

# **STATUTES**

**THE ASSOCIATION OF NORTH AMERICAN  
UNIVERSITY PROGRAMS IN SPAIN**

**Revised May 2003**

# **STATUTES OF THE ASSOCIATION OF NORTH AMERICAN UNIVERSITY PROGRAMS IN SPAIN**

## **CHAPTER I.**

**CONSTITUTION. TITLE. ABILITY. PURPOSE. OPERATIONAL AREA. DURATION. LOCATION.**

### **ARTICLE 1.**

Under the name of Association of North American University Programs in Spain (A.N.A.U.P.S.) - APUNE *Asociación de Programas Universitarios Norteamericanos en España* - is set up as a civic-cultural non-profit organization, which will be directed by the following statutes, as well as by other regulations that may apply.

From the moment of its registration in the Association Registry of the Ministry of Justice (registry number 5,926, as of December 22, 1988) it will have full legal ability, and consequently will be able to acquire, administer, transfer, tax and make use of all types of assets, real estate, credits, fees and stocks as well as take on responsibilities, exert all types of legal actions and receive exemptions according to the law.

### **ARTICLE 2.**

The Association unites North American universities that have study abroad programs in Spain--which are all defined as member programs in these stated statutes--to achieve the following objectives:

1. Serve as a reference point and liaison between the North American programs and the academic, cultural, and governmental Spanish institutions, as well as related organizations, with the general objective of promoting good relationships and providing advice in relation to the necessities of the North American programs.
2. Provide information about the member programs to the cultural and academic Spanish organizations, and in general, to spread among the academic circles, knowledge of the activities performed by the North American study abroad programs in Spain.
3. Organize activities (related to the objective mentioned above) in Spain and the U.S. in order to benefit the member programs and their students.
4. Sponsor meetings that facilitate the exchange of information, which can benefit all of the Association's members.
5. Promote educational and cultural exchanges between Spain and the U.S. through projects that can benefit these exchanges.
6. Support the educational and cultural policies of the North American institutions in Spain, as well as those of the Spanish government (and its various administrations) in relation to the cultural and educational projects of Spain in the U.S.
7. Serve as a valid representative before the Spanish administration, as well as before the academic administrations of the North American universities, when information or

the Association's opinion is requested about various aspects of the activities presented in these statutes.

8. Establish and maintain relations with similar organizations in other countries.

### **ARTICLE 3.**

The territorial area of the Association is comprised of the entire national territory of Spain.

### **ARTICLE 4.**

The Association is set up for an indefinite period of time and is located in Madrid, in the Headquarters of the Commission for the Cultural, Educational and Scientific Exchange between the United States and Spain, on Paseo del General Martínez Campos 24, 1º, 28010 Madrid. The Headquarters could be moved by the Association to another location by a two-thirds vote of its members.

## **CHAPTER II.**

### **MEMBERS AND ASSOCIATED INSTITUTIONS. REQUIREMENTS FOR ENTRANCE. RIGHTS AND OBLIGATIONS. ADMISSION AND LOSS OF MEMBER STATUS.**

#### **ARTICLE 5.**

The programs can have either the status of member with full rights, provisional member or associated institution.

##### **Article 5.1. Full-Rights Members.**

These programs will have the status of full-rights member:

All of the programs accredited and established by North American universities, that are legally established in Spain (from here on referred to as Type-A), and that comply with all the requirements detailed in Appendix I of these Statutes.

All the programs of those North American organizations in Spain that have not been established by specific universities, but that follow the following requirements (referred from here on as Type-B), and that comply with the detailed requirements in Appendix I of these Statutes.

