

Statutes

of the Hertie School of Governance (HSoG) – A European Professional School for Public Policy

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§ 1 Legal position

- (1) The HSoG is an independent, state-recognized research institution of higher learning [wissenschaftliche Hochschule], as defined by the Higher Education Act of the State of Berlin (BerlHG).
- (2) The aforementioned institution of higher learning is titled *Hertie School of Governance (HSoG) – A European Professional School for Public Policy*
- (3) The official HSoG office is located in Berlin.

§ 2 Legal Entity

The legal entity of HSoG is the Hertie School of Governance gemeinnützige GmbH.

§ 3 Duties and Objectives

- (1) The purpose of the HSoG is to promote the maintenance and development of academic studies related to problems of governance and modern statehood through teaching, research and knowledge transfer.
- (2) The HSoG offers master's and postgraduate programs in the fields of Public Policy and Public Management. Courses are offered with a national, European, or international focus, as well as executive seminars for young future executives. A special emphasis is placed on internationality, *Trisektoralität*, and applied perspectives, while also promoting academic excellence, interdisciplinarity, and problem solving.
- (3) The HSoG maintains partnerships with domestic and foreign institutions of higher learning, as well as other scientific institutions.
- (4) The HSoG supports young academics. The HSoG may also assume additional tasks with the approval of the legal entity, in particular with regard to continued education, postgraduate, and supplementary courses.

- (5) In all of its endeavors, the HSoG strives to eliminate gender discrimination and promote equal rights, taking into consideration the different living situations of each person (Gender Mainstreaming).

§ 4 Right to Academic Self-Administration

- (1) Irrespective of the rights of the legal entity, the HSoG is entitled to academic self-administration. This particularly applies to
- a) the programs of study and examinations,
 - b) the training of junior researchers,
 - c) the process of faculty appointments,
 - d) the professional and pedagogical training of the academic staff,
 - e) decisions concerning the matriculation and ex-matriculation of the students,
 - f) regulating the rights and duties of the HSoG as an institution of higher learning,
 - g) the conferral of academic titles,
 - h) an advisory opinion on the annual budget draft,
 - i) and the evaluation of teaching and research.
- (2) Hertie School administrative bodies (the Senate, including committees, Managing Body of the School and recruitment committees) can issue rules to govern their activities within the framework of self-administration. In the case that new rules have financial implications, they require approval of the legal entity.

§ 5 Academic Freedom

- (1) Insofar as lectures are part of the official duties of academic staff, professors are entitled to academic freedom. Academic freedom may encompass the contextual and methodical design of lectures, as well as the right to express academic teaching opinions. Decisions and instructions are permitted to the extent that they apply to the organization of the teaching programs, and to the compilation of and the compliance with study and examination regulations.
- (2) Insofar as research is part of the official duties of academic staff, professors are entitled to freedom in their research design, methodological approach, and assessment of the research results, as well as the distribution of their research. Decisions related to research questions are permitted to the extent that they refer to the organization of the research, the promotion and the coordination of research projects, and to the formation of the focus of the research.

§ 6 Membership Rules

These are the Members of the HSoG:

- a) the Managing Body, consisting of the Dean as the academic director of the School, the administrative Managing Director, and the Associate Dean(s),
- b) academic staff who are principally employed by the HSoG,
 - the professors
 - the research associates
- c) the non-academic employees,
- d) the enrolled students, and
- e) the part-time lecturers (external lecturers or *Adjuncts*), who have held lectures in the previous two years, the scope of which amounted to at least two weekly hours in the semester as an average over the year.

§ 7 The Rights and Duties of HSoG Members

- (1) The Members of the HSoG have both the right and obligation to participate in the academic self-administration. Participation in the self-administration may only be refused on important grounds. The Senate and Managing Body must mutually agree on all decisions in this respect. Participation is honorary. Members as defined on § 6 lit. e), are entitled, but not obliged, to participate.
- (2) Members of HSoG administrative bodies are not bound to instructions and orders. No one may be discriminated against due to his/her activity in the self-administration.

§ 8 Terms for the Establishment and Termination of Employment

- (1) The legal entity shall establish and end employment of Members of the Hertie School Managing Body, professors, and other lecturers.
- (2) Before signing employment contracts with professors, the pre-requisites of § 100 BerlHG [Higher Education Act of the State of Berlin] must be met. The authorization to use the title of “Professor” is granted with the consent of the responsible state authority in each individual case.
- (3) The conclusion of employment relationships with research associates and non-academic employees is carried out by the legal entity, represented by its management, based on the personnel plan prepared by the legal entity or based on the allocation of funds within the framework of research projects funded by third parties.

