

Minutes
Annual General Assembly
19 June 2010
Protokoll der Mitgliederversammlung
 EERA Office, Arnimallee 12, 14195 Berlin

Head of the Meeting

Lejf Moos

Minutes

Angelika Wegscheider

Member Associations present and their nominated representatives /

	Member Association	Nominee
1	Association des Enseignants et Chercheurs en Sciences de l'Education (AECSE)	Brigitte Gruson
2	British Educational Research Association (BERA)	David Bridges
3	Sociedad Espanola de Pedagogia (SEP)	Gonzalo Jover
4	Finnish Association for Educational Research (FERA)	Gunilla Holm
5	Scottish Educational Research Association (SERA)	Ian Menter
6	Polskie Towarzystwo Pedagogiczne (PTP)	Joanna Michalak
7	Educational Studies Association of Ireland (ESAI)	Joe O'Hara
8	Nordic Educational Research Association (NERA)	John Krejsler
9	Swiss Society for Research in Education (SSRE)	Katharina Maag Merki
10	Turkish Educational Research Association (EAB)	Necati Cerrahoglu
11	Asociación Interuniversitaria de Investigación Pedagógica (AIDIPE)	Raquel-Amaya Martinez Gonzalez
12	Deutsche Gesellschaft für Erziehungswissenschaft (DGfE)	Rudolf Tippelt (needed to leave earlier)
13	Educational Administration Research and Development Association (EARDA)	Sakir Cincir
14	Vereniging voor Onderwijs Research (VOR)	Theo Wubbels

Further Participants

Lejf Moos, President of EERA, Ian Grosvenor, Secretary General, Marit Hoveid, Networks Representative on Council, Angelika Wegscheider, EERA Office, Daniela Preis, EERA Office, RA Roland, Lawyer.

Member Associations not participating in the meeting

Association Belge de Chercheurs en Education (ABC-Educ), Czech Educational Research Association (CERA), Estonian Academic Research Association (EAPS), Lithuanian Academic Educational Association (LERA), Österreichische Gesellschaft für Forschung und Entwicklung (OEFEB), Slovak Educational (research) Association (SERS), Società Italiana di Pedagogia (SIPED), Vlaams Forum voor Onderwijsresearch (VFO), SPCE, Portugese Education Research Association

1. Welcome

Leif Moos, president of EERA e.V., opened the meeting at 12.00 h, welcomed the audience and introduced Mr. Roland, the lawyer who assisted in redoing the constitution, and who would be prepared to explain the peculiarities of a constitution for a German Verein.

Leif Moos appointed Angelika Wegscheider to take the minutes.

2. Confirmation of adequate invitation

Leif Moos confirmed the adequate invitation and the quorum of the Annual Assembly. No objections were raised.

3. Further items for the agenda and confirmation of agenda

Theo Wubbels indicated that he wanted as item 6 on the agenda to give a short report on the auditing and suggested to have the auditor re-nominated for two years. The assembly accepted this amendment without dissentient vote.

Miscellaneous will be discussed as item 7.

4. New Membership Fees

Theo Wubbels introduced the fees structure (depending on size of membership and economic power of an associations' country), which had already been welcomed by EERA Council in January 2010. Discussions arose as to where to draw the line between small, medium and large associations and if it would be just to set the limits in the suggested way.

The Assembly concluded that the suggested structure would support small and weak associations and should therefore be accepted.

Leif Moos then asked for formal voting on the following new membership fees:

The new proposal foresees 6 steps within the fees: Small/Medium/Large Associations in Low and High GDP countries and will mean a reduction of fees in the majority of cases. However, based on the new structure no exemptions should be allowed any more. The exempt of fees period will in future only be granted to candidate countries only.

	Low GDP	High GDP
Small Association (<100)	50 Euro	200 Euro
Medium Association (100-300)	100 Euro	400 Euro
Large Association (>300)	200 Euro	800 Euro

The new fee structure was accepted with 13 votes in favour, 1 obstination and 0 rejections.

After the voting on the Membership Fees, one member association’s representative, Rudolf Tippelt, needed to leave for other commitments.

4. Discussion and Voting on new Constitution

Lejf Moos gave a review of the proposal to change the constitution, which had been sent out in English and German when members where invited to the Assembly. He thanked the member associations’ representatives for comments they had sent in before. Following a suggestion of the auditor Lejf Moos asked if the re-imbusement of expenditures of Executive Officers should be included in the constitution. The member associations welcomed this proposal.

