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|  | Schola Europaea / Office of the Secretary-General |

Ref.: 2019-01-D-55-en-4

Original: EN

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**Election Procedures of the Pupils’ Representatives**

**Approved by the Board of Governors at its meeting on 9 to 12 April 2019 - Athens**

1. **Background**

The ‘Working Group on the Arrangements for Appointment of Pupils’ Representatives’ presented to the Board of Governors at its meeting on 31 January and 1 February 2006 a report which provided a proposal for the ‘Election Procedures of the Pupils’ Representatives’ (see document 2005-D-231-en-5).

This proposal was adopted by the Board of Governors at its meeting on 31 January and 1 February 2006.

Based on these procedures, the schools and their Pupil’s Committees developed local implementing rules.

A recent analysis carried out by CoSup (Conseil Supérieur des Elèves) has provided evidence that the local implementing rules deviate from each other and partially do not stay within the legal frame provided by the ‘Election Procedures’ as adopted by the Board of Governors in 2006.

Moreover, the ‘Election Procedures’ do refer to ‘Guidelines concerning co-operation with the administrations of the schools (GCCA)’ which have not been finalized and implemented since 2006.

Finally, CoSup representatives reported that the ‘Election Procedures’ as adopted by the Board of Governors do provide some inconsistencies which lead to legal uncertainty within CoSup.

Therefore, it was proposed to ‘re-activate’ the ‘Working Group on the Arrangement for Appointment of the Pupils’ Representatives’ and the Board of Governors was asked to mandate this Working Group

* to further analyze the legal situation and
* to provide the Board of Governors by April 2019 with a report and potential proposals to amend the current ‘Election Procedures’ (see doc. 2018-11-D-22-en-1).

At its meeting on 4 to 7 December 2018 the Board of Governors accepted the proposal and mandated the reactivated Working Group to provide a potential proposal for the meeting of the Board of Governors in April 2019.

**II. Proposal of the Working Group**

The reactivated Working Group, composed of

* the Deputy Secretary-General (chairman),
* the legal Adviser of the Secretary-General,
* two representatives of CoSup,
* one representative of the Directors and
* one representative of Interparents,

met for a first meeting on 17 December 2018 and reviewed the current rules.

The members of the Working Group agreed on various changes of the election procedure of the ‘class representatives’ (chapter 1), the structure of the Pupils’ Committee (chapter 2) and the rules linked to CoSup (chapter 3).

With respect to the election procedure of the ‘pupils’ committee’ (chapter 2, Article 5 paragraph 4.2 and 4.3) the representatives of CoSup had to enter a reservation after further consultation of the members of CoSup. These paragraphs will be discussed again in the Working Group.

The Working Group met for a second time on 15 February 2019 in order to finalize its proposal also in the light of the discussions in the Joint Teaching Committee on 7 and 8 February 2019.

**III. Budgetary Implications**

The proposal has no budgetary implications.

The new Article 13.2, dealing with the reimbursement of mission expenses, has been introduced in order to reflect the reimbursement policy currently in place which is in line with the reimbursement policy for staff representatives.

**Annex**



**ELECTION PROCEDURES**

**OF THE PUPILS’ REPRESENTATIVES WITHIN THE EUROPEAN SCHOOL SYSTEM**

**PREAMBLE**

~~The secondary pupils’ representation within the European School system is defined in Article 38 of the General Rules of the European Schools.~~

~~In this document, the election procedure of the pupils’ representatives and their key functions in the European School system are defined in accordance with the Convention of 1994.~~

~~A second document, the Guidelines concerning co-operation with the administrations of the schools (GCCA) will enter into force after the approval of the “Conseil Supérieur des Elèves” (CoSup) and of the Directors.~~

~~The Internal Rules of the COSUP are defined in a third document that can only be modified with the approval of the CoSup.~~

~~The above mentioned documents replace all previous rules and guidelines for pupils’ representation.~~

**The right to representation of the pupils of the secondary cycle of the European Schools system is enshrined in the Convention defining the Statute of the European Schools and the General Rules of the European Schools.**

**In this document, the election procedure of the pupils’ representatives and their key functions in the European Schools system are defined.**

**This document repeals and replaces document 2005-D-231-EN-5.**

**Chapter 1: The Class Representatives**

**Article 1**

**DEFINITIONS AND AIMS**

1. The class representative represents **and voices the opinion** his/her class and is an important communication link between his/her class and the Pupils’ Committee (PC), the parents’ representatives of the class and the school’s administration.
2. The class representative is a pupil democratically elected by his/her class.
3. A deputy representative, who is also democratically elected by the class, assists the class representative and represents him/her in case of his/her absence.