- a) Their principal function will be to provide study abroad programs in Spain for North American university students.
- b) They should be registered as educational non-profit organizations in the US and should be legally established in Spain (see Appendix I).
- c) The relations that they have with the North American universities to which they provide programs will be established in written agreements with at least one

- d) The participating students should be registered in accredited North American universities.
  - e) These organizations will demonstrate that their academic programs and teaching staff are evaluated and regularly approved (at least every 7 years) by a committee made up of authorized representatives from universities with which they have relation.
1. All full-rights members should comply with the following requirements:
    - a) The programs will operate on a university level. They will offer courses that are acceptable, in function with their quality and contents, for undergraduate or postgraduate studies in North American universities. Part of their objectives will be to provide the participants with knowledge of the Spanish language and Hispanic culture.
    - b) The programs should comply with the working requirements established in Article 9 of these statutes.
    - c) The North American universities should accept the credits obtained by the students in Spain.

**Article 5.2.** Provisional members.

These programs will have the status of provisional member:

1. Those programs that meet all of the necessary requirements of a full-rights member, but that are not working.
2. Those programs that are in an initial process of evaluation to be accepted as a full-rights member.

This status can be kept during a maximum period of one full academic year, at which time the General Assembly will vote whether to extend the condition of provisional member. The programs with this status have the right to a voice but do not have the right to vote.

These programs will pay the same fee as the programs with full-rights status.

**ARTICLE 6.**

The status of Associated Institutions will be granted to those academic or cultural non-profit institutions whose collaboration is beneficial to APUNE and whose objectives are in agreement with Article 2.

1. Associated Institution status should be applied for in writing to the Association and should be approved in the assembly once the application has been studied.

2. Once the associated institution status has been approved, this institution will have the right to a voice but not to a vote.
3. The associated institution can lose its status by its own decision or by the assembly's decision.
4. The associated institutions must pay the minimum fee of a full-rights member.

#### **ARTICLE 7.**

The title of Honor Members will be granted to those people and institutions that, by their social or scientific relevancy, can contribute to the working of APUNE through the contribution of their knowledge.

They will have the same rights as full-rights members, with the exception of the right to vote, and will have the same obligations, except for membership fees.

Any APUNE member can suggest an appointment of Honor Member to the General Assembly, but it will have to be approved by a two-thirds vote.

#### **ARTICLE 8.**

With the exception of Honor Members, all of the new members will be accepted by a simple majority vote from the General Assembly.

An aspiring member should apply through a letter from its corresponding university in the U.S. This letter should indicate that this institution conforms to the written criteria in Article 9 of these statutes. It will be necessary for the program to pass a new evaluation if it plans to carry out substantial changes, such as a new location or changes in the structure or in the criteria of management. This should take place during the three-year period after these changes have occurred.

#### **ARTICLE 9.**

All full-rights members will have the same rights and obligations, as is detailed in the following:

1. Participate in the presidential hierarchy of the Association, as is established in these statutes.
2. Participate in the committees, which are organized within the Association.
3. Receive publications and social announcements.
4. Use all of the services established by the Association for its members.
5. Respect and comply with these statutes.
6. Attend all of the Association's General Assemblies as well as Special Assemblies.
7. Pay the membership fees, fixed by the Assembly, within the established period.

#### **ARTICLE 10.** Criteria of the working of the programs.

##### **Article 10.1.** Program objectives.

Each program will have specific objectives that will be communicated to the registered students as well as to their teaching and personnel administration. These objectives will always be in agreement with the aims of the university in the US on which it depends and will principally be to provide the student with an academic experience that enhance

their understanding of the Hispanic world. It is important, in this respect, that the programs make the appropriate arrangements so that their students take advantage to the maximum the academic and cultural opportunities that are offered to them during their stay in Spain.

**Article 10.2. Students.**

1. **SELECTION:** The criteria of student selection should be clearly defined and strictly applied. The admission requirements vary according to the established objectives of each program, but should be compatible with a selection of qualified students to follow a rigorous academic program.
2. **ORIENTATION:** It will be the obligation of each program to provide the appropriate orientation for its students before they leave the U.S. if feasible, or it can be done in Spain once the group of students has arrived.
3. **SERVICES:** The degree of assistance provided to the students will depend on the nature and objectives of the program. In general, it is desirable that the program assesses the students not only academically but also in reference to their housing, medical necessities, and integration in the Spanish society through cultural, social and sports activities.

