

Constitution FEAPDA

FEAPDA was founded in 1969 in Brussels (Belgium). The first constitution was adopted and published in the same year in Brussels. In 1979, the FEAPDA headquarters were transferred to Luxembourg. The constitution was defined on 25th October 1979 in Luxembourg, registered in Luxembourg on 14th December 1979, vol. 332, fol. 61, case 9 and deposited at the registrar of the Luxembourg District Court in Luxembourg on 19th December 1979. The constitution has been modified subsequently in 1992, in 2007 and in 2015.

The FEAPDA Council resolved on 27th September 2019 to reform the constitution.

Article 1 . – Name, duration and headquarters

1.1. The European Federation of Associations of Teachers of the Deaf, a non-profit-making organisation, is a group of organisations and professional institutions acting in the educational field of deaf and hard of hearing children and young people.

Hereafter the federation will be called « FEAPDA ».

1.2. FEAPDA is founded for an unlimited period.

1.3. FEAPDA's headquarters shall be in Luxembourg, L-1483 Strassen, 4, place Thomas Edison.

Article 2 . – Objects

The objects for which FEAPDA is established are:

- a) to promote the study of the education of deaf and hard of hearing children and young people;
- b) to co-ordinate to that end the efforts made by the members;
- c) to represent outside the FEAPDA the educational needs and interests of deaf and hard of hearing children and young people;
- d) to contribute towards the formulation of public opinion concerning the educational needs of deaf and hard of hearing children and young people.

Article 3 . – Admission, termination of membership and exclusion

3.1. Membership of FEAPDA is open to Organisations, Institutions, Federations and Associations involved in the academic education and broader development of deaf and hard of hearing children and young people (including schools and centres of excellence and supporting networks for deaf education or working in related fields including universities and higher education institutions). The Organisations, Institutions, Federations and Associations in question will henceforth be designated as 'organisations.' The minimum number of organisations shall be 3.

The Council mentioned in article 10 of this constitution shall decide on the admission of new member organisations.

3.2. All members of an affiliated organisation are automatically affiliated unless the Council decides otherwise.

Applications for membership shall be submitted to the President who will forward them to the Council.

3.3. The Council can only decide on an affiliation request if at least half of the members are present or represented. This decision is made by simple majority and is final.

3.4. Each member organisation accepts the Constitution of the Federation by paying the membership fee.

The length of membership is unlimited and may continue for as long as the annual subscription fee as determined in article 9 of the current constitution is paid.

Article 4 . – Termination of membership and exclusion

4.1. Membership shall be terminated:

- a) by submitting a letter of resignation to the Council;
- b) by the dissolution of an affiliated organisation
- c) by exclusion determined by the majority of the two-thirds of the Council;
- d) in case of non-payment of the annual subscription within twenty-seven months of payment being requested and at the discretion of the Council.

4.2. Any member can leave FEAPDA by sending a letter of resignation to the Committee.

4.3. The Council can only expel a member if at least half of the members are present and there is a two-thirds majority.

Decisions of the Council concerning the expulsion of an organisation are final and not subject to appeal.

4.4. Any organisation which has failed to pay their due subscription within 27 months is deemed to have resigned.

4.5. Expelled organisations and those who have resigned can only be readmitted on request.

It is the Council's responsibility to rule on any request for reaffiliation in accordance with the conditions stated in article 3.1 of the constitution.

Article 5 . - Consequences of resignation or expulsion

5.1. Organisations which have resigned or been expelled have no rights over the funds and assets of FEAPDA and lose all other rights acquired whilst members of FEAPDA.

5.2. Organisations which have resigned or been expelled cannot demand either extracts from the accounts, inventory, the application of seals or the liquidation of FEAPDA.

5.3. Organisations which have resigned or been expelled cannot claim the reimbursement of subscriptions they have paid.

Article 6 . - Congress

6.1. A congress shall usually be organised once every two years.

6.2. The theme of the Congress shall be announced at least one year in advance.

6.3. Congress reports shall be published for the information of the Council to inform future planning.

Article 7 . – Responsibilities

7.1. Decisions taken by the FEAPDA Council will be communicated to members through agreed processes.

7.2. Affiliated organisations will use their own communication processes to share information from FEAPDA.

The organisation will:

- provide FEAPDA with the number of members of FEAPDA at that institution on 1st January each year.
- pay an annual subscription (30th September).
- include a link to the FEAPDA website on its website.
- provide information in English, the language of the association, wherever possible.
- undertake to disseminate news and information about FEAPDA to their members and more widely in their country.

