

Bylaws for the activities of the Class Parents' Representatives of the Primary School and Secondary School (Gymnasium) and the School Parents' Council of Phorms Campus Hamburg

Valid from 1st August 2023

A. Preamble

As an independent school, the Phorms Campus Hamburg, in accordance with the Hamburg Private School Act¹ Section 4, Paragraph 2, issues these statutes, which regulate the aims, collaboration, and the organisational structure of the parents' representation.

The representation of the parents' interests – as well as those of the students – is not only derived from the provisions of the school law applicable to the Phorms Campus Hamburg; the importance of the work of the participative bodies is in line with the Phorms mission statement:

Our vision

We make a valuable contribution to a better world through education. We combine our strengths and use them to educate future generations to become responsible, open-minded people who strengthen global togetherness through their unique individuality.

Our 7 guiding principles

Our vision describes the future we are working towards.

These seven guiding principles are the basis for our actions and should guide us through life at school.

1 Quality and responsibility

We know our responsibility. Through our competence, and with enthusiasm, we work to uphold our quality standards every day.

2. With joy to good performance

We encourage good performance. We enable our students' learning and combine the joy of learning with a sense of achievement.

3. Care and attention

We give our children and young people the attention they need, and we support them with attentiveness and care.

4. Respect and tolerance

We promote respectful and tolerant cooperation. Through our interculturalism and bilingual community, we create an open environment.

5. Freedom for creativity

We create space for creativity. By supporting the implementation of students' own ideas, each individual can contribute and develop.

¹ Reference (in German) Hamburgisches Gesetz über Schulen in freier Trägerschaft (HmbSfTG) in der Fassung vom 21. September 2004, § 4 Geltung sonstiger schulrechtlicher Vorschriften: <https://www.landesrecht-hamburg.de/bsha/document/jlr-FrTrSchulGHA2004V1P4>

6. Growth through flexibility

We continue to grow by remaining flexible. Through a dynamic system, we can adapt to changes and thus keep our innovation potential high.

7. Community through togetherness

We are a community. Through attentive cooperation and mutual support, each individual will feel welcome with us.

B. Aims

B.1.1 The cooperation between the school and the parents' interest group shall take place with the aim of:

- (1) supporting parents' and guardians' understanding of questions concerning school life and teaching, as well as to advise in matters of education and upbringing;
- (2) strengthening the cooperation between school and parents in educational matters in order to be able to fulfil the educational mandate together; and
- (3) enabling the active participation of parents in the extracurricular area of school life.

B.1.2 The school management and, if applicable, the commercial management, will inform the parents' representatives and the Parents' Council of relevant school matters, they will support their work and provide all relevant information, as far as operationally possible. Class parent representatives and Parents' Council members are obliged to comply with data protection regulations. The obligation of confidentiality remains in force even after the end of the mandate.

B.1.3 In their work, the class parent representatives and the Parents' Council will not interfere with the authority of the school's management at head office, the commercial management, school leadership, the teaching staff, and/or the auxiliary staff. The Parents' Council does not see itself as a supervisory or complaint body. Direct interference in the teaching process by intervening in the organisation of lessons and in the decisions of the school management is not possible.

B.1.4 Parent representatives and the Parents' Council are not authorised to address third parties in the name of the school, neither internally nor externally (authorities etc.), nor are they authorised to act in the name of the company.

B.1.5 Parent representatives and members of the Parents' Council can be voted out of office if they intentionally or negligently violate the duty of confidentiality, intentionally and demonstrably act against the common goals of cooperation, and/or the relationship of trust is significantly damaged (for example, through behaviour that damages the organisation's reputation). Furthermore, the office shall be terminated prematurely in the event of violations of provisions of school law in the exercise of the mandate.

C. Election and Mandate

C.1. Class parent representatives

C.1.1. All parents or legal guardians who have an existing school contract with Phorms Hamburg gGmbH and are not themselves employed by the Phorms Campus have the right to vote and stand for election, provided they also have custody of their child/children.

