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Rules of Procedure of the Doctoral School Senate of the Doctoral School NRW

in the version dated 13.09.2022

Based on Section 67b (1) sentence 1 and Section 77a of the Higher Education Act of the State of North Rhine-Westphalia (HG) in the version published on July 12, 2019, the Administrative Agreement on the Establishment of the Doctoral School of Applied Research in North Rhine-Westphalia (Administrative Agreement) of December 14, 2020 and the Constitution of February 25, 2021, the Doctoral School Senate of the Doctoral School NRW adopts the following Rules of Procedure:

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§ 1 Chair and format of the meeting

(1) The Doctoral School Senate elects a chairperson and a deputy chairperson by a simple majority from among its voting members. The person who receives the majority of the votes of the Body or Board or Committee is elected. The Chairperson chairs the Doctoral School Senate meetings prepared by the Executive Board in consultation with the Chairperson of the Doctoral School Senate (chairing of meetings).

(2) Meetings of the Doctoral School Senate may be held in person, electronically or in hybrid form. The decision on this shall be made by the chair of the meeting in consultation with the Doctoral School Senate. The decision will be communicated with the invitation.

(3) If the meeting is held in electronic or hybrid form, it must be ensured that it is possible to vote by secret ballot in accordance with the applicable rules. The chair of the meeting may allow exceptions to this rule.

§ 2 Convening

(1) The Doctoral School Senate shall be convened by the chairperson with the support of the administrative office. The Doctoral School Senate shall set the meeting dates for a calendar year in advance. They may be changed by the Doctoral School Senate.

(2) Meetings shall be convened in electronic form with a notice period of at least five working days and the agenda announced. As a rule, all documents required for the meeting must be attached to the invitation.

(3) No more than six months should elapse between the respective meeting dates.

(4) The chair of the meeting shall convene the Doctoral School Senate if five members so request, stating the subject of the meeting.

(5) If a meeting has been requested in accordance with paragraph 4, it shall be convened within two weeks of receipt of the request in accordance with paragraph 2.

(6) The members of the Doctoral School NRW shall be given the opportunity to view the meeting date and agenda in electronic form.

§ 3 Agenda

(1) The chair of the meeting proposes the agenda.

(2) At the request of any member of the Doctoral School Senate, the chair of the meeting shall include in the proposal such agenda items as have been communicated to him or her in writing or in electronic form no later than 10 days before a meeting.

(3) The chair of the meeting and the members of the Doctoral School Senate are authorized to propose additional agenda items until the final agenda is set at the beginning of the meeting, the discussion of which has only become urgently necessary after the invitation has been issued.

(4) The Doctoral School Senate shall determine the agenda by a simple majority of those present and may decide not to deal with individual agenda items for the respective meeting by a 2/3 majority of those present. The agenda items not dealt with shall be included in the agenda of the next meeting and dealt with at that meeting.

(5) Individual items on the agenda may not be postponed against the vote of the chair of the meeting.

§ 4 Public

(1) The meetings of the Doctoral School Senate are open to members and Affiliated Members of the Doctoral School NRW.

(2) The public may be excluded by resolution. Motions to exclude the public may only be justified, discussed and decided upon in a closed session.

(3) Personnel and audit matters are dealt with in closed sessions.

§ 5 Quorum

(1) The Doctoral School Senate is quorate if more than half of its voting members are present or represented and the meeting has been duly convened. The quorum shall be determined by the chairperson at the beginning of the meeting.

(2) The Doctoral School Senate shall be deemed to have a quorum as long as it has not been established that it is not quorate.

(3) If the chair of the meeting determines that the Doctoral School Senate does not have a quorum, it shall adjourn the meeting and convene the Doctoral School Senate for a new hearing on the same subject within a period of four weeks at the latest, subject to a notice period of one week. The Doctoral School Senate shall then have a quorum regardless of the number of persons present. This provision must be expressly referred to when the meeting is convened for the second time.

§ 6 Transfer of voting rights

(1) A member with voting rights may transfer their voting rights to another member of the same group with voting rights.

(2) Each voting member present may only accept one transfer of voting rights. The member entitled to vote is free to decide on the transferred vote. Voting right transfers must be submitted to the chair of the meeting in writing before the start of the meeting.

