

# **School Regulations**

## **Tilburg School of Humanities and Digital Sciences**

*In force as of January 1, 2023*

### *General clarification*

*The provisions in bold print are mandatory and must be adopted as formulated in the model School Regulations. In a number of places in this version, provisions have been adopted from the Structure Regulations for the sake of clarity. The passages to that effect are shown in italics and in parentheses it is noted for the relevant provision that it is conform the Structural Regulations. It goes without saying that changes to the content of these provisions are not permitted. The provisions shown in bold or italics also contain amendments to which Legal Affairs has issued regulations or recommendations pursuant to the coming into force of the Dutch Enhanced Governance Powers (Educational Institutions) Act (Wet Versterking Bestuurskracht (WVB)).*

## CONTENTS

PART I	GENERAL	
Chapter 1	General Provisions	4
PART II	ADMINISTRATION AND ORGANIZATION OF THE SCHOOL	
Chapter 2	The administration of the School	5
Chapter 3	Degree programs	10
Chapter 4	Research institutes, graduate schools, and research programs	17
Chapter 5	Departments and University College Tilburg	21
PART III	PARTICIPATION SCHOOL COUNCIL	
Chapter 6	School Council	24
Chapter 7	Duties and powers of the School Council	27
Chapter 8	Operational procedures of the School Council	35
Chapter 9	Meetings of the School Council	40
Chapter 10	Consultation meetings of the School Council & Dean	43
PART IV	OTHER PROVISIONS	
Chapter 11	Legal protection	46
Chapter 12	Transitional and Final provisions	47

**PART I**

**GENERAL**

## CHAPTER 1      GENERAL PROVISIONS

### Article 1.1    Definitions

1.      The concepts mentioned in these Regulations, insofar as they also occur in the Structure Regulations, shall have the meaning assigned to them by the Structure Regulations.
  
2.      The following definitions apply to the School Regulations:  
The Act:            Dutch Higher Education and Research Act (*Wet op het Hoger onderwijs en Wetenschappelijk onderzoek*);  
CAO:                the Collective Labour Agreement of Dutch Universities;  
LRB:                University Labor Representation Board (LO): the institution-related consultative body referred to in the CAO;
  
3.      Wherever these Regulations state “he” or “him,” the words “she” or “her” may also be read.

## **PART II**

### **ADMINISTRATION AND ORGANIZATION OF THE SCHOOL**

#### **CHAPTER 2 THE ADMINISTRATION OF THE SCHOOL**

##### **Article 2.1 The Dean of the School**

1. *The Dean is the Head of the School (Article 13 (1) of the TiU Structure Regulations).*
2. *The Dean is to be appointed, suspended, and dismissed by the Executive Board. The Dean's term of appointment is to be determined by the Executive Board (Article 14 (1) of the TiU Structure Regulations).*
3. *Before appointing or dismissing the Dean, the Executive Board shall hear in confidence the School Council on the proposed appointment or dismissal decision. Chapter 3 of these Regulations does not apply. Hearings are to take place at such a point in time that they can have a substantial influence on the decision-making (Article 14 (2) of the TiU Structure Regulations).*
4. *Compelling reasons may constitute grounds for the Dean to be dismissed before the end of his term of appointment (Article 14 (3) of the TiU Structure Regulations).*
5. *The Dean has the status of professor (Article 14 (4) of the TiU Structure Regulations).*
6. *The Dean is accountable to the Executive Board and shall provide the Executive Board with the requested information about the School (Article 17 of the TiU Structure Regulations).*

##### **Article 2.2 General duties and powers of the Dean**

1. *Without prejudice to the Executive Board's administrative powers and the provisions laid down by or pursuant to these Regulations, the Dean is responsible for the overall management of the School. The Dean is also responsible for the administration and the organization of the School regarding education and research (Article 15 (1) of the TiU Structure Regulations).*
2. *The Dean shall cooperate in the administration of the University by, among other things, consulting with the Executive Board about the institutional plan and the budget (Article 15 (2) of the TiU Structure Regulations).*

### **Article 2.3 Duties of the Dean: School Regulations**

1. *Without prejudice to Article 8 of the Structure Regulations, the Dean shall adopt School Regulations for the purpose of laying down additional rules on the administration and organization of the School (Article 15 (3) of the TiU Structure Regulations).*
2. *The School Regulations are subject to the approval of the Executive Board (Article 15 (4) of the TiU Structure Regulations).*
3. *In case the School Regulations have not been adopted, or only in part, within a period to be specified by the Executive Board, the Executive Board shall adopt the School Regulations or their missing part(s) (Article 15 (5) of the TiU Structure Regulations).*

### **Article 2.4 Other duties and powers of the Dean**

1. *Without prejudice to Article 8 of the Structure Regulations, the Dean is also responsible for (Article 16 (1) of the Structure Regulations):*
  - a. *adopting the Education and Examination Regulations as referred to in Article 7.13 of the Act, as well as regularly reviewing these,*
  - b. *adopting general guidelines for research,*
  - c. *adopting the School's annual research program,*
  - d. *supervising the implementation of the Education and Examination Regulations and supervising the annual research program, as well as regularly reporting on these to the Executive Board,*

- e. *establishing Examination Boards and the committee referred to in Article 7.29, paragraph one of the Act, as well as appointing the members of these bodies,*
  - f. *implementing Articles 7.8b and 7.9 of the Act, except for designating degree programs as referred to in Article 7.8b, paragraph three and Article 7.9, paragraph one of the Act,*
  - g. *adopting additional rules on obtaining the exemption referred to in Article 7.25, paragraph four, Article 7.28, paragraphs two through four, and Article 7.29, paragraph one of the Act,*
  - h. *issuing written confirmation of admission as referred to in Article 7.30a, paragraph three of the Act, as well as applying Article 7.30a, paragraph five of the Act, and implementing Article 7.30c of the Act,*
  - i. *concluding a common arrangement for one or more degree programs with one or more Deans of other Schools, and*
  - j. *implementing Articles 6.7a and 7.9b of the Act.*
2. *The Dean exercises the right to nominate, as referred to in Article 7.19, paragraph two of the Act (Article 16 (2) of the TiU Structure Regulations)*

**Article 2.5 Specific duties and powers of the Dean**

1. The Dean shall establish one or more Departments as referred to in Article 5.1 of these Regulations
2. The Dean shall also be responsible for:
  - a. Adopting the School's budget;
  - b. the organization of education, research institutes, and the support services;
  - c. the strategic policy, including the professorship plan;
  - d. promoting the coordination between education and research policies;
  - e. the financial and personnel policies;
  - f. the student policy;
  - g. promoting collaboration with other Schools and universities in the field of education and research;
  - h. promoting collaboration with other partners in society in the field of education and research; and
  - i. the internationalization policy.
3. If the School participates in a joint degree program with one or more other Schools,

the Dean shall arrange the School's share in the management of and resources for that degree program.

