



UniReport

Goethe-Universität | Frankfurt am Main

Satzungen und Ordnungen

Code of practice governing appointment procedures at Goethe University Frankfurt

Approved pursuant to the decision of the Executive Board of 30.08.2016, of the Senate of 21.09.2016 and of the University Council of 18.10.2016.

Preamble

As a university with dual research and teaching missions, Goethe University Frankfurt strives to occupy a leading position. In order to achieve this goal, it must attract outstanding academic researchers and teaching staff. The appointment procedure must therefore be continuously developed with the aim of further enhancing the quality of appointments, increasing the transparency and speed of the appointment procedure and raising the competitiveness of Goethe University Frankfurt in the international contest for the recruitment of the best scholars from around the whole world.

§ 1 Preparation of the professorship appointment procedure

(1) To prepare the professorship appointment procedure, the respective faculty and the Executive Board agree on an appointment plan, typically within the framework of an agreement on objectives. In this context, the strategic development of both the University and the faculty, including structural plans and agreements on objectives, potential availability of suitably qualified candidates as well as the faculty's budget situation, are taken into consideration

and the envisaged date for the appointment is set.

(2) One of the elements of the appointment plan is the description of the intended tasks for the professorship including, where relevant, collaborative partnerships with other faculties or non-university stakeholders. The faculty outlines the importance of the professorship for its areas of specialisation, for the University's areas of specialisation or networks of excellence in research, for study programmes, for further training or for participation in Graduate Schools as well as for teacher training, if applicable. Insofar as the Hospital Executive Board has delivered an opinion in the area of clinical medicine regarding structural and development planning measures or the advertisement of the professorship, this must be taken into account.

§ 2 Application for advertisement of the post

(1) At the latest one year prior to the envisaged appointment date and with reference to the faculty's appointment plan, the faculty submits to the Executive Board an application for the post to be advertised. As a rule, the faculty's suggestion for the constitution of an Appointment Committee is included with the application.

(2) In its application, the faculty describes the resources available for the post from faculty sources and details its requests for new or complementary resources. Parallel to the application, the faculty discusses with the Executive Board the budget available for filling the new post. If the intention is to advertise a qualification-stage pro-

fessorship (W1) without tenure track (cf. § 64 (5) of the Hessian Higher Education Act) then this must be justified.

(3) A Resources Sheet is included with the application, which contains detailed information about staff assigned to the professorship (non-professorial academic and administrative/technical staff), access to workshops, IT hubs, rooms, appliances, data-processing equipment etc.

(4) The professorship must be advertised publicly and as a rule internationally. The application for the advertisement of the post includes the advertisement text in German and as a rule also in English. The advertisement contains the following information:

(a) status in accordance with W1, W2 or W3;

(b) title of the professorship;

(c) details of formal requirements, such as academic titles and/or equivalents, doctoral degree and/or equivalent and additional academic achievements;

(d) for posts which are engaged to a considerable degree in teacher training, a supplementary text agreed with the Academy for Educational Research and Teacher Training (ABL - Akademie für Bildungsforschung und Lehrerbildung);

(e) if applicable, reference to the need for details of practical experience in a school, which as a rule is verified by school-level teaching activities, but in exceptional cases may also be substantiated by empirical research on schools and

teaching;

(f) in the case of an advertisement for a post with an initially fixed-term contract, reference to the possibility for the position to be converted or made indefinite as well as tenure-track options, if applicable.

(5) The application for the advertisement of the post is submitted by the faculty to the University's Gender Equality Officer at the same time. She comments in writing on the application within a period of 10 days; after the expiry of this time period, her consent is deemed to have been given regardless of whether or not a statement has been issued.

(6) The faculty forwards the application to the Academy for Educational Research and Teacher Training insofar as teacher training degrees are affected. The Academy comments in writing within a period of 10 days; after the expiry of this time period, its consent is deemed to have been given regardless of whether or not a statement has been issued.

