

**ASSOCIATION OF THE PARENTS
OF STUDENTS OF FRENCH SCHOOL ARTHUR RIMBAUD
(DAR-ES-SALAAM, TANZANIA)**

ARTICLES

As modified and approved by the Extraordinary General Meeting

Held on the 13th of November 2019

PREAMBLE

The French school Arthur Rimbaud is a French teaching institution that applies the texts and reform of the Ministry of Education of France, under agreement with the Agency for the French Education Abroad (*Agence pour l'Enseignement Français à l'Etranger* - AEFÉ) – Convention of 08/07/2002, open to children of French nationals living in Tanzania and, in the limit of its capacity, to the children of nationals of other Member States of the European Union, Tanzania and other nation states.

The school is run by a Head of School appointed by the AEFÉ.

The school is under the protection of the Embassy of France in Dar es Salaam and under the educational supervision of the Counselor for Cooperation and Cultural Action of the Embassy of France (COCAC) acting as education Inspector.

The school is managed by the Association of Parents of the French school Arthur Rimbaud. The articles below establish the association and fix the organization of the school

PART I - THE ASSOCIATION

CHAPTER I: ESTABLISHMENT, OBJECTIVES, LOCATION, AND DURATION

Article 1: ESTABLISHMENT

As part of the cooperation agreement between the Government of the French Republic and the Government of the United Republic of Tanzania, signed on March 9, 1973 in Dar-Es-Salaam (see Appendix 1), and in the spirit and in accordance with the provisions of the Code of Education relating to the organization of French education abroad, it is established in Dar es Salaam, a non-profit organization governed by Tanzanian law, subsequent legislation and these statutes, and called:

"Association of Parents of the French School Arthur Rimbaud", abbreviated "APE Arthur Rimbaud", hereinafter the Association.

Article 2: OBJECTIVES

The aim of the Association is to:

1. ensure the management and the development of the school.
2. Provide an education which is compliant with the programs and teaching methods officially in place in France.
3. Establish a close collaboration between the parents, on the one hand, the headmaster and the teaching staff, on the other hand, in order to ensure the provision of quality education by the school.
4. Promote cultural and extracurricular activities conducive to consolidating the formal education provided by the school and promoting the French culture and interaction with the Tanzanian culture.

The Association prohibits itself from any political or religious activities and does not pursue any aim for profit.

Article 3: Headquarters

The headquarters of the Association shall be in Dar es Salaam, on the premises of the Embassy of France, PO Box 2349, Dar es Salaam. It may be transferred by decision of the Management Board, subject to ratification by the Annual General Meeting following the decision.

Article 4: Duration

The duration of the Association is unlimited, subject to early termination under Articles 32 and 33 hereof.

CHAPTER II: MEMBERSHIP OF THE ASSOCIATION

Article 5: the members of the Association

The Ambassador of France is the Honorary President of the Association. The association has active members and benefactors members:

- **active members** are all parents or legal guardians of students with all tuition fees paid.
- **benefactors members** are natural or legal persons, French or foreign nationals, who adhere to the goals of the Association, as defined in Article 2, and show their interest by donations in cash or in kind. On the proposal of the Management Board, they are appointed at the Annual General Meeting. They may attend the Annual General Meeting, but only in an advisory capacity.

Article 6: Admission of active members

The registration of one or more children at the French school Arthur Rimbaud is a sufficient condition for the parents to be admitted as active members of the Association.

Membership in the Association implies acceptance of these Articles of Association and any other rules or regulations of the Association or the school Arthur Rimbaud. A copy of the prevailing statutes is given to all new members. The articles are also available on the school website and upon request, from the school administration.

Article 7: Extinction of active membership

Membership shall be lost or revoked for the following reasons:

- a) having no more children enrolled and attending the school Arthur Rimbaud, with the exception of those admitted as other than parents;
- b) exclusion pronounced by the Management Board for non-payment of fees or for a serious cause.

CHAPTER III: GOVERNING BODIES OF THE ASSOCIATION

Article 8: Governing bodies of the Association

The governing bodies of the Association are:

- a) The Ordinary and Extraordinary General Meeting
- b) The Management Board.

