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MINISTERE DE L'EDUCATION NATIONALE
BUREAU DES PROJETS D'EDUCATION

REPUBLIQUE DU MALI
UN PEUPLE - UN BUT - UNE FOI

**STATUTES AND INTERNAL REGULATIONS
OF THE PRIMARY EDUCATION
SUPPORT FUNDS OF
THE BASIC EDUCATION EXPANSION PROJECT
FAEF-USAID**

PROJET DE DEVELOPPEMENT DE L'EDUCATION DE BASE

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT
Bamako, Mali
1992

BASIC EDUCATION EXPANSION PROJECT
 UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

COMMUNITY SUPPORT DOCUMENTS (APPUI A LA COMMUNAUTE)

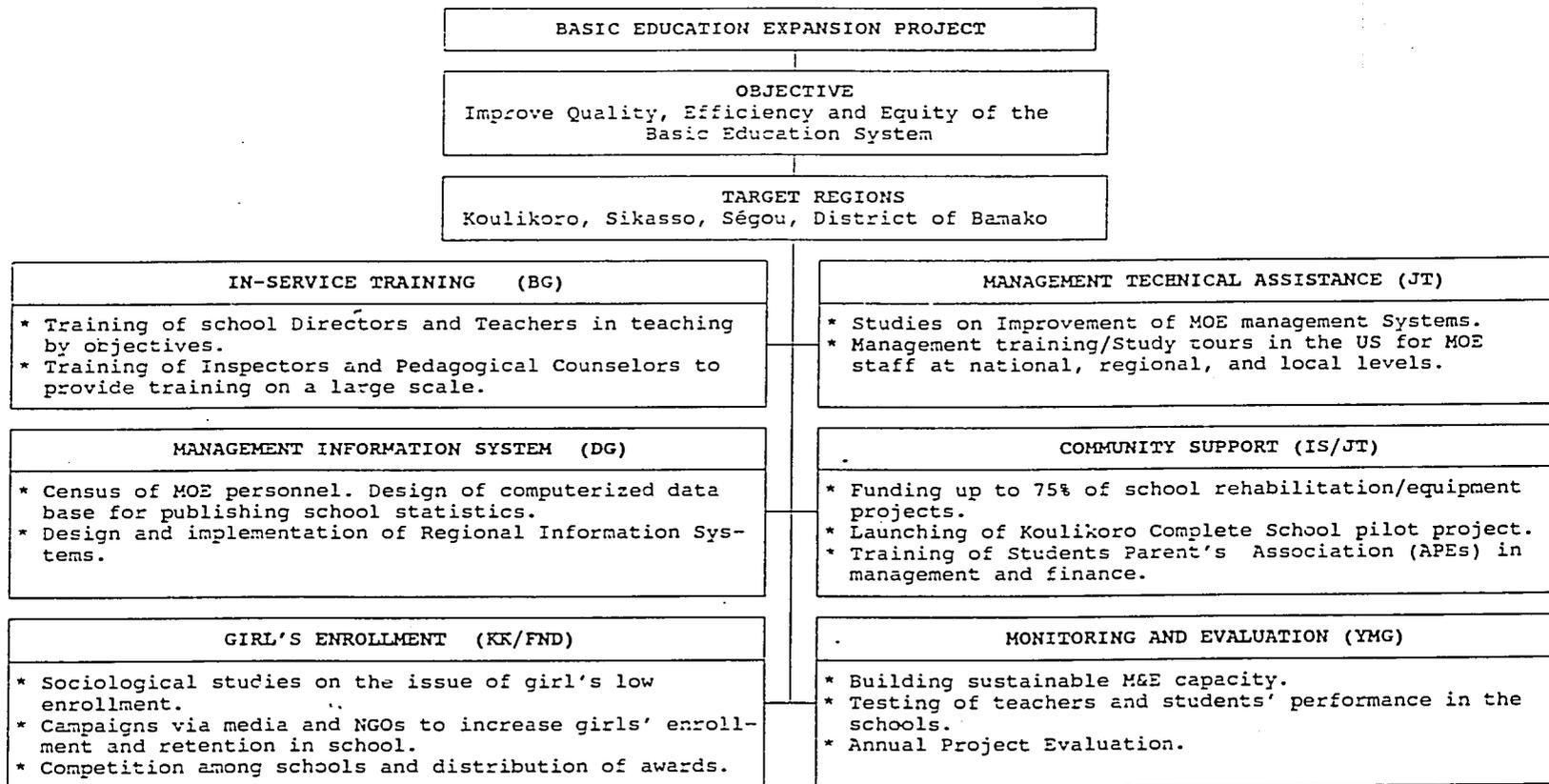
DATE	LANGUAGE	TITLE	SOURCE
1992	English	STATUTES AND REGULATIONS OF THE FAEF	BPE
1991	French/English	FAEF PROCEDURES-LETTRES D'EXECUTION - PROGRAMMES	BPE
1992	French	LE DEVELOPPEMENT DES ECOLES DE BASE DANS LE DISTRICT DE BAMAKO 1ER RAPPORT	ISFRA
