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

Meeting on 31 August 2020 (WebEx)

Approved by written procedure No 2020/50 on 20 October 2020

Point 5. - Preparation of the 2020/2021 school year

- **Analysis and Proposals of the Task Force ‘Preparation of the 2020/21 school year’ (2020-07-D-9-en-2)**

The Board of Governors took note of the document with the following amendments¹:

bb) Definition of ‘vulnerable staff’

Notwithstanding even more restrictive national rules, for this risk analysis and for the planning of the common school year 2020-2021, the following members of staff are considered as ‘vulnerable’:

The situation to which this definition applies is thereby **temporary and Covid-19 related**.

- Pregnant staff members (regardless of gestational week);
- Staff members with chronic cardiovascular disease (coronary heart disease, congestive heart failure, cardiomyopathy, stroke);
- Staff members with chronic obstructive or restrictive lung disease, severe asthma, obstructive sleep apnoea;
- Staff members with immunosuppressive conditions (with active malignancy, or receiving chemotherapy or long-term steroids or other immune-modifying treatment);
- Staff members with hypertension or diabetes, when accompanied by complications (i.e. simple diabetes or hypertension, well controlled under medication, are not included);
- Staff members with chronic kidney or liver or hematologic or neuromuscular or autoimmune disease; infectious diseases: chronic hepatitis B, chronic hepatitis C that has not responded to treatment;
- Staff members who are very obese, with a Body Mass Index (BMI) of 40 or higher, or significantly underweight (BMI < 18.5).
- Staff members over the age of 60;²

With the exception of the criterion ‘age’, the staff members will have to provide a medical attestation in order to demonstrate the risk factor referred to.

All staff members are expected to come back to work on site. Given the definition above, staff members that belong to one or more of the categories listed, can request to stay away from school and restrict their activity to distance teaching/working. Nevertheless, they are welcome to voluntarily come back to their place of work for on-site teaching/working after indicating this in writing to the management team of the school. A model template for this will be provided.

It is recommended on local level

- ➔ ~~that the schools establish a register of vulnerable staff taking in consideration this harmonised definition of ‘vulnerable staff’.~~

¹ New texts added to the document will be found in **bold underlined** font. Deleted texts will be indicated by ~~strike through~~. Explanatory notes to other changes will be added in footnotes.

² This bullet point was moved from the first line in the list to the present position. In the original version the number 60 was in bold type.

- **Preparation of the 2020/21 school year – Concrete Proposals for Decision of the Board of Governors (2020-07-D-24-en-1)**

1. Proposals with a significant budgetary impact

The Board of Governors notes that the approved measures will bring about financial consequences, that are temporary and Covid-19 related. An amending Budget will be tabled by the OSG with the precise financial implications of these measures. **The process for the adoption of an amending budget will be launched and will include the consultation of the Budgetary Committee followed by an extraordinary meeting of the Board of Governors on October 20th, during which the amending budget will be submitted for adoption. Moreover, a modification of the 2021 budget taking into account the budget impact of the measures and their financing in 2021 will also be proposed.** Furthermore, the following modifications were to be applied to the text:

2. Replacement of vulnerable teaching staff

A major impact will be linked to the potential need of replacement of ‘vulnerable’ members of the teaching staff, who will have to teach from distance, but need a replacement in the class room.

In this context, it is worth to recall the ‘definition’ of ‘vulnerable staff’ established in the analysis of the task force.

Notwithstanding even more restrictive national rules, for its risk analysis and for the planning of the common school year, **the following members of staff are considered as ‘vulnerable’:**

- Pregnant staff members (regardless of gestational week);
 - Staff members with chronic cardiovascular disease (coronary heart disease, congestive heart failure, cardiomyopathy, stroke);
 - Staff members with chronic obstructive or restrictive lung disease, severe asthma, obstructive sleep apnoea;
 - Staff members with immunosuppressive conditions (with active malignancy, or receiving chemotherapy or long-term steroids or other immune-modifying treatment);
 - Staff members with hypertension or diabetes, when accompanied by complications (i.e. simple diabetes or hypertensions, well controlled under medication, are not included);
 - Staff members with chronic kidney or liver or hematologic or neuromuscular or autoimmune disease; infectious diseases: chronic hepatitis B, chronic hepatitis C that has not responded to treatment;
 - Staff members who are very obese, with a Body Mass Index (BMI) of 40 or higher, or significantly underweight (BMI < 18.5).
 - Staff members over the age of 60;³
- With the exception of the criterion ‘age’, the staff members will have to provide a medical attestation in order to demonstrate the risk factor referred to.

