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UNOFFICIAL  
translation of the  
statutes of the  
Association for  
information

Only the French  
version of the statutes  
has legal status

## **ETOILE EDUCATION**

**Local law association**

**Head office:**

19 rue Grossmatt  
**67800 HOENHEIM**

## **BYLAWS**

### **CHAPTER I**

#### **CONSTITUTION – GOAL – HEAD OFFICE – DURATION OF THE ASSOCIATION**

##### **Article 1: Constitution - Name**

An association called “ETOILE EDUCATION” is created.

This association is ruled by articles 21 to 79 of the Local Civil Code in force in Alsace and Moselle.

The association is recorded in the register of associations of the Trial Court of Schiltigheim.

##### **Article 2: Goal:**

The association aims at providing the parents who express their will with the possibility to give their children an education based on their own cultural identity, which is the basis of their future development as European citizens; at developing a high level of knowledge, both in their mother language as in foreign languages; at promoting their personal, social and intellectual blossoming, their creativity, their physical capabilities, and promoting the importance of cultural heritage and European civilization; at strengthening the spirit of tolerance, cooperation, dialogue and respect within the school community and even outside schools.

This system is designed as a complement of the existing systems, since the aim of this education is to enable young schoolchildren to study further in other countries.

This is a non-profit making association.

### **Article 3: Courses of action**

The association can take any useful measure for the fulfillment of its goal, even without this list being exhaustive:

- Publications, debates, events and other public meetings, relationships with the local, national and/or European authorities.
- Contacts with the families, teachers, schools in Alsace and elsewhere
- Work together with any body whose action is useful for the fulfilment of the goal of the association
- The lodging of administrative and legal claims
- The use of any other legal mean of expression, including billposting, leaflet distribution, press releases,...

### **Article 4: Head office:**

Its head office is located at **19 rue Grossmatt, 67800 Hoenheim.**

The head office can be changed by decision of the office.

### **Article 5: Duration**

The association is created for an unlimited duration.

## **CHAPTER II**

### **COMPOSITION AND RESOURCES**

#### **Article 6: Composition**

The association is composed of several categories of members, only some of which have the right to vote in the general assemblies, that is to say:

**Elected members:**

The elected members of the association are individual and legal entities, between others and without this list being exhaustive the founding members listed at the end of these bylaws. The membership application of other elected members is declared in accordance with Article 10.

Elected members have the right to vote in general assemblies under the conditions set in Article 15 of the bylaws.

**Active members:**

Active members are individual and legal entities who commit themselves along the founding members to operate and develop the association and who thus actively contribute to the fulfillment of the objectives. These members are between others, and without this list being exhaustive:

- The parents, tutors and other people legally responsible for a pupil ;
- The representatives of linguistic and/or cultural associations;
- The representatives of associations of parents of other people responsible for pupils;
- The representatives of legal entities contributing to the school education of children of their collaborators.

Active members have the right to vote in general assemblies under the conditions set in Article 15 of the bylaws.

**Partner members:**

Partner members are all individual or legal entities providing the association with their support.

Partner members can take part in general assemblies but do not have the right to vote.

**Members of honor:**

Members of honor are individual or legal entities who are rendering or have rendered major services to the association.

Members of honor can take part in general assemblies but do not have the right to vote.

## **Article 7 – Qualified personalities**

*The association can be advised on the topics of education and its organization by one or several people who do not belong to the association and whose professional competences are acknowledged in the educational world.*

This or these persons will be appointed by the executive committee that will set the duration and range of their mission.

## **Article 8 – Resources and fees**

The resources and assets of the association will be composed of the members' financial contributions as well as their contributions in kind or services, the incomes from its assets and own activities, especially the incomes from the members' membership fees, the incomes from publications, training activities, information campaigns and various events, donations and subsidies of any kind, as well as all resources in compliance with the goals and nature of the association.

The membership fee for each category of member is set annually by the Ordinary General Assembly.

## **Article 9 – Responsibilities of the members**

No member can be held personally responsible for commitments taken by the association. Only its assets can be involved in its commitments.

## **Article 10: Conditions of membership**

Membership applications of elected members, whether individual or legal entities, are approved by the current elected members.

