

The function of these Boards and Committees shall be to discuss issues and proposals submitted to them by the Board of Governors or the 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 other summarising documents of the 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

- (1) Decisions of the Board of Governors shall be taken in conformity with the relevant provisions of the Convention and the Protocol on the Setting-up of European Schools.
- (2) 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 President 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, they shall be deemed to have given their 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 *Decisions of the Board of Governors* and, if appropriate, in the *Decisions and Statements of Delegations* of the next meeting of the Board of Governors.

In urgent cases, exceptionally, an *accelerated written procedure* will be followed. In such occasions, members required to vote shall be allowed **five working days** in which to do so. The rules concerning voting and the publication of the decision will be the same as in the case of a normal written procedure.

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

- (1) 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, by means of accelerated written procedure.

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.

- (2) The Office of the Secretary-General shall invite the members of the Board of Governors to submit their *statements*⁸ with regard to the decisions in writing within five working days of receiving the draft decisions.

The statements submitted by the members of the Board of Governors will be added to the Decisions. The Decisions and Statements of the Members of the Board of Governors Delegations shall be produced and distributed among the members 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 vehicular languages of the European Schools⁹ and the other host country languages¹⁰ 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.

Additionally, interpretation shall be arranged into the language of the Presidency in office, upon prior request, for all meetings of 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 Office of the Secretary-General.

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.

Any expenses incurred as a result of the attendance of persons other than those mentioned in Article 5 (1), (2), (3), (4), (5) and (6) shall be met by the national authorities.

⁸ The statements of the Delegations should be concise, to the point and should not exceed 300 words/2500 characters per agenda item.

⁹ English, French, German

¹⁰ Dutch, Italian, Spanish

ANNEX 1 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. In general, one intervention should not exceed three minutes. The initial presentation of the items that are elaborated in a written document circulated among the members beforehand should not, in principle, take more than ten minutes.
4. Full table rounds shall be avoided 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. Members, in principle, shall not ask for the floor more than once in case of each item unless a new and important point following a previous intervention is to be added to the discussion.
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.

Submission of Statements of the Members of the Board of Governors on the Decisions of the Board of Governors:

1. Each Delegation may submit a single contribution (not exceeding 300 words/2500 characters).
2. The statements are to be brief, substantive and to the point. Therefore, the Office of the Secretary-General may request the members to limit their interventions per agenda item to the given number of words/characters.
3. Inclusion of statements submitted after the announced deadline cannot be guaranteed due to procedural deadlines.