4. Provisions laid down in the preceding paragraph apply by analogy to participation in an interschool or interuniversity research institute, as well as an interuniversity graduate school.

#### **Article 2.6 The Deputy Dean**

**After having heard the School Council, the Dean shall appoint a deputy to replace him in all matters. The Deputy Dean has the status of professor. Appointment is for a minimum period of three years. Early termination of this appointment is possible**

#### **Article 2.7 The School Board**

- 1. The Schools Board consists of the Dean and the fellow Board members appointed by him. The Dean chairs the School Board.**
2. The Dean appoints as fellow Board members at least the Vice-Dean for Education, the Vice-Dean for Research, and the School's Managing Director.
- 3. The heads of Academic Support's Education Support and Research Support Teams participate in the School Board meetings in the fields of education, research, and impact.**
- 4. After consultation with the School Council's student delegation, the Dean shall appoint a student for a term of one year, who shall be given the opportunity to attend the meetings of the School Board in an advisory capacity.**

#### **Article 2.8 The School's Managing Director**

- 1. The Managing Director shall be appointed, suspended, and dismissed by the Dean. The decision in question is subject to the approval of the Executive Board**
- 2. The Managing Director shall assist the Dean in the performance of his/her duties.**



- 3. The Managing Director is responsible for policy preparation and the implementation of the Dean's decisions as well as their announcement.**

**Article 2.9 Public access to meetings**

**The meetings of the School Board are not open to the public.**

## **CHAPTER 3      DEGREE PROGRAMS**

### **Article 3.1      Academic Director**

1. **The Dean appoints an Academic Director for every degree program or part of a degree program.**
2. **The appointment will be for a period of three years.**
3. As a rule, the Academic Director may be reappointed once.
4. The Academic Director cannot at the same time be a member of the Program Committee of that degree program or be the chair of a Department.  
For the purposes of this Article, a program may also include a Bachelor's program and one or more contiguous Master's programs.

### **Article 3.2      Duties of the Academic Director**

1. The Academic Director is, on behalf of the Dean, responsible for the implementation of the Education and Examination Regulations. The Academic Director determines, in agreement with the Heads of Departments involved as referred to in Article 5.1, who is involved in the implementation of the Education and Examination Regulations and gives them the necessary instructions. If no agreement is reached, the Dean will decide.
2. The Academic Director is responsible for ensuring the quality of the education of the degree program concerned, including the way in which the education is provided.
3. The Academic Director advises the Vice-Dean for Education on the content of the degree program and the examinations involved.
4. The Academic Director advises the Dean on the system of internal quality assurance and the follow-up of external quality.

### **Article 3.3 The Academic Director's Accountability**

1. **The Academic Director is accountable to the Dean.** Unless the Dean decides otherwise, the Dean mandates the Vice-Dean for Education to maintain the accountability relationship with the Academic Director on his behalf.
2. The Academic Director reports to the Dean on his/her activities at least once a year.
3. The Academic Directors consult with the Vice-Dean for Education at least six times a year in the School Educational Consultation on all matters relating to education. These consultations will in any case be include:
  - a. the School's strategic policy with regard to education;
  - b. the School's preconditions and guidelines for drawing up and implementing the Education and Examination Regulations for the study programs;
  - c. the establishment of the School's quality assurance system for education, as well as the Schools preconditions and guidelines for the implementation of quality assurance for education.
4. After consultation with the student section of the School Council, the Dean shall appoint a student who shall be given the opportunity to attend the meetings of the School Educational Consultation as an advisor for a period of one year.

### **Article 3.4 Composition of the Program Committees**

1. **For each degree program, or group of degree programs, a Program Committee will be appointed.**
2. **A Program Committees consist of at least four representatives of the Departments involved in the degree program and four representatives of students enrolled in the degree program.**
3. Members of the Executive Board, members of the Board of Governors, and the Dean

as well as other members of the School Board cannot, at the same time, be a member of a Program Committee.

4. **The members of the Program Committee are appointed by the Dean, on the understanding that the student members of the Program Committees are named on the recommendation of the student section of the School Council. The desirability of maintaining this method of composition is determined annually in consultation between the School Council and the Dean**
5. **The Program Committee shall draw up standing orders and shall also regulate how funds made available by the Dean for the Program Committee are to be distributed.**
6. **The Program Committee elects, whether or not from among its members, a chair and one or more deputy chairs. The chair, or in the event of absence, the deputy chair, represents the Program Committee judicially.**
7. For the purposes of this Article, a program may also include a Bachelor's program and one or more contiguous Master's programs.

