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# Official Bulletins 64/2023

**Appointment Regulations  
of the University of Cologne**

**as of 15 August 2023**

**Universität zu Köln**



THIS TRANSLATION OF THE 'Berufungsordnung der Universität zu Köln  
vom 15 August 2023' IS NOT LEGALLY BINDING.

**Duty of inspection and right of objection:**

In accordance with Section 12 of the Higher Education Act of North Rhine-Westphalia (Hochschulgesetz – HG NRW), procedural or validity violations of higher education law, other applying regulations or other forms of autonomous university law can no longer be asserted after one year has expired since the publication of these Regulations. Exceptions can be made if

1. the Regulations were not published in the prescribed manner,
2. the Rectorate has in advance objected to the decision of the committee responsible for ratification,
3. flaws in form and procedure have been asserted against the University in advance describing the violated legal provision and fact causing the flaw, or
4. upon publication, the legal consequences of the limitation period for inspection and objection were not clarified.

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**as of 15 August 2023**

Based on Section 2 subsection 4 sentence 1 and Section 38 subsection 4 sentence 1 of the Higher Education Act of North Rhine-Westphalia (Hochschulgesetz – HG) in the version of the Higher Education Future Development Act (HZG) of 16 September 2014 (GV.NRW p. 574), last amended by Article 1 of the Law on the Membership of University Hospitals in the National Employers' Association (Gesetzes betreffend die Mitgliedschaft der Universitätskliniken im Arbeitgeberverband des Landes) of 30 June 2022 (GV. NRW. p. 780b), the University of Cologne enacts the following Regulation:

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## **Section 1 Scope**

(1) These Regulations govern the procedure for preparing the appointment proposals for a professorship (W2/W3), a junior professorship (W1), a university lectureship (lecturer) and the procedure for granting tenure track to a professorship.

(2) In addition, please refer to the Guidelines for Appointment Procedures in the currently applicable version.

## **Section 2 Deadlines**

(1) If a position becomes vacant because the holder reaches the age limit, the appointment proposal shall be submitted to the Rectorate no later than six months before this date, Section 38 subsection 2 sentence 2 HG.

(2) If a position becomes vacant for other reasons, the appointment proposal shall be submitted to the Rectorate no later than eight months after the position becomes vacant, Section 38 subsection 2 sentence 1 in conjunction with Section 37 subsection 1 sentence 3 HG.

(3) The procedure from the advertisement of the position to the decision of the Faculty on the shortlist shall not exceed six months.

(4) The professorship and lectureship allocation request must be submitted in good time so that the Faculty's proposal for an appointment to the Rector is made within the legal deadlines of Section 38 subsection 2 HG. If a job becomes vacant by reaching the age limit, the allocation request should be submitted at the latest one year before the age limit is reached.

## **Section 3 Professorship and lectureship allocation request**

(1) The appointment procedure is initiated by the Faculty's request to the Rectorate for the release of a specific professorship for (re)filling a position (professorship and lectureship allocation request). The professorship and lectureship allocation request is intended to realistically determine the significance and direction of the professorship. This is while considering the general position and structural development planning of the Faculty, the University Strategy Plan and the existing and planned future equipment.

(2) The professorship and lectureship allocation request containing the selection criteria and the advertisement text based on these criteria as well as a statement of what is required in suitable candidates must be submitted to the Rectorate. The statement should include a realistic quantitative statement about the applicants, including a preliminary list of potential candidates. The selection criteria, the advertisement text and the statement are prepared by the Appointment Committee elected by the Faculty Council. The Gender Equality Officer of the Faculty must be involved.

(3) The dismissal and reallocation of a professorship in Protestant or Catholic theology require the approval of the ministry.

## **Section 4**

### **Public advertising of a professorship**

(1) The positions for university professors shall be advertised publicly by the Rectorate on the proposal of the Faculty in accordance with Section 38 subsection 1 sentence 3 HG. The position needs to be advertised publicly, also internationally as a rule.