CHAPTER IV: GENERAL MEETING

Article 9: Composition of the General Meeting

1. The General Meeting consists of all members of the Association.

Each student's family (parents or legal guardian) shall have one vote and may, if necessary, appoint another member of their choice as a proxy holder. Each voter can hold a maximum of three proxies.

Article 10: Meetings of the General Meeting

1. The Ordinary General Meeting, convened by the Management board, shall take place at least **twice** a year, within the first and the second Term of the academic year.

2. The Extraordinary General Meeting may be convened by the Management Board in the following cases:

- In case of pressing and fundamental issues, it is convened by the Chairman, with the approval of the Management Board.
- In case of a written and well-founded request addressed to the Chairman by a group of active members representing at least one quarter of the votes of the Association.

Article 11: Agenda of the General Meeting

The agenda of the General Meeting shall be communicated, together with the necessary documents, to the members of the Association at least **seven** days prior to the date set for the meeting. The meeting cannot take place during the school holidays.

Article 12: Powers of the Ordinary General Meeting

1. The Ordinary General meeting of the first Term shall take, at the latest, seven weeks after the start of the academic year. This first Ordinary Meeting must have on its agenda:

- a) The Headmaster's report of the start of the academic year.
- b) The review the budget management and implementation of the current calendar year and, if necessary, the approval of an amendment to the budget;
- c) the election or re-election of members of the Management Board.

2. The Ordinary General Meeting of the second Term shall take place during the month of March and must include the following items on its agenda:

- a) The review and approval, according to voting procedures defined in the next article, of the moral and the financial reports of the previous calendar year (a copy of the reports shall be communicated to the members with the convening notice);
- b) To grant clearance to the Management Board for its management during the previous year, after reviewing the reports;
- c) The review of the previous academic year and the prospects for the coming year.
- d) The review and approval of the budget of the current calendar year.
- e) The review and approval of any increase of the school fees and the necessary arrangements for the practical organization of the back to school date.

Each meeting shall, in addition, deal with all matters regarding the operation and the development of the institution. The Ordinary General Meeting has the power to decide on amendments to the Articles of Association.

Various questions can be submitted to the Chairman of the Association. They must be included, by law, in the agenda if they are submitted at least 3 days before the date of the General Meeting; otherwise their inclusion in the Agenda shall be at the discretion of the Management Board.

Article 13: Voting Procedures

1. The General Meeting may validly deliberate only if the total number of votes of the members present or represented by proxy, is at least half of the votes of all members. If this quorum is not reached half an hour after the time indicated on the agenda, the General Meeting shall deliberate whatever the number of members present or represented.

2. Voting is by secret ballot. All votes, including blanks or spoiled, shall be counted. However, only the votes cast shall be taken into account.

3. The Chairman of the Management Board may propose a vote by show of hands. This voting procedure shall, therefore, be adopted for the ongoing General Meeting unless a member of the Association requests a secret ballot.

4. Decisions passed at the General Meeting are binding for all members of the Association. Their execution is entrusted to the Management Board.

5. The General Meeting is chaired by the Chairman of the Management Board, or failing that, by one of the members of the Management Board.

6. Records of attendance shall be kept in an attendance sheet indicating the name of each member present and, where applicable, his authorized representative, and the number of votes it has. This sheet is signed by each active member or his representative and certified by the Chairman of the General Meeting.

7. The deliberations of the General Meeting are recorded in minutes signed by the Chairman of the Meeting and a member of the Management Board who participated in the debates.

8. These minutes are made known, within two weeks, to members of the Association.

Article 14: Extraordinary General Meeting

The composition and operation of the Extraordinary General Meeting are identical to those provided for in Articles 9, 10, 11 and 13 hereof.

Article 15: Powers of the Extraordinary General Meeting

The Extraordinary General Meeting has the power to approve the following:

- a) Long-term liabilities: acquisition of property, guaranteed loans;
- b) Modification of the Articles and dissolution of the Association.

c) Any other fundamental and pressing matters requiring the vote of members of the Association.

