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Rules of Procedure of the Department Board of the Department of Resources and Sustainability of the Doctoral School NRW

in the version dated 30.06.2022

Based on Section 67b of the Higher Education Act of North Rhine-Westphalia (Hochschulgesetz – HG) in the version published in the Act amending the Higher Education Act of July 12, 2019, Section 22 of the Administrative Agreement of the Doctoral School NRW (VV) and Section 11 of the Constitution (GO), the Department Board of the Department of Resources and Sustainability of the Doctoral School NRW has adopted the following Rules of Procedure:

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§ 1 Tasks, composition, chairmanship

- (1) The responsibility of the Department board is regulated in § 26 of the administrative agreement.
- (2) The election of the Director and his/her deputies is regulated in Section 33 of the Election Regulations for the Election to the Bodies or Boards or Committees of the Doctoral School NRW.
- (3) In cases in which decisions on certain matters affect several departments and require coordinated action, the Department Board shall form joint committees from among its members in accordance with Section 12 (1) and Section 26 (3) of the administrative agreement with the departmental boards involved. The requirement of gender-equitable composition of

Bodies or Boards or Committees in accordance with Section 11b HG must be observed. All status groups must be represented in the committees in accordance with Section 11 (2) HG.

(4) Section 18 (3) of the Constitution regulates who is a voting member of the Department board.

(5) The director of the department is a non-voting member of the Department board in accordance with Section 26 (2) of the Administrative Agreement and Section 18 (4) of the Constitution.

(6) In accordance with Section 18 (5) of the Constitution, the director of the department chairs the Department board.

(7) The term of office of the Department board is regulated in Section 18 (2) of the Constitution.

§ 2 Chairing of meetings and format of meetings

(1) The director of the department prepares the meetings of the Department board and chairs the meetings (hereinafter referred to as the chair of the meeting).

(2) Meetings of the Department board may be held in person, electronically or in hybrid form. The decision shall be made by the chair of the meeting. 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. This does not apply to elections.

§ 3 Convening of the Department board

(1) The Department board is invited by the chairperson. The meeting dates are set in advance for a calendar year by the Department board. They can be changed by the Department board.

(2) The Department board meets at least twice a semester.

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

(4) The chair of the meeting must convene a meeting of the Department board if three members of the Department board 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 3.

(6) Meeting dates and agendas are published on the department's website once they have been set.

§ 4 Agenda of the Department board

- (1) The chair of the meeting proposes the agenda.
- (2) At the request of any member of the Department board, the chair of the meeting must include items in the agenda that have been communicated to it in writing or in electronic form no later than ten days before a meeting.
- (3) Until the final agenda is set at the beginning of the meeting, the chair of the meeting and the members of the Department board are authorized to propose further agenda items whose discussion has only become urgently necessary after the invitation has been issued.
- (4) The Department Board shall set the agenda by a simple majority of the voting members present and may decide not to deal with individual agenda items for the respective meeting by a 2/3 majority of the voting members present. The agenda items not discussed must be included in the agenda of the next meeting and discussed at this meeting.
- (5) Individual items on the agenda may not be postponed against the vote of the chair of the meeting.

§ 5 Public

- (1) The meetings of the Department board are generally open to the public in accordance with Section 12 (2) of the administrative agreement.
- (2) The public may be excluded by resolution in justified exceptional cases. Motions to exclude the public may only be justified, discussed and decided in a closed session.
- (3) Personnel matters are dealt with in closed sessions.

§ 6 Quorum of the Department board

- (1) The Department board is quorate if more than half of its voting members are present or represented and the meeting has been duly convened. The quorum must be established by the chairperson at the beginning of the meeting. In matters that directly affect research and teaching within the department, the professorial members have the majority of votes of the members of the Body or Board or Committee in accordance with Section 11 (2) HG.
- (2) The Department Board 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 Department Board does not have a quorum, it shall adjourn the meeting and convene the Department Board for a new meeting on the same subject within a maximum period of four weeks, subject to a notice period of one week. The Department Board then has a quorum regardless of the number of attendees . This provision must be expressly referred to when the meeting is convened for the second time.

§ 7 Information of the Department board

- (1) The chair of the meeting shall report regularly to the Department board on the conduct of their office.
- (2) The chair of the meeting is obliged to answer written questions from Department board members at the next meeting of the Department board, provided they have been submitted at least three working days before this meeting.

§ 8 Voting in the Department board

- (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 voting member of the Department board may request a secret ballot. Decisions on personnel matters and elections are 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).

§ 9 Speech on the Rules of Procedure of the Department board

- (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 Department board
 - 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 specified in paragraph 2.

(4) Resolutions on points of order require a 2/3 majority of the members present and entitled to vote 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.

§ 10 Transfer of voting rights in the event of absence

(1) If a member is absent from the meeting, he/she may transfer his/her vote to a member of his/her own group. The person who is unable to attend must inform the chair of the meeting that he/she is not attending and to whom he/she is transferring his/her vote (a person to whom another person has transferred the right to vote cannot communicate the transfer of voting rights him/herself).

(2) A member may not have more than one delegated vote in addition to his or her own vote.

§ 11 Resolutions of the Department board

(1) Unless otherwise stipulated by the Higher Education Act, the administrative agreement or the Constitution, resolutions shall be passed by a majority of the members present and entitled to vote and delegated votes. In matters that directly affect research and teaching within the department, the votes of professorial members must constitute a majority in accordance with Section 11 (2) of the Higher Education Act.

(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. Abstentions count as votes not cast.

(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 execution of the resolution until the next meeting of the Department board. In this case, a final vote on this agenda item must be taken again at the next meeting of the Department board.

(5) The members of the Department board and its committees may not participate in the discussion and voting of matters that could bring direct personal advantages or disadvantages to themselves or close Affiliated Members.

§ 12 Circulation procedure in the Department board

- (1) In exceptional cases, the Department board 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 one week. In exceptional cases, the chair of the meeting may set a different deadline.
- (4) In matters that cannot be postponed and in which a resolution of the Department board cannot be brought about in time, the director shall decide. This does not apply to elections. The director must inform the Department board immediately of the reasons for the decision taken and the manner in which it was made (Section 12 (4) HG).

§ 13 Protocol

- (1) Minutes must be taken of the meetings of the Department board, 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 Department board in electronic form no later than ten working days after the meeting. The minutes may be voted on by circulation or at the next meeting. The Department board decides 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 the Doctoral College, omitting the agenda items that were not discussed in public.

§ 14 Interpretation and amendment of the Rules of Procedure

Deviations from the provisions of these Rules of Procedure in individual cases are permitted if no more than 1/4 of the voting members of the Department board object after the chair of the meeting has established this. Amendments to these Rules of Procedure are adopted by the Department Board with a 2/3 majority of the voting members.

§ 15 Severability clause

Should any provision of these regulations be invalid, this shall not affect the validity of the remaining provisions. An invalid provision shall be replaced by a new, valid provision that comes as close as possible to the meaning and purpose of the original provision.

§ 16 Entry into force

The Rules of Procedure of the Department Board of the Department shall enter into force on the day following their publication in the Doctoral School NRW Gazette.

Executed on the basis of the resolution of the Department board dated 30.06.2022.

Bochum, June 30, 2022

The Chairman of the Department board

signed. *Holzhauer*

(Prof. Dr. Ralf Holzhauer)