Article 8 . – relationships between FEAPDA members

8.1. Having affiliated, organisations undertake to act in the overall interests of FEAPDA, to respect and promote FEAPDA's objects as defined in article 2 of this constitution and to respect the requirements of the statutes.

8.2. All affiliated organisations must declare their affiliation in their documentation and publications.

8.3. Furthermore, they undertake to respect the policies and positions of affiliated organisations and do not attack their adopted positions.

Article 9 . - Subscriptions

9.1. In order to defray its expenses FEAPDA requires an annual subscription which must not be more than 25 Euro per professional member of the affiliated organisation. Subsequent to this, the annual total of the subscription is fixed by the Council.

9.2. Affiliated organisations must pay the subscription rate according to the stipulations of article 7.2. and article 9.1 of the current constitution.

Article 10 . -The structure of FEAPDA

FEAPDA shall operate through the following structure:

1. the Council (of Administration),

2. the (Executive) Committee.

Article 11 . – The Council – its remit and composition

11.1. The Council is the decision-making body of FEAPDA. The management of the Federation shall be vested solely in the Council.

The Council shall be vested with full powers regarding:

- a) the establishment, alteration and repeal of rules of procedure;
- b) election or exclusion of members of the Committee;
- c) decisions concerning the admission of members and the expulsion of members;
- d) decisions concerning changes to the Constitution;
- e) control of the activities of the Committee;
- f) examination and approval of the budget;
- g) arranging an official audit of the accounts;
- h) acceptance and approval of the audited statement of accounts;
- i) confirmation of the actions of the Committee;
- j) decisions concerning the annual subscription; this should not exceed 25 Euro per member in the member-organisation;
- k) decisions concerning the location and the theme of the Congress; operational decisions are delegated to the organisers;
- l) decisions concerning the dissolution of FEAPDA and the method of liquidation.

11.2. The Council must take decisions in relation to the following:

- the composition of the Committee;
- the approval of the budget and accounts.

11.3. The Council will be representative of all the countries where organisations are members of FEAPDA. Each country is entitled to 2 representatives, so-called delegates. Council members will be chosen by the member organisations in that country. A third delegate shall be allowed when the membership exceeds 500 FEAPDA members.

11.4. The delegates shall normally be elected for a period of four years. They shall be eligible for re-election.

Article 12 . - Council Functions

12.1. The Council shall meet at least once a year. The meeting shall be called by the President, giving written notice, stating date, place and agenda.

12.2. Every proposal signed by at least one twentieth of the Council members should be on the agenda.

12.3. Upon receipt of a written request from at least one fifth of the Member Associations, a special meeting shall be called by the President in the same way, within a period of three months.

12.4. The Council shall be presided over by the President or, in his/her absence, by a member of the Committee.

12.5. The official language shall be English.

12.6. The Council shall be empowered to make decisions if at least half of the Council Members are represented. All decisions shall be made by a simple majority.

12.7. Normally voting will be by show of hands, unless a secret ballot is demanded.

12.8. Each represented country has two votes. If there is more than one delegate of one country, they must decide at the beginning of the meeting, who or how they will use their electoral rights and to communicate their decision to the Committee.

12.9. An absent country may assign in writing its proxy votes to another Member country.

12.10. No country shall represent more than two other Member countries by proxy.

12.11. In the case of amendments to or alterations to the Constitution or liquidation of the Federation, voting will be conducted according to the rules laid down in Article 18.

12.12. If necessary, each Council member can be represented by a substitute member from the respective country.

Article 13 . – The Committee, its attributions et its composition

13.1. The Committee under the control of the Council shall be responsible for:

- a) day to day running of the organisation;
- b) carrying out the decisions of the Council;
- c) the management of FEAPDA;
- d) the preparation of the budget;
- e) representing FEAPDA in negotiations with other bodies.

13.2. The Committee shall normally consist of 4 members:

- a) the President
- b) the Vice-President
- c) the Secretary
- d) the Treasurer

13.3. The Committee can co-opt members who do not have to be members of an affiliated organisation nor elected, who have the skills to:

- contribute in specific areas;
- represent FEAPDA on committees, commissions or any other meetings in which FEAPDA participates.

These co-opted members will undertake such representation in accordance with agreed FEAPDA policies laid down by the Committee.

