

**Rules of Procedure
of RWTH Aachen University
Dated September 21, 2007
in the Ninth Revised Version**

Dated December 14, 2021

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Please note: This publication is an English translation. Only the German original of these regulations as published in the Official Announcements of RWTH Aachen University (“Amtliche Bekanntmachungen”) is legally binding.

On the basis of §§ 2 para, 4 Sentence 1, 12 of the law governing the Universities of the Federal State of North Rhine-Westphalia (HG) in the version dated September 16, 2014 (Law and Official Gazette of the State of North Rhine-Westphalia p. 547), most recently amended by Art. 1 of the Act on Further Amendments to the Higher Education Act and the Art School Act dated November 25, 2021 (Law and Official Gazette NRW p. 1210a), RWTH Aachen University (RWTH) has issued the following Rules of Procedure for the University Committees:

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§ 1 Scope of Application

These rules of procedure apply to the Senate, the University Election Assembly, the Faculty Councils, their commissions and committees, as well as to all other bodies of RWTH that decide to apply them.

§ 2 Chair and Meeting

- (1) The University bodies shall elect a chairperson and a deputy chairperson from among their voting members, unless otherwise stipulated in the basic regulations or the faculty regulations. The University committees shall be convened and chaired by their chairperson or, if the chairperson is unable to do so, by the deputy chairperson.
- (2) Meetings of the Senate, the University Election Assembly, and the Faculty Councils are generally open to the public. The presentation of candidates and the ensuing discussion may be held in closed session if so decided by these committees. The other bodies and committees of the University do not meet in public.
- (3) Meetings of University committees generally do not exceed five hours. A longer meeting duration requires the consent of at least 2/3 of the voting members present.
- (4) Regular meetings of the Senate shall be announced at the end of the lecture period for the following semester. The details with regard to the meeting dates of the faculty councils are regulated by the respective faculty regulations; § 12 (4) HG is to be observed.

§ 3 Invitation

- (1) An invitation and the necessary documents for the respective meeting of the University committee will be sent to all voting and non-voting members.
- (2) University members who are to be heard prior to a decision of a University committee shall be invited in due time to the agenda item concerning them. They shall receive the relevant written documents in due time. These University members shall receive the part of the meeting minutes relating to this agenda item.
- (3) For meetings of the Senate and the Faculty Councils, invitations, agendas, meeting documents, and minutes are sent to the two closest deputies of the respective member of the corresponding constituency. Invitations, agendas, and minutes for meetings of the other University committees are sent to all deputies. Whether the deputies should also receive other documents shall be decided on a case-by-case basis by the chairperson of the committee or the respective committee by resolution. § Section 13 (1) shall remain unaffected. The participation of deputies of commission members in the respective commission meetings is, in principle, possible. If the committee information system of RWTH is used for the administration of the committee, all documents are sent to the voting and non-voting members as well as to all deputies.
- (4) Any member of a committee may be represented at a meeting if they are unable to attend. Members of the same list shall act as substitutes in the order of the number of votes obtained. For the Senate and the Faculty Councils, the regulations of the Election Regulations apply.

- (5) Invitations to meetings of the Senate and the Faculty Councils are issued in writing or via the committee information system of RWTH. Invitations to meetings of commissions and committees can be sent by letter, in electronic form, or via the committee information system of RWTH. In the event of invitations being issued in electronic form, the chairperson shall ensure that the statutory provisions, in particular data protection regulations, are complied with when passing on personal data. When sending confidential documents and minutes concerning the non-public part of a meeting, it is permitted to send them by regular mail or via the the committee information system of RWTH.
- (6) The time of a meeting of a University committee shall be announced at least 10 working days in advance. Invitations to meetings shall be issued no later than the fifth working day before the meeting. The invitation deadlines for the Senate Council of Elders and the Council of Elders of a Faculty may be shortened.
- (7) In urgent cases, invitations may be issued with a notice period of less than five working days, whereby other forms of invitations than written invitations are also permissible. In this case, a resolution cannot be passed if a voting member of the committee who is present objects or if a group according to Section 11 (1) HG has not demonstrably been informed of the meeting time.
- (8) A special meeting shall be convened without delay at the request of one-third of the statutory members or if the representatives of a group (Section 11 (1) HG) in the committee concerned unanimously demand this. The request must be made in writing, stating the subject of discussion.