1992	French	LE DEVELOPPEMENT DES ECOLES DE BASE DANS LE DISTRICT DE BAMAKO 2EME RAPPORT	ISFRA
1992	French	SEMINAIRE DE PLANIFICATION DE SELINGUE	MEN
1992	French	NOTE TECHNIQUE SUR LA SITUATION DES PROJETS DE REHABILITATION DES ECOLES DU CERCLE DE KOLOKANI	BPE
1993	French	SEMINAIRE NATIONAL MEDIAS COMMUNAUTAIRES EDUCATION DE BASE, RAPPORT DE SYNTHESE	.
Jun 1993	French	CREATION D'UNE ECOLE POUR LES ENFANTS SOURDS AU MALI	AMPSOM
.	French	LES PERSPECTIVES DE DEVELOPPEMENT DES ECOLES DE BASE DU MALI	ISFRA
.	French	ROLE DES ONG EN EDUCATION DE BASE AU MALI	GPEB
Sep 1992	French	APPUI AUX ASSOCIATIONS DES PARENTS D'ELEVES	WE
1993	French	GUIDE DE FORMATION DES ASSOCIATIONS DES PARENTS D'ELEVES	WE
Aug 1993	French	RAPPORT DE MISSION SUR L'EVALUATION DU PROJET PILOTE "APPUI AUX ASSOCIATIONS DES PARENTS D'ELEVES"	WE

