



*These Statutes have been translated into English. In case of any query, the German version takes precedent.*

## **STATUTES OF THE BILINGUAL KINDERGARTEN AND PRIMARY SCHOOL ASSOCIATION "LES COQUELICOTS" IN BASEL**

### **Article I: Name and Registered Office**

The Association called "École Maternelle et Primaire Bilingue de Bâle", founded in 2006, is based on the present statutes and the provisions of Art. 60ff. of the Swiss Civil Code (ZGB) on Associations. The duration of the Association is indefinite. The registered location of the Association is Basel. Any relocation must be approved by the general meeting of the Association.

### **Article II: Purpose of the Association**

The purpose of the Association is to ensure the administrative and financial management of a bilingual (French-German) kindergarten and primary school in Basel, in which children of pre-school and primary school age are looked after and to support them, as well as the promotion of teaching in French and the German language.

The Association only aims to compensate for the expenses necessary to fulfil its function and does not pursue any further economic purposes. If the Association is dissolved, the assets must be donated to one or more non-profit organizations and may not be transferred to either the founders or the current members of the Association.

The school is mainly open to pre-school and primary school children resident in Switzerland. The school can accept children who are based outside of Switzerland, provided that places are available. The school's official languages are in equal parts French and German. The basic school year calendar is from the school calendar of Basel-Stadt.

### **Article III: Disclaimer**

The Association alone is responsible for its commitment. Any personal liability of the members or the President is excluded.

### **Article IV: Members of the Association**

Members of the Association are:

- i. persons capable of acting who have paid the membership fee for the corresponding year. The annual membership fee is CHF 100.
- ii. officially, the parents or persons with parental responsibility who have registered at least one child in kindergarten / primary school for the current school year and who pay the school fees. In this case, the membership fee of CHF 100 is included in the school fees.
- iii. Honorary members: people who have performed or want to perform services for the Association and who have been appointed by the AGM on the proposal of the Committee.
- iv. Sympathizers: sponsors or other societies / Associations that want to support the Association's activities.

Honorary members and sympathizers can take part in the general assembly in an advisory capacity. The applicant is obliged to strictly adhere to the statutes, all regulations and decisions of the assembly and to respect the regulations signed by it.



## Article IV-A

### Termination of Association Membership

Membership of the Association is terminated automatically once a child leaves the school (unless siblings remain).

### Article V: General Assembly

The general assembly meets at least once a year and includes all members of the Association. The ordinary general assembly is called by the Committee. An extraordinary meeting can be called by the President himself or the majority of the Committee members. The AGM is held in person but in exceptional circumstances may also be held online.

The invitation to the general meeting - ordinary or extraordinary - must be sent to all members individually at least one month before the date of the ordinary meeting and one week before the extraordinary meeting. The invitation contains the agenda.

The General Assembly passes resolutions with a simple majority, regardless of how many members are present. The members cannot be represented. Each member has only one vote per family. In the event of a tie, the President or his/her Deputy has the casting vote. Votes are made openly unless 5 members request secret voting.

The Association holds a regular AGM once per school year. The general meetings are chaired by the Association President or, in their absence, by a Committee member appointed by the President or by the Committee members.

The AGM has the following responsibilities:

- a) Approval of the minutes of the last meeting
- b) Approval of the annual report and the annual accounts of the Committee
- c) Election of the President and the other Committee members
- d) Approval of the annual accounts and the budget
- e) Election of the supervisory body
- f) Acceptance of the extraordinary fluctuations in school fees (beyond the annual rate of inflation) and the contributions proposed by the Committee
- g) Acceptance of changes / additions to the statutes proposed by the Committee
- h) Decision on development projects proposed by the Committee (enlargement, relocation, etc.)
- i) Decision on the dissolution of the Association
- j) Discharge of the Committee
- k) Discussing the agenda of the Committee as well as the proposals, which must have been submitted to the Committee in writing at least 5 days before the general meeting

### Article VI: Members of the Committee

The Association is administered by a Committee of 3 to 6 members. The cultural advisor at the French embassy in Zurich and a representative of the education department of the canton of Basel-Stadt can participate as advisors.