#### **Article 3.5 Term of office of Program Committee members**

**The term of office for student members of the Program Committee is one year, for the other members two years. Resigning members are immediately eligible for reappointment.**

#### **Article 3.6 Duties of the Program Committee**

1. *The Program Committee's task is to render advice on promoting and ensuring the quality of the degree program. The Committee also has:*

- a. *the right of consent regarding the Education and Examination Regulations, referred to in Article 7.13 of the Act, with the exception of the subjects specified in paragraph two, under a, f, h through u and x, and with the exception of the requirements referred to in Article 7.28, paragraphs four and five, and Article 7.30b, paragraph two of the Act;*
- b. *the duty to annually assess how the Education and Examination Regulations are applied,*
- c. *the right to be consulted on the Education and Examination Regulations referred to in Article 7.13 of the Act, with the exception of the subjects which, pursuant to subparagraph a, the Committee has the right of consent; and*
- d. *the duty, when requested or on its own initiative, to render advice or submit proposals to the degree Academic Director referred to in Article 9.17, paragraph one of the Act and to the Dean or the Vice-Dean for Education in all educational matters regarding the degree program concerned. The Program Committee submits the advice and the proposals referred to under d, for information to the School Council*

2. **The Program Committee will be given the opportunity to consult with the Dean, respectively the Vice-Dean for Education, before issuing advice. The Committee will be informed in writing as soon as possible how the advice will be followed** and the Committee is given the opportunity, if the Dean, respectively Vice-Dean for Education, and the Academic Director does not, or not entirely, wish to follow the advice, to engage in further consultation before a definitive decision is made
3. For matters on which the Program Committee has the right of consent, the following procedure applies:
  - a. The Dean submits the written decision to the Program Committee and likewise provides an overview of the reasons and the expected consequences.
  - b. Before the Program Committee decides on the requested consent, the matter concerned must have been discussed at least once in a consultation meeting with the Dean, respectively the Vice-Dean for Education, or the Academic Director.
  - c. Within one month after the consultation meeting referred to in the previous paragraph, the Program Committee will decide whether to grant the requested consent and will notify the Dean in writing of this decision as soon as possible.
  - d. If the Program Committee has not reached a decision within the set term, consent for the proposed decision is deemed to have been obtained.
4. *If the Committee submits a proposal as referred to in paragraph one under d to the Dean, respectively the Vice-Dean for education, or the Academic Director, the Dean, respectively the Vice-dean for Education, or the Academic Director shall react within two months after having received the proposal.*

### **Article 3.7 Consultation with the Program Committees**

- 1. At least once a year, the Dean—in the presence of the Academic Director concerned and the Vice-Dean for Education—consults with each of the Program Committees within the School on all matters concerning the education in the degree programs concerned.**
2. In order to give the Committee the opportunity to consult with the Academic Director of the degree program concerned before issuing the advice, this Academic Director, in principle, attends the consultations of the Program Committee.
- 3. At least twice a year, the Academic Director formally consults with the Program Committee concerned on the implementation of the Education and Examination Regulations.**
4. *The Program Committee has the authority to invite the degree Academic Director or the Dean at least twice a year to discuss the proposed policy on the basis of an agenda drawn up by the Program Committee.*

### **Article 3.8 Procedure disputes**

In the event of a dispute as referred to in Article 39, first paragraph of the Structure Regulations, the Dean and the Program Committee will make a serious attempt to resolve the dispute among themselves before reporting the dispute to the Executive Board.

### **Article 3.9 Procedure after notification of a dispute**

**The Dean and the Program Committee can submit disputes referred to in these Regulations and/or Article 39, paragraph one of the Structure Regulations to the Participation Arbitration Committee for Higher Education referred to in Article 38a, paragraph one of the Structure Regulations. Article 39 of the Structure Regulations applies or applies by analogy.**

### **Article 3.10 The Vice-Dean for Education**

1. The Vice-Dean for Education is responsible for the administration of the education on behalf of the Dean.
2. Amongst others, the Vice-Dean for Education has the following duties on behalf of the Dean:
  - a. preparing strategic policy in the area of education;
  - b. establishing preconditions and guidelines for the formulation and implementation of the Education and Examination Regulations for the degree programs;
  - c. the design of the School's quality assurance system for education;
  - d. the allocation of resources for education within the preconditions of the School's allocation model.
3. The Vice-Dean for Education assists the Dean in the execution of the duties referred to in Article 2.4 of these Regulations, insofar as these concern education.
4. The Vice-Dean for Education is accountable to the Dean.
5. The Vice-Dean for Education reports annually in writing to the Dean regarding education.



## **CHAPTER 4 RESEARCH INSTITUTES, GRADUATE SCHOOLS, AND RESEARCH PROGRAMS**

### **Article 4.1 Research institutes and graduate schools**

The School has:

- a. a School-wide graduate school,
- b. the research institute Tilburg Center for Cognition and Communication (TICC)
- c. the research institute Tilburg Center for Logic, Ethics and Philosophy of Science (TILPS)

### **Article 4.2 Boards of research institutes/graduate schools**

1. **The Dean appoints a Board for each research institute and each graduate school, consisting of a chair and a maximum of four other members. The members of the Board shall be appointed for a term of three years.**
2. **In derogation of paragraph one, the Dean may delegate the management of a research institute or a graduate school to a managing director for a period to be determined by the Dean.**

### **Article 4.3 Duties of the Board of a research institute**

**The Board of the research institute (in this case the director) is entrusted with:**

- a. formulating the draft of the concept research program,
- b. estimating the funds required for the multiannual budget and the annual budget,
- c. ensuring the quality of the research

#### **Article 4.4 The management of research institutes and graduate schools**

With due observance of the relevant provisions of the university's Administration and Management Regulations, the Dean shall entrust the management of the research institutes referred to in Article 4.1 to the relevant director and the management of the graduate school referred to in Article 4.1 to the Vice-Dean for Research.

#### **Article 4.5 Accountability**

1. **The Board (the director) of the research institute and the graduate school is accountable to the Dean.**
2. The Board (the director) of the research institute and the graduate school reports annually to the Dean on the activities of the research institute or graduate school.

#### **Article 4.6 The Vice-Dean for Research**

1. The Vice-Dean for Research is responsible for the management of the research on behalf of the Dean.
2. Amongst others, the Vice-Dean for Education has the following duties:
  - a. reviewing the research programs and the composition of the group of researchers involved in the program;
  - b. preparing the School's strategic policy in the area of research;
  - c. the allocation of resources for research within the preconditions of the School's allocation model;
  - d. the care for the quality policy and the system of monitoring the quality of research;
  - e. the allocation of places for PhD candidates and postdoctoral researchers;
  - f. the admission and training of PhD candidates.
3. The Vice-Dean for Research assists the Dean in the execution of the duties referred to in Article 2.4 of these Regulations, insofar as these concern research.

