

This is the English translation of an original German legal text. In the event of a discrepancy, the German text shall prevail.

Statutes of the Leibniz Institute for Educational Trajectories (LifBi)

Revised Statutes

**According to the resolution by the (extraordinary) General Meeting of Members
as of November 24, 2020**

§ 1	Name, Seat, Financial Year	2
§ 2	Duties and responsibilities	2
§ 3	Membership	3
§ 4	Bodies	3
§ 5	General Meeting of Members	3
§ 6	Duties and responsibilities of the Board of Trustees	4
§ 7	Members of the Board of Trustees	5
§ 8	Meetings of the Board of Trustees.....	6
§ 9	Board of Directors	6
§ 10	Executive Board	7
§ 11	Management Conference.....	8
§ 12	Scientific Advisory Board.....	8
§ 13	Internal organization of the association	9
§ 14	Funding.....	9
§ 15	Annual statement of accounts, external audit, and statutory audit of public accounts.....	9
§ 16	General agreements.....	9

§ 1 Name, Seat, Financial Year

- (1) The name of the association is “Leibniz-Institut für Bildungsverläufe e. V.” (LifBi).
- (2) The association is based in Bamberg, which is also its place of entry in the competent local register of associations.
- (3) The accounting year is the calendar year.

§ 2 Duties and responsibilities

- (1) It is the aim of the association to promote and carry out longitudinal studies in educational research. The association develops and provides fundamental, supraregionally and internationally significant scientific, research-based infrastructure for educational research—especially by overseeing and implementing the National Educational Panel Study (Nationales Bildungspanel, NEPS). It is the association’s responsibility to develop and improve research-based analytical approaches and scientific instruments in educational research, to make available to the scientific community high-quality data on education processes and competence development from early childhood to late adulthood, and to make an active contribution to research and knowledge transfer in this field. The association, which is scientifically independent, closely cooperates with a research network consisting of universities, research institutes, and other partners, and is open to further collaborations.
- (2) The aim agreed in these statutes is fulfilled, for example, by conceptualizing, implementing, and overseeing research in relation to NEPS and other longitudinal studies in educational research. This encompasses, for example, the development of instruments and the collection of longitudinal data on competence development, educational processes and decisions, and returns from education in formal, nonformal, and informal contexts across the entire life span, as well as editing, documentation, dissemination, and long-term archiving of those collected data.
- (3) The association exclusively and directly pursues public-benefit purposes, in particular, scientific purposes as defined in the section “Tax-privileged purposes” by the Fiscal Code of Germany. The association is dedicated to altruistic activity; it shall not primarily pursue its own economic interests.
- (4) The association’s funds shall only be used for the purposes laid down in its statutes. The members of the association shall not receive any benefits from the association’s funds, in particular, no share in profits, and, in their capacity as members, they shall not receive any other funds from the association. In the event of their resignation from the association, they have no entitlement to a share in the assets of the association.
- (5) No person shall benefit from expenditures which are alien to the purpose of the association or from unreasonably high remuneration.
- (6) The association promotes gender equality and diversity.
- (7) The association is bound by the guidelines for safeguarding good scientific practice.

§ 3 Membership

- (1) All universities or research institutes, as well as any institutions actively dealing with questions of education, are eligible for membership. Membership applications must be submitted in writing.
- (2) The Board of Trustees shall decide on the admission of new members.
- (3) To resign from the association, a three-months' notice addressed to the Director must be given in writing prior to the end of the calendar year.

§ 4 Bodies

Bodies of the association are

- a) the General Meeting of Members,
- b) the Board of Trustees,
- c) the Board of Directors,
- d) the Executive Board,
- e) the Management Conference, and
- f) the Scientific Advisory Board.

§ 5 General Meeting of Members

- (1) Members are represented by agents of their organization or by authorized agents acting on their behalf.
- (2) The General Meeting of Members decides upon
 - a) changes to the statutes and
 - b) the dissolution of the association.
- (3) The Director shall summon the General Meeting of Members
 - a) if the association's interest requires him or her to do so, yet at least
 - b) every 4 years, or
 - c) if at least one third of the members request this in writing for one of the purposes laid down in subsection (2), or if the Board of Trustees initiates a change in the statutes in accordance with § 6 subsection 1 I).

He or she shall chair the meetings without holding voting rights. The Chairperson of the Board of Trustees and the Vice Chairperson as well as the Deputy Director and the Director of Administration shall attend the General Meeting of Members as guests without voting rights.