CHAPTER V: THE MANAGEMENT BOARD

Article 16: Composition of the Management Board

The Management Board is responsible for administrating the Association and carrying out the decisions of the General Meetings.

The Committee is composed of:

- **Six members, elected** amongst the parents and legal guardians of students, with the exception of those who are employed by the school or the AEFÉ and their spouses or partners.
- **Three ex-officio members** in an advisory capacity: The Counselor for Cooperation and Cultural Affairs, the Head of the Consular Section and the Head of School.
- **One invited member** in an advisory capacity (ref. Art. 17).

The members elected at the General Meeting allocate themselves to the different functions of the board, at the first meeting of the Management Board:

Chairman

Vice Chairman

Treasurer

Secretary
Internal Affairs Officer
External Affairs Officer

The board must be composed of at least two French nationals and two other French speaking members.

In the absence of candidates of French nationality, the General Meeting shall elect candidates of other nationalities. In this particular case, the members shall be elected for a period of maximum one year. They will, however, be able to stand again, in the next elections.

The members elected in this case, allocate themselves to the different functions of the board, with at its head a French Chairman.

Article 17: Incompatibility

Employees of the French school Arthur Rimbaud cannot be elected to the Management Board. This also applies to members of their immediate family, spouses or partners

However, the Management Board may call teachers' representatives in an advisory capacity at some of its meetings, on the sole condition that the representatives be appointed in a transparent manner by their peers and observe the rules of confidentiality.

Article 18: Method of election of members of the Management Board

Candidates must make themselves known to the Head of School no later than one week before the election date. The list of candidates is displayed on the first business day following the closing date for submissions

1. Only one person per family member is eligible.
2. Elections shall be held if there is, at least, one candidate per vacant seat. Otherwise, the chairman shall call for candidates at the opening of the session of the Ordinary General Meeting conducting the elections. If the number of candidates is insufficient, the election shall be postponed to an Extraordinary General Meeting.
3. The candidates with the highest number of votes are declared elected. The number of votes should be at least half of the votes cast. In case of a tie between two candidates, the candidate with the largest number of children enrolled in the school shall be declared elected. Or, if this is not possible, the oldest candidate shall be declared elected.
4. The term of office as member of the Management Board is 2 years. Management Board Members may be reelected for 3 consecutive terms, or 6 years. However, an extension may be passed if not enough candidates stand for election and consequently, some positions in the Management Board remain vacant.

Article 19: Replacement of members of the Management Board

1. Between two General Assemblies, the Management Board may make a provisional replacement of its defaulting or resigning members by selecting unanimously his successor among the active members of the Association. The mandate of the newly appointed member will run until the date of the next election.

By defaulting, it means:

- a) Who has permanently left Tanzania
- b) Who has been absent without valid reasons to three consecutive Board meetings.
- c) Whose children are no longer enrolled in the French school Arthur Rimbaud.

Article 20: Charge and assignment of members of the Management Board

The office of members of the Management Board is honorary and free. Members are entitled to reimbursement of expenses incurred on behalf of the Association.

The Management Board is responsible for financial management of the school. As such, the Management Board:

- Approves and adopts the budget developed in conjunction with the Head of School.
- Determines the registration and school fees, sets payment terms and determines the deposit amount and any other fees payable by the families for all activities offered by the school.

It may be taken into account that the French government contributions are primarily intended for the education of French nationals when determining registration and tuition fees for French nationals and Non-French Nationals.

- Decides on investments, either for equipment or construction, maintenance or repair of the premises.

The Chairman and Treasurer jointly sign the employment contracts of locally recruited staff. For teachers and educative staff positions, they shall first consult the recruitment Commission of local staff (CRPL). For all other positions, recruitments are made following the recommendations of the Head of School. The vice chairman will act as proxy for the chairman, if the latter is absent and the secretary will act as proxy for treasurer, if she/he is absent.

Article 21: Specific Duties of the Management Board

1. Chairman:

The Chairman is the legal representative of the association in all acts of civil activities. She/he sets the agenda and runs the meetings. She/he sits in the recruitment Commission of local staff and the local scholarships Commission. She/he can be represented by the Vice-Chairman, in priority, or another Board Member who shall, by law, act in her/his place, in case she/he may be unable to carry her/his duties or is absent.