- (4) The supervising superior of the Hertie School Managing Body is the legal entity. The supervising superior of the professors and the other lecturers as well as the research associates and non-academic employees is the legal entity, represented by its management.

§ 9 Management of the School

- (1) The Hertie School Managing Body consists of the Dean (also the chairman, Academic Managing Director, and Spokesperson for the management of the gGmbH), the Administrative Managing Director (also the Administrative Managing Director of the gGmbH) and Associate Dean(s). The Managing Body manages the School irrespective of the rights of the legal entity according to the Statutes and the Articles of Association. The Managing Body is responsible for adequately implementing and safeguarding the School's mission and objectives, and for organizing teaching programs and research.
- (2) The members of the Managing Body are obligated to participate in regular consultations with the legal entity about essential developments and plans, and to submit regular reports to the Academic Senate concerning the tasks assigned to it in Par. 1.

§ 10 The Appointment and Tasks of the Dean

- (1) The Dean shall be appointed following a proposal by the Board of Trustees of the legal entity after deliberation with the Senate, by the Supervisory Board of the legal entity for a term of three to five years. Re-appointment is possible. Exceptions to the term-limit are possible in justified cases. The Dean of the School is also simultaneously appointed as Academic Managing Director of the legal entity. As the Academic Managing Director, the Dean is the spokesperson of the HSoG gGmbH management and is principally responsible for the development of the HSoG.
- (2) Candidates for the position of Dean of the HSoG must
- meet the pre-requisites for recruitment for professors according to § 100 BerlHG, and
 - be considered professionally qualified to fulfill the tasks of the Dean, given years of relevant experience in science, business, or public administration.
- (3) The Dean is responsible for the academic management of the School, the development of teaching programs and research, the maintenance of relations with partner universities (both at home and abroad). The Dean is also responsible for academic matters in line with the statutory regulations, the Statutes, and the curriculum.
- (4) The Dean chairs the meetings of the Senate. The Dean is also responsible for maintaining public order at the School, and may exercise domestic authority over School grounds.

- (5) The Dean can entrust professors of the School with special tasks and areas of responsibility after hearing the Senate.

§ 11 The Appointment and Tasks of the Administrative Managing Director

- (1) The Administrative Managing Director of the School shall be appointed by the Supervisory Board of the legal entity for a term of three to five years. Re-appointment is possible. The Administrative Managing Director of the School is simultaneously appointed as the Administrative Managing Director of the legal entity.
- (2) The Administrative Managing Director of the School is responsible for the regulation of commercial and legal questions, as well as all matters that relate to the administration of the School.

§ 12 The Appointment and Tasks of the Associate Dean(s)

- (1) An Associate Dean shall be appointed following a proposal by the Dean in consultation with the Senate by the Board of Trustees of the legal entity. Associate Deans may be appointed for a term of three to five years. Re-appointment is possible.
- (2) Candidates for the position of Associate Dean of the HSoG must
- have completed an education at an institution for higher education, and
 - be considered adequately qualified to fulfill the tasks of this office due to several years of relevant professional experience in science, business or public administration.
- (3) In coordination with the Dean, the Associate Deans shall assume responsibilities for specified areas of the School.
- (4) An Associate Dean is simultaneously appointed as Deputy to the Dean in academic matters.

§ 13 The Responsibilities and Composition of the Senate

- (1) Irrespective of the rights of the legal entity, the Senate acts as the advisory body in all academic matters of principal significance affecting the School. Deliberations on these matters between the Senate and Board of Trustees of the legal entity may take place as required.
- (2) In addition, the Senate will submit advisory opinions on the following academic matters irrespective of the rights of the legal entity:

