



Ref.: 2020-04-D-26-en-3

Original: FR

Decisions of the enlarged meeting of the Board of Governors of the European Schools

Meeting of 15-17 April 2020

Approved by written procedure No 2020/40 on 23 June 2020

IV. A ITEMS

A.1. Statutory appointments – 2020-2021 school year 2020-01-D-82-fr-2

APPOINTMENT OF THE REPRESENTATIVES OF THE TEACHING STAFF COMMITTEE

The Board of Governors decided that the members of the teaching staff presented in document 2020-01-D-82-fr-2 were appointed as representatives of the Teaching Staff Committee.

APPOINTMENT OF THE REPRESENTATIVES OF THE PARENTS' ASSOCIATIONS ON THE ADMINISTRATIVE BOARDS

The Board of Governors decided that the parents presented in document 2020-01-D-82-fr-2 were appointed as representatives of the Parents' Associations on the Administrative Boards.

APPOINTMENT OF THE CHAIRS OF THE BOARDS OF INSPECTORS, OF THE TEACHING COMMITTEE AND OF THE BUDGETARY COMMITTEE

In accordance with Article 3 of the Rules of Procedure for the Board of Governors, the presidency of the Boards and Committees should be held over the period 1 August 2020 to 31 July 2021 by

| | |
|----------------------------------|--|
| Ms Gisèle DUCATEZ | For the Board of Inspectors (Nursery and Primary) and for the Joint Teaching Committee |
| Mr Jean-Pierre GROSSET-BOURBANGE | For the Board of Inspectors (Secondary) and for the Joint Teaching Committee |
| Mr Cyril BERNARD-TROTOUIN | For the Budgetary Committee |
| Chair of the Board of Governors | Ms Nathalie NIKITENKO |

A.2. Cost Neutrality in the Accredited European Schools – Financial Year 2020-02-D-29

The Board of Governors approved the document on cost neutrality in the Accredited European Schools for the financial year 2020.

A.3. Arrangements for Implementing the Regulations for the European Baccalaureate (applicable for the 2021 European Baccalaureate session) 2015-05-D-12-en-20

The Board of Governors approved the proposed amendments for entry into force for the 2021 European Baccalaureate Session.

A.4. ACCREDITED EUROPEAN SCHOOLS

a) Renewal of Accreditation Agreements:

Audit Report – Centre for European Schooling, Dunshaughlin (IE) – Renewal of accreditation N-S5 2019-11-D-32-en-2

The Board of Governors approved the report on the audit of the Centre for European Schooling, Dunshaughlin and decided to mandate the Secretary-General to renew the Accreditation Agreement covering the nursery cycle up to S5.

Audit Report – European School Strasbourg (FR) – Renewal of accreditation N-S7 2019-12-D-34-en-2

The Board of Governors approved the report on the audit of the European School Strasbourg, and decided to mandate the Secretary-General to renew the Accreditation Agreement and the Additional Agreement covering the nursery cycle up to S7.

Audit Report – *Europese School Den Haag Rijnlands Lyceum* (NL) – Renewal of accreditation N-S7 2019-12-D-33-en-2

The Board of Governors approved the report on the audit of the *Europese School Den Haag Rijnlands Lyceum* and decided to mandate the Secretary-General to renew the Accreditation Agreement and the Additional Agreement covering the nursery cycle up to S7.

Audit Report – European School of Helsinki (FI) – Renewal of accreditation N-S7 2019-11-D-34-en-2

The Board of Governors approved the report on the audit of the European School of Helsinki, and decided to mandate the Secretary-General to renew the Accreditation Agreement and the Additional Agreement covering the nursery cycle up to S7.

b) Initial Accreditation Agreements:

Audit Report – *Ecole Européenne agréée Lille Métropole* (FR) – Initial accreditation N-S5 2019-12-D-20-en-2

The Board of Governors approved the report on the audit of the *Ecole Européenne agréée Lille Métropole* and decided to mandate the Secretary-General to sign the Accreditation Agreement covering the nursery cycle up to S5.