#### **Article 4.7 Program managers research**

1. The Dean appoints program managers for the execution of the research.
2. The program managers are accountable to the Vice-Dean for Research.
3. With due observance of the provisions of Article 4.6, paragraph 2, under a of these Regulations, the program managers are in charge of:
  - a. drawing up and implementing the research program;
  - b. the composition of the group of researchers involved in the implementation of the program;
  - d. supervising the research progress and the supervision of the PhD candidates assigned to the research program;
  - e. the acquisition, execution, and quality and progress monitoring of research and contract funding (*tweede- en derde-geldstroom*).
4. At least six times a year, the program managers consult with the Vice-Dean for Research in a School Research Consultation on all matters relating to research. These consultations will in any case include:
  - a. the School's strategic policy with regard to research;
  - b. the School's preconditions and guidelines for drawing up and implementing the research programs;
  - c. the organization of the School's quality assurance system for research, as well as the School's preconditions and guidelines for the implementation of quality assurance for research;
  - d. the policy regarding the allocation of places for PhD candidates and postdoctoral researchers;
  - e. the policy with regard to the specific equipment and facilities available for the research.

#### **Article 4.8 Graduate School**

1. The Board or the director of the graduate school
  - a. is responsible for the admission, training, and supervision of PhD candidates from the graduate school;

- b. is responsible for the quality control of the PhD defense;
- c. supervises the recruitment and selection of PhD candidates;
- d. monitors the study progress of the PhD candidates and takes appropriate measures in the event of total or partial failure of the PhD thesis supervisor, supervisor, or PhD candidate; and
- e. is responsible for estimating the resources required for the multi-annual budget and budget.

## **CHAPTER 5      DEPARTEMENTS AND UNIVERSITY COLLEGE**

### **Article 5.1      Classification of the Departments**

1. The Dean shall set up Departments to promote the interdependence of education and research, to promote the exchange of views between those working in the same discipline, and to promote the expertise necessary to enable responsible decision-making within the School with regard to education and research.
  
2. The School has the following Departments:
  - a. Cognitive Science and Artificial Intelligence
  - b. Communication and Cognition Culture
  - c. Studies
  - d. Philosophy
  - e. Tilburg Center of the Learning Sciences

### **Article 5.2      University College Tilburg**

1. The School has the University College Tilburg, which is responsible for the Bachelor's program Liberal Arts and Sciences.
2. The dean appoints staff of the faculty as Dean or Educational Manager respectively, who carry out the duties and responsibilities of the chair of the Department or the Academic Director as described in these Regulations for the benefit of the University College Tilburg.

Contrary to Article 5.4 (a) of these regulations, the principle of awarding research time does not apply to the University College Tilburg.

### **Article 5.3      Members of the Departments**

1. The Dean appoints the members of the Departments.
  
2. The Dean appoints one of the members of each Department as Head of Department for a period to be determined.

### **Article 5.4      Head of Department**

The Head of Department is responsible for the management of the Department, on the understanding that he/she shall

- a. taking into account a balanced distribution of the educational tasks and using the allocation of research time as a starting point, decide on the allocation of the tasks to the members of the Department;
- b. be charged with the implementation of the School's policy with regard to the performance and appraisal procedures; and
- c. monitoring the budgets allocated to the Department.

#### **Article 5.5 The Departments' right to prior consultation**

1. The School Board regularly consults with the Heads of Departments on general administrative matters.
2. Upon request or on their own initiative, the Heads of Departments shall advise the Dean and the School Board on all matters relating to education within the School or the degree programs concerned.
3. Upon request or on their own initiative, the Heads of Departments shall advise the Dean on the conclusion of joint regulations for interschool degree programs.
4. Upon request or on their own initiative, the Heads of Departments shall advise the Dean and the Vice-Dean for Research on all matters relating to scientific practice and the School's research program.

#### **Article 5.6 Other duties of the Departments**

The Head of Department consult with the Academic Director, Program Committee, or the Boards of the research institutes or graduate schools once a year and whenever requested by these boards or committees

**PART III**

**PARTICIPATION SCHOOL COUNCIL**

## CHAPTER 6 SCHOOL COUNCIL

### Article 6.1 Size and composition

1. The council consists of 10 members.
2. *Half the School Council consists of members elected by and from among the staff, the other half elected by and from among the students (Article 34 (3) in conjunction with 28 (3) of the TiU Structure Regulations].*
3. *Those who are members of the Executive Board or the Board of Governors or who are charged with the function of Dean or a member of the management team of the School are not permitted to combine their office with membership of the School Council (Article 34 (3) in conjunction with 28 (4) & 13 (3) of the TiU Structure Regulations).*
4. The election of School Council members takes place pursuant to the provisions of the Election Regulations.

### Article 6.2 The term of office

1. **The term of office for members of the School Council elected by and from among the staff—the staff delegation—is two years and for members elected by and from among the students—the student delegation—is one year. The term of office starts on September 1 of the year in which the elections take place and therefore ends two years and one year later, respectively, on August 31. Resigning members are immediately eligible for reappointment.**
2. **Members occupying a seat that has become vacant early shall resign at the time when the person in whose place they have been elected would have to resign, without prejudice to the provisions in Article 6.3, paragraph two.**



### **Article 6.3 Termination of membership**

1. **Membership of the School Council ends through:**
  - a. **retirement by rotation;**
  - b. **death;**
  - c. **written termination;**
  - d. **leaving the university community;**
  - e. **changing to another section;**
  - f. **temporary resignation due to maternity or parental leave referred to in paragraph two;**
  - g. **reinstatement, pursuant to the paragraph two, of the person who had temporarily resigned, referred to under f., and in whose place the member had been elected.**
  
2. **A member of the School Council who, as an employee, is granted maternity leave or a member who is granted parental leave is therefore authorized to temporarily resign as such for the duration of this leave. At the end of the leave, he/she shall automatically be reinstated. The same authorization also applies to a member on maternity leave who is not employed by the university. In that case, the provisions concerning the start and end of the maternity leave in employment shall be applied accordingly for the exercise of that authorization.**
  