LEGEND

AMPSOM-	Association Malienne pour la Promotion des Sourds et Sourds-Muets
BPE -	Bureau des Projets d'Education
GPEB-	Groupo Pivot Education de Base (Bamako)
ISFRA -	Institut Supérieur de Formation et de Recherche Appliquée
WE-	World Education

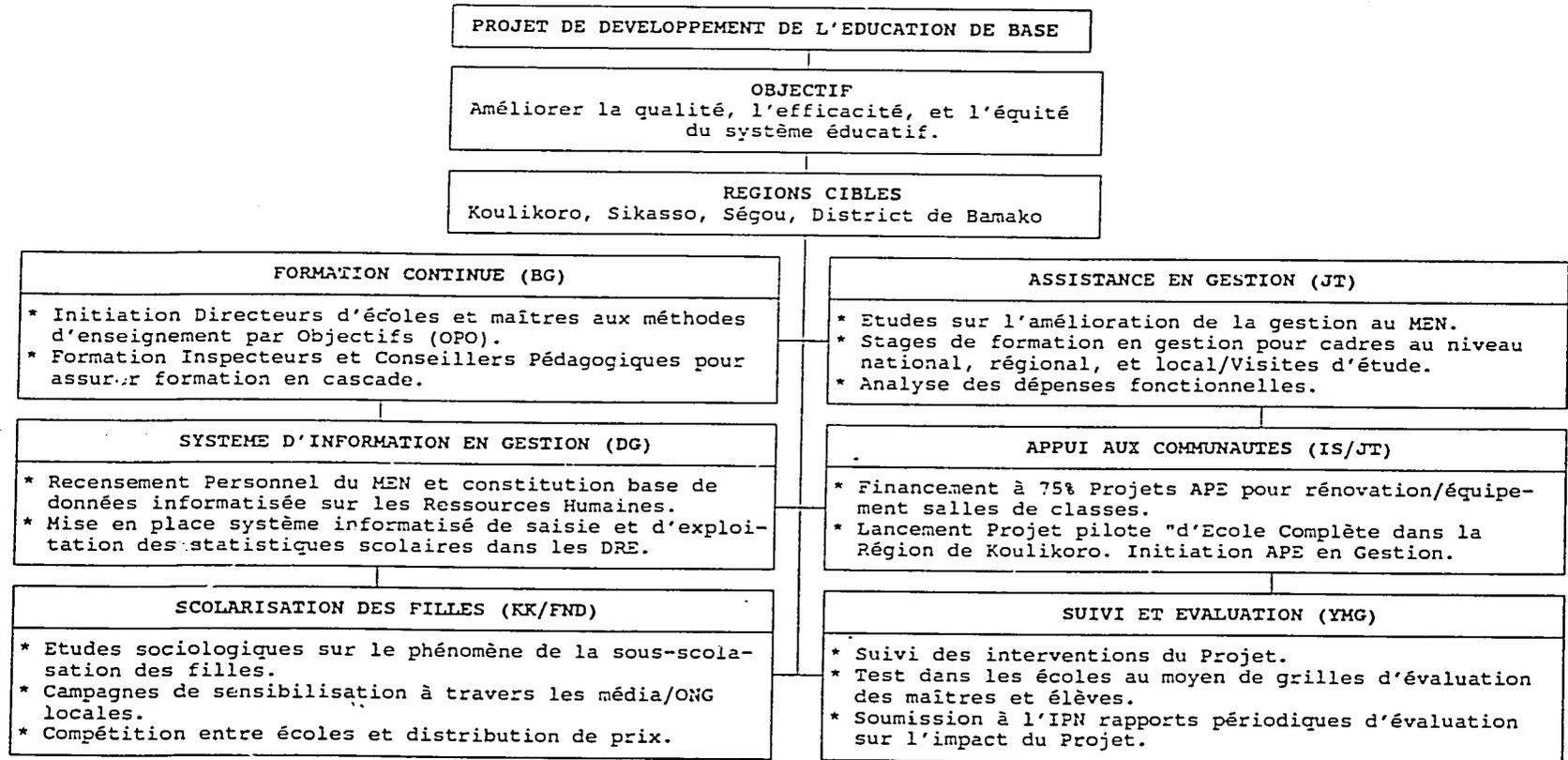
A

USAID/MALI
 EDUCATION/HUMAN RESOURCES DEVELOPMENT OFFICE
 BASIC EDUCATION EXPANSION PROJECT (BEEP)



B

USAID/MALI
EDUCATION/HUMAN RESOURCES DEVELOPMENT OFFICE
BASIC EDUCATION EXPANSION PROJECT (BEEP)



I. CREATION OF FAEF/USAID

FAEF/USAID has been created within the subsidy agreement of project N°688-0258 approved on August 30, 1989 by the Government of Mali and the Government of the United States of America.

The structure and mechanics of operation of FAEF/USAID are defined by the present statutes and internal regulations.

II. STATUTES OF FAEF/USAID:

TITLE I: OBJECT

Article 1: A special allocation account apart from the State Budget has been created and given the name of : Primary Education Support Funds (FAEF/USAID). FAEF is placed under the trusteeship of the Ministry of National Education.

Article 2: FAEF/USAID aims at encouraging, guiding and supporting grass roots efforts made by Parents' Associations (APE) within competent administrative structures to develop and preserve the patrimony of the Primary Education First Cycle. In particular, it purports to:

- make existing equipment more viable through improvement techniques allowing for double shifting;
- slow down the loss of invested funds through rehabilitation actions;
- improve school equipment;
- facilitate access to school manuals and instructional aids
- improve school life surroundings through the fulfillment of minor works such as the construction of latrines and the digging of traditional wells.

Within the Fourth Education Project, FAEF/USAID's actions are limited to the schools of the District of Bamako and of Segou and Sikasso Regions.

TITLE II: RESOURCES

Article 3: FAEF/USAID resources are constituted by funds allocated by USAID within the Basic Education Expansion Project to the special allocation account mentioned in article 1.