(2) The public advertising of a professorship may only be waived in the cases provided for by law in Section 38 subsection 1 sentence 3 HG.

(3) If a professorship (W2/W3) is filled according to the tenure track procedure with waiver of advertising pursuant to Section 38a HG, the quality requirements shall be determined according to the Regulations for Quality Assurance in Tenure Track Procedures of the University of Cologne (Tenure Track Regulations).

## **Section 5**

### **Appointment Committee**

(1) The Appointment Committee is elected by the Faculty Council. Each Faculty Council can elect a deputy for the members from the groups of academic staff, technical and administrative staff as well as students. There are no deputies for the university lecturer group. In the event of a member leaving the group of university lecturers, a replacement will be elected in their place.

(2) The Appointment Committee is chaired by the Dean. They may delegate the chairmanship to another university lecturer who can be elected according to the rules of the HG. The Faculties regulate the voting rights of the chairperson in accordance with the decision of their Faculty Council.

(3) The members of the Appointment Committee are

a) as members with voting rights:

- university lecturers,
- academic staff,
- students.

b) as members in an advisory capacity:

- at least one representative from the technical and administrative staff,
- the Gender Equality Officer of the Faculty,
- in appointment procedures of the Faculty of Medicine with clinical activity, the medical director.

In appointment procedures for W2 and W3 professorships as well as for university lecturers, the Appointment Committee consists of at least ten voting members, and in appointment procedures for junior professors at least five voting members. More than half of them must be university lecturers.

c) Without being a member, the following persons may regularly attend the meetings of the Appointment Commission in an advisory capacity:

- the Appointment Officer pursuant to Section 6,
- the University's Gender Equality Officer,
- the spokesperson of persons with special needs at the university.

They are to be invited and informed like members.

The previous holder of the position and members of the institute who would be bound by instructions to the person to be appointed may not be members of the Appointment Committee. Emeriti and retired professors cannot be members of the Appointment Committee.

(5) Participation in the Committee meetings is mandatory for the members of the Appointment Committee and for the Appointment Officer and can only be cancelled for good cause.

(6) Guests may only be admitted to individual meetings or agenda items in justified individual cases. The guests who can be invited are:

- the previous job holder,
- competent members of the institute,
- emeriti and retired professors as well as  
other competent persons in an advisory capacity.

Permanent guests are not allowed. An exception to this rule is only possible for external persons if it concerns a joint appointment procedure or a planned cooperation with external partners. The reasons for the need for guests shall be recorded in the minutes.

(7) Half of the Appointment Committee shall be composed of women; if this is not possible due to compelling reasons, this must be documented (Section 9 subsection 2 Gender Equality Act of the State of North Rhine-Westphalia (LGG NRW), Section 11b subsection 1 sentence 4 HG NRW).

(8) If possible, the Appointment Committee should include external members. The Faculty Council decides whether or not the external members of the Appointment Committee have voting rights. Section 17 remains unaffected.

(9) The provisions of Section 37a subsection 2 HG on guaranteeing equal opportunities for women and men in the appointment of professors are given special consideration. The spokesperson of persons with special needs shall be involved in the procedures for the preparation of the appointment proposals; the Appointment Committee shall give the spokesperson of persons with special needs the opportunity to comment in good time, Section 38 subsection 4 sentence 1 clause 2 HG.

(10) In the case of cross-Faculty appointments, the Appointment Committee shall be composed of members of the participating Faculties. The participating Faculties determine which of them will be in charge of the proceedings.

## **Section 6 Appointment Officer**

(1) The Appointment Officer supports the Rectorate in its central responsibility for the quality assurance of the appointment procedure. They are to pay particular attention to the adherence of academic standards and to the transparency and fairness of the procedure for the selection of the best candidates. As a rule, they are to report to the Rector on the progress of the appointment procedure. They should participate in all meetings of the Appointment Committee in an advisory capacity.

(2) The Rector appoints a non-specialist person from the group of university lecturers as an Appointment Officer.

