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im Folgenden Elbkinder genannt - | | | | | |  |  |  |  |  | | Und Frau/Herrn | |  | | | | - im Folgenden Sorgeberechtigte genannt - | | | | | |  |  |  |  |  | | *(Die Adressdaten-Stammdaten und Erlaubnisse- befinden sich in der Anlage 2 zu diesem Vertrag)* | | | | | | wird folgende Vereinbarung geschlossen: | | | | | |  |  |  |  |  | | **1. Aufnahme des Kindes** | | | | | |  |  |  |  |  | | Das Kind | |  | | | |  |  |  |  |  | | geboren am | |  | | | |  |  |  |  |  | | wird in die Betreuung ab dem Schuljahr | | |  | | |  |  |  |  |  | | der |  | | | | |  |  |  |  |  | | - im Folgenden Einrichtung¹ genannt - aufgenommen. | | | | | |  |  |  |  |  | | **2. Vertragsbeginn und Vertragsdauer** | | | | | | 2.1 Der Betreuungsvertrag beginnt am | | |  | (siehe Anlage 1). | |  |  |  |  |  | | 2.2 Der Betreuungsvertrag gilt für die Dauer des Besuches an dieser Grundschule (Vertragsbeendigung siehe Ziff. 10) im Rahmen des geltenden Kooperationsvertrages mit der Schule. Bei weiterführenden Schulen gilt der Betreuungsvertrag für die Dauer des Besuches der 5ten bis max. der 8ten Klasse (Vertragsbeendigung siehe Ziff. 10) im Rahmen des geltenden Kooperationsvertrages mit der Grundschule, an der Ihr Kind mitbetreut wird und der geltenden Vereinbarung mit der weiterführenden Schule. | | | | | |  |  |  |  |  | | **3. Betreuungszeit, Schließzeiten, Ferienwochen** | | | | | | 3.1 Die Betreuung umfasst die Zeiten, die sich aus der jeweils aktuellen Anlage 1 (Betreuungszeiten) und Anlage 1 a (Ferienbuchungen) ergeben. Nicht zur Betreuungszeit gehören die gesetzlichen Feiertage. Außerdem gehören 2 Tage während des Schuljahres², an denen das gesamte Erziehungspersonal bspw. an Fortbildungsmaßnahmen teilnimmt, nicht zur Betreuungszeit. | | | | | |  |  |  |  |  | | 3.2 An 20 Tagen während der Hamburger Schulferien findet keine Betreuung statt, um, Studientage, pädagogische Jahreskonferenzen, Fortbildungen durchzuführen, an Betriebsvollversammlungen teilzunehmen und den Urlaubsanspruch der Beschäftigten einzulösen. Diese Tage werden den Sorgeberechtigten rechtzeitig schriftlich mitgeteilt. In dieser Zeit besteht ein Anspruch auf Notbetreuung, ggfs. auch außerhalb des Schulstandortes. Über den Standort entscheiden die Elbkinder in Abhängigkeit von den Anmeldezahlen und teilen diesen den Eltern mit. | | | | | |  | | |  |  | | ¹ Einrichtung bezeichnet jeweils den Ort an dem die Betreuung durch die Elbkinder stattfindet. Dies ist i. d. R. die Schule. Im Einzelfall, z.B. im Fall des Frühdienstes oder der Notbetreuung (siehe unter 3.2) kann die Betreuung auch an einem anderen Ort stattfinden. ² Definition Schuljahr meint hier stets das tatsächliche Schuljahr, d.h. der erste Tag nach den Sommerferien bis zum letzten Tag der folgenden Sommerferien | | | | | |  | |  |  | |  | | |