Audit Report – European School *Paris La Défense* (FR) – Initial accreditation N-S5 2019-12-D-35-en-2

The Board of Governors approved the report on the audit of the European School *Paris La Défense* and decided to mandate the Secretary-General to sign the Accreditation Agreement covering the nursery cycle up to S5.

A.5. Review of the profile and duties of the Secretary-General of the European Schools **2020-02-D-42-en-2**

The Board of Governors decided:

- to approve the limited changes to the duties to be performed by the SG and DSG, in order to align them with the revised and implemented Financial Regulation,
- to give a mandate to the Enlarged Presidency Working Group to propose, by April 2021, further changes, in view of the modified organisation of the Office of the Secretary-General brought about by the creation of the position of Executive Coordinator and by the future appointment of the successors to the serving SG and DSG.

A.6. Proposed modification of the Service Regulations for the Administrative and Ancillary Staff (AAS) of the European Schools: non-indexed single spine salary grid of the European School, Bergen as approved by the BoG of April and December 2019 (2007-D-153-fr-9) 2020-02-D-30-en-2

The Board of Governors decided to approve the revised version of the AAS Service Regulations, as indicated below:

- The current salary grid for the European School, Bergen includes a function which does not exist in that school, namely 'Head Accountant'. This function should be replaced by that of 'Accountant' in grades 4, 5 and 6.
- Moreover, the function of 'Assistant Accountant' exists at the European School, Bergen and is not included in the current salary grid. The function currently called 'Accountant' should be replaced by 'Assistant Accountant' in grades 3, 4 and 5 of the salary grid of the European School, Bergen.

A.7. Harmonised procedure for the reimbursement of national emoluments of the staff seconded to the European School of Munich **2019-10-D-29-en-4**

The Board of Governors decided to withdraw this item from the agenda: it would be discussed with the OSG, the DE delegation and the EPO. A legal assessment might provide more help.

XI. B ITEMS

B.1. FINANCIAL YEAR 2018

Discharge to the Administrative Boards and to the Secretary-General for implementation of the 2018 budget **2020-02-D-34-en-2**

The Board of Governors, with the exception of the European Commission, which voted against, in the light of the 2018 Report of the European Court of Auditors, the independent external auditors' reports, the outstanding recommendations of the IAS as well as the report of the Committee on the Budgetary Control (CONT) of the European Parliament, approved discharge to the authorising officers and to the Administrative Boards of the European Schools and to the authorising officer of the OSG and to the Secretary-General of the European Schools, as far as the General Secretariat's budget section is concerned.

B.2. Situation of enrolments in the Brussels European Schools: First enrolment phase for the 2020-2021 school year **2020-03-D-31-fr-1**

The Board of Governors took note of the fact that the Central Enrolment Authority would reconvene in July and in August 2020 to consider the applications submitted during the second enrolment phase, the handling of which is foreseen in accordance with the procedure laid down in the 2020-2021 Enrolment Policy.

The Board of Governors was informed that it had not been possible for the comparative language tests organised to determine the Language 1 of new pupils, which ought to have been organised during the first enrolment phase in Brussels, to take place because of the emergency situation associated with the COVID-19 pandemic. The possibility of still organising them before the start of the summer holidays was being explored. Places would be provisionally awarded on the basis of the L1 initially requested by the children's legal representatives, subject to the organisation of tests in due course. Following the tests and according to the pedagogical decision of the Management of the Schools, the Central Enrolment Authority might have to reconsider its decision and, where appropriate, re-award a place.