After answering open questions raised by the members, Lejf Moos asked for formal voting on the constitutional changes as listed below:

		EERA e.V. – Request to change constitution , 19.06.2010
		It is requested to change the constitution of the association „European Educational Research Association e.V. in its current reading from 07.09.2007 as follows:
	Nr.	
1.	a.	<p>§ 4 Abs. 1 of the constitution reading as follows</p> <p>„(1) Members can be every National or Regional Educational Research Association in Europe. Natural persons cannot become member.</p> <p>A country which does not have a national association may become member as a ‘candidate country’ through a corporate person of that country that has links to educational research (i.e. University with education department). Once a NERA, SEERA or other Association for educational research of that country becomes member, membership of the corporate person representing the “candidate country” ceases. “</p> <p>Will be changed to</p> <p>„(1) Every national, regional or supra-regional corporation engaged in general</p>

		<p>educational research, if domiciled in Europe, may become a member. Individuals may not become members.</p> <p>Legal entities with reference to the general educational sciences (e.g. university with a pedagogical department) may become candidate members, if no national, regional or supra-regional corporation for general educational sciences exists in their country of domicile as yet. As soon as a national, regional or supra-regional corporation for general educational sciences of such country has joined the association, the membership of the candidate member from the country concerned shall end.“</p>
<p>1.</p>	<p>b.</p>	<p>§ 4 Abs. 2 of the constitution reading as follows:</p> <p>„(2) The Council decides about membership at its own discretion upon written application. If application is declined the Council does not need to substantiate its decision.“</p> <p>Will be changed in :</p> <p>„(2) Upon receipt of a written application the Council shall decide on the applicant’s admission at its sole discretion. In the event that the application is rejected, the Council will be under no obligation to inform the applicant about the reasons for such rejection.“</p>
<p>1.</p>	<p>c.</p>	<p>§ 4 Abs. 4 of the constitution reading as follows:</p> <p>„(4) Membership dues may be imposed. The General Assembly decides about payment date and rates. A ‘candidate country’ is exempted from the duty to pay membership dues for a period of up to four years; the full particulars are decided by the General Assembly.“</p> <p>Will be changed to:</p> <p>„(4) Membership fees may be imposed. The due date and amount of such fees shall be fixed by the Council. Candidate members shall be exempted from the obligation to pay fees for a period of up to 4 years; relevant details shall be decided upon by the Council.</p> <p>As long as a candidate member is exempted from the obligation to pay membership</p>

		fees its voting right shall be suspended.“
2.	a.	<p>The Heading of § 5 [in German]:</p> <p>„§ 5 Mitgliederversammlung“</p> <p>Will be changed to:</p> <p>„§ 5 Mitgliederversammlung („Council“)</p>
2.	b.	<p>§ 5 Abs. 1 of the constitution reading as follows:</p> <p>„(1) Ordinary General Assemblies shall meet once every year. Extraordinary General Assemblies shall meet, if the interests of the Association require it.“</p> <p>Will be changed to:</p> <p>„(1) The Council meeting, also referred to only as “Council”, shall be held up to three times a year. Additional meetings of the Council may be held if this is required in the association’s interest or requested by at least one fourth of the members.“</p>
2.	c.	<p>§ 5 Abs. 4 of the constitution reading as follows:</p> <p><i>The General Assembly may change the minutes decided upon by the Executive Council. It passes decisions with a single majority of the present voting members; abstentions count as invalid votes. It passes changes to the statutes and expulsions of members with a 2/3rd majority and decisions pertaining to dissolution and change of objectives with a 9/10th majority. Votes are casted by raising hands. If demanded by 1/3rd of the present members, votes are to made in written form.</i></p> <p>Will be changed to</p>

„(4) **Each member and each candidate member may submit to the Executive Board applications for resolutions or discussion items. The Executive will invite members and candidates no later than 6 week prior to the date of the meeting to submit their applications. The applications must be received no later than four weeks prior to the date of the meeting.**

The Council shall decide on the acceptance of applications of urgency.

The Council shall decide by a majority of the valid votes cast; abstentions shall be deemed to be invalid votes.

Resolutions concerning the expulsion of members and changes of the statutes shall require a majority of two thirds, concerning changes of the purpose of the association and the dissolution of the association a majority of nine tenth of the valid votes cost. Generally, votes shall be conducted by a show of hands; votes must be cast in writing if one third of the members present request this.

