



Leonardo da Vinci

PL/05/B/F/PP/174021  
European Bank for the Development of Modular Curricula  
and Educational Technologies EMCET-2

## Constitution of ModENet

### Preamble

ModENet Modular Education Network was created in 2007 by the following organizations working together as partners in the project EMCET 2<sup>1</sup> (European Bank for Development of Modular Curricula and Educational Technologies which is funded by the European Commission in the framework of Leonardo da Vinci programme (No. PL/2005/B/P/PP/174021) which is continuation of the project EMCET de Bank:

- Institute for Sustainable Technologies – National Research Institute (Poland)
- Cambridge Professional Development Ltd (United Kingdom)
- Training 2000 (Italy)
- Hellenic Regional Development Centre HRDC (Greece)
- National Institute of Vocational and Adult Education (Hungary)
- Institute of Educational Research Tallinn University (Estonia)
- GET German Education and Training GmbH (Germany)
- National Institute for Vocational Education and Training (Slovenia)
- Valladolid University General Foundation (Spain)
- The Resource and Initiative Unit for International Co-operation, CR2i The Centre for International Educational Programs (France)
- Foundation ECAP (Switzerland)

ModENet is a voluntary, self-governing, globally orientated, apolitical and neutral association of its members. The name of the network '**ModENet**' **Modular Education Network** was selected by a majority vote of the partners. Where these articles refer to 'the Network ', the reference is to ModENet.

### Article 1: Vision

ModENet: is intended to become a self-sustaining community of modular Further Education (FE) and Vocational Education & Training (VET) enthusiasts and providers across Europe and the rest of the world, known throughout the FE and VET community as the first source of expertise on modular FE and VET, with active participating members.

### Article 2: Mission

ModENet enables individuals within organizations to develop and share best practices and modules, enhancing their capability and developing career oriented life-long education.

### Article 3: Governing Body

ModENet and the associated EMCET databank will be governed by a single Governing Body. Initially, the members of the Governing Body are limited to 11 and will represent the EMCET

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<sup>1</sup> EMCET 2 project is the continuation of the Leonardo-funded project "European Bank for the Development of Modular Curricula and Educational Technologies - EMCET de Bank" pilot project (PL/00/B/F/PP/140179) This initial project created the databank for modular education and training which is being updated in EMCET 2 project and referred to as EMCET databank.



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2 partners (either themselves or their appointed nominee). The Governing Body will elect an honorary chairperson, secretary and treasurer from amongst themselves, for a period of maximum two years, by a majority secret vote. The activity of Governing Body is based on voluntary work of members. Governing Body can employ people or organizations to realise its tasks. Governing Body can use stamps and logos of ModENet and EMCET.

The aim of Governing Body is to manage EMCET database and activities of ModENet in periods between general meetings of its members, in particular:

- To represent ModENet outside and to manage on behalf of the Network
- To realize resolutions of general meeting of members
- To agree strategies, plans and budgets
- To set a membership fee
- To set up special sub-committees
- To consider any appeals concerning membership
- To approve annual budgets and statements of accounts by the treasurer
- To receive annual report of ModENet activity

### Article 4 Meeting of Governing Body

1. The Governing Body will hold a meeting at least once a year, and the meeting may be held in different countries which are represented in the Governing Body. Where it is possible, a virtual meeting can be arranged.
2. At least two-thirds of the participating members of Governing Body must be present at the annual meeting in order to validate decisions of annual general meeting of members.
3. A member is permitted to appoint in writing another member as proxy for the purpose of participating in a vote.
4. Every member is entitled to one vote. Unless the contrary is stated elsewhere, resolutions will be passed when the number of votes in favour of the resolution exceeds the number of votes against the resolution. In the event the votes are tied, a second vote will be held after the possibility for further discussion within the meeting. If the votes are again tied after a second vote, the chairperson will have the power to decide the matter.

### Article 5 Election of the new members to the Governing Body

The secretary will invite new members for the ModENet Governing Body by election from its current pool of members. At the end of any year, any Governing Body members who wish to retire should make it known at least 10 weeks in advance of the meeting of Governing Body. In case no more than five members volunteer to retire, then secretary will select five members by a random process. Members of Governing Body can continue for two years before standing for a re-election. This should ensure that half of the members of Governing Body are re-elected annually. Nominations from the existing members will be invited approximately two months prior to the annual meeting of the Governing Body. Candidates who receive a simple majority vote from the membership will be declared successful and they will hold office for a maximum period of two years. Newly elected Network Board members will receive written notification from the Governing Body.