B. 3. Situation of the European Schools in Brussels – Temporary site in Evere **2020-03-D-47-en-1**

The members scrutinised the report and encouraged the Secretary-General to continue with the work in the best way possible, on the basis of the proposals put forward in the document and taking account of the recommendations made and guidelines given during the meeting, namely:

- conduct a legal analysis to identify the best solutions possible to the legal limitation referred to in the report;
- think about a plan B in view of the doubt about the feasibility of the timeframe of the building work announced by the *Régie des bâtiments* (Belgian Public Buildings Authority) as regards the date of availability of the Evere temporary site;
- avoid the need for pupils to change site twice (particularly those in the Latvian section);
- ascertain which language sections are seeing an increase and a decrease in pupil numbers, in order to take a sustainable decision for the future, if a proposal to create new sections were to be presented;
- evaluate the need to resort to satellite classes.

The Board of Governors invited the Secretary-General to present a final document to it so that it could take a final decision, having analysed the different possibilities and involved all the stakeholders beforehand.

The Board of Governors was informed that an extraordinary meeting next autumn would be necessary, in order to take the decisions required for preparation of the 'Guidelines for the Enrolment Policy for the 2021-2022 school year', which would need to be approved without fail in December 2020.

B.4. Data Governance Concept 2020-02-D-23-en-2

The members of the Board of Governance approved the creation of a Data Governance Concept encompassing three specific ICT projects, with the exception of the FR, AT, NL, SE and IE delegations, which voted against for financial reasons; IT abstained.

The carrying out of these three projects would create synergies and would lead to efficiency gains in the administration of the Schools concerned. They should be carried out over a period of 18 months, starting in September 2020.

The period of 18 months envisaged would start as from the time when the contracts were signed in line with the requirements of the Financial Regulation of the European Schools. In that context, the use of existing framework contracts might be considered.

The temporary recruitment of a project manager for a period of 18 months might be envisaged.

B.5. 2021 BUDGET OF THE EUROPEAN SCHOOLS:

- New/Converted/Discontinued Administrative and Ancillary Staff (AAS) posts – 2021 2020-02-D-40-en-2

The Board of Governors, with the exception of the FR, NL and AT delegations, which entered a reservation, and of the IE, IT, FI and PT delegations, which abstained, decided to approve:

- the creation of 13.5 permanent AAS posts and the conversion of 5 AAS posts
- and the granting of budgetary appropriations for 4.5 full-time equivalent posts.

- Preliminary Draft 2021 Budget of the European Schools

2020-02-D-39-en-2

- Draft 2021 Budget: European School, Brussels V – Evere –

2020-03-D-2-en-2

The Board of Governors validated the Budgetary Committee's proposal and decided to approve, by a two-thirds majority, the preliminary draft 2021 budgets of the European Schools and of the Office of the Secretary-General.

The financial implications of all changes decided during the meeting were taken into account and incorporated into the 2021 Budget proposal and the amounts concerned were duly adapted.

The increased amounts on the 'Educational Support' budget line for psychologist's services were not approved, as the schools concerned would have to find the resources required within the resources approved for that line by the Budgetary Committee.

The FR, SE, AT, NL, IE and FI delegations entered a reservation.

The European Commission abstained on the amount for initial fitting of the temporary site in Evere, because Article 1 of the host country agreement between the ES and Belgium states: "The Government of the Kingdom of Belgium undertakes to provide the School with appropriate buildings meeting the objectives agreed by the Governments signatories to the Protocol on the Setting-up of European Schools. It will maintain the buildings and insure them in accordance

with the rules governing property owned by the Belgian State. It undertakes to fit out the Schools with furniture and teaching equipment in accordance with the criteria applied to its own schools."

B.6. Rationalisation of calculation of salaries of members of the Seconded Staff of the European Schools 2020-01-D-38-fr-3

The Board of Governors approved the two recommendations of the 'Seconded Staff' Working Group, namely:

The Board of Governors expressed a favourable opinion on the modifications to the Regulations for Members of the Seconded Staff proposed in Annex I to the document:

- give responsibility to seconded staff alone for transmission of national pay slips, for each salary applicable in August and whenever changes occur that have an effect on national emoluments;
- deduct 20% in national tax when calculating the monthly salaries of seconded staff;

Decided, furthermore, on a review of this new method two years after its entry into force, namely on 1 September 2020.