2. d. § 5 Abs. 5 of the constitution reading as follows:

The functions of the General Assembly are

- the election, release and exculpation of the Executive Council,
- the receipt of the annual report presented by the Executive Council as well as
- deciding about the annual budget,
- changes of the statutes, alterations to the Association's objectives as well as the dissolution of the Association,
- the appointment of the auditor of the association.“

Will be changed to:

The Council's tasks shall include **but not be limited to**

- election and dismissal of and grant of discharge to the whole Executive Board
- acceptance of the annual report by the Executive Board and votes concerning the association's budget
- changes of the statutes, changes of the purpose of the association and the dissolution of the association

		<ul style="list-style-type: none"> • appointment of the association’s auditor <p>The Council shall adopt all resolutions required for the achievement of its purpose.“</p>
<p>2.</p>	<p>e.</p>	<p>The new items 6, 7 and 8 will be inserted after § 5 Abs. 5</p> <p>„(6) At Council meetings the members and candidate members shall be represented by individuals whose names must be made known to the Executive Board by them. If any such individual is prevented from attending the meeting, a substitute individual shall be nominated. Each member and each candidate member shall have one vote.</p> <p>(7) The Executive Board, the editor of the European Educational Research Journal (EERJ), the representative of the network convenors and the representative of the Emerging Researcher Group shall participate in Council meetings. They shall have the right to submit applications and to speak. The Council may decide to admit additional experts having the aforementioned rights or parts thereof. The association’s Office Manager shall participate in the meeting without any right to submit applications. The individuals referred to in sentences 1 to 4 shall have no voting right.</p> <p>(8) The Council shall adopt its own rules of procedure.“</p>
<p>3.</p>	<p>a.</p>	<p>The Heading of § 6:</p> <p>„§ 6 Vorstand“</p> <p>Will be changed in:</p> <p>„§ 6 Vorstand („Executive“)</p>

3.	b.	<p>§ 6 Abs. 1 of the constitution reading as follows:</p> <p>„(1) The Association shall have an Executive Council consisting of at least the President, the Secretary-General and the Treasurer. It may have up to twenty more members. The council shall be elected for a term of three years. It shall remain in office until the election of a new Executive Council. Its re-election is permitted.“</p> <p>Will be changed to:</p> <p>„(1) The Executive Board shall consist of</p> <ul style="list-style-type: none"> • the President • the General Secretary and • the Treasurer..“
3.	c.	<p>§ 6 Absätze 2 und 3 will be deleted.</p>
3.	d.	<p>§ 6 Abs. 4 will be counted as § 6 Abs. 2.</p>
3.	e.	<p>§ 6 Abs. 5 will be deleted.</p>

3.	f.	<p>§ 6 Abs. 6 of the constitution reading as follows:</p> <p>„(6) The Executive Council deals with all businesses of the Association unless assigned to another organ. Members of the Executive Council may receive a reasonable compensation for their work.“</p> <p>Will be counted as § 6 Abs. 3 and changed to:</p> <p>„(3) The Executive Board is responsible for all affairs of the association, unless they are assigned to another body of the association by the statutes. The Executive Board shall implement the Council resolutions and submit to the Council proposals concerning the achievement of the association’s purpose. The members of the executive board are entitled to the reimbursement of costs incurred unavoidably as part of their work in office, within reasonable limits.</p>
3.	g.	<p>§ 6 Abs. 7 of the constitution reading as follows:</p> <p>„(7) Meetings of the Council may be convened at any time following the mutual notification by</p> <p>the President, Secretary or Treasurer. A quorum for any meeting will consist of at least a third of the members of the Council. The Executive Council passes decisions with a single majority of its attending members and majority of the appointed members of the Executive Council as referred to in § 26 of the German Civil Code (Vorstand). The</p> <p>Council may pass decisions by written procedure, if all its members consent to this.“</p> <p>Will be counted as § 6 Abs. 4 and will be changed to</p> <p>„(4) Executive Board meetings may be held at any time, provided that they are convened in advance jointly by the President, the General Secretary and the Treasurer. The Executive Board shall adopt its resolutions by a simple majority of the members present. The Executive Board may pass resolutions by a written procedure, if all of its members agree to this. The Executive Board shall adopt its own rules of procedure, which shall require the Council’s approval.“</p>

3. h. Items 5 to 12 will be inserted after the new § 6 Abs 4

(5) The representative of the network convenors and the Office Manager of the association shall participate in Executive Board meetings without any voting right.

(6) The Executive Board members shall be elected by the Council by separate ballots for the duration of four years. An Executive Board member shall remain in office until a successor assumes such office. A one-time re-election shall be permissible, but only for the offices of the General Secretary and the Treasurer.

(7) The election of an Executive Board member shall be conducted, at the latest, at the end of June of a year. The term of office of the elected Executive Board member shall begin on 15 September in the year following the election year. In the period between his election and the assumption of his office the elected Executive Board member shall participate in Executive Board meetings without a voting right. Sentence 3 does not apply in cases where an Executive Board member is re-elected.