Membership applications of active and partner members are approved by the executive committee upon written request. Denial of membership must be thoroughly explained. The applicant can appeal to the General Assembly within one month following the reception of this denial.

Each member commits himself to abiding by the present bylaws he is given a copy of upon his admission into the association.

The quality of member of honor is granted by the executive committee who can take it back. The membership of the members of honor become effective after written acceptance by the people concerned.

A list of members is held by the secretary of the executive committee.

### **Article 11:Membership cancellation**

Membership is cancelled by death or resignation. In case of serious breach of the goals or other statutory rules, or in case of non-payment of the membership fee, the executive committee can decide to exclude or ban a member. Before a possible exclusion or banning, the person concerned is require to provide written explanations beforehand. The person concerned can appeal to the General Assembly within one month following the reception of the banning decision.

## **CHAPTER III**

### **ADMINISTRATION AND OPERATION**

#### **Article 12: Executive committee**

The General Assembly elects within its members, for one extendable year, an executive committee composed of one president, one or several vice-presidents, one secretary and one treasurer.

The executive committee members are individual entities coming from the various categories of elected members and/or active members.

The total number of members within the executive committee is set to *four, six or eight depending on the decision taken by each ordinary General Assembly. If the total number of members is four, the executive committee will necessarily comprise two elected members (or their deputies); if the total number of members is six, the executive committee will necessarily comprise three elected members; if the total number of members is eight, the executive committee will necessarily comprise four elected members.*

In case of absence of an incumbent member, a deputy can be appointed to represent him.

The executive committee takes decisions by the majority of attending members. In case of equal number of votes, the president has a casting vote.

The executive committee can decide that any other people can take part in its meetings with a consultative vote, for example pupils appointed by the other pupils within their respective school.

According to Article 27 of the local civil code, paragraph 2, the executive committee can be removed from office by the general assembly.

### **Article 13 : Operation of the executive committee**

The executive committee meets as often as it deems necessary, following its own procedures.

It takes all necessary decisions for the direction and routine management of the association that do not fall within the General Assembly's prerogatives.

It ensures the secretary work of the executive committee and the general assembly.

As an executive body, the executive committee makes sure all legal mentions and notifications are made in the register of associations within three months. If the liabilities are too high, it must start a procedure of bankruptcy.

### **Article 14 : Functions of the executive committee members**

The executive committee is responsible for the actual management of the association in the meaning of the local civil code. It has especially the following powers.

a) The president makes sure the bylaws are abided by and the moral interests of the association are protected. He can ensure all by himself the legal representation of the association for all civil life actions. Between others he has the power to file suits in the name of the association. The president can delegate this power to other members of the executive committee.

b) The vice-president(s) replace the president should he be unavailable.

c) The secretary is in charge of all that has to do with correspondence, especially sending various notices to attend. He writes down the minutes of the meetings of the executive committee and the general assemblies and makes sure they are stored in the registers designed to that purpose.

d) The treasurer keeps the books of the association. He carries out all payments and collects all incomes under the supervision of the president. He keeps the books and an inventory. He also reports on his accounting during each annual general assembly who has to take a position on the accounting books.

In case of vacancies, the executive committee ensures temporary replacement of its members. Their final replacement is finalized during the upcoming general assembly.

## **Article 15: Common provisions on the organization of general assemblies**

General assemblies gather all members of the association who are entitled to take part in it. However, only elected members and active members have the right to vote under the conditions set below:

- elected members have *two* votes
- Active members have *one* vote.

General assemblies are called by notice to attend from the executive committee.

General assemblies also meet upon request of members totaling at least one third of the members of the association with a right to vote, whatever the number of votes they may have. In this case, the notices to attend the general assembly must be sent by the executive committee within thirty days after the drafting of the written notice. Then the assembly must gather within fifteen days following the sending of the notices.

In all cases, the notices to attend must necessarily mention the planned agenda set by the executive committee. They are sent by individual postal or electronic mail at least fifteen days prior to the meeting.

The general assembly of the members is presided by the president or, if unavailable, by the vice-president. either one can delegate his functions to another member of the executive committee. The executive committee of the assembly is that of the association.

All deliberations and resolutions of the general assemblies are written down in minutes that are recorded in the register of deliberations of the general assemblies and signed by the president and the secretary.