§ 4 Agenda

- (1) The agendas for Senate and Faculty Council meetings shall be publicly posted. This is done by posting in the official notice box of the Academic Affairs Department or at a central location in the faculties and by publication on the RWTH intranet.
- (2) Agenda items of the non-public part of a meeting shall be announced in anonymous form.
- (3) The agenda is drawn up by the chairperson. It will be sent together with the invitation and the required documents.
- (4) Any member of a committee may request in writing before the meeting that an item be included in the agenda. The relevant request must be submitted in writing to the chairperson ten working days before the meeting, together with the reasons for the request and attachments (if applicable).
- (5) Items proposed after the invitation has been sent out may be added to the agenda by a simple majority vote at the beginning of the meeting. A resolution on these motions must be approved by 3/4 of the voting members present. If the latter majority is not achieved, the item shall be included in the agenda of the next meeting. This provision shall apply accordingly to the removal of an item from the agenda.

- (6) The resolutions to be adopted must be apparent from the wording of the agenda items and from the documents sent out with the agenda. Reference must be made to documents that have not been sent. They shall be made available to the meeting participants by the chairperson.
- (7) An opportunity for general discussion shall be provided at each meeting of a University committee.

§ 5 Public

- (1) Meetings of the Senate, the University Election Assembly, and the Faculty Councils are generally open to the public. The presentation of candidates and the ensuing discussion may be held in closed session if so decided by these committees. The other bodies and committees of the University meet in closed session.
- (2) The public may be excluded by a 2/3 majority of the voting members present. The discussion on the exclusion of the public takes place in closed session.
- (3) Deliberations and decisions on personnel and examination matters shall be made in closed session.
- (4) The presentation of the candidates for the election of the members of the Rectorate in the University election meeting and the related discussion shall take place in closed session.
- (5) Deputies of Senate and Faculty Council members may participate in the non-public part of the meeting of the respective committee according to the number of members per group. The committee shall decide on any regulations going beyond this and on the rights of participation.
- (6) If persons who are not members of the committee are called in for a closed meeting, they must be sworn to secrecy.

§ 6 Quorum and Decision-Making

- (1) Committees have a quorum if more than half of the statutory members and representatives of more than half of the voting groups (Section 11 (1) of the Higher Education Act) are present. The chairperson determines the quorum of the committee at the beginning of each meeting. At the request of a committee member, the quorum must be checked immediately by the chairperson. The chairperson may interrupt the meeting for a short time to determine whether a quorum is present.
- (2) If the committee cannot constitute a quorum, a written invitation to a new meeting with an unchanged agenda shall be issued immediately with a notice period of at least four working days. In this case, the committee shall be quorate without restrictions; this fact must be pointed out in the invitation.
- (3) Resolutions of the Constitutional Committee may, in justified exceptional cases, if a consensus has previously been reached between the group spokespersons, also be adopted by circulation procedure by written or electronic voting, if no member of the Constitutional Committee objects to the adoption of the resolution by circulation procedure within a period of 5 working days, calculated from the day on which the documents are sent electronically. If resolutions are to be adopted in this form, the chairperson shall send out the proposed resolution, including

a statement of the reasons for the resolution, as well as a reference to the possibility of objection in accordance with sentence 1 and the request to cast the vote within a period of 5 working days.

- (4) Resolutions of bodies, committees and commissions that meet in closed session may be adopted electronically.

§ 7

Right to Vote, Propose Motions, and Speak

- (1) In matters of teaching, research and the arts, with the exception of the appointment of professors, the members of the group of non-academic employees belonging to a committee have voting rights (§ 11 para. 3 HG).
- (2) Insofar as members of the committee are entitled to vote, they shall have the right to make motions.
- (3) Deputies of commission members shall in principle have the right to speak.
- (4) If, in accordance with the provisions of the Higher Education Act (HG) or the Basic Regulations, permanent non-voting members belong to the University bodies, they generally have the right to speak and to propose motions.
- (5) If guests are invited to one or more items on the agenda, they generally have the right to speak.
- (6) Permanent expert guests may be invited to attend meetings of University committees in an advisory capacity.