### Article 6 Annual Reports to the Membership

The chairperson and treasurer will present once a year the year's reports to the membership by publishing it on the Network's website. The year's reports will consist of:



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1. An annual report by chairperson
2. A financial report of the preceding financial year and the budget for the following year
3. An annual Report about the database by administrator of database
4. The programme of future activities
5. Any proposals regarding membership subscriptions

### **Article 7: Headquarter and Place of Business**

The Head Office of the Network is based at ITeE, Radom in Poland. A representative of ITeE will also function as chairperson at meetings in the first instance. The members of the Governing Body are authorized to transfer the registered office to any other place by a vote of simple majority. The technical support for the Network and database will be carried out by the IT department of ITeE Poland. A network coordinator will be based in the office of CamProf UK for moderating network activities.

### **Article 8: Life of the Network**

The Network is established for an indefinite period of time, commencing on the day of adopting of this document by all partners in the EU Leonardo Project EMCET 2.

### **Article 9: Scope of the Network**

In the beginning, ModENet will start its operation in the EMCET 2 partnership countries with the vision of expansion to other EU and non-EU countries. The EMCET databank is limited to FE and VET training modules, below the level of Higher Degree (EQF levels 2 to 5).

### **Article 10: Scope of Activities**

ModENet encourages contacts between modular training providers and other enthusiasts in the area of vocational and further education including (but not limited to) researchers, university departments, individuals with interest in VET.

The Network aims at (including but not limited to):

a - Enabling and encouraging the membership of organizations, universities, training providers, staff members and students (including administrative and related personnel) to join the Network.

- Promoting Modular FE and VET in the partner countries and beyond
- Providing the EMCET databank as a shop window of existing modules
- Providing a critical mass of modular courses and support for individual trainers
- Setting standards for modular training curriculum developers
- Promoting international recognition of qualifications for modular training curriculum developers
- Developing and disseminating new techniques in modular education
- Providing a network of contacts
- Coordinating & supporting national networks
- Influencing FE and VET policy relating to modular training, at national & European levels

ModENet can create separate commercial activities. Income from commercial activities shall be solely used for the benefit of the network and database and cannot be distributed to



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partners.

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### **Article 11 Membership and Types:**

Membership will be offered to both individuals and organizations. In the beginning, ModENet will offer three type of Membership

1. Individual ModENet membership –for those enthusiasts who don't buy or sell course modules, but want to participate in ModENet.
2. Organisational membership of ModENet allows staff of member organisations to benefit from membership of the ModENet network, exchanging expertise and using it for professional development.
3. Advertising membership of ModENet allows member organisations to upload information of their modular training offer to the EMCET databank and update it. Members of the organisation also benefit from membership of the ModENet network, exchanging expertise and using it for professional development.

There is no limitation on who can join the network. No person shall be denied membership by the reason of sex, race, creed, religion, colour, sexual orientation, disability or national origin. There is a provision of offering honorary individual membership as mentioned in type 1 above, to someone of eminence and/or authority both nationally or internationally in the area of VET. Members can nominate, with justification, to the moderator and all nominations will be passed on to Governing Body for final approval.

### **Article 12 Membership Subscriptions for the founding members**

The EMCET 2 project partners or their nominated representatives will be founding members of the Network (without any cost throughout the life of the Network). All founding members will have full Advertising Membership, giving access to the EMCET databank of modular courses. All issues of exceptional invitation to the membership/ access to the Network should be presented to the Governing Body of the Network.

### **Article 13 Membership Subscriptions for New Members**

The amount of the annual members' subscriptions for the coming year will be determined by a two-thirds majority of the votes of the members present or represented in the Governing Body. Every new member will pay the full annual subscription for each year as a member. During the first year of the Network, new members will enjoy free membership to the Network until the end of December 2008. For the first year the suggested subscriptions are as follows:

#### Individual Membership:

- €30 per year for those from high GDP countries: Western Europe (UK, IRL, D, F, I, CH, S, PT, Benelux, Nordic) North America, Middle East (Israel, Saudi, UAE, Oman), Far East (Japan, Taiwan, Korea, Australia, New Zealand)
- €15 for low GDP countries

#### Organizational Membership:

- €20 per year for those from high GDP countries, which includes up to 5 individual ModENet memberships
- €60 per year for those from low GDP countries, which includes up to 5 individual ModENet memberships



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### Advertising Membership:

- €30 per module entry per year for those from high GDP countries, which includes an individual ModENet membership. In case the module entries are above 20, no further fee will be charged.
- €15 per module per year for those from low GDP countries, which includes an individual ModENet membership. In case the module entries are above 20, no further fee will be charged.

### **Article 14 Renewal of Membership**

Membership shall be renewed annually. Subscriptions shall be due and payable annually. A reminder notice will be sent prior to this date, inviting payment of the subscription for the following year.

