

Dear EEBI Board Members,

Attached you will find an initiative from the Woluwe Board. They are suggesting that we hire a **legal team** to help the four EEB parents associations navigate the **official planning and permissions process and other legal requirements related to the proposed conversion of the so-called Tresorie office building near Arts-Loi** into a temporary school site for the use as an upper secondary campus. The site would be open until such time as the fifth school is officially opened.

**The total bill for the service would be 8000 EUR + TVA at the outset; Woluwe is proposing to cap costs at 12000 EUR. They ask other APEEEs to contribute as they see fit.**

Please read the attached proposal and quote. We will be asking:

- 1) if our board members would like to support the initiative,
- 2) if so, to set the amount of possible first payment as well as an overall total (an even split between the four schools would suggest: 2000 starting amount with 3000 upper limit, as needed).

So far, we have not heard back from other boards.

Kind regards,  
Katie Mathe

Dear All,

Brussels needs a site for a new ES school. It's quality has long term consequences for current and future pupils, parents and teachers. Even if the Arts-Loi site is temporary, it will still likely affect around 5000 pupils.

To ensure that the parents can fairly and effectively assess suitability of a potential school site, parents need to be aware of the relevant legal framework. This includes:

- A full understanding of the planning process and requirements for consultation so that we may participate and raise issues at correct point in the decision making process
- The permissions from different authorities that are required e.g. fire safety, transport infrastructure etc. We understand there are multiple such permissions required, but we are also told that this is not always respected
- The legal requirements in terms of facilities for a school site - such as open space, sports facilities, science labs etc and with respect to the location of a new school
- Health and well being requirements especially with respect to pollution levels
- The legal rights of teachers with respect to having their place of work forcibly changed

Only if we have a proper understanding of this framework and the protections it provides will we be able to hold the authorities to account and ensure our children receive a proper school solution.

Please find a quote from Racine advocaten to perform this analysis attached. Racine have supported the APEEE previously in several occasions, including in successfully engaging with public authorities to stop a plan to close various routes to our bus service. The quote explains in detail the requested tasks. The total cost is estimated to be around €10,000. In comparison the number of pupils affected, and the importance of this issue to the school community, this is rather a small amount. Indeed, paid by the school it would not match the price of a lunch per pupil.

We propose that the APEEE engage Racine advocaten for the work, and set an upper limit of €12,000 for the project in anticipation of any upcoming issues. The costs should be paid from the social fund, in line with its purpose. We also propose that the APEEE explores the possibility to share the associated costs with the other APEEE's in Brussels, but this should not be a barrier to proceeding.

The project should start immediately, so that we are in a position to intervene in the process before key decisions are taken.

On the behalf of the preparatory group,  
Your faithfully,

Jan v.Pfaler

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Jente Van Muylder  
Arne Baert  
Richard Maselis  
Kato Segers  
Simon Vanhove

Brussels, November 6, 2018

Your ref. :  
Our ref. : APEEE - LEGAL BELGIAN FRAMEWORK FOR SCHOOLS - 00045738 - MVD

Dear Sir,  
Dear Jan,

I refer to your emails of October 22, October 25 and October 31, 2018.

I refer also to our phone conversation of Tuesday October 25, 2018.

As discussed and agreed, please find herewith a fee quote and fee estimation for the contemplated assignment and the requested assistance.

First of all, we would like to thank you for your request and demand and will be happy to assist and advice as requested.

As discussed at the occasion of our phone conversation, the present fee quote is an estimation and based on an estimation of work and services we presently deem to be included in the assignment.

We noted in this respect that you will provide us also with additional information regarding the matter at hand, including existing regulations and also existing internal policies and regulations which might be important or useful in relation with the matter at hand.

## **1. Our assignment. Scope of work and services**

1.1. We are expected to inform and comment on a proposal to establish a new European school site on Art Loi in Brussels.

In this respect, different issues, questions and remarks have risen, in relation to possible environmental issues and problems, including compliance with pollution regulations and norms, specific regulations concerning traffic and access to the school, regulations concerning school sites and including regulations with regard to school buildings and required facilities.

In addition to the above, there is the question related to work conditions and well-being conditions, both for the staff and pupils at school, including employment protection and legal requirements for well-being, safety and health and environmental issues for schools in general and new schools in particular.

We understood that at this stage, our assignment in this respect consists of informing you and commenting on all aspects of existing regulations and legislation both with regard to regulations and legislation under public and administrative law and under employment law, including regulations on well-being, safety, security and health.

This is also the reason why the work as requested will be carried out both by our employment team and our department of public and administrative law (please see below).

1.2. We noted that we are expected to inform you about the required permits and related public consultations allowing you to react timely by participating in consultations and/or raison actions whenever appropriate. This includes also necessary information with regard to fire, circulation, building/remodelling etc permits and also information with regard to the relevant authority granting the permit, the applicant (owner or user of the building), consultation procedures and the possibilities of the parent association of the school to engage in the process.

1.3. We noted that, where at present, we are expected to inform you in this respect and about existing legislation and regulations, including required permits, and to comment on different issues involved, we might be requested later on to further assist the parent association of the school in further contacts, negotiations etc. with public authorities, including the "regie des bâtiments". Please note that such possible further interventions are not included in the present quote.

## **2. Our team for the assignment**

As mentioned above, we suggest that our advice and comments will be prepared by both our employment law team and our department of public and administrative law, since the assignment comprises both matters and issues of employment law and public law.

I will be happy to be the partner in charge and will be assisted by Isabelle COOREMAN, partner specialised in public and administrative law.

For the issues regarding employment law, the team will further consist of Inge COIGNAU and Deborah VAN DYCK, both lawyers specialised in employment law, whereas Wouter VAASSEN will be added to the team as lawyer specialised in public and administrative law.

All lawyers working on the assignment have necessary expertise and to the extent that additional input or expertise would be necessary or appropriate, we are confident to have required and necessary expertise at our disposal in our firm.

### 3. Fees and expenses

3.1. We would suggest to work on the basis of time spent and we suggest to work at an average hourly rate of 200,00 EUR.

This average rate is based on work to be delivered by partners (Isabelle and myself), and by Inge and Wouter as senior associates and Deborah as junior associate.

3.2. Taking in consideration the scope of work and services under the assignment as above mentioned, we estimate that our fees can be determined on the amount of **8.000,00 EUR**, VAT (21%) **not included**.

Our fees are exclusive of any expenses associated with our services such as copy, dactylo, phone, courier expenses, etc.

Please note that this is an estimation, based on what we assume and anticipate at present as work to be delivered and time to be spent on the assignment, in its different aspects, issues and applicable regulations and also taking in consideration the broad scope of the assignment, legislation, rules and regulations involved.

4. Please confirm us your acceptance with this fee estimation and kindly confirm us that we can start the preparation of relevant documentation in order to inform and advice you in due course, as requested, and whereby we noted that you expect us to come back to you in short notice on the matter.

In this respect, we remind you that it might be useful to be informed about all possible already existing internal regulations which might be relevant to the different issues at hand and also public and governmental regulations concerning school sites and pollution norms of which you have knowledge of.

As of receipt of your confirmation of acceptance of the present fee quote for the assignment as above mentioned, we will be happy to start the work and expect to be able to come back to you on the matter within a timeframe of 10 working days as of receipt of your green light and acceptance of the present fee quote.

Should you have any questions or comments or wish to discuss any of the abovementioned items further, please do not hesitate to contact me.

We remain at your disposal and are looking forward to hearing from you.

Many thanks beforehand.

Kind regards,

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