**Article 2**

**ELECTION PROCEDURE**

1. During the first week of the school year, the **class** ~~head~~ teacher of each secondary class shall organise the elections for the class representative of the class and his/her deputy.
2. Every secondary pupil may be a candidate for these posts.
3. ~~The vote is carried out openly. On request by any pupil of the class~~ **T**he vote **is** ~~shall be~~ carried out secretly.
4. Every pupil of the class has one vote ~~Abstentions are counted as rejections~~.

5. The candidate who obtains the highest number of votes is elected class representative. The candidate with the second highest number of votes is elected deputy class representative. **In case of a tie, a second vote shall be taken between the tied candidates.**

**Chapter 2: The Pupils’ Committee (PC)**

**Article 3**

**DEFINITIONS AND AIMS**

In accordance with the Convention of 1994 defining the Statute of the European Schools and the General Rules of the European Schools, the Pupils’ Committee (PC) represents all the pupils of its school. It is a non-profit organisation, democratically elected, independent and recognised by the school community and the different official bodies of the European Schools.

**Article 4**

**STRUCTURE OF THE PUPILS’ COMMITTEE**

The Pupils’ Committee is composed of ~~elected~~ pupils from the entire secondary school**, elected in accordance with Article 5**. **These pupils do not have to be class representatives as defined in Article 1.**

1. Each Pupils’ Committee **shall have a President and a Vice-President. In addition, it may fix a number of additional positions within the Pupils’ Committee~~.~~** ~~has the following mandatory posts filled by the elected members:~~

~~a) The President~~

~~b) The Vice-President~~

~~c) The Treasurer~~

~~d) Two Representatives for CoSup;~~

 ~~at least one of the representatives for the CoSup should be a member of the PC’s presidency (i.e. president or vice-president)~~

~~e) Two Representatives for the Administrative Board;
 at least one of the representatives for the Administrative Board should be a member of the PC’s presidency~~

~~f) The Representatives for the Education Committee.~~

1. The number of elected members of the Pupils’ Committee may vary from school to school**, but it shall be no less than six**.
2. **The Pupils’ Committee shall be represented on**
3. **CoSup, by two members,**
4. **the Administrative Board, by two members,**
5. **the Educational Council,**
6. **the school Advisory Council,**
7. **other Councils at the school where its presence is required.**

4. **The Pupils’ Committee shall have the right to form working groups and sub-committees to focus on specific issues, and may invite students who are not members of the Pupils’ Committee to these groups.**

**5. The Pupils’ Committee shall meet with Class representatives on a regular basis. The details shall be established in local implementing rules referred to in paragraph 7 of this Article.**

6. Volunteers **without voting rights** may assist the Pupils’ Committee.

7. **Within the framework of this document, each Pupils’ Committee shall establish a set of implementing rules. To ensure that Pupils’ Committee operates with accountability a general provision on financial procedures shall be included in these rules. The rules must be approved by the Director.**

**Article 5**

**ELECTION PROCEDURE**

1. The elections are organised each year at the beginning of the school year.

2. Each PC member’s mandate lasts for one school year unless re-elected.

3. The minimum age of 15 years is required for the president/vice president/treasurer as of the day of their election and for the CoSup representatives as of the first CoSup meeting they attend.