3. **The termination referred to in paragraph one under c is done by written notification to the chair of the School Council. The Dean and the Electoral Committee referred to in the Election Regulations receive a copy of the termination.**

### **Article 6.4 Chair and deputy chair**

1. **The School Council chooses a chair from among its members or otherwise for a term of one year.**
  
2. **The School Council chooses a deputy chair and possibly a second deputy chair from among its members for a term of one year.**

3. **If the chair of the School Council does not also serve on this Council, he has an advisory vote in meetings.**

#### **Article 6.5 Administrative Secretary**

**The Dean provides for the administrative and management support of the School Council; he appoints an Administrative Secretary to that end.**

#### **Article 6.6 Legal protection**

1. **As regards the School Council, the Dean ensures that Council members' position in the School is not adversely effected on account of their membership. The first sentence applies, *mutatis mutandis*, regarding candidate members and former members.**
2. **The termination of a person's employment at the School, other than at this person's own request, should not be related to the candidacy for membership, the current membership, or the former membership of the Council of the person concerned. Termination of employment that is in breach of this paragraph is void.**

## **CHAPTER 7 DUTIES AND POWERS OF THE SCHOOL COUNCIL**

### **Article 7.1 Duties of the School Council**

1. **The School Council promotes openness, accessibility, and mutual consultation in the School to the best of its ability.**
2. **The School Council shall not tolerate discrimination in the School on any ground whatsoever and shall promote in particular the equal treatment of men and women as well as the inclusion of persons with disabilities or chronic illnesses and persons of ethnic minorities.**
3. **The School Council also has the duty of weighing the views and interests of staff and students in the context of the objectives of education and research in the School with regard to policy and decision-making.**

### **Article 7.2 General powers**

***Without prejudice to Article 7.7, in its dealings with the Dean of the School, the School Council is entitled to exercise the right of consent and right to be consulted entitled to the University Council in matters that are of particular concern to the School and provided that the relevant powers have also been assigned to the Dean (Article 42 (2) of the TiU Structure Regulations).***

### **Article 7.3 Right of consent**

1. ***Without prejudice to Article 7.7, the Dean must obtain the prior consent of the School Council for every decision made by the Dean with respect to at least the adoption or amendment of:***
  - a. ***the School Regulations referred to in Article 15 of the Structure Regulations.***

- b. ***the Education and Examination Regulations referred to in Article 7.13 of the Act, with the exception of the subjects specified in paragraph two, under a through g and v, and with the exception of the requirements referred to in Article 7.28, paragraphs four and five, and Article 7.30b, paragraph two, of the Act.***
  - c. **The underlying principles and methodology of the School's financial allocation model, and**
  - d. **a plan for a School project involving an investment amount of €500,000 or more from School reserves for the entire four-year budgetary planning period.**
2. **Without prejudice to the provisions in Article 7.7, the Dean furthermore requires the prior consent of the School Council for every decision that he makes regarding the School's Strategic Plan.**

#### **Article 7.4 Right to be consulted**

1. **Without prejudice to the provisions in Article 7.7, the Dean gives the School Council the opportunity, in a timely fashion, to issue advice and hold consultations on:**
  - a. **matters pertaining to the continued existence and proper running of the School, as well as**
  - b. **the School's budget.**
2. **Furthermore, without prejudice to the provisions in Article 7.7, the School Council is given the opportunity, in a timely fashion, to give advice and to consult on proposed decisions concerning:**
  - a. **the education and research plan;**
  - b. **the procedure for the appointment of professors;**
  - c. **the annual accounts;**
  - d. **the annual report;**
  - e. **the transfer of the control over a part of the School;**

- f. entering into, making an important change in, or terminating a long-term collaboration with another School or institution of higher or academic education; and
- g. a plan for a School project involving an investment amount of €500,000 or more from School reserves for the entire four-year budgetary planning period.

#### **Article 7.5 Powers of the personnel section**

1. *With regard to matters that particularly concern the School and in so far as the relevant powers have been assigned to the Dean, the Dean shall ensure that the staff delegation of the School Council is given the opportunity in good time to issue advice to the Dean and to consult on proposed measures with regard to (Article Article 34 (4) in conjunction with Article 48 (2) of the TiU Structure Regulations).*
  - a. *the manner in which the employment and service conditions are applied in the School,*
  - b. *the manner in which the general human resources policy is implemented in the School,*
  - c. *matters concerning working conditions in the School,*
  - d. *the organization and operational procedures in the School, and*
  - e. *the technical and economic processes in the School.*
2. *The staff delegation of the School Council is authorized to make proposals to Dean of the School in the matters mentioned in paragraph one (Article 34 (4) in conjunction with Article 48 (4) of the TiU Structure Regulations).*
3. *The Dean must obtain the prior consent of the staff delegation for every measure the Dean is authorized to take and on which the staff delegation has given advice under paragraph one. (Article 34 (4) in conjunction with Article 48 (4) of the TiU Structure Regulation)*

#### **Article 7.6 Right of initiative**

***The School Council is authorized to make proposals and state its position regarding all matters concerning the School. Within three months of the School Council having***

*made a proposal referred to in the previous sentence, the Executive Board shall submit to the School Council a written, reasoned response to that proposal in the form of a motion. Before submitting the response referred to in the previous sentence, the Dean shall give the School Council at least one opportunity to consult the Dean on his motion (Article 36 in conjunction with Article 29 (2) of the TiU Structure Regulations).*

#### **Article 7.7 Exception to the powers**

The provisions of Articles 7.2 through 7.5 do not apply insofar as the matter in question has already been substantively regulated in regulations laid down by or pursuant to any law or in a collective labor agreement, or insofar as, pursuant to the Consultation Protocol to the Collective Labour Agreement, consultations on the matter in question are already being held by or on behalf of the Executive Board with the University Labor Representation Board or with the University Council on the basis of the provisions of the regulations for the University Council.