Article 4: This account referred to as "FAEF/USAID Account" is supplied with an initial USAID payment constituting the working capital. Before this first payment is made, the accounting and management procedures of the Administrative and Financial Division of

BPE will have to be examined by USAID so as to conform with its requirements. Any other supplies will depend on a justification of expenditures on FAEF/USAID, actual payment of malian compensation expenditures, and on the basis of a new charges projection produced by BPE and the FAEF/USAID monitor.

TITLE III: FAEF/USAID ORGANS

Article 5: The FAEF USAID organs are: the Board of Directors, the Permanent Secretariat, the Technical Committee, and the USAID committee.

Article 6: The Board of Directors: The use of FAEF/USAID funds is decided by a Board of Directors composed of the following, with voting rights:

- The Representative of the Minister of National Education (President)
- The Representative of Territorial Administration,
- The Representative of the Minister of Finances,
- The Representative of the Minister of Public Works, Urban Development and Construction,
- The National Director of Fundamental Education (DNEF)
- The Director of the Bureau of Educational Projects (BPE)
- The Representative of Parents' Associations (APE)
- The Representative of USAID.

Other people can also sit in the Board of Directors and give their advice:

- The National Director of Conventioned Catholic Education;
- The President of AMUPI (Malian Association for Unity and Progress of Islam) to represent conventioned medersas,
- One APE representative from each concerned region.
- One Representative of the Association for Retired Teachers
- One or two personalities coopted by members having voting rights and chosen on the basis of their competence among retired teachers.

The members of the Board of Directors are not remunerated, but travel expenses are reimbursed.

Article 7: The Technical Committee: The Technical Committee is composed of:

- The Head of the Technical Studies Division of BPE,
- The Head of the Technical Studies Section,
- The Head of the Section in charge of Planning and management of the Patrimony.
- The Head of the Accounting and Administration Division,
- Two USAID engineers,
- and the FAEF/USAID Counsellor.

Article 8: The USAID Committee: The USAID Committee is composed exclusively of USAID agents. It includes:

- The Representatives of the Education and Human Resources Development Office.
- The Representatives of Basic Education Expansion Project,
- The Representatives of the Engineers' Office,
- The Representatives of the USAID Controller
- and the FAEF monitor

Article 9: The Board of Directors decides on the approval of project files submitted for FAEF/USAID cofinancing. It organizes its operation as regards the annual program, and fund raising.

The Technical Committee accounts for the technical evaluation of requests for FAEF/USAID financing.

The USAID Committee comes to a decision on projects the admissibility of which requires well-founded advice from USAID technical services other than the Engineers' Office. The operations and the accounting of the FAEF/USAID are delegated to the Director of the Bureau of Educational Projects (BEP) and USAID. Within BEP, the Permanent Secretariat will be operated by agents designated by the Director. The Accounting and Management office of BPE will be responsible for accounting while technical assignments/tasks will be carried out by the Technical Studies office (DET)

Article 10: FAEF statutes are completed and made explicit by the internal regulation which clarify:

- The functioning of the institutions;
- The conditions of admissibility of the projects;
- The procedures of presentation and approval;
- The administrative and financial procedures for implementation
- The technical training staff.

TITLE IV: ACCESS TO FAEF/USAID

Article 11: FAEF/USAID's assistance goes to projects concerning a primary education school or group of schools. To be eligible, the projects must be presented by the concerned Parents' Association (APE), and conform with FAEF/USAID's pedagogic, technical and financial standards.

Taking these into consideration, the Board of Directors decides on the approval or postponement of the file and their decisions must be well-founded. The nature and conditions of the approval are defined in a cofinancing agreement, signed by the President and Treasurer of the APE for the concerned school on the one hand, and by the Director

of BPE on behalf of FAEF/USAID on the other.