## Section VI-A: Election of the members of the Committee

The Committee candidates submit their candidacy to the Committee or President at least one week before the general meeting. The Committee members are elected individually by simple majority. The Committee members are elected for one year. The majority of the votes cast determines the election result after a specified period. If five members present request it, the election will be secret (voting slip). The old members can be re-elected. The majority of the elected members must be resident in Switzerland. Every parent who takes on one of the elementary tasks of the Committee can be awarded symbolic material compensation for expenses incurred in the form of a reduction in school fees for a child enrolled in kindergarten / primary school. The amount of this compensation is proposed by the Committee and approved by the general meeting.

The Committee consists of:

- A President
- A Vice President
- A person responsible for marketing, communication and sponsorship
- A Treasurer
- A Secretary
- The management of the institution

These offices can be held at the same time. The office of President and that of the directorate of the institution cannot be carried out at the same time.

If desired by both parties, the President and Vice-President may also form a Co-Presidency.

To be elected as President, a member must have served on the Committee for at least one year. If this cannot be met, the President must be elected by the general assembly. If desired by both parties, the President and Vice-President may also form a Co-Presidency.

## Section VI-B: Termination of Membership

Membership of the Committee expires:

- a) due to occupational restrictions
- b) through death of the natural person or through dissolution (legal person)
- c) through termination (three-month notice period at the end of the school year)

In the event of death or dismissal, the Committee can temporarily represent the departing member itself. However, the occupation must be ratified at the next general meeting.

## Section VI-C: Exclusion

The Committee can expel a member of the Association (including Committee member) who violates the statutes or the regulations of the Association or who seriously fails to meet his obligations. The excluded member can lodge a complaint at the general meeting, in which a second and final decision must be made.

## Section VI-D: Meetings of the Committee

The Committee meets at least six times a year, as well as when the President calls for it or when the majority of the Committee members request it. The decisions are made by a majority of those present.



In the event of a tie, the President has the casting vote. At least half of the members must be present for decisions to be valid. The Committee may invite anyone whose opinion the school finds useful as an advisor. The school management takes part in the meetings of the Committee in an advisory capacity. The members of the “Conseil Supérieur des Français de l'étranger” as well as a representative of the Basel-Stadt Education Department can take part in the Committee meetings as advisors.

## Article VII: Powers of the Committee

- I. Ensures the administrative and financial management of the Association
- II. Executes the decisions made by the general meeting
- III. Controls the quality of the children beneficial upbringing and compliance with the official French and Swiss programs
- IV. Ensures that the school continues to develop

## Article VIII: Signatures

The President and all members of the Committee are authorized signatories. The Association is legally bound to the resolutions by the signature of two of these persons, but the signature of the President or his/her deputy is necessary.

## Article IX: Auditors

Two auditors are elected during the general meeting. In the event of death or termination, the Committee can temporarily assume this position itself. Their job is to control the cash books and cash registers. They can be members of the Association or come from outside. But they cannot be a member of the Committee. The function is not rewarded. Every year during the general meeting they submit a written report on the exact bookkeeping of the Association and recommend the acceptance or rejection of the balance sheet and the profit and loss account.

## Article X: Finance

The financial year begins on August 1st of the year and ends on July 31st of the following year.

1. The income of the Association is composed mainly as follows:

- i. School fees adjusted to the general price trend and the increase in salaries and expenses, which can result in an increase in annual school fees of between 0.5% and 3%, the amount being determined by the Committee. An increase of over 3% must be approved by the general assembly.
- ii. Income from extracurricular activities, holiday workshops and school projects (school festival, photos, CD, calendar, etc.).
- iii. Legacies, gifts, collections etc. that have been legally accepted by the Committee.
- iv. Income from the Association's assets

2. The expenses of the Association are essentially:

- i. Teaching staff salaries determined by the Committee and in line with the regulations
- ii. Rent of the school premises
- iii. Water, electricity, telephone, catering and cleaning fees
- iv. Insurance
- v. School supplies

The expenses usually need to be approved by the Committee.



## Article XI: Amendments to the Statutes

The statutes can only be changed by a general meeting, and the change must be on the agenda. At least two thirds of the votes present are required for the change to be accepted.

## Article XII: Dissolution of the Association

1) the Association can be dissolved by the Committee if the financial situation is obviously no longer sustainable.