- a) General objectives of the HSoG in research and teaching,
 - b) Quality management procedures in research and teaching,
 - c) Proposals of the Dean for the appointment of the Associate Dean(s),
 - d) Appointment proposals to the legal entity for the recruitment of professors according to §15 Par. 4, and
 - e) Introduction of new programs of study and study subject matters.
- (3) Irrespective of the rights of the legal entity, the Senate shall furthermore participate in the following academic matters:
- a) Deliberation with the Managing Body of the School about School development plans,
 - b) Deliberation with the Board of Trustees of the legal entity concerning the appointment of the Dean according to §10 Par. 1, and
 - c) Deliberation with the Managing Body concerning the denomination of new or vacant professorships according to §15 Par. 1.
- Following the proposal by the Board of Trustees for the appointment of the Dean, the Academic Senate may refuse the proposal by unanimous decision. If an agreement is not reached with the Managing Body of the School within 14 days following the rejection, the Dean must convene a mediation committee. The Senate, Managing Body, Board of Trustees, and Supervisory Board must each delegate two representatives to the mediation committee. The mediation committee shall decide with a simple majority of the votes cast.
- (4) The following academic matters shall be decided by Senate resolutions, irrespective of the rights of the legal entity:
- (a) the appointment of recruitment committees according to § 15 Par. 3,
 - (b) study, examination, and admission regulations for the students, as well as regulations concerning international study programs, and
 - (c) the formation of examination committees.
- (5) As defined in the Articles of Association of the legal entity, the Senate shall consult with the management of the legal entity on proposals to be submitted to the Board of Trustees of the legal entity.
- (6) In accordance with the Statutes, the Senate may form committees in order to perform certain tasks. In extraordinary cases, the Senate may delegate its responsibilities to these committees. Such committees are then obliged to report to the Senate, accordingly. They represent administrative bodies of the School within the meaning of these Statutes.
- (7) The following persons are Members of the Senate
- a) the Dean, also Senate chairperson,

- b) the Administrative Managing Director who holds an advisory role,
- c) the Associate Dean(s),
- d) all professors of the School's core faculty,
- e) the representative of the group of research associates,
- f) the representative of the group of non-academic employees,
- g) the representative of the group of part-time lecturers according to § 6 lit. e),
- h) two representatives of the group of enrolled students from different study programs,
- i) the representative of the doctoral candidates, supervised by faculty members of the HSoG, and
- j) the representative of the alumni of the HSoG, as appointed by the Dean who holds an advisory role.

The chairperson of the Senate can admit further persons to the Senate meetings without voting rights.

(8) According to Par. 6, representatives are to be elected by each delegating group, respectively. Elections must be carried out by secret ballot. The term of office for student representatives is one study year, and for all other School representatives two years. Re-election is possible.

(9) A term of office may end

- a) at the expiration of the term of office,
- b) upon resignation from office,
- c) in a recall election,
- d) when representatives are no longer eligible to participate, or,
- e) when representatives are no longer Members of the School.

(10) The Senate may issue rules of procedure.

§ 14 The Passing of Resolutions

(1) A quorum exists when more than half of the members who are entitled to vote are present, and when the meeting has been properly convened. If, however, a meeting is convened for the second time to address the same topic, the lack of quorum is irrelevant. Such cases must be made explicit in the invitation to the Senate meeting.

(2) Resolutions may be passed by a majority vote, unless otherwise stipulated in the School Statutes. Abstentions shall not be counted amongst the votes. In the case of a tie, the presiding Member of the Senate may cast the tie-breaking vote.

- (3) Minutes will be taken at administrative body meetings to reflect the essential discussions points and resolutions, as well as member participation. The minutes are to be signed by the chairperson and the minutes-taker. A copy of the minutes is to be sent to the members of the respective body within three weeks.

§ 15 The Appointment of Professors

- (1) The Dean may issue a call for applications to fill open or vacant professor positions in accordance with the School's development plans and with regard to the denomination of the professorship with the approval of the legal entity after deliberation with the Senate. The call for applications must provide a job description detailing the type and scope of work expected. Only in justified exceptional cases may the call for applications be waived.
- (2) Only those persons who meet pre-requisites defined by the BerlHG are eligible for a professorship.
- (3) Upon a request of the Dean, the Senate appoints a recruitment committee for the appointment of professors. The committee must consist of at least the following HSoG Members:
- the Dean,
 - an Associate Dean,
 - two other professors of the HSoG,
 - one or two other professors of other institutions of higher education,
 - a research associate, and
 - a representative of the students.

In addition, two non-academic professionals who are not members of the School, the Managing Body, the Board of Trustees, or of the Supervisory Board of the legal entity may participate in the recruitment committee.