C.1.2. The right to vote must be exercised in person and requires personal presence at the election. The school administration may only convene and conduct an online event, and hold online elections, under special circumstances: namely if a force majeure event, and the corresponding legal provisions and regulations, make it impossible for all participants to attend in person.

C.1.3. At the beginning of each school year, no later than six weeks after the start of lessons, and for the duration of the respective school year, the persons entitled to vote according to C.1.1. shall elect by a simple majority of the valid votes cast:

- two class parent representatives; and
- two substitutes.

In classes with less than 15 students, the election of only one class parent representative and one substitute is both possible and permissible.

The election shall be conducted and recorded by the class teacher. The class teacher also records the parents' consent to exchange contact details with the elected representatives and forwards the confidentiality declarations signed by the elected representatives to the school office within 48 hours of the election of the parent representatives.

C.1.4. Only the number of votes to be cast for representatives and substitutes may be cast for each child in the class. In the case of siblings in the same class, the number of available votes does not increase, this also applies if a second parent or guardian is present.

Each eligible voter can only be a class parent representative or a substitute in one class per school year. If the election as class parent representative is accepted in one class, it is not possible to be accepted as a substitute in another class and vice versa.

C.1.5. The elected representatives shall remain in office on a provisional basis in the following school year until a new election is held, provided that the requirements listed in C.1.1 are fulfilled.

C.1.6. If one of the class parent representatives resigns or is voted out of office during the year, his/her representative shall continue in office until a by-election has been held at a parents' meeting (class parents' evening) in accordance with C.1.3. The by-election can be omitted if it is not explicitly requested.

C.1.7. The voting-out of a class parent representative requires a motion by at least a quarter of the class parents or by the school management. The voting-out shall take place by a simple majority of the class parents present who are entitled to vote.

C.2. Parents' Council

C.2.1. All elected class parent representatives (or their substitutes) have the right to vote and to stand for election, provided that the requirements listed in C.1.1. are fulfilled. The right to vote must be exercised in person and requires personal presence at the election. The school management can only convene and conduct an online event and online elections under special circumstances, namely if a force majeure event or legal provisions and regulations make an in-person event impossible for all participants.

C.2.2. Each school year, the persons entitled to vote according to C.2.1. shall elect a Parents' Council at an election meeting called for this purpose (election of class parent representatives) by a simple majority of the votes cast at the beginning of each school year.

Each eligible voter has as many votes as there are new Parents' Council members to be elected; vote accumulation is not allowed. Candidates standing for election to the Parents' Council do not lose their right to vote.

The election is called and chaired by the school management (or their appointed deputy).

C.2.3. The Parents' Council consists of 9 persons (11 including the two deputies):

- 9 persons who are elected for two years; and
- 2 persons, one each for the primary school and secondary school, who act as substitutes and only remain in office for one year.

Prior to these elections, the electoral assembly shall decide on the quota to be applied which, based on the total number of classes in each, adequately reflects the quantitative significance of the primary school and secondary school among the 9 members elected for two years.

C.2.4. The Parents' Council thus elected shall remain in office on a provisional basis in the following school year until a new Parents' Council is elected, provided that the stipulations listed in C.1.1. are fulfilled. All members of the Parents' Council are to sign the necessary confidentiality agreement.

C.2.5. The Parents' Council has a quorum if an absolute majority of all members is present, if necessary with the substitution of the corresponding representatives (of the two members/representatives elected for one year), ie. if at least 5 members are present.

The Parents' Council shall take its decisions by mutual agreement or – upon request – by secret ballot. Resolutions are passed by a simple majority of those present. The 9 members elected for two years, or alternatively the substitutes elected for one year, are entitled to vote.

C.2.6. The Parents' Council elects from among its members the following:

- Chairperson of the Parents' Council;
- Deputy Chairperson of the Parents' Council;
- Secretary, who is responsible for ensuring that minutes of all meetings are properly recorded in accordance with D.2.5. (below); and
- Treasurer, who is responsible for the proper keeping of a cash book (checking and filing of commercially correct receipts, cash audit, and cash report at the end of each school year).