**Article 10.4. Academic Program.**

1. Each North American university member should describe in detail its academic program in an informative brochure or catalog that explains its working in Spain and its academic level. It is hoped that the studies developed each program is academically similar to the programs of the Association of Accreditation in the U.S.
2. It is recommended that the teaching personnel consist of professionally accredited people in a university community.
3. The grades obtained will be sent to the universities in the U.S., who will be the only ones in charge of acknowledging these credits for the subjects taken in Spain.
4. The students of each program will have easy access to reference books and materials that guarantee the possibility of success and to be able to take advantage of their academic studies to the fullest.

**Article 10.5. Program Administration**

1. **ADVERTISING.** Advertisements and informative material will provide a true description of all the aspects of the program. It is preferred that the advertisements reflect the member condition in the Association.
2. **DIRECTOR.** The person or people chosen to direct the program should have a sound, academic background and a good command of both the English and Spanish languages. This request also extends to the administrative personnel.

3. **INSTALLATIONS.** The program will have the personnel and adequate space to conduct the services required by the Spanish legislation that is in force concerning educational matters.

4. **EVALUATIONS.** The students will have evaluations each semester, which will be given by their program at the end of the course. It is hoped that the necessary improvements are carried out according to these evaluations.

#### **ARTICLE 11. Program Evaluations.**

In order for programs to maintain their status as a full-rights member, the Association in intervals up to seven years will subject them to an evaluation following the agreed procedures.

If the result of an evaluation carried out by the Association shows any deficiency in the working of the a member program that can cause the loss of full-rights member status, the executive committee will notify the program.

A one-year period (starting from the notification date) will be given to correct the deficiencies. At the end of this period, the Association will carry out a new evaluation on the aspects in question. If the deficiencies have been corrected, no additional intervention will be necessary for the program in question to conserve the quality of a member of the Association.

If the deficiencies have not been corrected to the satisfaction of the executive committee, the committee can either give the program another year or propose its exclusion, decisions that should be subjected to the Assembly. From the moment that the proposal of exclusion has been sent to the members, the sponsoring university can request the re-evaluation of the aspects that were considered deficient. The Association will not adopt any other measure until that evaluation has been carried out.

If at any moment the executive committee knows of any apparent irregularities in the working of any program, that committee has the right to request a new evaluation as a requirement to conserve the status of full-rights member.

#### **ARTICLE 12.**

The status of member program is lost:

1. By the resignation of a member, without jeopardizing the right of the Association to charge the fees due for the corresponding academic year in progress.
2. By not paying the fees corresponding to the academic year in progress, after the program has been adequately notified.
3. By not following the established criteria in these statutes.

The decision to put an end to the member status of a program will be carried out in agreement with the following procedures:

1. The Executive Committee will approve, by a simple majority, a detailed proposal of the motives for the exclusion of a program and the loss of member status.
2. The exclusion proposal should be presented to the members at least a month before the Assembly meeting.
3. The member whose exclusion is proposed will be able to present a written or oral defense. Each member of the Association should receive the written reports at least fifteen days before the Assembly meeting.
4. For it to be effective, the exclusion proposal should be approved by two thirds of the members of the Association, through secret ballot.
5. Any program that has been excluded from the Association can request readmission after a year from its date of exclusion. The programs that carry out this request will be subjected to a complete evaluation and the results of that evaluation will be presented to the Executive Committee and to the members to adopt the appropriate decision.

## **CHAPTER III PRESIDENTIAL GROUPS OF THE ASSOCIATION**

### **ARTICLE 13.**

The government, administration and representation of the Association corresponds to the General Assembly and the Executive Committee, with full and sovereign powers, of the form stated in the statutes.

#### **SECTION 1.**

**GENERAL ASSEMBLIES. COMPETENCE.**

**CLASSES: ORDINARY AND EXTRAORDINARY**

**ASSEMBLY NOTIFICATIONS. GENERAL ASSEMBLIES.**

**ATTENDANCE AND VOTING \_\_\_\_\_ . DOCUMENTATION.**

#### **Article 13.1. General Assembly.**

The members of the General Assembly is the Association's supreme group of expression and their decisions are mandatory for all members.