#### **Article 7.8 Special powers of the personnel section**

1. The personnel section of the School Council shall be given the opportunity, in a timely fashion, to issue advice on the requirements that a School's Managing Director to be appointed must meet.
2. If a selection committee is set up for a School's Managing Director to be appointed, a member of the personnel section of the School Council shall sit on it.
3. The School Council shall be informed as soon as possible of the proposed appointment of the School's Managing Director.

#### **Article 7.9 Procedure for right of consent**

1. The Dean shall submit the decision to be taken in writing to the School Council, together with an overview of the reasons for the decision and the expected consequences.
2. Before the School Council, or the relevant section of the School Council,

**decides on the requested consent, the matter in question must have been discussed at least once in a consultation meeting as referred to in Article 10.1.**

- 3. Within one month after the consultation meeting referred to in the previous paragraph has taken place, the School Council shall decide whether to grant the requested consent and shall notify the Dean of this decision in writing as soon as possible.**
- 4. If the School Council has not reached a decision within the set period, consent for the proposed decision shall be deemed to have been obtained.**

#### **Article 7.10 Consultation obligation after denial of consent**

- 1. If the School Council or the relevant section of the School Council does not give the required consent to the proposed decision, the Dean shall consult the School Council again**
- 2. After the consultation referred to in paragraph one, the Dean shall decide:**
  - a. to uphold the proposal, or**
  - b. to submit the amended proposal to the School Council; or**
  - c. to withdraw the proposal.**

**The Dean shall notify the School Council of his decision as soon as possible, but not later than within three months. If this notification is not made within three months, the proposal shall lapse**

- 3. If, after the consultation referred to in the previous paragraph, the Dean announces that he wishes to uphold the proposal, the Dean or the School Council shall establish that there is a dispute and shall report this to the Executive Board within four weeks. After notification, the procedure in Article 7.15 will be followed.**
- 4. The Dean may not take a final decision on the matter that has been reported as a dispute before the dispute has been resolved or before the Participation**

**Arbitration Committee for Higher Education has issued a decision.**

**Article 7.11 Dispute over interpretation regarding the right of consent**

- 1. If the School Council expresses the opinion that the Dean should have submitted a decision or proposed decision to the School Council for consent, the School Council shall inform the Dean, stating its reasons.**
- 2. The Dean consults with the School Council. If, after the consultation, the Dean announces not to submit the decision or proposed decision to the School Council for consent, the Council shall consider whether it maintains its position and shall notify the Dean of this within two weeks.**
- 3. If the School Council notifies the Dean, in accordance with the previous paragraph, that it maintains its position, the Dean or the School Council shall establish that there is a dispute and shall report this to the Executive Board within four weeks. After notification, the procedure in Article 7.15 will be followed.**
- 4. In the event of a dispute, the Dean may not implement the decision in question until the dispute has been resolved or the Participation Arbitration Committee for Higher Education has issued a decision.**

**Article 7.12 Procedure for right to be consulted**

- 1. Advice shall be requested at such a time that it may have a substantial influence on the decision to be taken. The Dean shall submit the decision to be taken in writing to the School Council, together with an overview of the reasons for the decision and the expected consequences.**
- 2. The School Council shall be given the opportunity to consult with the Dean before issuing its advice.**
- 3. The School Council shall be informed in writing as soon as possible but no later than within three weeks of the manner in which the advice issued will be followed up.**



4. **If the Dean wishes to depart in whole or in part from the advice of the School Council with regard to a proposal as referred to in Article 7.4 or Article 7.5, paragraph one, the School Council shall be notified of this in writing, stating the reasons. The School Council shall be given the opportunity to hold further consultations before the Dean makes a final decision.**
5. **The School Council and the Dean shall then inform each other within three weeks whether their original positions will be maintained after a reconsideration of interests.**
6. **If the School Council and the Dean maintain their positions, the School Council or the Dean shall establish that there is a dispute and shall report this to the Executive Board within four weeks. After notification, the procedure in Article 7.15 will be followed.**
7. **In the event of a dispute, the implementation of the relevant decision shall be suspended by four weeks, unless the School Council has no objections to the immediate implementation of the decision.**

#### **Article 7.13 Dispute over interpretation regarding the right to be consulted**

1. **If the School Council expresses the opinion that the Dean should have submitted a decision or proposed decision for advice, the School Council shall inform the Dean of this, stating reasons.**
2. **The Dean consults with the School Council. If, after the consultation, the Dean announces not to submit the decision or proposed decision to the School Council for advice, the School Council shall consider whether it maintains its position and shall notify the Dean of this within two weeks.**
3. **If the School Council notifies the Dean that it maintains its position, the Dean or the School Council shall establish that there is a dispute and shall report this to the Executive Board within four weeks. After notification, the procedure in Article 7.15 will be followed.**

4. **In the event of a dispute, the implementation of the relevant decision shall be suspended for four weeks, unless the School Council has no objections to the immediate implementation of the decision.**

#### **Article 7.14 Procedure for other disputes**

**In the event of a dispute referred to in Article 39, paragraph one of the Structure Regulations, for which no specific procedure is included in these Regulations, the Dean and the School Council shall make a serious attempt to resolve the dispute among themselves before reporting the dispute to the Executive Board. After notification, the procedure in Article 7.15 will be followed.**

#### **Article 7.15 Procedure after reporting a dispute**

**The Dean and the School Council may submit disputes as referred to in these Regulations and/or Article 39, paragraph one of the Structure Regulations to the Participation Arbitration Committee as referred to in Article 38a of the Structure Regulations. Article 39 of the Structure Regulations applies or applies by analogy.**

## **CHAPTER 8      OPERATIONAL PROCEDURES OF THE SCHOOL COUNCIL**

### **Article 8.1      Facilities and training**

- 1.      The Dean shall give the School Council and its members the opportunity to perform their duties properly and shall allow the School Council to use the facilities that are at his disposal, which, in any case, includes administrative, financial, and legal support and training, and that the Council reasonably requires for the performance of its duties**
  
- 2.      The Dean shall give the members of the School Council the opportunity to receive the training that the members of the Council require for the performance of their duties for an amount of time to be determined jointly by the Dean and the Council. University staff shall be given the opportunity to receive this training during working hours and without loss of pay.**
  
- 3.      With due observance of the provisions of Article 46 of the Structure Regulations, the Dean shall lay down regulations with regard to**
  - a.      the exemption from work of members of the personnel section;**
  - b.      administrative, financial, and legal support and training;**
  - c.      the budget of the School Council, as included in the School's budget.**
  
- 4.      The School Council shall meet as much as possible during normal working hours.**
  
- 5.      This Article shall apply by analogy to the Program Committees.**

### **Article 8.2      Experts**

- 1.      The School Council may invite one or more experts to attend a meeting of the School Council with a view to discussing a particular subject.**
  
- 2.      The persons referred to in the previous paragraph shall be provided with the agenda of the meeting concerned and the documents they require in a timely**

fashion.