Article 12: Access to FAEF/USAID is dependent upon a financial contribution and/or payment in kind by the concerned communities. This makes up the malian compensation to the cofinanced project. It is up to the APEs to take any necessary initiative at their level or at the levels of competent authorities and institutions to guarantee compensation. This compensation is completed by the APE's commitment to ensure protection and maintenance. To participate in the setting up of the compensation, the competent authorities and institutions must provide for it during the budgeting session (Local or Regional Development Committees),

Article 13: Every project cofinanced by FAEF/USAID is managed as a single operation. Payment of FAEF/USAID's first contribution is conditioned to:

- The signing of the cofinancing agreements;
- the opening of a bank account meant to supply the project with funds exclusively;
- The setting up of 100% of the compensation agreed upon either through deposits to the compensation account, or through services depending on the terms of the co-financing agreement.

TITLE V: MANAGEMENT OF FAEF/USAID FUNDS

Articles 14: The operating conditions of the FAEF/USAID account are determined by the Board of Directors, which organizes its functioning, decides on the admissibility of project files presented for cofinancing, and supervises all of the FAEF/USAID fund-raising actions.

Whenever USAID account is supplied with funds, the Board of Directors approves od FAEF/USAID report, which justifies the management of USAID account and projects' accounts. These reports shows the detailed situation per project:

1. Approved amount;
2. Amount paid in advance to the project;
3. Expenditures for the period;
4. Cumulated expenditures;
5. Amount left over (not spent yet); and a detailed report on the operations of the FAEF/USAID Central account.

The justification documents listed below must be kept with BPE of any possible examination by USAID representatives on their request:

- APEs' requests for cofinancing;
- Cofinancing agreement
- Minutes of the Board of Directors for approval of expenditures.
- Justification papers for expenses on the central account;

Article 15: The management of the FAEF/USAID account is the responsibility of the BPE Accounting and Management Office, under the authority of its director (BPE). Any request for funds for this FAEF/USAID central account and any payment to projects' account are submitted to the signature of BPE Director and that of USAID Representative.

Article 16: Any withdrawal from FAEF/USAID account in favor of a project will depend upon the existence of a minute for the approval of the project by the Board of Directors, as well as the signature of the corresponding cofinancing agreement between FAEF/USAID represented by the Director of BPE on the one hand, and the Parents' Association (APE) represented by its President and its Treasurer on the other.

Article 17: The FAEF/USAID funds can be deposited only into a project bank account, jointly managed by APEs' presidents and financial officers. Any utilization of this account for operations other than those included in the cofinancing agreement is forbidden and can lead to a cancellation of the agreement.

Article 18: Payment of USAID/FAEF funds to a project is made in blocks, determined beforehand in the cofinancing agreement. The release of each block is dependent upon BPE and USAID Representatives acknowledgement of the conformity of the works and expenses with the provisions of the agreement. The ceiling of USAID compensation funds for each APE is \$5,000, that is, about 1,5 Million CFA and the maximum for the first block of paiement is 25% of the total cofinancing amount approved of.

TITLE VI: COMPENSATION FUNDS

Article 19: Compensation funds are constituted by APEs' own contributions, assistance from Local and Regional Development Funds, proceeds from special taxes which might be raised and by all other contributions subsidies, gifts and legacies accepted by the Board of Directors of FAEF/USAID.

Article 20: The FAEF/USAID Compensation funds must be deposited in totality into the bank account of the project referred to Article 13 above. Any withdrawal from this account must be co-signed by the President and the Treasurer of the APE owning the account.

TITLE VII: CONTROL AND SANCTIONS

Article 21: After paiement of each block, the APE President forwards to the Director of BPE the financial situation of the account of the cofinanced project and statements of all the expenditures carried out. These documents must be countersigned by the President and the Treasurer of the APE owning the account. No other paiement can be made prior to the receipt of these duly signed documents.

Article 22: The FAEF/USAID bank account is controlled, on an annual basis, by an independent auditor hired on contract by USAID.

Article 23: The APEs' FAEF/USAID project accounts can, anytime, be submitted to a control by representatives designated by BPE and/or USAID, and by the independent auditor mentioned in article 22 as well.

Article 24: The situation of the malian compensations can, anytime, be checked on by representatives designated by BPE, the independent auditor, and the controllers as stipulated in article 16 of Act of Law 88-65/AN-RM.