The Board of Governors decided to postpone entry into force of the penalty clauses proposed pursuant to Article 49(ii) until September 2021.

B.7. Consequences of COVID-19

a) Risk assessment and actions to be taken in the pedagogical and administrative area 2020-03-D-44-en-1 + 2020-03-D-44-en-1 -COR-1

The Board of Governors decided to approve the following:

1. *For the 2019-2020 school year, the Board of Governors approved a derogation from Article 57 of the General Rules and the proposal to allow all **primary cycle** pupils to be promoted to the year above, except where a pupil's legal representatives and the school agreed that the pupil should repeat the school year.*
2. *For the 2019-2020 school year, the Board of Governors approved a derogation from Article 59.5 of the General Rules and the proposal to suspend the second semester B tests in **year 4** and replicate the first semester B marks to establish the final B marks.*
3. *For the 2019-2020 school year, the Board of Governors approved a derogation from Article 59.5 of the General Rules and the proposal to suspend the second semester B tests in **year 5** and replicate the first semester B marks to establish the final B marks.*

Furthermore, the Board of Governors recommended that exceptionally, these European Schools should organise harmonised examinations during the second semester when the pupils concerned would be in year 6.

4. For the 2019-2020 school year, the Board of Governors approved a derogation from Article 59.5 of the General Rules and the proposal to suspend the second semester B tests in **year 6** and replicate the results of the first semester B tests to establish the final B marks in the subjects concerned.

Furthermore, for the 2019-2020 school year, the Board of Governors approved a derogation from Article 59.5 of the General Rules and the proposal to suspend the second semester examinations in **year 6** and replicate the results of the first semester examinations to establish the final B marks in the subjects concerned.

5. For the **2020 European Bacculaureate**, the Board of Governors approved cancellation of the marks for the written and oral examinations and award of the final mark based on A and B marks only.

Furthermore, the results would be moderated whenever there was a statistically significant divergence in the distribution of final marks in relation to previous years.

Finally, the Board of Governors mandated the Office of the Secretary-General to amend the 'Arrangements for Implementing the Regulations for the European Bacculaureate' applicable for the 2020 European Bacculaureate session accordingly and to submit the amendments made to the Board of Governors for approval by written procedure.

6. The Board of Governors agreed to allow Bacculaureate candidates to ask to sit all the cancelled written and oral examinations in autumn 2020. Once the examinations session started the final mark achieved previously would no longer be valid.

Candidates who so preferred would be able to ask to repeat year 7.

The Board of Governors mandated the Office of the Secretary-General to amend the 'Arrangements for Implementing the Regulations for the European Bacculaureate' applicable for the 2020 European Bacculaureate session accordingly and to submit the amendments made to the Board of Governors for approval by written procedure.

7. For the 2019-2020 school year, the Board of Governors approved a derogation from Article 12.2 of the Service Regulations for Locally Recruited Teachers with respect to contracts of Locally Recruited Teachers that were supposed to be converted into contracts for an indefinite period at the end of the current school year and a derogation from the obligation whereby an evaluation must be carried out by a national inspector.

b) Special powers 2020-04-D-8-fr-1

The Board of Governors scrutinised the proposal to grant a special mandate to the Secretary-General – and to the Deputy Secretary-General, in the event of the Secretary-General being unable to fulfil his duties – to take any measure and to adopt any departure from the existing texts implementing the Convention defining the Statute of the European Schools that might prove necessary to deal with the pandemic situation and its repercussions.

It proposed that the document be amended to take account of the comments made during the meeting:

- Place a time limit on the mandate, which might possibly be extended.
- Limit the mandate's scope.