2) The dissolution of the Association can be decided during an extraordinary general meeting if at least two thirds of the members are present. The decision must be borne by three quarters of the members present. If this is not the case, a second extraordinary general meeting must be called within one month. This second meeting then finally decides with three quarters of the votes.

In the event of a dissolution, the extraordinary general meeting decides with a three-quarters majority on the use of the assets. If no decision can be made, the assets will be donated to a children's aid organization.

These statutes were changed before the general meeting on November 3rd, 2022.

Signatures:

The President

The Management

Sabrina Gänsbacher

Gaelle Kroh

Isabel Brunner

## Annexe 1

The tasks of the Committee include in particular (Appendix 1):

### The President

- Supervises the general management of the school
- Manages, promotes and implements development and growth projects for the school (structure and expansion)
- Regularly reviews the business plan (analyzes statistics and consequences)
- Contact for parents if problems arise that cannot be resolved / decided by the Board of Directors
- Heads the Committee
- Contacting the teachers and the Committee
- Holds meetings with employees
- Ongoing review of staff standards, including training

Financial responsibilities:

- Monitors finances and helps solve problems communication
- Represents the school with directors
- Liaison with the Basel education department as required
- Committee responsibilities



- Leads monthly Committee meetings and general meetings
- Preparation and presentation of the annual report and the presentation of the general meeting

## **Vice President**

- Supports the President and Committee members
  - School administration
  - HR
  - Finances
  - Communication
  - Liaison with the Basel education authority
  - Legal aspects as required
  - Hold staff meetings if language permits

## **The Treasurer**

- Maintains business plan
  - Maintenance and continuous evaluation from a financial point of view budget
  - Prepares a budget in collaboration with the accountant and operations director and, if necessary, an update of the budget
  - Asks the Committee to approve the budget
  - Performs a mid-year review of the accountant's work
  - Performs an accounting review at the end of the year Cash in circulation
  - Regularly checks the deposits and withdrawals
- AGM:
- Creates financial statistics / analysis for the general meeting
- General
- Holds staff review meetings, if the language allows
  - Supports the Operations Director and the Office Manager with financial questions and decisions. Assists or takes the lead in preparing decision documents for the Committee depending on the financial issue

## **Marketing**

- Ongoing review of marketing ideas, revising and updating as needed
- Promoting schools for new families
- Ongoing management of the established annual planner for marketing events
- Promoting events
- Promotion of JdV in connection with Periscolaire
- Management of the online presence / website content
- Connection to the media, if applicable
- Creation of advertising flyers with office staff
- Leads a marketing task force, in which volunteer parents from kindergarten and elementary school are involved, if projects allow this and offer support
- Holds staff review meetings if the language allows



## The Secretary

- Takes over the general business correspondence as well as the taking of minutes at the Committee meetings and at the general meetings. If necessary, they can be assisted by a member of the Committee.
- Committee meetings:
  - Organises Committee meetings monthly or as needed
  - Drafts and circulates agendas; takes and distributes minutes of meetings
  - General communication with parents
  - Preparation of the AGM
  - Maintains official documents and presents initial drafts of documents as required
  - Holds staff review meetings if the language allows

## The Direction

- Is responsible for the operational management of the school
- Takes on representative tasks to represent the school internally and externally (e.g. authorities)
- Leadership and selection (in cooperation with the Committee) of employees
- Works closely with the Committee on all issues relating to the general running of the school and all related activities

*Adopted and approved during the founding of the Association on February 18, 2006 Changed during the ordinary general meeting on October 20, 2006*

*Changed during the ordinary general meeting on November 26, 2009*

*Changed during the ordinary general meeting on November 15, 2010*

*Changed and adopted during the ordinary general meeting on October 18, 2012 Changed on October 30, 2013 and adopted during the ordinary general meeting on November 5, 2013*

*Changed on September 4th, 2014 and adopted during the ordinary general meeting on October 4th, 2014*

*Changed on October 18, 2017 and adopted during the ordinary general meeting on October 24, 2017*

*Changed on October 9, 2018 and adopted during the ordinary general meeting on October 30, 2018*

*Changed on October 25, 2020 and adopted during the ordinary general meeting on November 9, 2020*

*Changed on September 10 2021 and adopted during the ordinary general meeting on September 20, 2021*

*Changed on November 1 2022 and adopted during the ordinary general meeting on November 3, 2022*