4. Election methodology.

 4.1 ~~The Elective Committee (EC)~~ **Organisation of Elections**

 ~~Before the 9~~~~th~~ ~~of May of each school year the PC forms an EC of those members of the PC who will still be at school during the following year. The EC organizes the election of the PC in accordance with the Guidelines concerning co-operation with the administrations of the schools (GCCA).~~

**A group of members of the Pupils’ Committee who still be at school the following year shall organize the election of the Pupils’ Committee in conjunction with the school management (Election Committee).**

 4.2 Election of the Members of the PC

 i. Any pupil of the secondary school cycle may propose him/herself as a candidate to enter the Pupils’ Committee.

 ii. An assembly of the class representatives chaired by ~~the eldest~~ **a** member of the EC shall vote on each individual candidate to enter the PC at the beginning of the school year.

iii. Each candidate who obtains more than 50 % of the votes is elected, provided there are more than two thirds of the class representatives present during the assembly.

iv. The vote is carried out **secretly** ~~openl~~y. ~~On request by any pupil attending he assembly, the vote shall be carried out secretly.~~

**v. By way of derogation from points ii., iii. and iv., the Pupils’ Committee may specify a different procedure in its statute, as long as it remains fair to all candidates.**

 4.3 Election of the President

There are two phases in the president’s election:

 4.3.1 Phase 1:

The newly formed Pupils’ Committee **shall hold a meeting**, chaired by ~~the eldest~~ **a** member ~~of the PC~~ who is not presenting him/herself for the post of ~~the~~ president. **At this meeting, one or more members** should present **themselves** ~~at least two candidates~~ for the post of ~~the~~ president. **A maximum number of candidates may be specified in the local implementing rules.** ~~from amongst its elected members.~~

Each candidate for the president’s post shall be approved by at least 50 % of the Pupils’ Committee members, provided two thirds of the elected members of the **Pupils’ Committee** are present.

4.3.2 Phase 2:

i. The president is elected by the pupils of the entire secondary cycle by a direct vote. On decision of the PC in accordance with the **Director** ~~head~~, the vote takes place in class, ~~or~~ during a general assembly of all the pupils of the secondary cycle **or by another method appropriate to the size of the school (e.g. online), as long as the right of every candidate to present their platform or programme, and the right of every secondary student to cast their vote, are respected**.

ii. The vote is held as early as possible in the school year. **The vote is carried out secretly.**

 iii. Each **student** has one vote. ~~Abstentions are considered to be rejections.~~

 iv. The candidate who obtains the highest number of votes is elected president.

 v. ~~The vote is carried out openly. On request by any pupil of the class or attending the general assembly the vote shall be carried out secretly.~~

v. In case of a vote during a general assembly, ~~the eldest~~ **a** member of the Pupils’ Committee who is not presenting his/her candidature chairs the assembly. During this assembly, each candidate for this post introduces him/herself to all the secondary pupils.

 ~~vii. The president elected by vote in class introduces him/herself to all the secondary pupils as soon as possible in the most appropriate way according to the size of the school.~~

 4.4 **Election of the Vice-President ~~and a~~**~~ppointments to other posts~~

**The rules in Article 5.4.3 apply, mutatis mutandis, to the election of the Vice-President. By way of derogation, the Pupils’ Committee may choose in its local implementing rules to elect the Vice-President internally. In this case, the following procedures shall be followed**

i. Once the president is elected, the **Pupils’ Committee** shall **elect** ~~assign~~ the **Vice-President** ~~mandatory posts~~.

ii. Only elected members of the **Pupils’ Committee** can be candidates for **Vice-President** ~~the mandatory posts~~.

 ~~iii. The mandatory posts described in article 2 par. b) to f) must be filled.~~

iii. Every elected **Pupils’ Committee** member present has one vote to cast ~~for each post~~.

iv. The candidate who obtains the highest number of votes cast by the elected members is elected for **Vice-President** ~~the post~~, provided there are at least two thirds of the elected **Pupils’ Committee** members present.

 v. The vote is carried out **secretly** ~~openly. On request by any elected member attending the meeting, the vote shall be carried out secretly.~~

**Article 6**

**VOTE OF NO CONFIDENCE**

**Should the President, Vice-President, or any member of the Pupils’ Committee act in a way contrary to the interests of the PC or the students, or not fulfil their duties, the Pupils’ Committee may hold a vote of no confidence to remove them from their post.**