(3) The transfer of voting rights applies to one meeting. The transfer of voting rights for an ongoing meeting or parts of meetings is excluded.

§ 7 Bias

Members of the Doctoral School Senate and its commissions and committees may not participate in the deliberation and voting on matters that could bring them or their close Affiliated Members direct personal advantages or disadvantages. The exercise of voting rights in elections remains unaffected.

§ 8 Speaking order

(1) The chairperson of the meeting shall give the floor in the order in which requests to speak are made and may take the floor at any time or give the floor for direct replies.

(2) As a rule, speaking time should not exceed five minutes; upon request, the speaking time and the number of requests to speak may be limited by resolution.

(3) Applicants shall be given the floor both at the beginning and at the end of the discussion

of their application.

(4) The restrictions in paragraphs 1 - 3 do not apply to points of order. These may be submitted at any time and must be voted on immediately.

§ 9 Information from the Doctoral School Senate

(1) The Executive Board shall report regularly to the Doctoral School Senate on the conduct of its office.

(2) The Executive Board is obliged to answer written questions from Doctoral School Senate members at the next meeting of the Doctoral School Senate, provided they have been submitted at least three working days before this meeting.

§ 10 Voting

(1) Motions shall be decided by vote if there are no requests to speak on the matter or if a procedural motion for a vote has been adopted.

(2) The wording of the motions to be voted on shall be announced by the chair of the meeting prior to the vote. The motion with the most far-reaching content shall be voted on first. The chair of the meeting shall decide on the order in which the motions are put to the vote.

(3) Voting shall be by show of hands or electronic sign. Any member of the Doctoral School Senate entitled to vote may request a secret ballot. Decisions on personnel matters shall be made by secret ballot (Section 12 (2) HG). Votes on the Rules of Procedure are always taken by a show of hands or electronic sign.

(4) Each outvoted member may present a dissenting position in a written special vote, provided this has been announced at the meeting. The special vote must be submitted within a deadline to be set by the chair of the meeting, together with the reasons for the vote. The announcement of the special vote and the deadline for the statement of reasons must be recorded in the minutes. The special vote must be attached to resolutions that are to be submitted to other bodies (Section 12 (3) HG).

§ 11 Speech on the Rules of Procedure

(1) Points of order may be procedural motions or points of order.

(2) The following procedural motions are possible:

- a) Determination of the quorum
- b) Repetition of a vote or ballot due to obvious formal errors
- c) Cancellation and adjournment of the meeting
- d) Transition to the next item on the agenda
- e) Postponement of an item on the agenda
- f) Failure to deal with an application
- g) Transfer of an item
- h) Conclusion of the debate

- i) Closing of the list of speakers
- j) Limitation of speaking time, but not less than five minutes
- k) Temporary interruption of the meeting
- l) Granting the right to speak to non-members of the Doctoral School Senate
- m) Exclusion of the public

(3) The vote on points of order shall be taken by establishing that there is no objection. If a member raises an objection to a motion, a decision on the motion shall be taken by a simple majority of the members present and entitled to vote after hearing a maximum of two speakers. If there are several points of order, they shall be decided on in the order set out in paragraph 2.

(4) Resolutions on points of order require a 2/3 majority of the members present in order to be rescinded or amended at the same meeting.

(5) Comments on the Rules of Procedure shall include suggestions on the procedure, factual corrections, the submission of a personal statement or a statement protocol as well as objections.

§ 12 Resolutions

(1) Unless otherwise stipulated by the Higher Education Act, the Administrative Agreement, the Constitution or these Rules of Procedure, resolutions shall be passed by a majority of the members present and entitled to vote.

(2) If there is only one motion to be decided, a majority is reached if the votes in favor exceed the votes against. In the event of a tie, the motion is deemed to have been rejected.

(3) If several motions have to be voted on at the same time, the motion that achieves a relative majority is adopted. In the event of a tie, further deliberation and voting is required.

(4) If the number of abstentions exceeds the sum of votes in favor and against, the chair of the meeting may suspend the implementation of the resolution until the next meeting of the Doctoral School Senate. In this case, a final vote on this agenda item must be taken again at the next meeting of the Doctoral School Senate.