2. Vice-Chairman:

The Vice-chairman assists the Chairman and represents Chairman when she/he is unable to carry her/his duties. The Vice-Chairman can represent the Association and can seat in the recruitment Commission. She/he is the first member to act as interim Chairman, if the Chairman is absent for any reason. She/he can, therefore, make the required decisions in the interim.

3. Secretary:

She/he records the minutes of the Committee meetings. The secretary keeps records of members present, send the convening notice to the General Meetings and is responsible for all correspondence related to the activities of the Management Board. She/he can also represent the association, in any situation.

4. Treasurer:

He is entrusted to receive funds and to make all payments ordered on behalf of the institution. He presents the balance sheets of the previous calendar year before the general meeting of the third Term.

5. Internal Affairs officer:

She/he maintains a strong link between the Management Board, the parents and their representatives. She/he is entitled to receive any request from the parents or their representatives and to communicate them to the Management Board. The Internal Affairs officer may seat in the recruitment Commission.

6. External Affairs officer:

She/he maintains and develops the external relationships.

. She/he is in charge of the partnerships and communication with the local Authorities.

Article 22: Meetings of the Management Board

1. The Committee meets on average once a month, and whenever necessary. The meetings are convened by the Chairman or upon request of at least half of its members. The Chairman sends the agenda, and the accompanying necessary documents, at least one week before the meeting.
2. In the course of their duties, the Management Board members may invite in an advisory capacity, any person who, by her/his professional skills, can help the decision making.

Article 23: Proceedings of the Management Board

The Management Board may deliberate only when represented by a majority of its members. All decisions are taken by consensus in the first instance. In the event that no agreement is reached, a vote by the majority of the members present will be taken with the Chairman having the casting vote.

Article 24: Minutes

For each meeting of the Management Board, deliberations and decisions shall be recorded in the minutes of the meetings.

The Secretary shall prepare the minutes of the meeting, have them approved by the Board and signed by the Chairman within two weeks of the meeting.

A copy of the minutes is posted on the school boards, another copy is kept in the register of minutes of meetings, and a digital version of the report is published on the School website.

Article 25: Working Commissions

At the initiative of the Management Board, various working commissions (educational, administrative, transportation, recreation, guidance...) can be constituted with members of the Association. Chaired by an elected Management Board member appointed by the Chairman, these commissions may be permanent or Ad-hoc. They are responsible for investigating specific issues related to the development of the Association and propose solutions to the Management Board.

Invited guests may be members of the said commissions. The invited guests do not have to be members of the Association.

Article 26: Access to documents

Any member of the Association can consult the Articles of Association, the general laws governing the Association, the minutes of the General Meetings and meetings of the Management Board, during working day of the secretariat or by appointment with a member of the Management Board.

Access to other documents of the Association must be requested in writing to the Management Board who will decide what to do in reference to the laws of the United Republic of Tanzania on access to administrative documents.

CHAPTER VI: RESOURCES OF THE ASSOCIATION AND FISCAL YEARS

Article 27: Resources of the Association

The resources of the Association shall consist of:

- a) Registration and school fees paid by the parents;
- b) any subsidy granted by a ministry or a French or foreign body;
- c) any revenue authorized by the laws of Tanzania, including legacies and donations, interest on bank accounts, income from legally authorized events organized for charity;
- d) any grant of a recognized charity.

Article 28: Budget

The school budget is prepared by the Head of School. It is adopted by the Management Board and presented by the Treasurer at the Annual General Meeting of the second Term.

It consists of two parts:

1. The investment budget, itself divided into the capital budget and the equipment budget
2. The operating budget which includes all current expenditures such as wages, salaries, overhead necessary for the smooth running of the school.

The financial year shall run from January 1st to December 31st.

During the financial year an amended budget can be presented for approval at the General Meeting.

Article 29: Accounts entries and double signature

The accounts of the Association are kept in accordance with French accounting practices. Cheques issued by the Association must be signed by both the Chairman and the Treasurer.

