

## Information for members in Senate committees

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### 1) General provisions

The provisions of the Rules of Procedure of the Senate apply accordingly to the committees provided for by the By-Laws of WU (§ 13 (1) of the Rules of Procedure of the Senate).

Any WU faculty member with a *venia docendi* can be elected chair of a committee from among the members of the committee (§ 9 (3) of the By-Laws of WU).

### 2) Rights to attend meetings

The **Chair of the Senate** is entitled to attend the meetings of a committee in an advisory function and can, in particular, file applications regarding the agenda.

**The Rector** or the **members of the Rector's Council responsible for the relevant subject matter** shall be invited to attend the meetings of the Senate and its committees in an advisory function if and insofar as items on the agenda concern tasks of the Rector's Council or the Rector (§ 22 (1) and § 23 (1) of the Universities Act 2002) or of the members of the Rector's Council responsible for the relevant subject matter.

In addition, the Senate can decide to invite the Rector or the members of the Rector's Council responsible for the relevant subject matter to regularly attend the meetings of the Senate in an advisory function but can also decide not to do so in respect of individual items on the agenda (§ 25 (1) items 5 to 7 of the Universities Act 2002). If the Senate does not issue or revokes such an invitation, the Senate shall inform the Rector's Council, without delay, of the objective reasons leading the Senate to such decision (§ 9 (6) of the By-Laws of WU).

In addition to § 9 (8) of the By-Laws of WU, the Committee for Study-Related Matters, the Committee for Financial Affairs, Campus Management, and Digitalization, the Research Committee, the

Personnel Development Committee and the **Dean of the WU Executive Academy**, in the scope of his or her responsibilities, and **a representative of the Equal Opportunities Committee** shall be invited to attend the meetings of the committees in an advisory function unless the chair of a committee or the committees decide otherwise.

For the purpose of information exchange, a **representative** of the **Administrative Staff Council** and/or the **Academic Staff Council** can be invited to attend a meeting of a committee. If no exchange of information takes place after that, the chair of the respective committee shall report to the Chair of the Senate. Moreover, a **representative of the administrative staff** shall be invited to attend the meetings of the Committee for Study-Related Matters in an advisory function (§ 9 (9) of the By-Laws of WU).

The chair of a committee (every committee, not limited to certain committees) or the committees can invite informants and experts to attend the deliberations of the committees.

At the request of the Equal Opportunities Committee, a member or substitute member of the Committee has the right to attend the selection interview. If a Committee for Staffing Matters (e.g. the Search Committee) or a Habilitation Committee is established, the EOC shall be invited to attend the meetings in an advisory function (§ 49 (2) of the By-Laws of WU).

### 3) Obligation to attend meetings

The **members of the Senate are obligated to attend meetings**. This obligation takes priority over any other university-related obligations (§ 5 (1) of the Rules of Procedure of the Senate).

If members are unable to attend a meeting because they are unavoidably prevented, they shall notify the Chair in writing, stating reasons. If the Chair regards the reasons as not plausible, the Chair shall discuss this with the Senate members (§ 5 (2) of the Rules of Procedure of the Senate).

### 4) Representation policy

If they are incapacitated or unavailable, members can delegate their vote to another member. The vote must be delegated in writing, or the delegation must be recorded in the minutes during a meeting. Every person entitled to vote at a meeting must **not have more than two votes in total** (§ 5 (3) of the Rules of Procedure of the Senate).

If they are incapacitated or unavailable, members can delegate their vote to another member of the collegial body representing **the same group** for the duration of one meeting (§ 4 (4) of the By-Laws of WU).

Members can be represented by their substitute members for important reasons even if they are not permanently incapacitated or unavailable. The relevant member shall judge whether or not an important reason exists, unless the Senate passes a unanimous resolution stating that no important reason is given. Notification of representation by a substitute member must be submitted in writing, or must be recorded in the minutes during a meeting (§ 5 (4) of the Rules of Procedure of the Senate).

Representation by a member other than the member's defined substitute within an association ("Kurie") is not possible. Every member may only be represented by their substitute member, not by a substitute member of other members.

### 5) Convening of meetings

The chair of the Senate can convene a meeting at any time (§ 1 (1) of the Rules of Procedure of the Senate).

The chair of a committee shall convene a meeting of the committee chaired by him or her also at the request of the Senate or the Chair of the Senate (§ 13 (2) of the Rules of Procedure of the Senate).

A meeting must be convened by the Chair within two weeks if at least three members request so, enclosing a written proposal for the agenda. If this request is made in July or August, the meeting must be convened by no later than September 15 (§ 1 (3) of the Rules of Procedure of the Senate).

## 6) Agenda

The chair shall prepare the agenda. The Chair shall inform the members of the agenda at least two days before the meeting (§ 2 (1) of the Rules of Procedure of the Senate). Items of which the Senate has not informed the members at least two days before the meeting may be dealt with if the Senate decides so (§ 2 (2) of the Rules of Procedure of the Senate).

**Every member** of the Senate can request that items named by that member be put on the agenda. The Chair or the person authorized to receive such information is to be informed of this item, including an explanation, at least one week before the meeting (§ 2 (3) of the Rules of Procedure of the Senate).

## 7) Meetings

The meetings shall be chaired by the chair (§ 3 (1) of the Rules of Procedure of the Senate).