3. An expert may also be invited to issue written advice.
4. If costs are involved in inviting an expert, they shall in principle be charged to the School Council's budget.

#### **Article 8.3 Right to be informed**

1. *At the beginning of the academic year, the Dean shall provide the School Council in writing with the basic data about the composition of the management team, the organization within the School, and the main points of the policy already adopted. The Dean shall inform the School Council in writing at least once a year of the policy he pursued in the preceding year and of the policy intentions for the coming year regarding the School in the area of finance, organization, and education. The Dean shall promptly notify the School Council of intentions regarding matters described in the School's Strategic Plan.*  
*Furthermore, the Dean shall in good time and of his own accord provide the School Council with all the information it may need to fulfill its duties reasonably and fairly (Article 36 in conjunction with Article 29 (5) of the Structure Regulations).*
2. The information and data shall be provided in writing if so requested.
3. The Dean shall provide information as soon as possible but not later than three weeks after the request of the School Council has reached the Dean. Exceeding this period shall only be possible in exceptional cases and must be notified to the School Council, stating reasons, before the expiry of the said period.
4. The School Council shall inform the Dean in a timely fashion of its wish to receive additional information in or before a meeting.

#### **Article 8.4 Duty of confidentiality**

1. **The members of the School Council as well as the experts consulted in accordance with Article 8.2 shall be obliged to observe confidentiality with regard to all matters they learn in their capacity for which either the Dean or the School Council has imposed confidentiality or the confidential nature of which they should have understood.**
  
2. **The person imposing confidentiality shall also inform the School Council which written or oral information is subject to confidentiality and for how long, as well as whether there are any persons with regard to whom confidentiality does not need to be observed.**  
**When the reasons for confidentiality have lapsed, the person who imposed the confidentiality shall inform the persons concerned as soon as possible.**
  
3. **If, in the opinion of the majority of the School Council, a member of the School Council is guilty of a breach of the duty of confidentiality imposed in accordance with the first paragraph of this Article, or if the Dean is of the opinion that a member has not complied with an obligation of confidentiality imposed by the Dean, the chairperson of the School Council shall issue a warning to the person concerned.**  
**If a second breach of confidentiality is established with regard to the same member of the School Council, the person concerned shall be excluded for a period of three months from those meetings or parts thereof that are confidential and from the provision of information subject to confidentiality.**
  
4. **The duty of confidentiality does not expire with the termination of School Council membership or with the termination of the connection between the person concerned and the School.**

#### **Article 8.5 Duties of the administrative secretary**

1. **The administrative secretary shall be responsible for convening the School Council, drawing up the agenda and the minutes of the meetings, as well as for the correspondence and the management of the documents intended for and issued by the School Council.**
  
2. **The agenda and accompanying documents drawn up for a meeting shall be**

**sent to the members at least two weeks prior to the meeting.**

Up to two working days before the meeting, members of the Council may submit proposals for items on the agenda, accompanied by explanatory documents, to the secretary, who shall submit them to the Chair of the Council. The chair shall decide whether to put the proposals on the agenda.

3. **The secretary shall write the minutes of each meeting of the School Council. The secretary shall send these minutes to the members of the School Council for approval.**
  
4. ***The School Council shall ensure that the agendas and reports of its meetings are sent to the Dean, and any committees referred to in Articles 8.7 and 8.8 and that, for the benefit of interested persons, these documents are made available for inspection at a generally accessible location at the School (Article 36 in conjunction with Article 29 (7) of the TiU Structure Regulations).***

#### **Article 8.6 Annual report**

***The School Council shall annually issue a written report on its activities and it shall ensure that all parties involved in the School can learn of the report (Article 36 in conjunction with Article 29 (7) of the TiU Structure Regulations).***

#### **Article 8.7 Advisory committee**

1. **The Dean shall give staff and students the opportunity, if desired, to set up a staff committee or separate committees for different staff categories or groups and a student committee. Such a committee is authorized, either upon request or on its own initiative, to advise the School Council on matters that particularly concern the committee in question**
  
2. **At the request of a committee, the School Council shall notify the Dean of a written advice as referred to in the first paragraph. The provisions of Article 7.6 shall apply by analogy to such written advice.**
  
3. **As a rule, a member of the School's management team shall attend the**

committee meetings in order to provide the necessary information and, if necessary or desirable, a clarification. The member of the School's management team may be assisted or replaced by advisors.

4. *At least once a year, the School Council shall offer the committees the opportunity to consult with the School Council on matters that are of particular concern to the committees involved (Article 36 in conjunction with Article 29 (7) of the TiU Structure Regulations).*

#### **Article 8.8 Council committees**

1. Without prejudice to the provisions of the previous Article, the School Council may set up committees to prepare matters to be dealt with by the School Council. Such a committee cannot exercise any powers of the School Council, nor legally act on behalf of the School Council.
2. As a rule, the Dean, or a member of the management team, shall attend the committee meetings in order to provide the necessary information and, if necessary or desirable, a clarification. The Dean or member of the management team may be assisted or replaced by advisors.

#### **Article 8.9 Rules of procedure**

1. With due observance of the provisions of these Regulations, the School Council may draw up regulations for internal matters.
2. The School Council shall in any event regulate the manner in which the Dean shall distribute resources made available to it and any committees referred to in Articles 8.7 and 8.8.