## **Section 7 Tasks of the Appointment Committee**

(1) The Appointment Committee prepares the nominations for the appointment of a (junior) professorship for the decision-making by the Faculty Council. Among the tasks of the Appointment Committee are in particular:

- binding definition of a list of criteria
- preparation of the advertisement text
- probing the candidate field
- measures to attract applicants
- pre-selection of applicants
- development of the appointment proposal for the Faculty Council
- documentation of all essential procedural steps and selection decisions

(2) The chairperson of the Appointment Committee is responsible for the implementation of the tasks referred to in subsection 1.

## **Section 8 Selection criteria and advertisement text**

(1) In order to find suitable candidates, the Appointment Committee draws up a list of criteria that is binding for the entire procedure, taking into account the requirements of Section 36 subsection 1 HG. The list of criteria defines the requirements for the professorship for the selection decision.

(2) The selection criteria may include in particular:

- proven scientific or artistic qualifications,
- teaching competence,
- experience in obtaining research funds,
- experience in academic self-administration,
- experience in the promotion of young talent,
- ability to connect to the research profile of the Faculty,

- willingness to advance the development of the university in scientific, societal, cultural and social terms,
- readiness for academic development and further education.

The selection criteria must be recorded in the protocol.

(3) The advertisement text must reflect the criteria set out in a binding manner, as it determines the profile of the requirements for the position.

(4) The advertisement text must be drawn up in accordance with the standardized texts approved by the Rectorate and placed in the Academic Job Portal of the University of Cologne. The advertisement text for a professorship must contain at least the following:

- a. the nature and scope of the tasks to be performed,
- b. the salary and grade within the organization,
- c. the planned date of the commencement of employment,
- d. a list of the documents to be submitted,
- e. the legally provided information according to Section 8 subsection 4 sentence 2 of the Equal Opportunities Act of North Rhine-Westphalia (Landesgleichstellungsgesetz – LGG NRW) and Section 81 f. of the German Social Security Code (Sozialgesetzbuch IX – SGB IX).

(5) The advertisement texts shall be formulated in such a way that all applicants are addressed equally.

## **Section 9**

### **Measures for the recruitment of applicants**

The Appointment Committee should contact promising candidates personally at the same time as the advertisement is published and invite them to apply (active recruitment). If the number of women among university lecturers in the subject is less than 30%, the chairperson of the Appointment Committee must initiate active recruitment for suitable applicants. The entire process of active recruitment must be documented in an appropriate manner.

## **Section 10**

### **Selection procedures and expert opinions**

(1) The Appointment Committee shall determine the precise arrangement concerning the selection procedure, including a regular structured interview, a public presentation at the university and a sample lecture. It decides which candidates are to be invited to the interviews. In addition to the advertisement criteria, unavoidable delay times must also be taken into account. The academic age is determined according to the criteria of Section 39a HG and the criteria listed in the 'Guidelines for Recruitment Procedures'.



(2) If applicants possess the same suitability, qualification and professional performance, the same number of female applicants as male applicants are to be invited to the interviews pursuant to Section 9 subsection 1 LGG NRW.

(3) After sample lectures and expert discussions, the Appointment Committee decides in a secret ballot which candidates are to be examined in more detail without having to rank them. At least two comparative reports from external, internationally recognized professors are to be obtained, including one from a female professor if possible. If this is required by the professional profile of the professorship, expert opinions must also be obtained from professors from abroad.

## **Section 11**

### **Appointment proposal**

(1) Taking into account the expert opinions, the Appointment Committee as a rule decides in a secret ballot on the ranking of three candidates. The ranking of the candidates must be sufficiently substantiated, particularly in view of the selection criteria defined at the beginning of the process (appointment proposal). The reasons should also document the selection procedure.

(2) Female applicants with the same suitability, competence and professional performance are to be given preferential consideration in accordance with Section 7 subsection 1 LGG NRW.

(3) The Appointment Committee sends the appointment proposal to the Faculty Council for a resolution. The expert opinions according to Section 10 subsection 3 sentence 2 f. must be attached to the appointment proposal.

