Regulations for the appointment of professors at the University of Oldenburg

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Section 1  Contents, legal basis, definitions
(1) These regulations govern the procedure for appointing professorships and junior professorships at the Carl von Ossietzky University of Oldenburg.
(2) The legal basis for the appointment procedure is the current version of the Niedersächsische Hochschulgesetz (Lower Saxony Higher Education Act, NHG) and the university statutes.
(3) The appointment procedure is a selection of the best candidates. The University aims to meet the highest quality standards in terms of effectiveness and transparency in its appointment procedures. It also aims to increase the proportion of women and men in areas where they are underrepresented.

Section 2  Confidentiality and data protection
(1) All persons involved in the appointment procedure (voting and advisory) must uphold the confidentiality of the proceedings. Upon taking up their role in the appointment procedure, they must be bound to confidentiality and non-disclosure in writing.
(2) Application documents and personal data collected in the course of the procedure must be treated confidentially in accordance with data protection regulations. Such data may only be made accessible to third parties if this is necessary for the fulfilment of their tasks.
(3) Committees shall deal with appointment procedures in closed sessions, with the exception of the approval of the profile paper and the election of appointment and selection committees. Application and meeting documents as well as person-related knowledge acquired in the course of an appointment procedure must be treated confidentially. Documents which are no longer required shall be destroyed at the end of the procedure.

Section 3  Approval of professorships
(1) Professorships are approved and established based on the decision of the Presidential Chair, taking into account development and structural planning as well as matters of quality assurance relevant to the University and the Schools.
(2) If a professorship is due to become vacant in the foreseeable future, the application for approval of the professorship should be submitted to the Presidential Chair at least 18 months prior to this date.
(3) If the professorship becomes vacant for other reasons or in the event of newly created professorships, the application for approval should be submitted to the Presidential Chair immediately.
(4) The decision of the Presidential Chair is based on the profile paper and call for applications text which are prepared by the Dean's Office and approved by the Faculty Council.
(5) Following a positive decision, the Presidential Chair applies for approval of the position by the responsible ministry.
Section 4 Call for applications

(1) Professorships must always be advertised publicly. As a rule, the call for applications is also published internationally. The application period is usually four weeks.

(2) Tenure-track options must be explicitly stated in the call for applications.

(3) The call for applications of a professorship may be waived under the conditions of Section 26 subsection (1) sentence 2, NHG. Further details are governed by Section 11 of these regulations.

Section 5 Establishment and structure of the Appointment/Selection Committee

(1) The Appointments Committee for professorships and the Selection Committee for junior professorships (both hereinafter referred to as the ‘committee’) assume a central function in the appointment procedure and are established in consent with the Presidential Chair. The members of the committee are elected separately for each status group within the Faculty Council. Should the committee’s composition change in the course of the procedure, the Presidential Chair must consent before the committee may convene again.

(2) Committees are to be established as a major committee (6 professors, 2 academic staff members, 2 students, 2 advisory administrative staff members). Minor committees (4 professors, 1 academic staff member, 1 student, 1 advisory administrative staff member) may be formed in consultation with the Presidential Chair.

(3) At least 40 percent of the voting members shall be women and half of them shall be professors. Exceptions require the approval of the Central Equal Opportunities Officer.

(4) At least two external professors must participate during the entire appointment procedure. The external members are eligible to vote on the committee. Members and associates of the University are not considered external members. The Central Equal Opportunities Officer must always be involved. The Representative for Employees with Disabilities must be involved if an application is received from an individual with a disability.

(5) At least one member of another School or discipline of the University shall participate as a voting member.

(6) For new, minor or profile-building disciplines, a majority of external professors may be elected in consultation with the Presidential Chair. Profile-building subjects are defined within the scope of structural and development planning.

(7) If the requirements of teacher training are affected, an advisory member must be appointed by the interfaculty institution for teacher training.

(8) In justified cases other persons can be elected as advisory members. Advisory members of the committee have the right to speak and to examine the application documents and evaluation reports.

(9) Members are required to attend meetings and contribute to the effective performance of the committee’s tasks. Elected deputies may only act as representatives in the member’s absence and may only take part in the sessions if the member is unable to attend. The order of deputies shall be determined when the committee is elected. The number of female and external members of the committee specified in Subsections 5 (3) and (4) of these regulations also applies to deputies.
(10) The duties of the members of the committee end when the Faculty Council confirms the appointment proposal or when the appointment procedure is terminated for other reasons.