§ 13 Circulation procedure

(1) In exceptional cases, the Doctoral School Senate may pass a written resolution, including in electronic form, if no more than five members object. Written resolutions are passed by a majority of the members entitled to vote.

(2) It is permissible to combine the approval procedure for the circulation procedure with the resolution on the motion.

(3) Written or electronic decisions received after the deadline for written or electronic voting specified in the letter on the circulation procedure shall be disregarded. The deadline is generally one week. In exceptional cases, the chairperson may set a different deadline.

(4) In matters that cannot be postponed and in which a resolution of the Doctoral School

Senate cannot be brought about in time, the Chairperson of the Doctoral School Senate or the Deputy Chairperson shall decide in consultation with the Executive Board. This does not apply to elections. The chairperson or deputy chairperson of the Doctoral School Senate must inform the Doctoral School Senate immediately of the reasons for the decision taken and the manner in which it was made (Section 12 (4) HG).

§ 14 Suspension of resolutions

Unlawful resolutions must be objected to by the Chairperson of the Board of Management. The objection has a suspensive effect. The objected resolution must be discussed and decided on again at the next meeting. If the resolution is again objected to as unlawful, the Board of Supporters shall decide.

§ 15 Commissions and committees

(1) The Doctoral School Senate may form permanent or temporary commissions or committees to support it. The requirement of gender-equitable composition of Bodies or Boards or Committees (§ 11b HG) must be observed.

(2) Standing committees should include representatives of all status groups represented in the Doctoral School Senate as well as a member of the Executive Board. The status group representatives do not have to be members of the Doctoral School Senate.

(3) For temporary commissions or committees, the duration by which the opinions or submissions for the Doctoral School Senate should be prepared is agreed at the beginning of the task. This period may be extended if necessary. Temporary commissions or committees dissolve once the task has been completed.

(4) The commissions shall elect a chairperson and deputy chairperson from among their members. He or she shall prepare and chair the meetings of the commission in consultation with the Executive Board.

(5) The Doctoral School Senate may form an Equal Opportunities Commission. It may elect a representative of the interests of doctoral candidates with disabilities or chronic illnesses in accordance with Section 62b HG NRW.

(6) If necessary, the Doctoral School Senate may form a search committee to prepare the election of members of the Executive Board by the Doctoral School Election Assembly.

(7) Membership of the committees ends at the end of the Doctoral School Senate's term of office.

(8) These Rules of Procedure shall apply mutatis mutandis to the procedures of the commissions and committees, unless they have adopted their own rules of procedure.

(9) The commissions and committees do not meet in public.

(10) The chairs of the commissions and committees shall report to the Doctoral School Senate on the status of deliberations in the commissions and committees.

(11) The members of the Commission and the Committee shall be entitled to express opinions

that deviate from the report pursuant to paragraph 11.

§ 16 Protocol

(1) Minutes must be taken of the meetings of the Doctoral School Senate, which must be approved by the chair of the meeting. The minutes must contain the wording of the resolutions and the voting results; they should summarize the essential course of the negotiations (minutes of the results).

(2) The minutes of the meeting shall be sent to each member of the Doctoral School Senate in electronic form no later than 10 working days after the meeting. Voting on the minutes may take place by circulation or at the next meeting. The Doctoral School Senate shall decide on objections to the accuracy of the minutes by a simple majority.

(3) The minutes of the results shall be made available electronically to the members and Affiliated Members of Doctoral School NRW, omitting those agenda items that were not discussed in public.

§ 17 Interpretation and amendment of the Rules of Procedure

Deviations from the provisions of these Rules of Procedure in individual cases are permissible if, as determined by the chair of the meeting, no more than 1/4 of the voting members of the Doctoral School Senate object. The Doctoral School Senate adopts amendments to these Rules of Procedure with a 2/3 majority of the voting members.

§ 18 Entry into force

These Rules of Procedure shall enter into force on the day following their publication in the Doctoral School NRW's electronic gazette.

Issued on the basis of the decision of the Doctoral School Senate of 13.09.2022.

Bochum, 13.09.2022

The Chairman of the Doctoral School Senate

signed. *Jung*

(Prof. Dr. Norbert Jung)