³ This bullet point was moved from the first line in the list to the present position. In the original version the number 60 was in bold type.

➤ Based on this definition of ‘vulnerable staff’ an estimation of staff members who might have to be replaced in the class room by auxiliary staff has been carried out. According to this estimation, the number of ‘vulnerable staff’ **could amount up to 15% of the teaching staff.**

The management teams will do their utmost to progressively implement the proposed measures in order to guarantee pedagogical continuity while respecting the safety rules for the pupils and staff of the ES. Account will be taken of the practical possibilities for exceptional temporary recruitment of replacement or complementary staff for the period related to the COVID-19 crisis.

2. Proposal with respect to the audits of the Accredited European Schools

The members of the Board of Governors approved the proposal of the Task Force, according to which the audits of the Accredited European Schools in the 2020/21 school year, when necessary, could be carried out partly or entirely at a distance. This decision would apply only when the situation related to COVID-19 pandemic makes travelling to the site impossible or not advisable.

- Distance Teaching – Amendment of the General Rules

The Board of Governors approved the proposed amendments to the General Rules of the European Schools with entry into force on 1 September 2020, as follows:

Article 26a

Distance Teaching

1. In general, teaching shall be provided ‘on site’.

In exceptional cases and based on the decision of the Director, distance teaching may be organised in order to educate children in the public interest, as defined by Article 1 of the Convention defining the Statute of the European Schools.

2. In the event of distance teaching, classes may be taught and assessed using an interactive online communication system (audio/video). The choice of the communication system shall be the sole responsibility of the Director, he/she the data controller of the school. The Director shall ensure that the system chosen complies with data security, reliability and confidentiality requirements as laid down by the host Member State’s privacy legislation. Any processing of personal data carried out in that context shall be lawful provided that it is necessary for the performance of a task carried out in the public interest, in accordance with Article 6.1.(e) of the General Data Protection Regulation.

3. Providing distance teaching through the potential use of an interactive online communication system, as referred to in paragraph 2, shall form part of the duties assigned to teaching staff, in line with Article 10.2 of the Regulations for Members of the Seconded Staff of the European Schools and Article 5.3 of the Service Regulations for Locally Recruited Teachers in the European Schools.

4. The rules on regular attendance, as established in Article 30 of the General Rules, shall apply *mutatis mutandis* in the event of distance teaching.

Article 22

General

Members of the teaching staff and all other persons whose direct involvement in the school is required shall undertake to do their utmost to enhance its prestige and promote its development. They shall perform their duties in accordance with the provisions in the rules and regulations adopted pursuant to the Convention defining the Statute of the European Schools. They shall follow the instructions issued by the Board of Governors, the Secretary-General, the Boards of Inspectors, the Administrative Board and the Director.

In performing their duties, they shall take care, by maintaining self-imposed strict objectivity, not to offend the religious and political convictions of pupils and their families and to respect their culture. **They shall also undertake to exercise the greatest discretion with regard to all facts and information coming to their knowledge and to respect their pupils' privacy, in accordance with the relevant applicable legislation. As regards pupils' personal data, its processing shall be lawful provided that it is necessary in order to educate children in the public interest, as defined in Article 1 of the Convention defining the Statute of the European Schools and in accordance with Article 6.1.(e) of the General Data Protection Regulation.**

To ensure the school's proper functioning, teachers shall encourage pupils' active cooperation and autonomy and shall promote the development of their personalities.

They shall strive at all times, both inside and outside the school, to inculcate in their pupils the highest intellectual, moral and social standards.

They shall take every opportunity which arises to foster in pupils an attachment to their own country and a respect for that of others.

On the national day of each of the Member States of the European Union the contribution made by the country in question shall be mentioned in the school. Teachers shall encourage any initiative taken by pupils to organise a special event outside school hours. This shall also be the case on the occasion of European Union Day.

Article 30

Regular attendance at classes

1. Without prejudice to the Regulations concerning Educational Support, attendance at classes shall be organised as follows:
 - a) [...]
 - b) Without prejudice to Article 26a.3 of the General Rules,** attending all courses of instruction shall mean regular and punctual attendance at the classes indicated in a calendar and timetable produced and given to pupils at the beginning of the year.