(7) The Senate is notified of the advertisement.

(8) The text of the advertisement requires the Executive Board's approval.

(9) The advertisement is organised centrally in agreement with the faculty. The time period for applications is at least three weeks. Exceptions are possible in justified cases.

(10) The rules in § 2 only apply for the Faculty of Medicine insofar as no derogating provisions are specified in § 15.

§ 3 Appointment Committee

(1) To prepare an appointment proposal, the Dean's Office, following the statement by the Senate and in agreement with the President, constitutes an Appointment Committee, which also includes members from other faculties and external members; the Dean's Office decides in agreement with the President which members of the Appointment Committee have voting rights or act in an advisory capacity and proposes a chairperson from amongst the professors.

The Rules of Procedure for Committees of Goethe University Frankfurt as last amended apply for the work of appointment committees. Written statements are permitted.

(2) The Appointment Committee comprises at least 5 professors, 2 non-professorial academic staff and 2 students. In the event that clinical professorships at the Faculty of Medicine are to be filled, the Hospital Executive Board is also involved in an advisory capacity. Upon application by the Dean's Office and with the agreement of the Senate, the Application Committee may be composed differently. If the number of committee members in accordance with Sentence 1 is increased, the ratio of the status groups must be taken into account in the case of the members with voting rights (possible constellations are 5:2:2 or 6:2:2 or 7:3:3).

(3) There should be parity between the male and female members of the Appointment Committee with voting rights; it should include at least two female scholars of which at least one should be a professor.

(4) The University's Gender Equality Officer is a member of the Appointment Committee in an advisory capacity. She has right of access to the files and receives all meeting documents. She may be represented by the faculty's Gender Equality Officer or a member of the Women's Representation Office.

(5) Approval of a proposal for a member with voting rights must be obtained from the Academy for Educational Research and Teacher Training insofar as the professorship to be filled is engaged to a major degree in teacher training. The person proposed may also be an external member.

(6) Changes to the composition of the Appointment Commission during the course of the procedure are submitted to the Senate for comment.

(7) Decisions reached by a professorial minority during the procedure can be confirmed and thus remedied after resumption of membership or the inclusion of new professorial members. The voting majority amongst the pro-

fessors must be ensured at the latest in time for the final vote on the list of proposals.

§ 4 Conflict of interest of members of the Appointment Committee and of assessors

The following rules concerning conflict of interest apply for all persons engaged in the appointment procedure. They are based on the Framework Rules of Procedure of the German Research Foundation.

(1) Following receipt of the applications, the Appointment Committee is obliged to verify whether a conflict of interest is apparent amongst any of its members.

(2) A conflict of interest is apparent and substantiated if there are doubts about the impartiality of the member's assessment of a candidate.

(3) Circumstances which substantiate an apparent conflict of interest can be of a personal, academic or economic nature or due to other reasons.

(4) Exclusion from the procedure is categorically foreseen in the event of the following circumstances:

(a) present or former incumbents;

(b) an own application;

(c) first-degree family relationships, marriage, civil partnership, consensual union;

(d) a dependent employment relationship up to six years after the end of the employment relationship.

(5) A case-by-case decision is categorically foreseen in the event of the following circumstances:

(a) family relationships that do not fall under Paragraph 4c, other personal connections or conflicts;

(b) current or planned close scientific collaborations, implementation of joint projects or joint publications within the last three years. Not affected by this are essays in a work of which the publisher is an applicant or a member of the Appointment Committee;

(c) direct scientific competition with own projects and plans;

(d) participation in reciprocal appointments in the last three years;

(e) own economic interests in the decision on the post to be filled;

(f) competitive relationship or joint economic interests, e.g. joint management of an enterprise;

(g) supervisory relationship, in particular in the case of first supervisors of a dissertation;

(h) first examiner of the post-doctoral thesis (Habilitation);

(6) Other reasons which give cause for doubt regarding a person's unbiased participation in the Appointment Committee must be indicated.