C.2.7. 7 If **up to two** members of the Parents' Council (of the 9 members elected for two years) leave the body during the year, the body, together with the school management, decides whether either the substitutes should take over as member(s) or whether a new election meeting should be convened in accordance with point C.2.1. (above). The remaining members of the committee have the right of consultation with the head teacher(s). The authority to decide on the calling of new elections and to conduct them rests with the school management. As a matter of principle and whenever possible, the succession procedure is to be preferred over new elections.

If **four or more** members of the Parents' Council resign during the year, the Parents' Council shall be deemed dissolved and new elections will be called by the school management.

If one or both of the representatives elected for one year leave the Parents' Council during the year, the Parents' Council shall consult with the school management on how to proceed regarding possible replacement options.

C.2.8. If a member of the Parents' Council loses his/her office as class parent representative according to B.1.7. or C.1.5, he/she will also leave the Parents' Council with immediate effect.

D. Collaboration

D.1. Class Parent Representatives

D.1.1. Class parents' evenings take place at least once per school year. If necessary, and upon written request to the class teacher by at least one third of the respective class parents, or on the part of the school management (always stating the matter to be discussed), class parents' evenings can be convened (in writing) by the class teacher with a lead time of one week. The class teachers are present at all meetings of the class parents.

D.1.3. In accordance with the principle that problems should be solved at the level at which they arise and by those who are affected, the subject teachers and parents/guardians of the respective class work together in the first instance at the class parents' meetings.

D.1.4. The relevant member(s) of the school management may be called in/invited at special request. They may always participate in class parent meetings. The school administrators are to be informed by the class teachers about scheduled class parent meetings.

D.2. Parents' Council

D.2.1. After it has been constituted, the Parents' Council meets with the school management at least four times per school year. It has a quorum of at least 5 of the 9 members elected for two years, or alternatively the representatives are present. Resolutions require a simple majority of votes. The 9 members elected for two years, or alternatively the 2 representatives elected for one year each, are entitled to vote (see C.2.5.).

D.2.2. The convening, preparation and setting of the agenda of the Parent Council meetings – taking the premise of the general relevance of the topics into account – is the responsibility of the Chairperson, who may use the facilities of the school for this purpose. A meeting of the Parents' Council shall be convened with at least one week's notice, giving written notice of the agenda. The school management shall be informed of all meeting dates.

D.2.3. In accordance with the principle stated in D.1.3 that problems should be solved at the level at which they arise and by those who are affected, at the Parents' Council level it is primarily the Parents' Council as a whole which works with the school managements. This work can be supplemented by topic-specific working groups of elected class parent representatives (special committees).

D.2.4. The school management informs the Parents' Council regularly and promptly about important organisational and pedagogical innovations and changes, about the organisation of school celebrations and events, as well as about school trips and class outings.

D.2.4. The school management, the commercial management of the campus, the chairperson of the school's Friends' Association or other experts within the school community may be invited to meetings of the Parents' Council, but are not obliged to attend. If they are unable to accept the invitation, their interests will be adequately represented by the school management.

D.2.5. The minutes of the meetings of the Parents' Council shall be made available to the school management within three weeks (if necessary also to the commercial manager and the management at head office). Meetings of the Parents' Council are not public, ie. the contents of the meeting, insofar as they are of a confidential nature, may not be made public. If necessary, separate minutes of the confidential and non-confidential content of each meeting must be taken and signed by the Chairperson, the Deputy Chairperson, and the Secretary.

Both sections of the minutes are to be made accessible to the school management, the commercial manager, the management at head office, and to all members of the Parents' Council at all times. The non-confidential part of the minutes shall be accessible to the class parent representatives at all times.

D.2.6. The Parents' Council shall also inform the parents at regular intervals (at least once per school term) about the general results of its work.

E. Validity

E.1. These statutes replace the previously valid statutes of 26 June 2019 and come into force on 1 August 2023; they remain in effect until revoked by the head office management or the school management team appointed by them.

E.2. Resolutions passed by the elected parents' representatives shall not be binding on the school and management of the Phorms Campus Hamburg.