(4) All professors of the subject are entitled to participate without voting rights in the discussion on the appointment proposal of the Faculty Council; the same applies to all university professors in the consultation on other appointment proposals, Section 28 subsection 5 sentence 1 HG.

(5) The decision of the Faculty Council on the appointment proposal requires a majority of the voting members present.

(6) The appointment proposal requires the approval of the Senate, Section 11 subsection 4 Constitution of the University of Cologne.

## **Section 12**

### **Appointment**

The Rector appoints the university professor on the proposal of the Faculty after consulting the Rectorate and after approval by the Senate according to Section 22 subsection 3 p. 3, Section 38 subsection 1 HG, Section 11 subsection 4 Constitution of the University of Cologne. They may appoint a candidate on the short-list independent of the order proposed by the Faculty or request a new proposal, Section 37 subsection 1 sentence 2 HG.

## **Section 13**

### **Tenure Track**

(1) Positions of research fellows, early-career researchers, junior professorships and professorships can be advertised with tenure track, Section 38 a HG. At the end of a successfully completed tenure track procedure, the tenure track candidate is permanently appointed to a professorship without reservations. The detailed procedure is governed by the Regulations on Quality Assurance in Tenure Track Procedures and Other Evaluation Procedures for Fixed-term (Junior) Professorships at the University of Cologne (Tenure Track-Ordnung *plus*).

(2) When filling a position with tenure track or when granting tenure track, the requirements of Section 37 subsection 2 HG appointment prohibition (Hausberufungsverbot) must be met.

(3) When appointing a W2/W3 professorship with tenure track, the candidate must meet the appointment requirements of a professor in accordance with Section 36 subsection 1 HG.

(4) In justified cases, research fellows (wissenschaftliche Mitarbeiter\*innen) may be granted tenure track if they meet the requirements for appointment to a junior professorship pursuant to Section 36 HG and have generally been granted their position after external review (Section 38a subsection 5 sentences 1, 2 and 3 HG).-Early-career researchers who are not employed as research fellows at the University may, in justified cases, be granted tenure track if they hold a position that is financed by a cross-university funding programme whose award regulations provide for a public call for applications and a selection procedure with external review that is equivalent to an appointment procedure for a junior professorship (Section 38a subsection 6 HG).

(5) A Selection Committee advises on the filling of a position of a tenure track position for a research fellow and the granting of a tenure track to other early-career researchers. The composition and the procedure of the Selection Committee is based on the provisions of Appointment Committees for junior professorships. The Rectorate decides on the granting of the tenure track on the basis of a proposal from the Faculty Council.

(6) If a tenure track position at an external research institution is to be filled with a tenure track to a professorship at the University of Cologne, a joint public call for applications is published and the University participates in the selection decision in the form of a joint recruitment procedure. The Rectorate decides on the granting of tenure track on the basis of a joint proposal of the Faculty Council and the external research institution after informing the Senate.

(7) Junior professors already employed at the University of Cologne may be subsequently offered tenure track if they have received an at least equivalent offer from another university to a junior professorship with tenure track, and such an offer can prevent their departure. Sentence 1 shall also apply to research fellows employed at the University of Cologne (Section 38a subsection 5 sentence 3 in conjunction with subsection 1 sentence 4). The Rectorate decides on the granting of the tenure track on the basis of a proposal from the Faculty Council.

## **Section 14**

### **Joint appointments**

(1) The university may conduct joint appointments with non-university institutions. To this end, it will coordinate an advertisement text with the respective extracurricular institution in advance, which will contain a reference to the joint appointment.

(2) The university and the non-university institution shall conclude a cooperation agreement on the details of the joint appointment procedure. In particular, the agreement should stipulate how the position of a professorship is to be legally structured (e.g. Jülich model) and whether a joint Appointment Committee or two separate Appointment Committees are to be set up to carry out the appointment procedure.