- (4) Invitations to the General Meeting of Members giving details of the agenda shall be issued at least one month in advance. Meeting documents, including resolution proposals, shall be enclosed in the written invitation. Resolutions can only be passed in relation to items explicitly listed on the agenda. The Director may invite additional guests and a minute taker to the General Meeting of Members.

- (5) Decisions require the consent of a three-quarters majority of votes cast and the consent of the Board of Trustees. Abstentions from voting are not counted.
- (6) The General Meeting of Members has a quorum when the majority of members with voting rights are present or represented by agents according to subsection (7). The presence of individual members via video conference or telephone is equivalent to personal attendance. Participation via video conference or telephone shall only take place in exceptional cases and with the consent of the Chair of the General Meeting of Members.
- (7) Another member can be authorized in writing to exercise an absent member's vote; one member can exercise only one transferred vote. Delegation of voting rights shall be considered during roll call and the confirmation of voting rights.
- (8) In accordance with subsection (2) no. a) resolutions may be passed by circulation as long as no member opposes the circulation procedure. Resolutions passed outside of members' meetings are to be recorded in writing and shall immediately be distributed to members for their documentation.
- (9) The minutes of resolutions along with a summary of basic proceedings of the General Meeting of Members shall be recorded and signed by the Director and the minute taker.

§ 6 Duties and responsibilities of the Board of Trustees

- (1) The Board of Trustees advises and monitors the Board of Directors. It is also responsible for fulfilling its duties as agreed in these statutes, especially the following:
 - a) Approving the proposed budget plan for the program (program budget),
 - b) Seconding the Director's long-term program plan (5-year planning horizon),
 - c) Appointing and dismissing the Director and other members of the Board of Directors,
 - d) Seconding the conclusion, changes in, and termination of the Director's terms of employment and, if necessary, of professors engaged by way of appointment procedure in consultation with the University of Bamberg or another University,
 - e) Exonerating the Board of Directors,
 - f) Assessing the annual statement of accounts,
 - g) Accepting of and consulting on reports issued by the Board of Directors and by the Scientific Advisory Board,
 - h) Appointing the financial auditor or auditing company,
 - i) Appointing and dismissing members of the Scientific Advisory Board,
 - j) Accepting new members of the association,
 - k) Excluding members of the association,
 - l) Holding the right to initiate changes to the statutes,
 - m) Establishing and closing of departments upon proposal by the Director.
- (2) The Board of Trustees may set up committees among members of its own body and may assign them their duties and competences. The Chairperson of the committee shall regularly inform the Board of Trustees on the work of the committee.

§ 7 Members of the Board of Trustees

- (1) The following are members with voting rights on the Board of Trustees:
- a) A member sent by the competent Federal Ministry of Education and Research,
 - b) A member sent by the competent Bavarian State Ministry of Science and the Arts,
 - c) A representative of the University of Bamberg,
 - d) Four personalities who, due to their own experience in science and research, are able to support the purpose of the association. They shall represent the intended purpose of the association as defined in § 2 of these statutes. Among them shall be two scientists who are full-time employees of an institution situated outside of Germany, if possible. Following the proposal by the Director, they will be appointed by the other members of the Board of Trustees by mutual consent for a period of 3 years in general. Reappointment is admissible. It is intended to replace members on a rolling basis. Their term begins in the first meeting of the Board of Trustees after their appointment.

The members of the Board of Trustees with voting rights sent by the Federal Ministry of Education and Research and by the Bavarian State Ministry of Science and the Arts may be represented by a member of their administration.

- (2) Concurrent membership with voting rights on the Board of Trustees and on the Scientific Advisory Board is not permitted.
- (3) The following are members of the Board of Trustees with advisory status:
- e) The members of the Board of Directors,
 - f) The Chairperson of the Scientific Advisory Board,
 - g) Two representatives of the German Federal States appointed by the Standing Conference of the Ministers of Education and Cultural Affairs of the Länder in the Federal Republic of Germany,
 - h) One member of the network elected by the annual meeting of the National Educational Panel Study,
 - i) One elected staff representative.
 - j) At the request of a member of the Board of Trustees, members with advisory status may be excluded from deliberations on matters directly affecting them.

By request of a member of the Board of Trustees, the members with advisory status can be excluded from consultations about subjects that concern them directly.

- (4) The Board of Trustees shall elect a Chairperson from among its members according to subsection (1) no. d) for a period of 3 years. Reelection is admissible.
- (5) The Board of Trustees shall elect a Vice Chairperson among its members according to subsection (1) nos. a) and b) for a period of 3 years.
- (6) The Chair of the Board of Trustees shall represent the association in concluding, changing, or terminating the terms of contract with the Director and in the event of asserting claims against the incumbent or former Director. In this sense, he or she is a special representative as defined by § 30 of the German Civil Code (BGB).