(7) Procedural guidelines

(a) Members of an Appointment Committee who find, once all applications have been submitted, that on the basis of the aforementioned criteria there is cause for concern regarding a conflict of interest must place this on record at the latest at the beginning of the Appointment Committee's first meeting. The Appointment Committee decides on the basis of the aforementioned criteria whether there is a conflict of interest. If the Committee is not unanimous in its appraisal, the Executive Board must be notified through the official channels.

(b) If a conflict of interest cannot be ruled out with absolute certainty, the Appointment Committee members concerned may initially participate in the pre-selection stage. They may not, however, comment on those applicants who gave rise to concern regarding a conflict of interest. In addition, they must leave the meeting room during the discussion and voting on these applicants and may only return to the meeting once the vote has taken place.

(c) If the applicant is shortlisted, the member of the Appointment Committee held to be biased must be replaced. In the event of a possible conflict of interest, the Appointment Committee seeks the decision of the Dean's Office, which in agreement with the

President modifies the composition of the Appointment Commission.

(d) The Senate must be informed about discussions related to a conflict of interest when the Appointment Report is presented.

(8) The criteria regarding the exclusion of conflicts of interest must also be applied in the consultation on the selection of assessors. The assessors are requested to include a written declaration at the beginning of their assessment report on their impartiality towards the applicants.

§ 5 Role of the Senate / Senate reporting

(1) The Senate takes note of the draft text of the advertisement and comments on the composition of the Appointment Committee. In the event of a negative vote, a new decision is reached on the composition of the Appointment Committee.

(2) The Senate assigns a rapporteur who accompanies the procedure, attends Appointment Committee meetings in an advisory capacity and issues a final written statement. The Appointment Committee informs the rapporteur promptly and continuously on the progress of the appointment procedure; he/she must be invited to all Appointment Committee meetings and given right of access to all its documents. The rapporteur must be a member of a different subject cluster. His/her statement is submitted to the Senate together with the Appointment Report. The rapporteur should observe the formal and content-related aspects of the appointment procedure.

§ 6 Invitation of suitably qualified applicants and other eminent persons

(1) Already prior to the advertisement of the post, the faculty reviews the international circle of potential applicants in order to identify suitable persons at an early stage and actively call their attention to the vacancy. This is above all a measure with which to attract very good scholars and raise diversity amongst the professorial staff.

(2) In order to attract more out-

standing scholars for a professorship, the Appointment Committee is equally obliged to approach suitable potential applicants directly during the appointment procedure and include them in this procedure.

(3) The Appointment Committee examines all applications in the sense of a preliminary appraisal of their suitability and invites the most suitable candidates to an interview. In faculties where the ratio of female professors lies below the targets set in the respective and applicable women's advancement plan, all female applicants, insofar as they fulfil the legal requirements as well as the formal, content-related and qualitative requirements for the professorship as set out in the advertisement for the post, should be invited to an interview. Exceptions are only possible with the consent of the Gender Equality Officer.

(4) In the case of applications from severely disabled persons, the Disability Liaison Officer and the Staff Council must be notified immediately. The Disability Liaison Officer must be included in the appointment procedure unless the party concerned has declared in writing that he/she declines this option. Insofar as it is not manifest that a severely disabled applicant does not fulfil legal appointment requirements or requirements set out in the advertisement for the post, the chairperson of the Appointment Committee invites the party concerned to an interview in accordance with § 82 Social Code Book IX. If the party concerned is not shortlisted, the Disability Liaison Officer and the Staff Council must be notified of the reasons immediately. Should the Disability Liaison Officer or the Staff Council object, the applicant's rejection must be discussed with them. The party concerned must also be heard.

(5) The interview should be combined with an open lecture given before the university public, the intention of which is to verify the applicant's academic and teaching ability. In the non-public part of the interview, there is the opportunity to discuss the requirements related to the post, the resources associated with it as well as the applicant's prospects and expectations.