(3) If the cooperation agreement provides for the formation of two separate Appointment Committees, these shall normally meet together. The University's Appointment Committee is governed by these Appointment Regulations, and the relevant requirements for the non-university institution's Appointment Committee are decisive. The two committees draw up a joint committees' proposal, which is decided by the respective competent bodies of the university and the non-university institution. If no agreement can be reached on the appointment proposal, the appointment procedure shall, as far as possible, be reverted to the previous stage of the procedure with the aim of drawing up a new consensual proposal. Otherwise, the appointment procedure will be terminated.

(4) If the cooperation agreement stipulates the establishment of a joint Appointment Committee, these Appointment Regulations shall apply to them, with the following particularities: If possible, half of the members of the Joint Appointment Committee should be proposed by the Faculty and half by the non-university institution. For the group of students, only students of the university can be proposed by the non-university institution. If a joint Appointment Committee contains an odd number of members, the majority is appointed from the proposals of the Faculty.

(5) A person who is a member of both the university and the non-university institution may only be sent to one of the two Appointment Committees or to the joint Committee by either the university or the non-university institution.

## **Section 15**

### **Confidentiality and data protection**

(1) The Appointment Committee shall not meet in public. Presentations by invited candidates are usually open to the public.

(2) Application documents and other personal data collected during the selection procedure must be treated confidentially in accordance with the data protection regulations of the State of North Rhine-Westphalia. They may only be made accessible to third parties insofar as this is necessary for the fulfilment of their tasks. The Chairman of the Appointment Committee shall at each meeting expressly draw the members' attention to the confidentiality of the deliberations and the documents and shall make this known in writing.

## **Section 16**

### **General principles of procedure**

(1) The Principles of the University of Cologne on Questions of Conflict of Interest dated 07 June 2018 (Amtliche Mitteilungen 35/2018 / Official Bulletins 35/2018) must be observed. The chairperson of the Appointment Committee shall act to ensure compliance. If circumstances exist which give rise to a possible conflict of interest, these must be disclosed to the Appointment Committee. The Appointment Committee shall decide on the further involvement of the person concerned and document its decision. In addition, Section 5 subsection 4 of the University's Rules of Procedure of 29 September 2021 in conjunction with Sections 20 and 21 of the Administrative Procedures Act of NRW (VwVfG NRW) apply.

(2) In all other respects, the provisions of the University's Rules of Procedure shall apply, unless otherwise stipulated in these Regulations.

## **Section 17**

### **Special clauses**

(1) In appointment procedures that will affect central research institutions (Sections 29 and 30 HG), the constitutions governing these institutions and the agreements reached regarding their foundation and organization shall be observed. In the case of appointment procedures that affect joint research institutions with other universities and/or non-university institutions (Section 77 HG), the special procedural regulations agreed upon in the cooperation agreements apply. In particular, these institutions have the possibility of nominating an internal or external member with voting rights to the Appointment Committee.

(2) If the institutions under point 1 are maintained by several Faculties of the University of Cologne, the participating Faculties shall decide which Faculty shall be in charge of the procedure.

(3) In cases where the Faculty membership of the position to be filled is still open, the Rectorate decides which Faculties are to be involved. The participating Faculties decide which Faculty will be in charge of the procedure. In case of conflict, the Rectorate decides. The participating Faculties establish joint Appointment Committee.

## **Section 18**

### **Entry into force**

(1) These Appointment Regulations shall enter into force on the day following their publication in the Official Bulletins of the University of Cologne. At the same time, the Appointment Regulations of 07 June 2020 (Amtliche Mitteilungen 115/2018) shall cease to apply.

(2) Appointment proceedings commenced before the entry into force of these regulations shall continue in accordance with the provisions of the Appointment Regulations in force at the time of the commencement of the proceedings.

Issued by resolution of the Senate of the University of Cologne on 12 July 2023.

Cologne, 15 August 2023  
The Rector  
of the University of Cologne

signed

pp Professor Dr Bettina Rockenbach (First Vice-Rector)