Upon a request by the Dean, recruitment committees must elect a chairperson and a deputy chairperson from within the committee. The Dean has no voting rights and may not be elected chairperson of a recruitment committee.

All HSoG professors and supervising employees may take part in recruitment committee hearings, but have no voting rights. The chairperson may open the hearings to all Members of the School. However, only members of the recruitment committee may take part in the selection meetings.

- (4) The recruitment committee must submit a proposal to the Dean, which includes the names of three candidates for each eligible position. In special cases, the number candidates on this list may vary. The proposal must substantiate grounds for each recommendation. A list of names of all candidates is to be enclosed herewith. All application documents must be made accessible to the Dean. The Dean is entitled to reject individual applicants or the proposal in its entirety, but must substantiate his/her rejection in writing and refer the matter back to the recruitment

committee. The recruitment committee must then reconsider the eligible candidates, omitting those candidates or proposals rejected by the Dean. The Managing Body must submit the final proposal to the Board of Trustees with the advisory opinion by the Senate in accordance with § 13 Par. 2 lit. d). All application documents must be made accessible to the Board of Trustees of the legal entity.

- (5) With the consent of the legal entity, the Dean may temporarily commission someone to perform the tasks of a professor until the position is permanently filled. The commissioned person must meet BerlHG pre-requisites, or must have a doctorate, have published scientific research, and have acquired teaching experience at another institution of higher learning.
- (6) More detailed regulations are specified in the Recruitment Guidelines.

§ 16 The Students

- (1) Students become Members of the School upon matriculation, when they assume a study agreement with the legal entity.
- (2) The students will lose their membership upon de-registration (*Exmatrikulation*). The study agreement will also end upon de-registration.
- (3) The students can, and should support the mission and objectives of the School in the professional, financial, cultural, and social aspects of their lives.
- (4) The students may organize themselves in a student body according to § 41 HRG.

§ 17 Admission to the Programs of Study

- (1) Candidates for HSoG programs of study must
 - hold a Bachelor degree, or an equivalent degree that lasted at least six semesters at an institution of higher learning, or submit the certificate of an at least equivalent degree from abroad,
 - have very good knowledge of oral and written English, and
 - have successfully participated in the selection procedure.
- (2) The selection procedure serves to assess the candidates' personal and professional qualifications, reasons for applying, and fit to the program of study. There is no legal right to admission to HSoG programs of study.

(3) The Dean must report to the Senate and the legal entity concerning the selection procedure.

(4) More detailed information may be found in the Admission Regulations.

§ 18 Rights and Duties of Students

(1) The students are entitled to high-quality educational instruction from HSoG and its teachers, in accordance within the framework of the Study and Examination Regulations.

(2) The students are obliged to behave in a manner that safeguards and improves the reputation of the HSoG. Students must also participate in the self-administration of the HSoG.

§ 19 Alumni

The School maintains contact with former students and expects that former students continue to promote the mission and objectives of the School.

§ 20 Duty to Maintain Order

All members of the School have a duty to promote the School's mission and objectives and maintain the order in the School and at its events.

§ 21 Publicity

(1) The Senate and other administrative bodies of the School may not meet publicly. HSoG Members may be admitted to individual meetings or discussion of certain agenda items by the majority of members, unless legal reasons stipulate otherwise.

(2) Personnel matters and decisions regarding examination matters may only be addressed in non-public meetings.

§ 22 Teaching Assignments

The Dean may distribute teaching assignments in accordance with the budget and the curriculum after the hearing by the Senate. Rules and regulations related to teaching assignments may be found in § 112 Par. 1 of the BerlHG.

§ 23 The Research Associates

- (1) Research associates are employees who are principally employed by the HSOG gGmbH who teach and conduct research at the School. The employment of research associates is regulated by the legal entity, represented by its management.
- (2) Research associates work under the purview of the Dean. The Dean may reassign research associates to individual professors or groups of professors to specific tasks in for a limited period of time.

§ 24 Non-Academic Employees

Non-academic employees are all other members of the HSoG who are principally employed by the HSOG gGmbH. The employment of Non-Academic Employees is regulated by the legal entity and represented by its management.

§ 25 Changes to the School Statutes

The HSoG Statutes are issued by the legal entity. The legal entity is entitled to make changes after hearings by the Senate of the HSoG.

§ 26 Entry into force

These School statutes shall enter into force on 01.01.2013.