- Adopt decisions by means of written procedures, accelerated if necessary. If need be, response time could be limited to three working days (72 hours) and the documents would be sent in English only.
- In an emergency, the Secretary-General – and the Deputy Secretary-General, in the event of the Secretary-General being unable to fulfil his duties – would take the decision and would seek the Board of Governors' approval by means of an accelerated procedure.
- Regular reporting on the decisions taken.

A new proposal would be submitted to the members by means of an accelerated written procedure.

B.8. Draft Service Regulations for Locally Recruited Managerial Staff in the European Schools 2020-02-D-31-en-2

The Board of Governors decided to approve the draft Service Regulations for Locally Recruited Managerial Staff in the European Schools, with the exception of the FR and IT delegations, which entered a reservation, and BE, which abstained.

The Service Regulations would enter into force on 1 May 2020.

B.9. Priorities of the Spanish Presidency of the European Schools 2019-2020 2019-10-D-40-en-5

The Board of Governors unanimously approved the priorities of the Spanish Presidency of the European Schools and congratulated it on the excellent presentation.

It decided to mandate the existing working groups 'Pedagogical Reform, 'Task Force' and 'Quality Assurance', in cooperation with the OSG and the 'Roles and Duties of Inspectors' Working Group, to:

- Develop PROPOSALS for enhancement of civic competence and the European dimension
- Devise an ACTION PLAN with a view to analysing the human resources required to best assist the Board of Inspectors and the Pedagogical Development Unit in discharging their duties and responsibilities.

B.10. Including the Host Country Language in the group of Languages 2 2020-01-D-25-en-3

The Board of Governors, with the exception of the NL, FR and DE delegations, which entered a reservation, and the SL, SK, EC, EIB and EUIPO delegations, which abstained, decided to approve the proposal to include the Host Country Language (HCL) in the group of Languages 2, with gradual entry into force as from September 2023, and the changes to document 2019-04-D-13 and to the General Rules proposed in sections VI.1 and VI.2 of the document.

B.11. Introduction of Language 3 in P4 and P5 2020-01-D-26-en-3

The Board of Governors scrutinised the document on introduction of Language 3 in P4 and P5. It took note of the reservations entered and comments made during the meeting and proposed that the document should be remitted to the 'Pedagogical Reform' Working Group.

B.12. – Proposals for a 'Common Framework for Events organised by the European Schools' 2019-12-D-36-en-3 – Proposed amendment of the document 'Internal Structures in the nursery, primary and secondary cycles' – Annex 1 to document 2019-04-D-13 2020-01-D-35-en-3

The members of the Board of Governors decided to approve:

1. the proposed 'Common Framework', with immediate entry into force;
2. the document 'Proposed amendment of the document 'Internal Structures in the nursery, primary and secondary cycles' – Annex 1 to document 2019-04-D-13' – Reference 2020-01-D-35-fr-2, with entry into force on 1 September 2020.

The increase in the timetable reduction was valid for the 2020-2021 and 2021-2022 school years. An evaluation of the internal structures and revision of the document 'Internal Structures in the nursery, primary and secondary cycles' should be envisaged before April 2022: should the use of the additional internal structures granted not be properly justified, they will be cancelled.

B.13. Roles and Duties of the European Schools' Inspectors 2018-09-D-35-en-7

The Board of Governors decided:

- to mandate the Working Group to finalise, in cooperation with the Office of the Secretary-General, the proposal for a procedure for appointment of national inspectors which better addressed the needs of the European School system.
- to reaffirm – as a first step – its decision of 2000 (Ref.: 2000-D-215) establishing the obligation on each delegation to provide each national inspector with a time allocation of a minimum of 40% (up to maximum 60%) of a full-time equivalent (FTE) to fulfil their tasks associated with the European Schools and – as a second step – to increase the time allocation of both inspectors up to a total of 120% per delegation (with a minimum time allocation of 50% per national inspector), by September 2022 at the latest. (With the exception of the IT and CY delegations, which entered a reservation).
- to support the promotion of a team approach and to undertake to allow inspectors to participate in the activities defined by the governing bodies of the European Schools,
- to encourage the Office of the Secretary-General to set up with the Presidency of the Board of Inspectors long-term planning, in particular for team activities.