(8) The terms of office for the Executive Board members to be elected for the first time according to paragraph 7 shall begin for

- the General Secretary on 15.09.2012
- the Treasurer on 15.09.2013
- the President on 15.09.2014.

Until then the transitional arrangements described in § 10 shall apply.

(9) Each member shall have the right to propose a person to be elected as the respective Executive Board member. The person proposed must belong to a member organisation. The elected person shall not be entitled to represent the member organisation to which such person belongs after being elected and during the term of office. More detailed provisions shall be fixed by the Council in its rules of procedure.

(10) If an Executive Board member resigns earlier during the term of his office, the Executive Board shall consist of the remaining Executive Board members until a successor is elected. A successor may only be elected for the duration of the residual term of office of the resigned Executive Board member.

	<p>(11) An Executive Board member may only be voted out of office during the term of office by the election of a new Executive Board member for the duration of the residual term of office of the Executive Board member voted out. Sentence 1 shall analogously apply to elected Executive Board members in the period between the election and the assumption of office.</p> <p>In the event that the General Secretary or the Treasurer are accused of offences so grave that the association can no longer be reasonably expected to keep the accused in office, the President may provisionally prohibit the accused from further discharging of his office. A resolution to vote the Executive Board member concerned out of office may only be passed by the Council.</p> <p>(12) If an elected Executive Board member waives assuming his office in advance or if an elected Executive Board member fails to assume his office, a successor for the duration of the future or residual term of office shall be elected at the next Council meeting.</p>
<p>4.</p>	<p>§ 7 of the constitution reading as follows:</p> <p><i>The Executive Council may appoint Ad hoc Committees and Working Groups for special tasks. The General Assembly may enact by-laws governing the Ad hoc Committees and Working Groups.</i></p> <p>Will be changed in:</p> <p>„The Council may set up ad hoc committees and working groups for the fulfilment of certain specific tasks. The Council may adopt rules of procedure for such ad hoc committees and working groups.“</p>
<p>5.</p>	<p>A new paragraph 10 will be inserted after § 9:</p> <p>§ 10 Transitional Provisions</p>

(1) The terms of office of the Executive Board members holding such office when the Council adopts the amended statutes on 19 June 2010 are extended as follows:

- for the President until 14.09.2014,
- for the Treasurer until 14.09.2013,
- for the General Secretary until 14.09.2012.

(2) The first election of successors according to § 6, paragraphs 6 and 7, shall be held

- for the President no later than end of June 2013,
- for the Treasurer no later than end of June 2012,
- for the General Secretary no later than end of June 2011.

(3) The terms of office of any remaining Executive Board members who do not fall within the category of executives defined by sec. 26 BGB and hold such office on the date when the Council adopts the amended statutes on 19 June 2010 shall expire as soon as the amended statutes have become effective.

(4) § 6, paragraphs 10 to 12, shall analogously apply during the extended terms of office pursuant to paragraph 1.

The constitution was unanimously accepted with 13 votes.

b.) Additional Resolutions

In order to facilitate processes with the German court Lejf Moss suggested that

“The Assembly empowers the members of the Executive Board to change and amend the statutes so as to meet the conditions imposed by the register court as a prerequisite for entering the amended statutes adopted on 19 June 2010 in the register of associations, except for amendments relating to the provisions concerning the purpose of the association, concerning the majorities required for elections and resolutions and concerning the accrual of the association’s assets upon its dissolution.”

The AGA unanimously agreed with 13 votes.

Um die anstehenden Abläufe mit dem Registergericht zu vereinfachen, schlägt Leif Moos vor, folgenden

Additionally Leif Moos suggested to resolve that

“By their amendment of the statutes resolved on 19 June 2010 the members extended the terms of office

- of the officiating President, Mr. Leif Moos, until 14.09.2014
- of the officiating Treasurer, Mr. Theo Wubbels, until 14.09.2013 and
- of the officiating General Secretary, Mr. Ian Grosvenor, until 14.09.2012.”

The resolution was accepted unanimously with 13 votes.

6 Short report on Audit and re-election of auditor

Theo Wubbels briefly reported on his meeting with the auditor the day before the AGA and informed council that the auditor had found all book keeping procedures in good order. A formal report would follow in the next Assembly.

Following EERA regulations the Annual Assembly needs to nominate the Auditor and Theo Wubbels suggested to re-nominate Mr. Vollmer for the 2010 and 2011.

The assembly unanimously agreed to appoint Andreas Vollmer as auditor for the years 2010 and 2011.

7 Miscellaneous

No issues were raised

Leif Moos thanked the assembly and closed it at 14.00 h

Signatures

Leif Moos

Angelika Wegscheider