Article 25: Any fraud at the level of the malian compensation of the FAEF/USAID funds leads to a de-facto cancellation of the related cofinancing agreement. Otherwise, the total amount of the funds already received by the APE within the agreement must be reimbursed to FAEF/USAID. Besides, the regulations for sanctions will be applied and legal proceedings will, eventually be engaged.

TITLE VIII: EVALUATION

Article 26: The FAEF/USAID operations are subject to a joint annual evaluation by its Board of Direction and USAID. The clauses for renewal of FAEF/USAID depend upon the conditions of this evaluation.

III. INTERNAL REGULATIONS

TITLE I: OBJECT

Article 27: The present internal regulations purport to define the modes of operational functioning of FAEF/USAID so as to ensure regularity and effectiveness.

TITLE II: THE FUNCTIONING OF FAEF/USAID INSTITUTIONS

Article 28: The duties of the Board of Directors are the following:

- inform and sensitize all the parties concerned;
- commit the resources of the Funds through approval of the files submitted for financing;
- check on the execution of the operations;
- produce an annual report including a forward looking program for the following year;
- submit it USAID for common examination
- debate on any possible change in the statutes of the Funds with the Government of Mali and USAID.

Article 29: The Meetings of the Board of Directors: The Board of Directors holds a meeting every month, presided over by the representative of the Minister of Education. The president can, exceptionally call on an extraordinary meeting of the management Committee. Upon starting its activities, it (the management committee) draws up an annual

calendar of its ordinary meetings.

Article 30: The Board of Directors' due deliberations: Concerning USAID compensation funds to FAEF/USAID, the decisions are made by a majority of the eight deliberating members, each one being entitled to a vote. The decisions reached by the Board of Directors are valid only if at least seven of the eight members are present. Each member can designate a substitute, allowed to sit for him. Should the votes be even, that of the president dominates.

Article 31: The Planning of the activities: Before the beginning of each year, the Board of Directors approves of a global planning for that year, prepared by the Director of the Bureau of Educational Projects (BPE). At the end of each year, the Board of Directors gets acquainted with the final report produced by the director of the Bureau of Educational Projects so as to examine it with USAID. It is on this basis that the annual work plan is accepted.

Article 32: The Permanent Secretariat: The Permanent Secretariat is responsible for:

- calling members together to ordinary or extraordinary meetings;
- preparing and forwarding all appropriate documents prior to the meetings;
- writing the minutes and submitting them to members' approval;
- finalizing the Board of Directors documents notifying and forwarding them to whom they may concern.

The members of the Permanent Secretariat attend the Board's meetings.

Article 33: The role of the Bureau of Educational Projects (BPE)

33.1. The Director of the Bureau of Educational Projects: is the manager of the FAEF/USAID Account, in collaboration with the USAID representative. She/he submits both the financing requests and the files related to the project, along with his/her advice to the Board of Director. She/he elaborates the planning and the annual report which are submitted to the Board approval. The Director of BPE coordinates all the activities of the bureau and its agents on the field as regards the operations of the fund. Any request for funds for the FAEF/USAID account and any payment from these funds to APE projects accounts are submitted to his/her signature. Under his/her authority, the different offices of BPE contribute to the functioning of the funds.

33.2. The Accounting and Management Office: is responsible for the accounting of FAEF/USAID and its operations control, checks on the management and financial validity of project files, ensures that compensation funds are committed and follows up their execution. The procedures of this office will be examined regularly in accordance with the financial accounting procedural requirements of USAID.

33.3. The Technical Studies Office: sets up the technical standards for project elaboration, assists the APE in their elaboration, advises on the admissibility of the files submitted, is consulted during the elaboration of the cofinancing agreements, checks on the cofinanced works, and takes delivery of the works. This division works in collaboration with the FAEF counsellor.

TITLE IV: FAEF/USAID ELIGIBILITY CONDITIONS FOR PROJECTS

Article 34: To be eligible, a project must be:

- presented by an APE of one the 3 regions of the FAEF;
- included in the FAEF/USAID annual planning;
- must meet the criteria defined below.

The annual planning and approval criteria will be clarified and agreed upon with USAID during the negotiations for the first year of the project and at the annual assessment for the following years.