### **Article 15 Termination of Membership**

Membership may be terminated:

- By Resignation

A member in good standing may resign by giving written notice to the moderator of ModENet. No member may resign when in debt to ModENet. Subscription obligations are considered a debt. There shall not be any obligation on ModENet to refund any part of a subscription after resignation.

- By Lapsing

A membership will be considered as lapsed and automatically terminated if the member's subscription remains unpaid 60 days after the renewal date. The Network Coordinator shall notify a member, by an e-mail, thirty (30) days prior to lapsing.

- By Expulsion

Each member has to accept terms and conditions of acceptable behaviour of using MoDENet network as well as EMCET database as mentioned on the ModENet/EMCET website. Moderator will have the right to block any posting and the member shall be reported to the Governing Body. The members of the ModENet Governing Body shall have the power by a two-thirds majority vote, to suspend the membership of any member of the network for conduct likely to endanger the welfare of ModENet or the EMCET databank. Members shall be entitled to a hearing, and if the hearing is requested final action of the Governing Body shall be postponed pending the hearing. This hearing may be handled by conference call or electronic mail.

### **Article 16 General Votes by the Membership**

A 'General Vote' is the vote by the entire membership. A 'General Vote of the Membership' is the highest authority of the network and its decisions are final and binding on the Governing Body. A General Vote must be announced by e-mail to all members setting out: the way to access it, the question, the possible options and the closing time for votes. General Votes must be open for at least one week. Decisions of the votes are decided by simple majority. Only one vote per membership subscription is allowed.

General Votes must be held in the following cases:

- Once a year, to consider the annual report by the chairperson, treasurer and database administrator
- Dismissal of the members of Governing Body



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- If a particular issue/question is raised by 10 or more members to be put for a vote
- If Governing Body decides to withdraw membership from the Network
- Rejection of any of the annual reports

### Article 17 Funds

The funds of the Network consist of (but need not be limited to):

- Membership subscriptions
- financial support from EU programmes (if any)
- financial support from sponsors
- income from services provided
- donations
- any other funds

### Article 18 Financial Control: Banking & Statements

A EURO bank account in the name of ModENet shall be opened in Poland and all transactions shall be routed through the bank account. All withdrawals from ModENet accounts can only be done on the authority of two signatories – the Chair and the Treasurer. All expense claims must be supplemented by a description and justification of the expenditure, signed and dated by the claimant as well as receipts wherever possible. All acquired funds shall be promptly recorded and immediately deposited into the ModENet bank account. The Treasurer is responsible for holding all accounts, receipts and relevant material in an organised manner. At the end of each financial year the Treasurer must present a 'Financial Report' with a statement of expenditure for the year and the balance of accounts. Duties of the treasurer relating to financial issues will be:

- Keep hold of all accounts (complete records, including receipts, are essential for the auditors)
- Write out cheques/handle expenses;
- First signatory on all cheques.
- Send cheques to Chair for second signing
- With the Chair, set and monitor the budget
- Write a Treasurer's report, including statement of accounts, at end of each financial year.

### Article 19 Working Capital and Surpluses

Working capital will be needed to cover the costs of maintenance and moderation of ModENet until these costs are covered by income. Working capital will be re-paid to those who provided it when there are surplus funds available. Any surplus funds generated by ModENet will be first used to repay working capital and then retained for the benefit of ModENet and the EMCET database.

### Article 20 Website of the Network

The website for the ModENet shall be maintained and up-dated by ITeE, Poland with the cooperation of CamProf UK. All eligible members will be provided with username and password for access to data base. Interface of the database is available in partners languages (list them), website for the network is English with majority of the content translated in a form of brochure (in limited language versions).



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### **Article 21 Changes to the Constitution**

Decisions about changes to the constitution or dissolution of the ModENet can only be taken by a resolution passed by a majority General Vote.

### **Article 22 Jurisdiction**

The Governing Body shall be subject to the rules and regulations and laws of Poland.

### **Article 23 Dissolution**

In case of dissolution of the Network, the Governing Body shall appoint one or more person responsible for the liquidation of the assets of the Network and the same formula will be applied to determine the stake in assets and liabilities, intellectual property rights and website contents of the network as mentioned in articles above.

### **Declaration:**

I, the under-signed have read and understood all the articles of this constitution and by signing below, acknowledge them fully binding upon me/ my organization for such time that I or any representative of my organization remain the member of Governing Body of ModENet.

Signatures: \_\_\_\_\_ Organization \_\_\_\_\_

Place: \_\_\_\_\_ Date: \_\_\_\_\_