**The no-confidence vote may be initiated at the request of any member of the Pupils’ Committee, with the approval of the school management.**

**The accused must be made fully aware of the accusations against them and must be given a chance to defend themselves before a vote is taken.**

**At least two thirds of the members of the Pupils’ Committee must be present for the vote. Of these, a two thirds majority is necessary to remove the accused from their post.**

**Chapter 3: The CoSup**

**Article ~~67~~**

**DEFINITIONS AND AIMS OF COSUP**

CoSup stands for Conseil Supérieur des Elèves and is the official representative body of the secondary pupils in the European School system. ~~The~~ CoSup represents the common aims, policies and visions of the pupils. These common interests are mainly concerned with the decisions taken by the Board of Governors, which affect the school life.

**Article ~~78~~**

**STRUCTURE OF COSUP**

The CoSup consists of:

a) The president

b) Two vice-presidents

c) Two representatives of the Pupils’ Committee from each School amongst which are elected:

 i. One treasurer

 ii. One vice-treasurer

 iii. One ~~web~~-~~master~~ public relations manager

**Article 9**

**STATUTES OF COSUP**

1. **CoSup shall formalise a set of Statutes, which will define its composition and operations.**
2. **The Statutes shall be defined within the framework of this document, and should there be any disagreement between it and the Statutes, the provisions in this document shall take precedence.**
3. **Any amendments to the Statutes shall first be debated on by CoSup, and then accepted by a simple majority vote. Upon approval by CoSup, the amendments will be forwarded to the Secretary-General for approval, after which they shall enter into force as of the following school year, unless otherwise specified.**

**Article ~~8~~10**

**ELECTION PROCEDURE OF THE PRESIDENT AND THE VICE-PRESIDENTS**

1. The members of CoSup shall elect the president and the vice-presidents during the last meeting of the school year. Each member of CoSup who will still be a pupil of the E.S. for the following school year may present him/herself as candidate for these posts. A secret vote is held. Every member present of CoSup has one vote to cast for each post in turn. ~~Abstentions are counted as rejections.~~

2. The candidate who obtains the highest number of votes cast by all the members present is elected, provided there are at least 2/3 of the members present.

3. The term of office for the president/vice-presidents is one school year. This period can be extended by re-election.

**Article ~~9~~11**

**TASKS OF THE PRESIDENT AND THE VICE-PRESIDENTS**

1. The president represents the CoSup at the Board of Governors meetings, the teaching committees and, on invitation, at the working groups. The president can delegate this function to a member of CoSup who should be designated during a CoSup meeting or by a written procedure.
2. One of the vice-presidents shall assist the president in the representation of the CoSup in the Board of Governors meeting.
3. One of the vice-presidents shall assist the president in the representation of the CoSup in the teaching committee meetings.
4. The vice-president(s) shall represent the president in case of absence.

**Article 12~~0~~**

**ELECTION OF TREASURER, VICE-TREASURER AND ~~WEB-MASTER~~ PUBLIC RELATION MANAGER**

1. The members of CoSup shall elect the treasurer, vice-treasurer and the ~~web-master~~ **public relation manager** during the first meeting of the school year. Each member of CoSup with the exception of the president and the vice-presidents may present him/herself as candidate for these posts. A secret vote is held. Every member present of CoSup has one vote to cast for each post in turn. ~~Abstentions are counted as rejections~~.
2. The candidate who obtains the highest number of votes cast by all the members present is elected, provided there are at least 2/3/ of the members present.
3. The term of office for each post is one school year. The period can be extended by re-election.

**Article 1~~1~~3**

**COSUP MEETINGS**

**1.** At least four meetings are held during a school year with the permission of the Secretary-General of the European Schools.

**2. Mission expenses shall be reimbursed to the members of CoSup attending the meetings provided for in paragraph 1 of this Article in accordance with the provisions of Articles 63 to 65 of the Regulations for Seconded Staff Members of the European Schools.**