An attendance sheet is handed around and signed by each attending member and certified true copy by the executive committee of the assembly.

## **Article 16: Nature and powers of the general assemblies**

The association's matters that are not under the executive committee's responsibility are settled by a resolution taken in a general assembly of the members.  
General assemblies can be ordinary or extraordinary.

### **Article 17 : Ordinary general assembly**

At least once a year, the members are called in an ordinary general assembly under the conditions planned in Article 15.

The general assembly listens to the reports on the management by the executive committee, especially on the moral and financial situation of the association.

After deliberating on the various reports on the management by the executive committee, the assembly approves the accounting of the past financial year, votes on the budget of the next financial year and discusses the other questions on the agenda.

It appoints or renews the members of the executive committee under the conditions planned in the present bylaws.

According to Article 27, paragraph 2 of the local civil code, the general assembly can remove the executive committee from office.

It also approves the possible internal rules set up in application of article 22.

The resolutions of the ordinary general assembly are taken by the majority of the attending members and members represented by written proxy. Each attending member cannot hold more than *five three* [NDT: French original: “cinq trois”] proxies. Proxies can be given to members who do not belong to the same category.

Voting is done by show of hand except if at least one quarter of the attending members requires secret ballot.

### **Article 18 : Extraordinary General Assembly**

It is competent to amend the bylaws of the association, including its goals.

The conditions of calling and holding of such an assembly are those set in Article 15 of the present bylaws.

At least half of the total members of the association (attending or represented as stipulated in the previous article) plus one must attend the extraordinary general assembly.

If this ratio is not reached, the assembly is convened again but at least fifteen days later. It can then take decisions whatever the number of attending members may be.

Decisions can only be taken on the adoption or the rejection of proposals of amendments proposed by the executive committee.

In all cases, resolutions on the amendment of the bylaws of the association, including its goals, are taken by the majority of three quarters of the attending members.

Voting is done by show of hand except if at least one quarter of the attending members requires secret ballot.

The extraordinary general assembly is also entitled to decide upon the dissolution, the devolution of the assets and the liquidation of the association in compliance with the rules set in articles 15, 20 and 21 of the present bylaws.

## **CHAPTER IV**

### **ACCOUNTING**

#### **Article 19 : Book-keeping**

A daily accounting of the incomes and expenses is ensured to record all financial operations.

## **CHAPTER V**

### **DISSOLUTION OF THE ASSOCIATION**

#### **Article 20 : Dissolution**

The dissolution is decided upon by an extraordinary general assembly convened to that sole purpose.

The conditions of calling and holding of such an assembly are those set in Article 15 of the present bylaws.

The extraordinary general assembly must gather at least half of the members of the association plus one.

If this ratio is not reached, the assembly is convened again but at least fifteen days later. It can then take decisions whatever the number of attending members may be.

In any case, the decision of dissolution is taken by the majority of three quarters of the attending members.

Voting is done by show of hand except if at least one quarter of the attending members requires secret ballot.

### **Article 21 : Devolution and liquidation of the assets**

In case of dissolution, the remaining assets must be handed over to one or several associations pursuing similar goals and that will be precisely named by the extraordinary general assembly.

The members of the association shall never receive any part of the association's assets.

Besides, the extraordinary general assembly appoints one or several liquidators who are in charge of the liquidation of the association's assets and whose powers are defined by the association.

The resolutions of the present article are taken by the majority of three quarters of the attending members.

Voting is done by show of hand except if at least one quarter of the attending members requires secret ballot.

## **CHAPTER VI**

### **INTERNAL OPERATING RULES – ADOPTION OF THE BYLAWS**

#### **Article 22: Internal operating rules**

The executive committee can, if deemed necessary, draft a set of internal operating rules that will set the methods of implementation of the present bylaws.

These possible internal operating rules will then be submitted to the approval of the ordinary general assembly, as well as its subsequent amendments.

**Article 23: Adoption of the bylaws**

The present bylaws were adopted by the constitutive general assembly held in STRASBOURG, on July 26, 2004.

Leif BERG

Madelena GROSSMAN

Valerie DU JARDIN

Ana GOREY

Gudrun THRASTARDOTTIR

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