Article 35: The Annual Planning: will enable to adjust the number, volume and origin of projects likely to be approved with FAEF/USAID resources, the possibilities for compensation, the possibilities of technical supervision and the strategy of the Board of Directors.

Article 36: The usefulness criterion: will be appreciated through how much supply is running after demand, the weakness of the service (degradation of the patrimony, lack or shortage of latrines, equipment and school supplies), the pressure from the communities and the degree of mobilization of the APE.

Article 37: The financial criteria: The compensation fund required from the APE, and the other financing sources it has solicited, must be sufficient so that FAEF/USAID cofinancing does not go beyond 75% of the total of the project.

TITLE III: THE PROCEDURE FOR APPROVAL

Article 38: The procedure for Approval goes through the following stages:

- the elaboration of a request for cofinancing,
- the forwarding of this request to the different authorities concerned,
- the study of the request by the Board of Directors.

38.1. Elaboration of the request for cofinancing

- The APE decides to request a FAEF financial assistance to support the efforts it is making in favor of its school (or group of schools) in consultation with the Director of that school.
- It submits the project to the appreciation of the Local Development

Committee it comes under. The latter must give firm undertaking that the estimated budget for the execution of the project is quite available.

- The APE also informs the IEF about its projects, and is then given by the IEF a sample request form containing request letter and technical file forms.
- To correctly fill out the request form, the APE may solicit the assistance of the FAEF branches which will provide with cost estimates and a technical plan.
- So that the prices that it proposes be real and final the APE must have a restricted consultation with suppliers and jobbers. The results of this consultation should be attached to the project file.

38.2. Forwarding the request

- The IEF studies the request, eventually asks for modification, validates the data, and forwards it to the Regional Director of Education (DRE) with sound justification. Then, the IEF informs the applicants of the forwarding.
- Having been acquainted with the file, and after all eventual modifications, the DRE forwards it with justification to the Director of BPE, and informs the administrative authority, confirming the nature and amount of the proposed compensation funds.
- The Director of BPE proceeds on to the study of the request by the Technical Committee, asking for its advice, which can be based upon a field visit. Then she/he writes a presentation report for the next meeting of the Board of Directors.

38.3. Study of the request by the Board of Directors

- The Board of Directors studies the request in light of the criteria defined in title III of the present document. It then decides to give or not to give its approval to the realization of the project.
- The decision to reject the request will be justified.
- The Permanent Secretariat informs directly the APE of the decision of the Board of Directors. It also informs the Head of the FAEF Branch and the administrative authority of the concerned area.
- If the decision of the Board of Directors is positive, the Head of the concerned FAEF branch prepares the cofinancing agreement and gets it

signed by the APE before sending it to BPE for the Director's signature.

TITLE V: FORMAT OF THE DOCUMENTS

Article 39: The Request for Cofinancing: The request for cofinancing must be introduced according to a standard model prepared by BPE. The request model that the APEs can get from Inspectorates of the Primary Education provides for the presentation of the following pieces of information:

39.1. The Presentation of the APE

- Names and addresses of the president and treasurer of the APE;
- The APE's action plan in its section for the current year and, if the case arises for the following year.

39.2. The description of the present situation of the school

- Class sizes of the school/or group of schools (GS) concerned by the instructional type, following a standard form;
- The number of school age children in the area covered by the school or GS and the number of children likely to make up potential admission;
- The numerical growth of the population of the area covered by the school or group of schools (G.S);
- The number of teachers assigned to the school or GS and their status, as well as the management and administration personnel and the overseers, and their qualifications;
- The number of classrooms and the number already used for double shifting;
- A description of the conditions of the premises, the outbuildings and school estate, based on technical forms.
- A description of the school furniture.

39.3 The Statement of the Problem to be solved and the solution considered:

- A analysis of the problem to be solved;
- The description of the number of classes to rehabilitate or to fit up, of latrines to build, of wells to dig or fit up, of furniture to buy or repair, of instructional aids and school manuals to buy;

- A global estimate of needs and necessary funds;
- The total amount available at the level of the APE and/or other financing sources, along with their description;
- The total amount requested of FAEF/USAID

Article 40: The Project File: The model project file which accompanies the cofinancing request.