§ 8

Requests on the Procedure

- (1) A request to speak on the proceedings shall be made orally or by raising both hands. It must be dealt with immediately. A speaker may not be interrupted by this. Procedural comments may only relate to the procedural handling of the item for discussion or resolution.
- (2) Requests concerning the procedure are in particular the following:
 - a) to suspend the meeting,
 - b) to cancel the meeting,
 - c) to adjourn the meeting,
 - d) to not refer to an item on the agenda,
 - e) to move to the next item on the agenda,
 - f) on the adjournment of an item on the agenda,
 - g) to end the consultation,
 - h) to close the list of speakers,
 - i) to conduct a secret ballot,
 - j) to prepare an opinion report,
 - k) to change the order of the agenda,
 - l) to reopen an agenda item that was closed at the same meeting,
 - m) to verify the quorum,

- n) to exclude the public,
 - o) to implement two readings.
- (3) If there are several requests concerning the procedure, pursuant to para. 2 a) to h), they shall be dealt with in the order specified therein. If a motion is made to close the list of speakers, the chairperson shall state the names of the panel members who have yet to speak and shall then put the motion to the vote. A motion to postpone an item for consultation shall result in the item becoming part of the agenda of the next meeting of the committee, unless expressly decided otherwise. The same shall apply in the same manner if the meeting is adjourned.
- (4) After a procedural motion, a maximum of one objection per group is allowed. If there is no objection, the motion is passed.
- (5) All discretionary decisions of the chairperson may only be objected against without delay when announced. The panel decides on the objection by simple majority.

§ 9

Motions and Votes

- (1) All motions, with the exception of procedural motions, shall be submitted in writing to the chairperson.
- (2) If there are several motions, the most far-reaching one shall be voted on first. The order is determined by the chairperson.
- (3) Submissions shall contain a proposal for a resolution unless they are report submissions.
- (4) Voting shall be by show of hands unless otherwise provided. At the request of a voting member of the committee, voting shall be by secret ballot. Procedural motions are to be voted on openly.
- (5) Voting on personnel matters shall be conducted by secret ballot. Invalid votes shall be recorded in the minutes. Voting on personnel matters shall be conducted by secret ballot. Invalid votes shall be recorded in the minutes. If meetings are held electronically or in a hybrid format (both electronically and in person), secret ballots are to be conducted using a suitable application approved by the RWTH Data Protection Officer.
- (6) If the number of votes cast exceeds the number of eligible voters present according to the attendance list, the vote shall be repeated as a secret roll call vote.
- (7) Resolutions of University bodies shall be adopted by simple majority, unless otherwise stipulated in the basic regulations or other regulations of the University. If a resolution required a simple majority, it may be amended or repealed by an absolute majority of the voting members belonging to the committee in accordance with the Articles of Association. If an absolute majority or a higher majority was required for a resolution, it may only be amended or repealed by a majority of two-thirds of the voting members belonging to the committee in accordance with the statutes.
- (8) A simple majority shall be deemed to exist if more votes are cast in favor than against. In the event of a tie, a motion shall be deemed rejected. Abstentions and invalid votes are not counted.

- (9) A majority of the votes cast shall be deemed to exist if the votes in favor outweigh all votes against, abstentions and invalid votes.
- (10) The absolute majority shall be the majority of the members belonging to a committee with voting rights in accordance with the Articles of Association.

§ 10 Special Votes

- (1) Each member of a University committee, the Equal Opportunity Officer, her deputies, and the faculty representatives may submit a special written vote on its resolutions. This must be announced at the meeting at which the relevant resolution was adopted. The special vote must be submitted to the chairperson within a period of five working days and included in the minutes of the meeting. Resolutions to be submitted to other bodies shall be accompanied by the special vote.
- (2) By way of derogation from paragraph 1, if the meeting has been convened in accordance with Section 3 (7), a voting or automatic member who was not present may submit a special vote on a resolution adopted at a meeting of the committee to the chairperson within one week of the dispatch of the minutes of the meeting.