(6) With the written agreement of the Appointment Committee members and the applicant concerned, the interview may, in justified and exceptional cases, take the form of a video conference, in particular in such cases where the appointment procedure would otherwise be unduly delayed. The Appointment Committee must equally be quorate in the case of a video conference. The applicant must produce evidence of his/her identity at the start of the video conference by presenting his/her passport or other suitable means of identification. A suitably equipped room must be made available for the video conference which allows the Appointment Committee members and for the open lecture the university public an unrestricted view of the screen.

§ 7 External assessor reports

(1) For those applicants shortlisted after the interviews, at least two comparative assessor reports must be requested from external experts, which are to be included in the later appointment proposal. Members and affiliates of Goethe University Frankfurt may not be appointed as assessors.

(2) The external assessors are appointed by the Dean at the suggestion of the chairperson of the Appointment Committee in agreement with it and with the President; the Dean may delegate this task to the chairperson of the Appointment Committee.

(3) The external assessors must be generally recognised experts in their research field and outstandingly qualified and may not have any current or past personal connections to the applicants on the shortlist. The rules in § 4 on conflict of interest apply.

(4) The assessors should be provided with the text of the advertisement, the full application portfolios of the persons to be assessed as well as a list of all applications. The assessors must not be restricted in their duties through the provision of other prior information.

(5) All assessors assigned by the Appointment Committee must conduct a comparative review of the assessment reports obtained in order to draw up the list of candi-

dates. Where possible, at least three applications should be included in the comparative assessment.

§ 8 Appointment proposal

(1) The appointment proposal submitted to the President should include three names. A single-candidate or two-candidate list may be submitted if no further applicants fulfil the quality requirements. Only one applicant may be named as first choice or second choice on the list.

(2) If no applicant proves qualified for the post advertised, no better result can likely be expected from advertising the post a second time and it is not possible to attract any other qualified persons, then the drawing up of an appointment list is dispensed with and the procedure terminated by the Executive Board following a respective application by the faculty.

(3) The members of the Faculty Council and the professors at the faculty, who have notified the Dean of their participation in the appointment procedure in accordance with the Rules of Procedure for Committees of Goethe University Frankfurt, reach a decision on the appointment proposal submitted by the Appointment Committee under consideration of the written statement of the Gender Equality Officer; the administrative/technical members of the Faculty Council are involved in this decision in an advisory capacity.

§ 9 Internal appointments

(1) Applicants who have obtained the scientific or artistic qualification required for an appointment as professor and the associated and necessary aptitude for teaching solely at Goethe University Frankfurt and are members of Goethe University Frankfurt are considered as internal applicants.

(2) Internal applicants may only be appointed in justified and exceptional cases. Exceptions are possible if the internal applicant is more suitable than the other candidates proposed and

(a) the professorship was advertised at least twice, the vote of the external assessors is unanimous

and the internal applicant was the first-choice candidate on the list or

(b) the applicant has already declined an equivalent call to the chair at another university or was the first-choice candidate in a similar external appointment proposal. Determining the equivalence of the external call is the responsibility of the Executive Board under consideration of the institution announcing the call, the status of the professorship, its term (fixed term or indefinite) and resources. As a rule, the external call must have been announced no more than one year before the candidate's application. The faculty has the right to comment.

(3) Applicants who are not members of Goethe University Frankfurt and who have obtained the scientific or artistic qualification required for an appointment as professor and the associated and necessary aptitude for teaching solely at Goethe University Frankfurt may be considered, if they have left the University following their doctoral degree and worked in their discipline for at least three years outside Goethe University Frankfurt.

(4) The rules governed by separate guidelines regarding the appointment of above-average and high-performing early career researchers in the framework of a tenure-track procedure remain unaffected by these provisions.