13.4. The Committee may delegate the daily management.

13.5. Both the President and the Secretary can delegate their powers to one of the members of the Committee.

13.6. The expenses of members of the Committee and any person co-opted onto the Committee incurred in performing FEAPDA business shall be paid from the Federation funds.

13.7. The President represents FEAPDA and chairs by right all meetings of the different parts of FEADPA's structure. In case of absence s/he is replaced by the Vice-President.

13.8. The Secretary's role entails the drawing up of documentation, dealing with correspondence, overseeing the action plan and dealing with the media.

13.9. The Treasurer's role is to maintain accounts of the expenditure of funds following the processes agreed by the Council.

13.10. After each accounting exercise the Treasurer will present the accounts and balance sheet to the reviewer for verification and to the Council for approval.

Article 14 . - The functions of the Committee

14.1. The Committee will meet at least twice a year.

14.2. The invitation, agenda and the minutes of the previous Committee meeting are sent to all the members of the Committee by the route agreed by the Secretary along with the President at least five days before the proposed date of the meeting.

14.3. Any member of the Committee can resign by sending a letter to the Committee who will pass it on to the Council.

In the event of a resignation or the death of a Committee member the Council will arrange new internal elections according to article 15 of the current constitution. In this case, the newly elected member will complete the term of office of the member being replaced. The responsibilities of the Committee members can be reallocated according to the decision of the Committee.

Article 15 . - Committee and Council

15.1. The Committee shall be composed of individual persons elected from within and by the Council.

15.2. Such elections may be made by show of hands unless a secret ballot is demanded by a delegate.

15.3. In case of a tie, the retiring President has the casting vote.

15.4. The members of the Committee shall be elected for a period of four years. They shall be eligible for re-election.

Article 16 . - Signatures

Documents and correspondence related to all aspects of FEAPDA must be signed by both the President and the Secretary or, in their absence, by two members of the Committee.

Article 17 . - Amendments to the Constitution

17.1. Amendments to the Constitution and their publication shall be conducted according to the dispositions required by the modified law of 21 April 1928 on non-profit-making associations and foundations.

17.2. Amendments to the Constitution shall be decided by a meeting of the Council specifically convoked for this purpose. An official convocation including all suggested amendments shall be sent to all member associations 2 weeks in advance.

17.3. Amendments to the Constitution or dissolution of the Federation shall be decided upon by a two-thirds majority vote of the Council providing at least two-thirds of the members of the Council are present. Abstentions are not considered.

Unless two-thirds of the members are present, a new meeting shall be held within three months. The Council shall then be empowered to make decisions, irrespective of the number of members present, but, in that case, the decision must be referred to a civil court for confirmation.

17.4. Amendments to the Constitution shall become operative only after their publication in the annexes of the Luxembourgian official documents on the actual date and month.

17.5. All members shall be informed of any amendments to the Constitution.

Article 18 . – Dissolution of FEAPDA

18.1. The dissolution of FEAPDA and its publication shall be conducted according to the conditions required for amendments to the Constitution.

18.2. If FEAPDA dissolves, its funds will be distributed to charity that supports objects of FEAPDA.

Article 19 . – Other regulations

19.1. Any regulation not foreseen in this Constitution shall be made according to Luxembourgian Laws and especially the modified law of 21 April 1928 concerning non-profit-making organisations and foundations.

19.2. The French version of the Constitution shall have legal force for the signatories.

19.3. The FEAPDA Constitution, published in the « Mémorial RECEUIL DES SOCIETES ET ASSOCIATIONS », under Number /532/79 in 1979 is annulled.

Article 20 . – Member organisations

The 9th January 2020, FEAPDA is composed of the following organisations:

- Belgium: CORA, Flamish association of audiopedagogues.
- Germany: BDH, Berufsverband Deutscher Hörgeschädigtenpädagogen
- Estonia: KLÖPS, Kuulmispuudega Laste Õpetajate Selts
- Switzerland: AUDIKO Konferenz der Leitenden von Zentren für Hörbeeinträchtigte und von Audiopädagogischen Diensten
- Luxembourg: Professeurs d'enseignement logopédique du Luxembourg
- North Macedonia: DUCOR "Partenija Zografski"- Skopje
- Netherlands: Simea, Dutch association of teachers of the deaf
- Slovenia: DD, Slovenian association of teachers of the deaf
- United Kingdom: BATOD, British Association of Teachers of the Deaf