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Eine Ferienwoche besteht aus 5 zusammenhängenden Wochentagen innerhalb der Ferien, die durch ein Wochenende verbunden sein können. Feiertage innerhalb von gebuchten Ferienwochen zählen als Ferientage mit. Eine der bis zu zwölf buchbaren Ferienwochen kann eine so genannte "Sockelferienwoche" sein. Eine Sockelferienwoche besteht aus bis zu 6 einzelnen, beliebig zusammengestellten Ferientagen. Eine Sockelferienwoche gilt ab dem ersten gebuchten Einzelferientag als gebucht. | | | | | |  |  |  |  |  | | 3.4 Die Buchung der Leistungen für ein neues Schuljahr erfolgt grundsätzlich bis zum 31. Mai vor den Sommerferien. Danach eingehende Buchungen und Änderungen fallen unter die nachfolgende Fristenregelung. Die Sorgeberechtigten verpflichten sich, den Elbkindern Änderungen der Betreuungszeiträume, die sie im Wege einer Nachbuchung oder einer Abbestellung vornehmen wollen, unverzüglich mitzuteilen. Die Nachbuchung oder Abbestellung von Betreuungsleistungen kann innerhalb eines Kalenderquartals mit Wirkung zum übernächsten Kalenderquartal erfolgen. Die Elbkinder können in begründeten Einzelfällen auf die Einhaltung der Fristen schriftlich verzichten. Im Fall einer Änderung der Betreuungsleistung wird die Anlage 1 angepasst. Der Tag des Beginns der Änderung ist darin festzuhalten. | | | | | |  |  |  |  |  | | **4. Stammdaten und Erlaubnisse** | | | | | | Die Stammdaten des Kindes und der Sorgeberechtigten und weitere Erlaubnisbescheinigungen werden in der Anlage 2 geregelt. Die Sorgeberechtigten verpflichten sich, etwaige Änderung dieser Daten unverzüglich den Elbkindern mitzuteilen. Außerdem verpflichten sie sich, dass ihr Kind im Rahmen des vereinbarten Leistungsumfanges nach Anlage 1 die Einrichtung pünktlich erreicht (im Fall der Frühbetreuung) und verlässt. | | | | | |  |  |  |  |  | |  |  |  |  |  | | **5. Buchung von Leistungsarten** | | | | | | 5.1 Eine Kopie der Buchungsmitteilungen des Schulsekretariats ist unverzüglich an die Elbkinder weiterzugeben. Die darin angegebenen Betreuungszeiten werden in die Anlage 1 dieses Vertrages übernommen. Die Sorgeberechtigten verpflichten sich, die Betreuungszeiten dieser Anlage 1 innerhalb der Anmeldefristen für das neue Schuljahr, gegenüber den Elbkindern zu aktualisieren. | | | | | |  |  |  |  |  | | 5.2 Eine Nachbuchung oder Abbestellung von gebuchten Ferien- und/oder Randzeiten kann in einem Kalenderquartal mit Wirkung für das übernächste Kalenderquartal erfolgen. | | | | | |  |  |  |  |  | |  |  |  |  |  | | **6. Versicherungsschutz** | | | | | | Alle vertraglich betreuten Kinder sind in den jeweils vertraglich vereinbarten Zeiten sowie auf dem direkten Weg von ihrer Wohnung / Schule zur Einrichtung und zurück, gemäß den Bestimmungen der gesetzlichen Unfallversicherung gegen Unfälle versichert. | | | | | |  |  |  |  |  | |  |  |  |  |  | | **7. Haftungsbeschränkung** | | | | | | Die Haftung der Elbkinder und ihrer Beschäftigten sowie eventueller Verrichtungs- und Erfüllungsgehilfen für Sachschäden ist auf Vorsatz und grobe Fahrlässigkeit beschränkt. | | | | | |  | |  |  | |  | | |