§ 8 Meetings of the Board of Trustees

- (1) The Chair summons the Board of Trustees at least once a year and presides over the meetings. An extraordinary meeting shall be called when at least one third of the members of the Board of Trustees request this in writing stating their purpose and reason.
- (2) Invitations to the meetings of the Board of Trustees giving details of the agenda shall be issued at least one month in advance. Meeting documents, including resolution proposals, shall be enclosed in the written invitation. Resolutions can only be passed in relation to items explicitly listed on the agenda.
- (3) The Board of Trustees shall pass resolutions with a majority of votes cast. Abstentions are not counted.
- (4) The Board of Trustees has a quorum when all members have been properly invited, when the majority of members are present or represented as in subsection (7); among them must be the Chairperson or their representative. The presence of individual members via video conference or telephone is equivalent to personal attendance. Participation via video conference or telephone shall only take place in exceptional cases and with the consent of the Chair of the Board of Trustees.
- (5) Resolutions by the Board of Trustees that are of research-political significance and entail considerable financial ramifications, especially in the event of § 6 subsection (1) nos. a) through to f), cannot be passed against the votes of the Board of Trustees' members according to § 7 subsection (1) nos. a) and b).
- (6) In the event of the absence of a quorum, another meeting of the Board of Trustees with the same agenda has to be convened within 4 weeks. In this meeting, the Board shall have a quorum regardless of the number of members present; this must be referred to in the notice convening the meeting.
- (7) Another member can be authorized in writing to exercise an absent member's vote; one member can exercise only one transferred vote. Delegation of voting rights shall be considered during roll call and the confirmation of voting rights.
- (8) The minutes of resolutions along with a summary of basic proceedings of the meeting of the Board of Trustees shall be recorded and signed by the Chair and the minute taker appointed by him or her.
- (9) Resolutions can be passed by circulation as long as no member opposes the circulation procedure. Resolutions passed outside of members' meetings are to be recorded in writing and shall immediately be distributed to Board members for their documentation.

§ 9 Board of Directors

- (1) The Director, the Deputy Director, and the Director of Administration are members of the Board of Directors.
- (2) The Director, who is responsible for the management of the institute as a whole, shall be appointed by the Board of Trustees—in general for a period of 5 years. The appointment is made in consideration of the statement by the Scientific Advisory Board after a joint appointment procedure (W3 professorship) with the University of Bamberg. Reappointment is admissible. Each appointment requires a resolution by the Board of Trustees, which shall be passed no later than

one year prior to the end of term. In compliance with § 6 subsection (1) no. d), the Board of Trustees, in particular, defines the terms of contract. The appointment is only revocable for a compelling reason.

- (3) The Director is responsible for all duties as long as they have not been assigned to other bodies, especially the following:
 - a) Developing the long-term program planning (service and research program, 5-year planning horizon),
 - b) General responsibility for research and service performance as well as scientific orientation including quality assurance,
 - c) Preparation and enforcement of resolutions made by the General Meeting of Members and the Board of Trustees.
- (4) The Director of Administration is appointed for a period of 5 years in general. Each appointment may only be revoked for a compelling reason. The Director of Administration regularly reports to the Director.
- (5) The Director of Administration independently runs the daily business in the field of administration according to his or her joint responsibility as a member on the Board of Directors. He or she is in charge of the budget, including budget planning and personnel management.
- (6) The Deputy Director shall be appointed by the Board of Trustees, following the proposal by the Director, from among the heads of the scientific or infrastructure departments for a maximum period of five years. Reappointment is possible.
- (7) Resolutions by the Board of Directors, which can be made by convention or by written circulation, shall be passed by mutual consent if possible; the majority of votes cast decide.

Resolutions concerning scientific issues cannot be passed against the Director's vote; resolutions concerning administrative issues cannot be passed against the Director of Administration's vote.
- (8) The Board of Directors is obliged to regularly inform the Board of Trustees. It reports to the Board of Trustees, the Scientific Advisory Board, and the General Meeting of Members about its activities related to each field. It presents the long-term program planning as well as the program budget to the Board of Trustees. All relevant documents have to be distributed to members in a timely manner so that they are able to prepare the meetings appropriately.
- (9) The Director is obliged to immediately inform the Chair of the Board of Trustees about any special occasions.
- (10) The Deputy Director represents the Director, including his authorizations, when he or she is unable to carry out his or her duties or when his or her position has not been filled.
- (11) Responsibilities, representation of other members of the Board of Directors as well as further rules, in particular, regarding invitations, quorum, etc., are detailed in the rules and regulations of the Board of Directors.