#### **Article 13.2. Elected posts.**

The president, vice-president and treasurer will be elected in the General Assembly among the program directors the are full-rights members, by simple majority.

#### **Article 13.3. General Assembly Presidency.**

The president of the Association will preside over the General Assembly, and in case of their absence, the vice-president will preside. The coordinator, who has been appointed for this purpose, will assume the post of secretary.

#### **Article 13.4. General Assemblies.**

The General Assembly meetings will take place three times a year.

**Article 13.5.** Extraordinary Assemblies.

Extraordinary Assemblies will prevail all of those meetings that the president, a Committee petition or any APUNE member calls. For the Assembly to call a meeting, the approval by a fourth of the members or by the majority of the members present in a General Assembly is necessary.

**Article 13.6.** Convocations.

The General Assemblies as well as Extraordinary Assemblies will be called through a written announcement via email or post with at least a fifteen-day notice. The convocation notice should include the items to be discussed, the time of the first and second convocation and the date and place where it will take place.

**Article 13.7.** Assembly Attendance.

All of the full-rights members, as well as the provisional members, have the right to attend all the assemblies.

**Article 13.8.** Voting Delegation.

The directors have the right to delegate their vote to another director or another person, through a written authorization by email, post or fax.

**ARTICLE 14.**

At least a minimum number of members, representing 50% of the existing program members in Spain at that moment, should be present or represented for a General or Extraordinary Assembly in first convocation to meet. For the second convocation, the General Assembly constitution will be considered valid as long as the \_\_\_\_\_.

All the agreements will be adopted by simple majority vote of the present or represented members, except in the following cases, which a two-thirds vote of the present members will be necessary:

1. Resolution to transfer assets.
2. Modification of the Statutes.
3. Exclusion of a member program.
4. Dissolving the Association.
5. Honor members election.

**ARTICLE 15.**

At all times, the members will respect all the Association's rules that are valid in that moment.

**ARTICLE 16.**

The General Assembly agreements will be written the Book of the Association's Acts (Register Book), formed in agreement with Article 11, section 3 of the Association's Law, and will be signed by those people that have acted as president and secretary in the referred Assemblies.

The members of the executive committee, together with the president and acting secretaries, will approve the Acts during a period of fifteen days following the date of the Assembly meeting, and it is considered that the agreements will take effect from the instant that they are approved.

The documents of the acts of the General Assemblies will be considered authentic and legally binding once they have been authorized by the president and secretary, or by those people that, according to the statutes, can substitute them.

**ARTICLE 17.** The functions of the General Assembly are:

1. Elect a president, a vice-president and a treasurer.
2. Elect the Executive Committee members.
3. Appoint the representatives in North America.
4. Establish the criteria in which the evaluations are based.
5. Establish the fees that each program members should pay.
6. Monitor the Executive Committee to insure that it stays in charge of executing the agreements reached during the Assemblies of the Association.
7. Admission and exclusion of members.
8. Execution of any other function not conferred on specifically to another group of the Association.

## SECTION II.

EXECUTIVE COMMITTEE'S COMPOSITION AND FUNCTIONS. MEETINGS. POWERS. PERMANENT COMMISSION.

### **ARTICLE 18.**

The Association will be represented and governed by the Executive Committee, composed of the president, vice-president, treasurer and five members of the Association.

### **ARTICLE 19.**

The members elected among the program directors in Spain to form part of the Executive Committee will carry out their functions for a year. This period of time can be extended another year if decided by the General Assembly.

### **ARTICLE 20.**

The Executive Committee should meet whenever the president calls a meeting, or whenever five members of this committee request it. A minimum of two meetings will be held per quarter. The meetings will be held at the headquarters of the Association or any other place designated by the president. The meetings should be carried out within a week of the date that it was requested. The Executive Committee will approve the meeting if all the Committee members agree unanimously. At least more than half of the Executive Committee members (or in their absence, a representative) should be

present at the meeting for the Executive Committee to constitute its validity and for their agreements to be valid.