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Pflichten bei Erkrankungen** | | 8.1 Mitteilungspflicht der Sorgeberechtigten  Akut erkrankte Kinder dürfen die Einrichtung nicht besuchen. Weitere Information zum Umgang mit ansteckenden Krankheiten sind dem beigefügten Merkblatt für Eltern zum Infektionsschutzgesetz zu entnehmen. Erkrankungen, insbesondere ansteckende Krankheiten des Kindes sowie Unfälle auf dem Hin- und Rückweg, müssen den Elbkindern umgehend vom Sorgeberechtigten mitgeteilt werden. In Zweifelsfällen können die Elbkinder ein ärztliches Attest verlangen. | |  | | 8.2 Mitteilungspflicht der Elbkinder  Die Elbkinder werden die Sorgeberechtigten beim Auftreten von ansteckenden Krankheiten in der Einrichtung, wie z.B. Scharlach, Masern, Keuchhusten umgehend in Kenntnis setzen. | |  | |  | | **9. Datenschutz** | | Die Elbkinder können, soweit dies zur Erfüllung ihrer Aufgaben nach dem Kinder- und Jugendhilfegesetz oder aufgrund anderer gesetzlicher Vorschriften zulässig ist, personenbezogene Daten des Kindes und der Sorgeberechtigten verarbeiten.  Dementsprechend werden sie die Aufnahmedaten der angemeldeten Schüler von der Schule erhalten. Auch informieren sich Elbkinder und Schule im Fall der Abwesenheit eines Kindes aufgrund von Erkrankung gegenseitig. Hierzu erteilen die Sorgeberechtigten durch gesonderte Unterschrift am Ende dieses Vertrages ihre Einwilligung. Diese Einwilligung kann ohne Angabe von Gründen gesondert widerrufen werden. Bedenken Sie bitte, dass eine Information über chronische Erkrankungen Ihres Kindes für seine Betreuung unerlässlich ist. | |  | |  | | **10. Laufzeit / Vertragsbeendigung** | | 10.1 Der Vertrag tritt mit beidseitiger Unterzeichnung in Kraft. | |  | | 10.2 Die reguläre Laufzeit ist gebunden an die Dauer des Grundschulbesuchs des Kindes und die rechtzeitige Vorlage der gültigen Buchung. | |  | | 10.3 Die Kernbetreuungszeit (13 - 16 Uhr) des Kindes kann nur zum Ende des tatsächlichen Schuljahres im Rahmen der Anmeldefristen der Schule für das nächste Schuljahr gekündigt werden. | |  | | 10.4 Die Elbkinder können den Vertrag aus wichtigem Grund kündigen. Wichtige Gründe sind, insbesondere und ohne Ausschluss anderer wichtiger Gründe, wenn das Kind oder einer seiner Sorgeberechtigten  - sich oder andere gefährdet oder  - nachhaltig den Betriebsfrieden der Einrichtung stört.  Die Elbkinder werden bei einer Kündigung aus wichtigem Grund die allgemeinen zivilrechtlichen Anforderungen an eine solche Kündigung einhalten. | |  | | Die Elbkinder sind berechtigt, die Kündigung und die der Kündigung zugrundeliegenden Umstände der Schulleitung mitzuteilen. | |  | | 10.5 Sollte die Schule aufgrund von nicht gezahlten Beiträgen für Randzeiten und Ferienbetreuung (siehe Anlage 1 unter 2. und 3.) eine Zwangsteilabmeldung vornehmen, wird die Leistung der Betreuung für diese Zeiten mit sofortiger Wirkung nicht mehr von den Elbkindern erbracht. | |  | |  | |  |  |  | | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | | |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | |  |  |  |  | |  | | **11. Wichtige Änderungen der persönlichen und sonstigen Verhältnisse** | | | | | | | Wichtige Änderungen in den persönlichen und sonstigen Verhältnissen, die die Betreuung des Kindes in der Einrichtung betreffen, wie z.B. Wohnungs-, Arbeitsplatz-, Schulwechsel, Änderung des Sorgerechts, sind den Elbkindern umgehend