§ 11 Elections

- (1) Elections may only be held at meetings for which written notice of at least five working days has been given, stating the item on the agenda. Elections shall be held by secret ballot and shall be held in public session.
- (2) Notwithstanding paragraph 1, elections to commissions and committees of the Senate and Faculty Councils shall be conducted by secret ballot only at the request of a voting member of the relevant committee.
- (3) To the extent that elections are held separately by group, this must be done in meetings of the relevant University committee. Each group shall also be given the opportunity to vote without delay, independently of the other groups.
- (4) Election of the Rectorate members shall be conducted by secret ballot. In the event that a voting member from the Board of Governors is unable to attend, they may transfer their voting rights to another voting member of their group. The transfer of voting rights must be notified in text form to the chairperson of the University Council. Only one additional vote at a time may be assigned to a voting member of the University Election Assembly from among the Board of Governors. A member to whom an additional vote has been transferred shall receive two ballots in the case of secret ballots.
- (5) If elections are to be conducted by a board, commission, or committee by electronic vote, they must be conducted using a suitable application that is appropriate to the significance of the election and has been approved by the RWTH Data Protection Officer.

§ 12 Taking Minutes

- (1) Minutes are taken about the meetings of University committees and they must contain at least the following information:
 - a) The names of the members present and any missing members,
 - b) The approved agenda,
 - c) The text of the amendments to the last minutes,
 - d) The text of the proposed motions and the results of the votes on them,
 - e) die Ergebnisse von Wahlen,
 - f) The general development of the negotiations,
 - g) Any observations that are requested to be included in the minutes.
- (2) If the latter request is not made by the speaker themselves, admission shall only take place with their consent. Word transcripts comprising more than three printed pages may be sent as a supplement to the minutes at a later date than the minutes of the meeting.
- (3) The councils of elders may refrain from taking minutes, provided that they do not act in accordance with § 3 para. 7.
- (4) Minutes of meetings convened in accordance with § 3 para. 6 shall be taken without delay.
- (5) The proceedings of the meetings of the Senate shall be recorded on recording equipment.

§ 13 Special Regulations of the Faculties

- (1) Faculties may adopt supplements to these rules of procedure for their faculty councils, commissions, and committees. Such amendments shall be reported to the Senate and shall be published in the Official Announcements of RWTH.
- (2) The professors of the faculties who are not members of the Faculty Council may attend the meetings of the Faculty Council without voting rights. Invitations, agendas and minutes of the Faculty Council meetings shall be sent to these professors, the executive heads of the scientific institutions, and the heads of the operational units of the Faculty.
- (3) In examination matters, the corresponding examination regulations of the faculties apply.

- (4) Prior to the adoption of resolutions by the Faculty Council on matters directly affecting a scientific institution or an operational unit of the faculty, its management shall be given the opportunity to participate in the deliberations with the right to speak and propose motions. On the decisions of the Faculty Council concerning it, it may cast a special vote in accordance with Section 10 (1). All professors have the same rights when the Faculty Council adopts resolutions on matters that affect their subject or their official duties in accordance with § 35 HG. When discussing issues of a subject that is not represented by a professor in the Faculty Council, at least one professor of that subject shall be given the opportunity to participate in the deliberations.

§ 14 Entry Into Force

- (1) These Rules of Procedure shall require a majority of 2/3 of the voting members of the Senate in order to be adopted. The same applies to changes.
- (2) These Procedural Rules shall be published in the official announcements of RWTH Aachen University and will enter into force on the day after publication.

Issued based on the resolution of the Senate dated December 9, 2021.

It is pointed out that, in accordance with § 12 (5) NRW Higher Education Act, any claims regarding a violation of procedural or formal requirements of the regulatory or other autonomous rights of the University may no longer be asserted after one year has elapsed since the official publication of this announcement unless:

- 1) the announcement has not been properly published,
- 2) the Rectorate has objected, prior to publication, to the decision of the committee adopting the regulations,
- 3) the University has been previously notified of a defect of form or of procedure in a complaint to the University, specifying the infringed legal provision and the fact which gives rise to the defect, or
- 4) the legal consequence of the exclusion of complaints was not pointed out in the public announcement.

On behalf of the Rector
of RWTH
Aachen University

Aachen,
dated

December 14, 2021

sgd. Rüdiger

Univ.-Prof. Dr. rer. nat. Dr. h. c. mult. Rüdiger