- A graphic representation of the rehabilitation project including a plan of the outlines and frontages at an appropriate scale for buildings to rehabilitate.
- A descriptive estimate of the pieces of work to do, following a standard form
- At least three proforma invoices for purchases of equipment and pieces of furniture.
- A work achievement planning following a standard form showing eventually the stages corresponding to the different blocks of payment.
- The amount of the local compensation to be provided, the planning and guarantee that it is actually available, an indication of the bank where the financial component of the compensation is eventually deposited, and where the FAEF/USAID contribution is to be transferred.
- A calendar of expenditures following a standard form;
- The technical supervision staff expected to follow up the works

Article 41: The Cofinancing agreement: The text of the cofinancing agreement must follow a standard model including the following:

- The object of the agreement, to which the approved file will be joined;
- The amount of the cofinancing and of the compensation. In case of compensation in "kind", it must be subjected to a justified estimate.
- The financial and accounting procedures to respect;
- The conditions of disbursement of the funds;
- The penalties in case the agreement is not respected;
- The conditions for bringing the agreement into effect before the APE's opening of

a special bank account exclusively reserved for the realization of the project and into which the compensation and FAEF funds are deposited.

TITLE VI: ADMINISTRATIVE AND FINANCIAL PROCEDURES

Article 42: The FAEF/USAID Central Account: The FAEF/USAID central account made up of a sub-account for each of the cofinanced projects is governed by the stipulations of the grant agreement between the Government of Mali and USAID.

42.1. Project Accounts: Every APE, beneficiary of a FAEF/USAID cofinancing must include in its entries/accounting an account corresponding to the FAEF/USAID sub-account, concerning the same project. This account is to be registered at an approved bank. It must show all and only those operations related to the project. As long as the project has not been approved by the FAEF Board of Directors, the account, receiving payments of the expected compensation, excepted for any contribution of the National Budget, will be called "Compensation Account". As soon as the first FAEF/USAID payment is made, it will be called "Project Account".

42.2. Supplying the Project Account with Funds: The project account can be supplied with money through deposit(s) of compensation funds, eventually spread out according to the dates agreed upon, on the one hand, and FAEF/USAID payments on the other. The releasing of every financing block by FAEF/USAID is dependent upon actual evidence that the compensation funds have been raised in accordance with the dates agreed upon and that the project still meets with the agreement criteria.

42.3. Withdrawals from the Project Account: No withdrawal can be made on the Project Account without the double signature of the President and the Treasurer of the APE. The banking institution in which the account is registered must commit itself to abide by these rules. Account withdrawals can concern only those operations foreseen in the project. All Project related expenditures must be made through withdrawals from this account.

42.4. The Accounting of the Project: The APE treasurer is required to write down each project related operation in the accounting book of the model prescribed by USAID or BPE. All the justification papers must be kept in files as well (bills, stubs from cheques, credit advice, bank account statements). With the President, he made sure that expenditures are in conformity with the projections of the project and that the compensations are actually raised on due data.

TITLE VII: COMPLETION OF THE PROJECT

Article 43: Delivery of the works: The promises will go into service only after completion of all the fixing-up and repair works. To this end, the APE, the beneficiary assisted by the Administrative Authority, the regional Directorate of Education and USAID proceed on to the temporary delivery to take notice of the completion of the works, and to record the

temporary delivery report. Should it be necessary to require a guarantee or to make a final payment at the final delivery, the final settlement of the suppliers/contractors' contract must be made within a maximum of twelve months, starting from the temporary delivery date.

Article 44: The Closing of the Project Account: The funds deposited into the project account and not used by the time of the final delivery will be reimbursed into the FAEF/USAID account. At the time of the final delivery, or within twelve months after the temporary delivery date, the project account will be closed upon verification of conformity of all the operations approved by the Director of BPE. A report of this verification will be presented to the Board of Directors. In case of eventual discrepancies, the APE is required to correct them.

Article 45: Declaration of Completion of the Project: On the basis of delivery reports and the conformity verification on report on the closing of the account, the Board of Directors declares the project completed. Up until the termination of FAEF/USAID, BPE will be allowed to check on the maintenance of the premises and pieces of furniture having received assistance from the funds.