mitzuteilen. | | | | | | |  |  |  |  | |  | |  |  |  |  | |  | | **12. Bestandteile dieses Vertrages** | | | | | | | Als Bestandteil dieses Vertrages gelten: - Anlage 1 Randzeiten - Anlage 1a Ferienbuchung - Anlage 2 Stammdaten und Erlaubnisse | | | | | | |  |  |  |  | |  | |  |  |  |  | |  | | **13. Mündliche Nebenabreden und Wirksamkeit** | | | | | | | Mündliche Nebenabreden sind nicht getroffen. Abänderungen und Ergänzungen dieses Vertrages bedürfen der Schriftform. Die Unwirksamkeit oder Nichtigkeit einzelner Regelungen berührt den Bestand des gesamten Vertrages nicht. | | | | | | |  |  |  |  | |  | | Hamburg, den | | | | | | |  |  |  |  | |  | |  |  |  |  | |  | |  | | |  |  | | | **Unterschrift der Sorgeberechtigten Unterschrift der Sorgeberechtigten Unterschrift für die Elbkinder** | | | | | | |  |  |  |  | |  | |  |  |  |  | |  | | **Unterschriftsleistung** | | | | | | | Für alle Unterschriftsleistungen der Sorgeberechtigten im Zusammenhang mit der Betreuung des Kindes wird hiermit vereinbart, dass für die Dauer der Gültigkeit dieser Vereinbarung die Unterzeichnung von Verträgen und Vereinbarungen mit den Elbkindern sowie deren Änderungen durch einen Sorgeberechtigten rechtlich wirksam und bindend für die/den andere/n Sorgeberechtigten ist. Die Sorgeberechtigten erteilen sich insofern wechselseitig Vollmacht und befreien sich von Beschränkungen einer Mehrfachvertretung. | | | | | | |  |  |  |  | |  | | Hamburg, den | | | | | | |  |  |  |  | |  | |  |  |  |  | |  | |  | | |  | |  | | **Unterschrift der Sorgeberechtigten Unterschrift der Sorgeberechtigten** | | | | | | |  |  |  |  | |  | |  |  |  |  | |  | | Ich/ wir haben eine Ausfertigung dieses Vertrages mit den Anlagen 1, 1a und 2, das Merkblatt "Merkblatt für Eltern zum Infektionsschutzgesetz" sowie das Merkblatt "Merkblatt Datenschutz Art. 13 DSGVO GBS Eltern" erhalten. | | | | | | |  |  |  |  | |  | | Hamburg, den | | | | | | |  |  |  |  | |  | |  |  |  |  | |  | |  | | |  | |  | | **Unterschrift der Sorgeberechtigten Unterschrift der Sorgeberechtigten** | | | | | | |  | | | | |  | | |

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Dementsprechend werden sie die Aufnahmedaten der angemeldeten Schüler von der Schule erhalten. Auch informieren sich Elbkinder und Schule im Fall der Abwesenheit eines Kindes aufgrund von Erkrankung gegenseitig. Sollte z.B. ein ressourcenauslösendes Gutachten oder eine genehmigte Schulbegleitung vorliegen, werden die Elbkinder von der Schule informiert. Bedenken Sie bitte, dass eine Information über chronische Erkrankungen Ihres Kindes für seine Betreuung unerlässlich ist. Hierzu erteilen die Sorgeberechtigten ihre Einwilligung. Diese Einwilligung kann ohne Angabe von Gründen widerrufen werden.   Ich/ Wir habe/n das Merkblatt "Merkblatt Datenschutz Art. 13 DSGVO Einwilligung Eltern" erhalten. | | | | | |  |  |  |  |  | |  |  |  |  |  | | Hamburg, den | | | | | |  |  |  |  |  | |  |  |  |  |  | |  |  |  |  |  | |  |  |  |  |  | | **Unterschrift der Sorgeberechtigten Unterschrift der Sorgeberechtigten** | | | | | |  | |  |  | |  | | |  | | |

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