The chair shall determine the order of priority of the statements and items to be discussed on the basis of the agenda (§ 3 (2) of the Rules of Procedure of the Senate).

The Chair shall open and close the meetings and can interrupt a meeting and postpone a meeting or a certain item on the agenda. The Chair is responsible for maintaining order and security during a meeting. The Chair shall give the floor to individual members and supervise discussions and votes. The Chair shall prevent digressions from a topic by reminding the speaker to stick to the point and, if necessary, calling the speaker to order. If such reminders are disregarded, the Chair can forbid the speaker to speak (§ 3 (3) of the Rules of Procedure of the Senate).

The Chair can ask informants and experts to attend the deliberations of the Senate (§ 3 (4) of the Rules of Procedure of the Senate).

The chair shall open the discussion on each item of the agenda, and, as a rule, also after separate reports (§ 4 (1) of the Rules of Procedure of the Senate).

An application for ending the discussion is to be voted on without any further discussion. If such a resolution is passed, only requests for leave to speak made before this application was filed are to be taken into account. If the Chair so requests, the Chair has the right to make a closing comment, otherwise the rapporteur or the applicant has that right (§ 4 (2) of the Rules of Procedure of the Senate).

Unless otherwise provided by law or in the By-Laws of WU, a **resolution** requires that **at least half of the members entitled to vote are present** or excused, or that at least ten members are present, and the simple majority of the votes cast. Abstentions, invalid votes or refusals to cast a vote are to be counted as dissenting votes in all votes (§ 6 (1) of the Rules of Procedure of the Senate).

Unless otherwise provided, voting shall be by show of hand (open vote) (§ 7 (2) of the Rules of Procedure of the Senate).

If no requests for leave to speak are made in respect of an item on the agenda on which an open vote would have to be held, or only agreeing opinions are given, the Chair can declare the application (report) to be accepted without any further vote (§ 7 (3) of the Rules of Procedure of the Senate).

A secret ballot is to be held if the Senate decides so, or if this is requested by three members. The Chair can request a secret ballot at all times (§ 7 (5) of the Rules of Procedure of the Senate).

A member shall not vote on a matter concerning that member pursuant to § 7 of the General Administrative Procedure Act (AVG, Allgemeines Verwaltungsverfahrensgesetz). Upon application, the Senate shall decide whether a conflict of interests is given. If there is a conflict of interests, the Chair can forbid the member concerned from attending deliberations on this item of the agenda (§ 8 of the Rules of Procedure of the Senate).

## **8) Minutes of meetings**

Minutes shall be taken of every meeting of the Senate, and the chair shall determine the person taking the minutes (§ 9 (1) of the Rules of Procedure of the Senate).

The minutes shall record the resolutions and contain: The time when the meeting began, the members present, the excuses received by the beginning of the meeting, the order of priority of the items on the agenda, the applications filed and resolutions passed in that regard, and the majorities by which a resolution was passed and, in the case of a roll-call vote, how the individual members voted (§ 9 (2) of the Rules of Procedure of the Senate).

The minutes shall be signed by the Chair and the person taking them. The minutes shall be sent to the members. If no objection is raised within two weeks of sending the minutes, the minutes are deemed approved. If an objection is raised, a resolution is to be passed on it in the next meeting of the Senate (§ 9 (3) of the Rules of Procedure of the Senate).

Editorial changes to resolutions passed by the Senate or its committees that do not go beyond purely linguistic corrections (such as typographical errors, commas, etc.) may be made by the chair of the Senate or the respective committee chair without further resolution by the Senate or its committees (§ 9 (4) of the Rules of Procedure of the Senate).

## **9) Special provisions**

The chair can order a vote (consultation) to be held by circulation on matters and items that do not require deliberation or in respect of which it seems necessary to pass a resolution before the next meeting because of their urgency (§ 10 (1) of the Rules of Procedure of the Senate).

The document submitted for the vote by circulation must contain an application, including reasons, worded in a manner that allows the members to vote "yes" or "no" (§ 10 (2) of the Rules of Procedure of the Senate).

In the case of a consultation, the document submitted for a consultation by circulation must briefly describe the envisaged measure that forms the subject matter of the consultation, refer to the possibility to inspect any documents, and contain a request to raise objections, if any (§ 10 (3) of the Rules of Procedure of the Senate).

A vote (consultation) by circulation shall not be held if one member requests a deliberation to be held (§ 10 (4) of the Rules of Procedure of the Senate).

The Senate shall be notified of the result of the vote by circulation in the next meeting (§ 10 (5) of the Rules of Procedure of the Senate).

## **10) Other provisions**

The chair of the Senate shall report to the Senate, at the Senate's request, on the matters dealt with and resolutions passed by the committees and on the committees that dealt with these matters and passed these resolutions. For that purpose, the chair(s) of the relevant committee(s) shall send to the Chair of the Senate, and at the same time to the committee members, the invitations, agendas and their annexes as well as the minutes of the meetings of the committees without being requested to do so (§ 13 (3) of the Rules of Procedure of the Senate).

If they are incapacitated or unavailable, members of the collegial bodies pursuant to (3) can delegate their vote to another member of the collegial body representing the same group for the duration of one meeting (§ 4 (4) of the By-Laws of WU).

In the Appeal Review Committee in Study-Related Matters, the Chair has a casting vote in the event of a tie (§ 6 (4) of the Rules of Procedure of the Senate).