§ 10 Composition of the Appointment Report

(1) The Appointment Report includes:

(a) a detailed assessment of the selection decision with regard to the task description and the requirements of the professorship. In this context, the principle of merit applies, under consideration of a weighting of the selection criteria;

(b) a laudation for each proposed candidate;

(c) details of the voting results of the members with voting rights on the Appointment Committee and on the Faculty Council, with reference to special ballots, if applicable;

(d) a short description of the assessment reports and a detailed

analysis of deviating or contradictory assessment reports;

(e) a presentation and assessment of shortlisted candidates' academic achievements;

(f) performance-based reasons for the rejection of other applicants;

(g) a detailed description of the teaching experience of the shortlisted candidates (substantiated as far as possible through an evaluation of their teaching), also under consideration of the open lectures given before the university public in the framework of the interviews;

(h) if applicable, a description of the candidates' special aptitude for teacher training;

(i) special justification in the case of the rejection of severely disabled applicants, including a statement by the Disability Liaison Officer;

(j) a description of the measures taken for the active recruitment of suitable persons, in particular of activities to attract female scholars.

(2) The faculty submits the Appointment Report to the Executive Board together with two copies each of the following documents: Appointment Report, list of all applications, list of all rejected applications with reasons *ad personam*, text of the advertisement, assessment reports, statements by the Gender Equality Officer as well as, if applicable, of the Academy for Educational Research and Teacher Training and of the Disability Liaison Officer or the Hospital Executive Board in the case of the Faculty of Medicine, the application portfolios of the assessed applicants as copies with CV, current list of publications, references and certificates. Also welcome is an overview in table form of the qualifications of the shortlisted candidates with details of whether they are currently in civil service employment. The Executive Board submits the Appointment Report to the Senate.

§ 11 Appointment

(1) Following consultation in the Senate and its statement, the President decides on the appointment. When making the appointment, the President is not bound to the order set out in the appoint-

ment list; if he/she intends to depart from this order he/she justifies his/her decision towards the faculty and the Senate and gives them the opportunity to comment.

(2) Once the appointment has been made, the faculty notifies those applicants who were rejected, taking into account the relevant legal provisions. Their application portfolios are returned to them.

Rejection letters for severely disabled applicants must be especially justified and include the statement issued by the Disability Liaison Officer.

§ 12 Special appointment procedures

(1) Conferral of a higher status

(a) Should a professor in salary group C3/W2 be called to a chair in a higher salary group at another university, the President may, upon the suggestion of the Dean of the faculty concerned, confer the status of salary group W3 without conducting an appointment procedure. This procedure is conditional on a decision by the Faculty Council and a positive statement by the Senate. At the suggestion of the Dean, the President may dispense with external assessment reports. To confer a higher status for tenure-track professors, the Tenure-track Rules of Goethe University Frankfurt as last amended apply.

(b) A W1 professor can be appointed to a professorship at a higher level at Goethe University Frankfurt. In this case, the post need not be advertised. This procedure is conditional on a call to the chair at a higher level, the positive decision of the Faculty Council and a favourable statement by the Senate. To confer a higher status for tenure-track W1 professors, the Tenure-track Rules of Goethe University Frankfurt as last amended apply.

(2) Joint appointment procedures

Should a professor be called to the chair at Goethe University Frankfurt and at another university or non-university research institute at the same time, a joint appointment procedure may be conducted. The Executive Board decides on the form the procedure

will take, following an application by the Faculty Council after a statement by the Senate. The partner institution should conduct a transparent procedure and present a detailed report.

This procedure is conditional on the constitution of an Appointment Committee with adequate involvement of the faculty responsible, the inclusion of external experts, the decision of the Faculty Council regarding the list of candidates and the statement by the Senate on the appointment proposal.

The same applies for the appointment of professors in cooperation with a research funding institution.

(3) Co-option

Should a scholar in a senior position at another university, non-university research institute or a comparable institution be called to a professorship at Goethe University Frankfurt, it is possible to dispense with a formal appointment procedure. Following an application by the Faculty Council after a statement by the Senate, the Executive Board decides on the form the procedure will take.