Section 6  Rules of procedure for the Appointment/Selection Committee

(1) The committee is constituted by the Dean. She or he may delegate the constitution of the committee to a member of the Dean's Office or the committee. The committee shall elect a chairperson and a deputy chairperson from among its members.

(2) The chairperson shall direct the proceedings. The chairperson is responsible for reporting to the School and the Presidential Chair and managing the appointment procedure schedule. She or he reports to the Senate.

(3) Committees hold closed sessions. Invitations to meetings shall be issued at least seven days prior. Invitations and meeting documents shall be sent by post, via internal mail or by electronic means approved by the Presidential Chair. Meeting documents are generally sent seven days before the meeting. Deviations from this deadline and the submission of agenda items must be approved unanimously by the committee. If a unanimous decision cannot be reached, the documents submitted late for the meeting may only be used at the following meeting. Deputies shall be notified only of the invitation. If a member cannot attend the meeting, he or she must immediately inform the chairperson who will then request the presence of the member's deputy right away.

(4) Minutes shall be taken of each meeting and signed by the chairperson. The minutes of the meeting shall be sent to all members of the committee and shall be adopted by them, usually at the next meeting.

(5) The committee has a quorum if and as long as the majority of the members with voting rights and the majority of professors are present at the meeting. The quorum must be established before the beginning of the meeting.

(6) Votes may only be cast by members of the committee who are present. A member who can participate fully in the committee’s deliberations by means of a videoconferencing system approved by the Presidential Chair shall also be deemed present. A stable connection must be ensured for the entire duration of the meeting.

(7) At the request of a member, a motion shall be voted on by secret ballot.

(8) The chairperson may suggest a resolution through a circulation procedure in writing or by electronic means unless two or more members with voting rights object. The circulation period shall be fixed and shall normally be one week. After the request is sent, votes received after the circulation period will not be taken into account.

(9) Resolutions require a majority vote of the committee and a majority vote of the voting members in the group of professors. Abstentions will be treated as 'no' votes.

(10) If a resolution is not passed even in the second ballot, the members of the group of professors shall make the final decision, whereby an absolute majority shall also be required in this third ballot.

(11) The submission of a personal statement is permissible and requires the written form. After the end of the discussion or vote on a specific item on the agenda, the chairperson shall give a member the floor to make a personal statement. The maximum speaking time shall be three minutes. A written version must be received by the chairperson within one week.
(12) The final agenda must be adopted at the beginning of the meeting if there is a quorum. Deviations from the final agenda are subject to a resolution. No resolutions can be passed under the agenda item 'Miscellaneous'.

(13) The chairperson shall give members the floor in the order in which requests are received. The chairperson can take the floor for negotiations and is authorized to withdraw the right to speak.

(14) Any change in the committee’s composition resulting from a by-election shall not affect the validity of resolutions and actions previously taken.

Section 7  Candidate shortlist

(1) In order to create a candidate shortlist, the committee will receive a synopsis containing tabular information on the applications.

(2) Members of the committee must submit a disclosure of working relationships after having examined the applications. If an apparent conflict of interest arises, the chairperson of the committee must be notified immediately. The committee shall decide on a conflict of interest in the absence of the affected member. Circumstances giving rise to an apparent conflict of interest and the decisions of the committee in this regard shall be recorded.

(3) The committee can adopt active recruitment measures inviting further candidates to apply. Such measures shall be justified and recorded. The invitation shall be issued by the chairperson with a notice period of four weeks.

(4) The committee may by way of resolution consider applications received after the closing date for applications. This must be recorded.

(5) The committee must assess whether applicants meet the legal requirements for the recruitment of professors or junior professors and the specialist requirements set out in the call for applications. Based on the call for applications and the legal requirements, the committee agrees on the assessment criteria, their weighting and the mode of internal assessment, and subsequently records this decision.

(6) In selecting candidates to attend a hearing, both consideration and rejection shall be substantiated and recorded for each candidate with reference to the selection criteria.

Section 8  Hearing of candidates

(1) Candidates selected by the committee will be invited in writing to attend a hearing.

(2) The hearing consists of a scientific presentation, a trial lecture and an individual interview with the committee. The presentation and trial lecture are held before the members of the university community. The chairperson shall invite the members of the University to attend. For the trial lecture, the committee determines in advance the type, duration, level and thematic requirements.