## **CHAPTER 9      MEETINGS OF THE SCHOOL COUNCIL**

### **Article 9.1    Meetings**

1.      **For the purpose of the performance of its duties, the School Council shall in any event meet in the following cases:**
  - a.      **as soon as possible prior to a consultation meeting to be held as referred to in Article 10.1;**
  - b.      **at the request of the chairperson of the School Council;**
  - c.      **at the request of at least three members of the School Council.**
  
2.      **With regard to the meeting referred to in paragraph 1 under b, the chairperson shall determine the time and place.**

**A meeting as referred to in paragraph 1 under c shall be held within two weeks after the request has been received by the chairperson.**

### **Article 9.2    Quorum**

1.      **Valid decisions can only be taken if more than half of the members are present. Vacancies shall not be taken into account when determining the number of members.**
  
2.      **If the required number of members is not present, the matters concerned shall be discussed and decided upon at the next meeting, irrespective of the number of members present.**

### **Article 9.3    Decision-making**

1.      **The School Council shall not decide on matters submitted to the School Council by the Dean until the Dean has been given the opportunity to provide a clarification and, if necessary, to consult with the School Council unless the Dean and the School Council have agreed otherwise.**
  
2.      **Unless a different majority is required pursuant to statutory provisions or**



provisions in these Regulations, decisions are taken by a simple majority of the number of valid votes cast, whereby a blank vote is not considered a valid vote. If the chairperson is not elected from among the members of the School Board, he shall not have the right to vote.

3. Voting shall take place by ballot if requested by at least one of the members present at the meeting.
4. The members of the council shall vote independently and not bound by any instructions.

#### **Article 9.4 Tied vote**

1. In the event of a tied vote, the chairperson shall suspend the meeting. After the suspension, the deliberations shall be reopened, after which a new vote shall be cast.
2. After the deliberations referred to in the previous paragraph, it may be decided, in derogation of the provisions of that paragraph, to postpone the discussion of the agenda item.
3. If the votes in the second ballot, whether or not after postponement, are again tied, the proposal shall be deemed not to have been adopted.

#### **Article 9.5 Public access to meetings**

1. The meetings of the School Council shall be public, unless the School Council decides otherwise in view of the nature of the matter. A decision to hold a closed meeting must be substantiated.
2. *If during a particular meeting or any part thereof, a predominantly personal interest of one of the School Council's members is at issue, the School Council may decide that the member in question will not participate in that meeting or that part of the meeting. The School Council shall then also decide that the matter concerned will be discussed in a closed meeting (Article 36 in conjunction with Article 29 (6) of the TiU Structure Regulation).*

3. **With regard to what is discussed in a closed meeting or part of a meeting, the persons present will observe confidentiality in accordance with the provisions of Article 8.4.**
4. **A confidential report will be made of a closed meeting or part of a meeting.**
5. **The chairperson decides in what terms a decision taken in a confidential meeting or part of a meeting will be made public, unless confidentiality is imposed in accordance with the provisions of Article 8.4.**

## CHAPTER 10 CONSULTATION MEETINGS OF SCHOOL COUNCIL & DEAN

### Article 10.1 Consultation meeting

1. **As a rule, the Dean and the School Council consult six times a year in a meeting, hereinafter referred to as the consultation meeting.**
2. ***The Dean and the School Council will also meet if, stating its reasons, the Dean, the School Council, the section of the School Council elected from among and by the staff, or the section of the School Council elected from among and by the students requests such a meeting to be convened (Article 36 in conjunction with Article 29 (1) of the TiU Structure Regulations).***
3. ***At least twice a year, the Dean shall give the School Council the opportunity to meet and discuss the School's general course of affairs (Article 36 in conjunction with Article 29 (1) of the TiU Structure Regulations).***
4. ***The School Council is authorized to invite the Dean at least twice a year to discuss the proposed policy on the basis of an agenda drawn up by the School Council (Article 29 (2) of the TiU Structure Regulations)***
5. **During the consultation meeting, the School's matters shall be discussed, with regard to which either the Dean or the School Council deems consultation desirable or with regard to which consultation between the Dean and the School Council is required by virtue of the Structure Regulations or these Regulations.**

### Article 10.2 Consultation meeting operational procedures

1. **The Dean may be assisted by advisors.**  
As a rule, the members of School Board attend the consultation meeting.
2. The consultation meeting shall have an agenda committee consisting of: the Dean, the chairperson of the School Council and the School's Managing Director.
3. After consultation, the School Council and Dean jointly appoint a chairperson for

the consultation meeting.

4. **The agenda of the meeting shall contain matters that have been reported by the Dean, the School Council, or one of the delegations prior to the consultation. A report shall be made of each consultation meeting.**
5. **The chairperson shall suspend a consultation meeting if the Dean or the School Council deems separate deliberation on a particular matter desirable.**
6. **The Dean and/or the School Council may invite one or more experts to attend a meeting to discuss a specific subject. The provisions of Article 8.2 apply by analogy.**
7. **The provisions of Chapter 9 apply by analogy.**

**PART IV**

**OTHER PROVISIONS**

## **CHAPTER 11     LEGAL PROTECTION**

### **Article 11.1     Central Disputes and Complaints Desk**

- 1.     The Central Disputes and Complaints Desk is an accessible and unambiguous facility, established in accordance with Article 7.59a of the Act. A person concerned may submit a complaint and an appeal or objection to this Desk, either online or in writing, about a decision taken by a university body or the absence of such a decision on the basis of the Act or of regulations, internal or otherwise, based on it.**
  
- 2.     A “person concerned” as referred to in paragraph one is understood to mean a student, a prospective student, a former student, an external student, a prospective external student, or a former external student.**
  
- 3.     Complaints, appeals, and objections will be dealt with in accordance with the procedure as laid down in Chapter 4 of the Administration and Management Regulations.**

## **CHAPTER 12      TRANSITIONAL AND FINAL PROVISIONS**

### **Article 12.1    Entry into force/repeal of previous School Regulations**

These Regulations shall enter into force the day after the Executive Board has adopted them.  
The immediately preceding School Regulations shall lapse as of the same date.