External assessment reports, the decision of the Faculty Council regarding the appointment proposal and the statement by the Senate on the appointment proposal are indispensable. External assessment reports may be included here which were obtained in recent appointment procedures at the other institution.

(4) Extraordinary appointment procedures

In extraordinary cases where the intention is to attract outstanding professors in particular to centres, clusters of excellence or independent research institutes at Goethe University Frankfurt, the Executive Board may, following a statement by the Senate and with the approval of the University Council, conduct an extraordinary appointment procedure. Insofar as a faculty's resources are to be used to finance the professorship, the respective faculty's approval must be obtained.

In such instances, it must be a matter of routine that the Executive Board, following a statement by the Senate, constitutes a Selection Committee which submits an appointment proposal to the President and on which the Senate

comments. The composition of the Selection Committee must also be agreed in consultation with the centre or faculties concerned. The party appointed may become a member of one or several faculties on the basis of a decision by the Faculty Council responsible.

(5) Appointment of W1 professors

Should adherence to the standard procedure impede the recruitment of outstanding W1 professors, the Executive Board may, following an application by the faculty after a statement by the Senate, permit by way of resolution a departure from this procedure in general or in individual cases.

This procedure is conditional on the obtaining of external assessment reports, the decision of the Faculty Council regarding the appointment proposal and the statement by the Senate on the appointment proposal.

(6) The participation of the Gender Equality Officer in special appointment procedures is the same as that officer's participation in regular appointment procedures.

§ 13 Principle of expeditious procedures

(1) Appointment procedures must be conducted expeditiously and swiftly. Together with the application for the advertisement of the post, the Dean's Office sets down a time schedule for the procedure; major deviations must be reported to the committees responsible both by the faculty and by the Executive Board.

(2) Having consulted the faculty, the Executive Board may terminate a procedure the implementation of which deviates to a major degree from the intended time schedule.

§ 14 Evaluation and conversion of initially fixed-term professorships to contracts of indefinite term

(1) The Rules of Goethe University Frankfurt for Evaluation and Conversion to Indefinite-term Professorships for First-appointment Professors (W2 or W3) as last amended apply for the procedure

for the evaluation and conversion to indefinite-term employment of first-appointment professors.

(2) The Rules of Goethe University Frankfurt for Evaluation and Conversion to Indefinite-term Professorships for Professors (W2 or W3) in Fixed-term (first) Appointments as last amended apply for the evaluation of initially fixed-term professorships.

(3) The Tenure-track Rules of Goethe University Frankfurt as last amended apply for the evaluation and conversion to indefinite employment of tenure-track professors.

(4) The Rules of Goethe University Frankfurt for Mid-term Evaluation for Contract Prolongation for Assistant Professorships as last amended apply for the evaluation and contract prolongation of assistant professors whose posts were advertised prior to 10.12.2015.

(5) The Rules for Assistant Professorships without Tenure Track of 07.04.2010 (Paragraph 4) apply analogously for the mid-term evaluation of qualification-stage professorships without tenure track.

However, there is no interim limitation of the contract term.

§ 15 Special rules for the Faculty of Medicine

§ 2 Paragraph 2 and 3 do not apply for the Faculty of Medicine. The President may authorise the Dean of the Faculty of Medicine to conduct appointment negotiations and conclude an appointment agreement in accordance with the respective and applicable rules of Goethe University Frankfurt. The agreement on remuneration must be signed by the President and the Dean.

§ 16 Entry into force

This Code of Practice enters into force following the decision by the Executive Board and the approval of the Senate and of the University Council on the day after its publication in UniReport. The Code of Practice applies for all appointments advertised after it has entered into force.

Frankfurt am Main,
1 November 2016

Professor Birgitta Wolff
President

UniReport Rules and Regulations appears at irregular intervals and as required as a special issue of UniReport. The print run is set individually for each issue.

It is published by the President of Goethe University Frankfurt.