Article 30: Approval of annual accounts

1. The accounts for implemented budget compared to the provisional budget of the calendar year are presented at the Annual General Meeting of the first Term.
2. The annual accounts (related to the budget of the previous calendar year) are submitted for approval at the Annual General Meeting scheduled of the second Term of the academic year.
3. The annual accounts and the drafts of the operating and investment budgets are communicated to the AEFÉ via the Embassy of France.

CHAPTER VII DISSOLUTION

Article 31: Definitive Closure of the school

In case of permanent closure of the French School Arthur Rimbaud, the Association is dissolved in accordance with the provisions of Article 15.

Article 32: Allocation of assets

After dissolution of the Association, buildings and equipment will be primarily assigned to another non-profit organization whose purpose is to promote the presence and Francophone culture in the country, or to the Embassy of France, except for bequeathed property, property that are subject to a mortgage or have a particular assignment.

TITLE II - THE SCHOOL

CHAPTER I: REGULATORY BODIES

Article 33: Regulatory Institutions

The Association collaborates with the following French authorities:

- a) The Ministry of Europe and Foreign Affairs
- b) The Agency for French Education Abroad (AEFE)
- c) The Ministry of National Education.

Article 34: Inspection

The Association is subject to inspections from the following French departments:

- a) The Ministry of National Education.
- b) The Ministry of Europe and Foreign Affairs
- c) The Ministry of Economy and Finance, General Treasury for missions abroad.

CHAPTER II ADMINISTRATION OF SCHOOL

Article 35: The Head of School

The school is led by the Head of School (Director) appointed by the Agency for French Education Abroad (AEFE) after consultation with the Embassy of France.

She/he is responsible for the organization and the good functioning of the institution and shall ipso jure exercise the administrative and educational duties related to her/his position.

She/he is a member of the Management Board of the institution in an advisory capacity.

She/he sets up and chairs the School Council and Primary School Council whose compositions and powers are in accordance with the provision defined by the AEFÉ. These two bodies work closely with the Management Board. In addition, the Head of School invites, in an advisory capacity, two elected Management Board Members entitled to attend the School Council meetings.

The Head of School shall prepare the draft budget of the institution on the basis of educational structures provided and submit it to the Management Board. He commits expenditure under and within budget and has a delegation on expenditure commitments for a maximum amount, adjustable by the Management Board.

She/he has authority over all academic and administrative staff employed on a full or part-time basis. The Head of School recruits resident staff upon advice from the Joint Local Advisory Committee (Commission Consultative Paritaire Locale – CCPL) which is chaired by the Counselor for Cooperation and Cultural Affairs of the French Embassy in Tanzania.

In the absence of the Head of School, the Department of Cooperation and Cultural Action of the Embassy of France will organize a replacement.

Article 36: The governing body of the school

The **Management Board** and the **School Council** are the two decision-making bodies of the School Arthur Rimbaud. The school is managed by the Management Board as defined in Chapter V of Part I hereof.

The **School Council** is the organ for consultations and decisions related to the rules and regulations of the School. It plays an essential role in the fields of education and non-academic activities of the school.

CHAPTER III: SCHOOL COUNCIL

Article 37: Composition

The composition, the functioning and competences of the School Council are defined by the AEFÉ Circular N°2001, from the 20th of September 2016 (see Appendix 2). It may be amended or updated at times.

The School Council is constituted for one year and seats until the renewal of its members. It meets at least once a Term.

Article 38: Powers of the School Council

The School Council upon proposal by the Headmaster:

- Develops and votes on school by-laws (internal regulations).

- Adopts :

The School project, while taking into account the proposals of the Primary School Council,

The School opening hours and calendar,

The Professional training plan for the school staff,

The Orientation plan for students,

- Gives its opinion (votes) on:

The Employment situation: new positions, retention or cancellation and the pedagogical evolution.

The Staff working conditions,

The School health and safety environment,

The Condition of admission for students with special needs,

The Organisation of the educational life at school,

The School trip schedule and its budget,

The Communication: the welcoming and information of the students' parents.

The Extra Curricular Activities.