B.14. New Marking System:

- **Updating of the tables of equivalence in the Member States 2019-11-D-23-en-2**
- **Sample examination material for use with the new marking system in the European Baccalaureate 2020-03-D-48-en-1**
- **Statistical analysis of final marks in S5 for the 2018-2019 school year 2020-03-D-50-en-1**

The Board of Governors took note of the different documents. It urged the delegations to provide the correct table of equivalence before the beginning of the next school year.

B.15. BREXIT: Sixth Report from the Brexit Working Group 2019-12-D-26-en-3

The Commission thanked the Deputy Secretary-General for having incorporated the changes requested into this version of the report, with respect in particular to the UK delegation's attendance at meetings of the Board of Governors and of other organs of the European Schools and to potential future cooperation between the European Schools and the UK. They were in line with the position of the Commission's legal service.

As already indicated at the Budgetary Committee meeting, the Commission would study the legal possibilities of covering the European Schools in an agreement on the future relationship with the UK. The French delegation proposed an amendment to the text of the final proposal.

For that reason the Board of Governors decided to submit the report to the members by written procedure.

XII. Fixing of the date and place of the next meeting:

The date of the next meeting was fixed for 1, 2 and 3 December 2020, under the French Presidency.

The Board of Governors decided to submit the following B items to the members by written procedure:

B.16. Request from Europa School UK to use the European Schools' S2-S5 syllabuses for the 2021-22 and 2022-23 school years 2020-03-D-05-en-3

B.17. Accredited European Schools:

Dossiers of Conformity:

Dossier of Conformity N-S5 – International European School, Warsaw (PL) 2020-01-D-5-en-2

Dossier of Conformity N-S5 – European School, Saarland (DE) 2020-01-D-6-de-2

B.18. Request for a revision of the salary table of Deputy Directors Primary and Nursery cycles and a revision of the salary tables and the working conditions of Primary and Nursery teachers (2020-01-D-54-en-3)

B.19. Draft Calendar of meetings for the 2020-2021 school year (2020-02-D-18-fr-1)

The Board of Governors decided that the following reports would be submitted to the members for approval by written procedure:

- V. ANNUAL REPORT FOR THE YEAR 2019 OF THE CHAIRMAN OF THE COMPLAINTS BOARD OF THE EUROPEAN SCHOOLS 2020-03-D-28-fr-1**
- VI. ANNUAL REPORT OF THE FINANCIAL CONTROLLER – Financial year 2019 2020-02-D-35-en-3**
- VII. ANNUAL REPORT OF THE INTERNAL AUDIT SERVICE 2020-02-D-38-en-2**
 - Final consulting report on HR allocation and distribution of non-teaching tasks in the ES 2020-02-D-37-en-2
- VIII. ANNUAL REPORT OF THE SECRETARY-GENERAL OF THE EUROPEAN SCHOOLS**
 - Annual and Multi-Annual Plan of the Secretary-General of the European Schools (2020-03-18-en-1)
 - Annual Activity Report 2019 (Art. 103.6 FR 2017) (2020-02-D-16-en-1)
 - Annual Activity Report 2019 of the Office of the Secretary-General (2020-02-D-22-en-1)
- IX. ANNUAL ICT REPORT OF THE HEAD OF THE ICT/STATISTICS UNIT FOR THE YEAR 2019 2020-02-D-21-en-2**
- X. STATISTICAL REPORT ON EDUCATIONAL SUPPORT AND THE INTEGRATION OF PUPILS WITH SPECIAL EDUCATIONAL NEEDS INTO THE EUROPEAN SCHOOLS FOR THE YEAR 2018-2019 2019-11-D-11-en-4**