§ 10 Executive Board

- (1) The Executive Board as defined in § 26 of the German Civil Code (BGB) is the Director and the Director of Administration.

- (2) The Executive Board are obliged to represent the association in court and out of court in compliance with the purpose stated in § 2. With the exception of § 7 subsection 6, the scope of the power of agency is not limited by these statutes towards third parties. Each member of the Board is responsible for the outside representation of the association alone. Regarding internal relationships, limitation of the respective power of agency shall correspond to the following assignment of tasks.
- (3) The Director shall establish the guidelines for the work of the Executive Board and determine the allocation of responsibilities within the Board, subject to the rights and duties of the Director of Administration according to § 9 subsection 5.

§ 11 Management Conference

- (1) The Management Conference supports the Board of Directors in planning the research and infrastructure operations of the institute, in carrying out ongoing tasks and in coordination. Members of the Management Committee are the heads of the scientific and infrastructural departments of the institute and the Board of Directors.
- (2) In the Management Conference, the members report on their work at the institute, in the departments, and in the projects.
- (3) The Director chairs the meetings of the Management Conference. He or she regularly extends invitations to a Management Conference, usually once a month.
- (4) The results of the Management Conference are taken into account by the Board of Directors in their work and decision-making.

§ 12 Scientific Advisory Board

- (1) The Scientific Advisory Board advises the Board of Trustees on the fulfilment of its duties and responsibilities as recommended by the Senate of the Leibniz Association. In particular, it carries out the following tasks:
 - a) Statement on the long-term research and development plan,
 - b) Statement on the draft program budget,
 - c) Statement on the proposed appointments for the role of Director and in the event of further joint appointments of scientists with a university,
 - d) Implementation of measures of quality assurance on currently running operations (auditing).
- (2) Following the proposal by the Director, the Board of Trustees appoints members to the Scientific Advisory Board for a period of 4 years. Reappointment is admissible no more than once. There are at least six and no more than 12 members on the Scientific Advisory Board who are, if possible, experts in the field of empirical educational research (or closely related topics) or data infrastructure. It is desirable that a considerable number of the scientists are employed by institutions outside of Germany.
- (3) The Scientific Advisory Board elects among its members a Chairperson and a Vice Chairperson for a period of 4 years. Direct reappointment is admissible once.
- (4) One representative each from the Federal Ministry of Education and Research and from the Bavarian State Ministry of Science and the Arts can participate in meetings in an advisory function.

- (5) The Chairperson summons the Scientific Advisory Board at least once a year and presides over the meetings.
- (6) Regarding the passing of resolutions, the regulations concerning the Board of Trustees apply correspondingly. The Scientific Advisory Board may define its own set of rules and regulations.

§ 13 Internal organization of the association

The association is divided into scientific or infrastructure departments and one administration.

§ 14 Funding

- (1) Besides income as defined by subsection (2), the association is financed by funds provided by the German Federation and the Federal States in line with available budget funds and on the basis of agreements made between Federal Government and the Federal States according to Article 91b of the Basic Law for the Federal Republic of Germany (GG).
- (2) Besides these grants, all further income, including donations and income from consulting activities, shall be employed to finance the statutory aims and purposes of the association. All expected income and foreseeable expenses are to be listed on the program budget.
- (3) No fees shall be imposed.

§ 15 Annual statement of accounts, external audit, and statutory audit of public accounts

- (1) After the end of the financial year, the Board of Directors shall immediately issue an annual statement of accounts as well as an activity report.
- (2) The annual statement of accounts is issued according to the regulations of national budgetary and public funding law to which the association is held accountable, and it shall follow the systematic outline of the program budget. It is scrutinized by an external financial auditor or by an auditing company.
- (3) Terms and conditions as defined by the grant provider apply to the use and billing of grants and of the association's further income. The courts of audit have the right to perform statutory audits. This also encompasses an audit of the annual statement of accounts.

§ 16 General agreements

- (1) In the event of the dissolution of the association or its conversion to a different legal form, or in case of the discontinuation of tax-privileged purposes, the association's assets shall pass to a legal person according to public law or to another tax-privileged body in order to serve scientific purposes in compliance with § 2 subsection (3). Either shall previously be appointed by the Board of Trustees by way of resolution. Resolutions on the future use of assets may be carried into effect only after the approval of the competent revenue office.
- (2) These statutes shall take effect upon entry in the register of associations.