The representation by half of a delegate will only be valid if it appears in a letter directly from the president.

The decisions will be taken by absolute majority of the votes, keeping in mind that each member corresponds to a vote. If the votes are equal, the president's vote will be decisive.

The minutes of the meetings will be detailed in an act or the register book. The secretary will certify the exactness of these acts with the president's approval.

#### **ARTICLE 21.**

The Executive Committee will have the following functions and powers:

1. Carry out all the decisions made in the General Assemblies.
2. Manage and run, in a responsible and professional manner, the Association, including the belongings that constitute its personal assets and make an effort to carry out the objectives for which it has been constituted.
3. Appoint, hire and terminate the contract of the Association's personnel, as well as fix the salaries that they consider appropriate.
4. Deliver to the General Assembly any project that is considered appropriate and profitable in agreement with the objectives of the Association.
5. Prepare the economical accounts and present them annually during the General Assembly for study and approval.
6. Propose the budget and the membership fees of the Association during the General Assembly once a year.
7. Propose the incorporation and exclusion of members, associated institutions and honor members during the General Assembly.
8. Sign and act in name of the Association in all types of bank operations as well as in any act and contract carried out by the Association.
9. Represent the Association in legal affairs taken to court or settled out of court. This means that the Executive Committee will represent the Association before the state, province or city, before authorities or official groups, tribunals, government offices, syndicates and organizations of any category and jurisdiction. As a result, the Executive Committee will represent the Association before any type of natural or judicial body.
10. Appoint the representatives of the Association in national and international institutions and associations.

11. Authorize and revoke powers of all types, as well as approve and formalize any public or private document related to the working of the Association and its objectives.
12. Call both ordinary and extraordinary General Assemblies
13. Implement the specific criteria in article five and seven of the Statutes.
14. Establish and keep in contact with official, cultural and professional organizations in the United States and Canada.
15. Provide information about the member programs to academic and cultural organizations.
16. Develop the procedures of evaluation, appointment of members that carry out the evaluations and relate the conclusions and recommendations to the program evaluated produce the desired effect.
17. Carry out any task delegated to the committee by the General Assembly.
18. The Executive Committee should name committees in order to carry out specific aspects of their job, but under no condition can the Executive Committee delegate any of its powers.

### **SECTION III ECONOMIC RESOURCES**

**ARTICLE 22.** The economic resources of the Association is comprised of:

1. The annual membership fees established by the General Assembly. These fees should be paid each academic year that the program is a member, with deadline of payment being October 30.  
In the case of those programs that request admission to the Association, they will pay the annual fee in the moment of application. If a program's application is denied, the total fee will be returned.  
Failure to pay membership fees during the academic year, will result in expulsion from the Association.
2. The subsidies and donations given to the Association by the State, official corporations, entities or private individuals.
3. The interests and income that can accumulate from properties or rights derived from the personal assets of the Association.
4. Any type of income arising from inheritance, publications, conferences, agreements with sponsors, gifts, etc., whenever it is within the laws of the State and the statutes of the Association.

## **CHAPTER 4 THE DISSOLUTION OF THE ASSOCIATION**

### **ARTICLE 23.**

The duration of the Association is not defined. However, it can be dissolved by an agreement of the members or by judicial decree.

### **ARTICLE 24.**

In the case of dissolution, the personal assets should be liquidated through the consolidation of debts. The remaining amount will be donated, as long as it is possible, to a non-profit public institution that promotes the development of programs of North American studies in Spain.

### **APPENDIX 1.**

1. Test of legality in Spain:
  - a) Accreditation test recognized in North America of the sponsor institution.
  - b) Recognition of Spanish branch by the authorities of the university institution in North America.
  - c) Foundation act of the program in Spain.
  - d) Accreditation of the power of the person or institution that represents the program in Spain.
  - e) Test of registry with the Spanish authorities (Ministry of Education, Culture and Sports or others).
  
2. Fiscal Identification Number of the non-profit fiscal entity.