(3) Presentations, trial lectures and individual interviews shall be recorded separately and assessed exclusively by the members of the committee using the same standards. Significant selection criteria must be recorded in writing.

(4) Candidates cannot attend the hearings of other candidates.

(5) The committee can grant the audience the right to speak by way of resolution.
(6) After the hearing, the committee shall decide which candidates it will obtain external reports for. The committee shall substantiate the reasons for and document its decision. The committee must not rank candidates at this stage.

Section 9 Obtaining expert reports

(1) At least two external expert reports assessing the candidates' achievements in science or art and teaching experience will be obtained which shall provide a comparative evaluation of the suitability of all candidates. An additional external expert report requires special justification in consultation with the Presidential Chair. The reviewers must address all essential aspects of the requirement profile and the applicant's aptitude for a professorship. A deadline may be set for the reviewers to submit their reports.

(2) The reviewers must be provided with the profile paper, the call for applications and application documents. Reviewers must submit a disclosure of working relationships.

Section 10 Appointment proposal and report

(1) Following the consultation and review of the expert reports, the committee shall prepare an appointment proposal for the Faculty Council. The proposal should include three individuals and assess the candidates' personal aptitude and professional performance in detail and in a comparative manner with reasons given for the chosen order. Candidates may not be deemed equivalent. Proposals naming fewer than three candidates must be justified.

(2) The chairperson of the committee and the dean report to the Presidential Chair about the appointment proposal before it is decided upon by the Faculty Council.

(3) The committee shall prepare the appointment report and its recommendation for a proposal to fill the professorship within eight months of the application deadline and submit it to the Faculty Council. The appointment report shall be adopted by the committee. At the end of this period, the chairperson of the committee must report to the Dean's Office and the Presidential Chair on the current status of the appointment procedure.

(4) The Faculty Council makes a decision on the appointment proposal. It may accept the proposal, modify it if necessary or refer it back to the committee. Changes to the proposal must be substantiated in writing, taking into account the profile development, selection criteria and external review situation.

(5) The Dean submits the proposal to the Presidential Chair.

(6) After the Senate and the Central Equal Opportunities Officer have issued their statements, the Presidential Chair makes the final decision.

Section 11 Waiver of call for applications

(1) A call for applications can be waived under circumstances set out in Section 26 (1) NHG.

(2) For tenure-track professorships, the procedure leading to a tenured civil service appointment is carried out in accordance with the 'Regulations for appointing tenured professorships of the University of Oldenburg'. The procedure for all other professorships shall be carried out in accordance with these regulations with the following exception:
a) The Presidential Chair decides on the initiation of the procedure in accordance with Section 3 of these regulations.

b) If retention negotiations are to be initiated in the event of an external appointment or comparable employment offer, the School and the professor concerned must inform the Presidential Chair directly. The School must convincingly substantiate why there is a special interest in keeping the professor at the University. This includes a statement with regards to individual qualifications, evaluation results and the applicant situation in the respective subject.

c) By consent of the Presidential Chair, a minor committee can be established or dispensed with.

d) In addition to his or her application, the candidate must submit a detailed self-assessment on his or her research and teaching activities.

e) By consent of the Presidential Chair, the scientific presentation, trial lecture, interview or external expert reports may be dispensed with.

f) The written report on the appointment proposal shall be adapted to the procedure.

Section 12 Joint appointment procedures

(1) Professorships may be filled by joint appointment procedures with research institutions that do not belong to a university. The provisions in Section 12 (2) of the university statutes apply.

(2) With regard to the organization of the joint appointment procedure, the provisions of these regulations as well as any contractual agreements with the relevant institution shall apply.

Section 13 Joint appointment procedures with hospitals according to Section 63i (1) NHG

(1) Appointment of part-time professors who also hold a clinical managerial position at one of the cooperating hospitals is carried out in a coordinated procedure between the participating institutions and on the basis of legal requirements and university regulations.

(2) With regard to the organization of the joint appointment procedure, the provisions of these regulations as well as any contractual agreements with the relevant institution apply.

Section 14 Entry into force and final provisions

After a resolution has been passed by the Senate, these regulations shall enter into force on the day following their publication in the Official Notices of the University and shall apply only to appointment procedures commenced after these regulations have entered into force.

The regulations governing the appointment of professorships without a call for applications dated 31/10/2012 (AM 6/2012, p. 627) shall no longer apply.