



# Statute of the Humboldt-Universität zu Berlin governing appointments to professorships and tenure tracks

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# Statute of the Humboldt-Universität zu Berlin governing appointments to professorships and tenure tracks

On 15th January 2019, on the basis of § 101 (8) and § 102c (4) sentence 5 of the law governing the higher education institutions of the state of Berlin (the Berlin Higher Education Act (BerlHG)), in the version published on 26th July 2011 (Gazette of Laws and Ordinances (GVBl.) p. 378), last amended by the law of 2nd February 2018 (GVBl. p. 160), in conjunction with § 5 (1) (b) point 4 of the Constitution of the Humboldt-Universität zu Berlin in the version dated 24th October 2013 (Official Gazette of the HU (AMBl.-HU) 47/2013), the University Senate of the Humboldt-Universität zu Berlin adopted the following statute:<sup>11</sup>

## § 1 Subject matter

This statute governs the procedure for appointments to full-time professorships as a civil servant for life or on a permanent employment contract, or to full-time junior professorships. The statute also applies to the appointment procedure for civil servants on limited appointments or for fixed-term posts, or for tenure-track positions in line with § 102c of the Berlin Higher Education Act (BerlHG). The regulations of the state of Berlin pertaining to public service employment and higher education law and the applicable legal provisions of the Humboldt-Universität zu Berlin, as amended, shall also apply.

## § 2 Discussion of strategies and outlooks

In order to prepare for filling professorships, the faculty or central institute and President's Executive Council should agree an appointment plan, typically as part of a discussion of strategies and outlooks. During the course of this, the development of the proportion of women in professorships in the faculty, institute or central institute in question is to be discussed. The discussion should take place in good time before the prospective vacancy (retirement, end of a fixed-term appointment or vacancy for other reasons) is to become available or the newly created professorship is to be established. If the professorship is concerned with subject-didactics or educational science and is primarily defined within the field of teacher training, then the Professional School of Education (PSE) is involved in the discussion of strategies and outlooks.

## § 3 Call for tenders

(1) Professorships are, as a matter of principle, to be advertised publicly and internationally. This includes calls for tenders issued through research funding organisations within the meaning of § 94 (3) BerlHG. The call for tenders is usually to be written in German and in English and contains the following information, in particular:

- the purpose of the professorship;
- the academic institution with which the post is associated;
- reference to the rights and obligations laid down in the BerlHG;

- the pay grade; for tenure-track appointments, the initial and target pay grade should be indicated;
- the requirements according to § 100 (1) to (3), § 101 (5) BerlHG, and § 102a and § 102c (3) BerlHG;
- if applicable, reference to the need to provide information about demonstrable practical teaching experience (§ 100 (3) BerlHG);
- when calling for tenders for a limited appointment, if applicable, reference to any assurance of a tenure track and reference to the performance requirements to be specified during the appointment procedure prior to the decision on the appointments list;
- the application deadline, which is usually after a period of four weeks;
- statements concerning substantive equality of opportunity;
- the person to whom the applications should be addressed.

The text of the call for tenders requires the approval of the President. The text of the call for tenders is enclosed alongside the submission for the central governing bodies. Approval is deemed to be granted if the President does not object, within the context of § 11 (4) of the Constitution of the Humboldt-Universität zu Berlin (VerfHU), within 14 days of the University Senate passing a resolution regarding clearance for and the intended function of the post. § 3 (1) point 10 VerfHU remains otherwise unaffected.

(2) In individual cases, with the approval of the Senate department responsible for higher education institutions, the President may give permission to forego calling for tenders on the basis of a request from the Faculty or Central Institute in accordance with § 94 (2) BerlHG. This does not apply for junior professorships and tenure-track professorships.

(3) A repeat call for tenders is possible without the participation of the central governing bodies if the purpose of the professorship and the essential content of the text of the call for tenders remain unchanged and clearance was given by the Board of Governors no more than two years ago.

## § 4 Appointments Commission

(1) The appointment procedure is carried out in the faculty or central institute with which the professorship to be filled is associated. If a professorship is associated with more than one institution, a joint commission with decision-making authority is formed in accordance with § 23 VerfHU, provided that the faculty councils or councils of the central institutes do not reach a separate decision. The faculty council or council of the central institute will instate an Appointments Commission at the time of the call for tenders, at the latest. The Commission must consist of at least six persons entitled to vote, including:

- at least four full-time members of the status group under § 45 (1) sentence 2 clause 1 BerlHG;
- at least one member from each of the status groups under § 45 (1) sentence 2 points 2 and 3 BerlHG from the subject area concerned.

<sup>11</sup> It was confirmed by the President's Executive Council on 18th January 2019. Confirmation from the Senate department responsible for higher education institutions was given on 24th January 2019.

University teaching staff have the majority of the seats and votes. Of the members in the status group under § 45 (1) sentence 2 point 1 BerlHG, one should be associated with a different subject field and one should be a member of the Dean's office or, in the case of central institutes, of the directorate; it must contain at least one external member. The Commission always includes at least two full-time professors. Its further composition as well as the practice of dispensing with external expert opinions when external members are involved in the Appointments Commission are determined by § 22 (6) VerfHU; at the same time, the Commission should exhibit gender balance in its composition. If the professorship is concerned with subject-didactics or educational science and is primarily defined within the field of teacher training, then one member of university teaching staff must be a member of the PSE.

(2) The chairpersons of the Commissions in question shall ensure that participation in the ongoing selection procedure, including participation in meetings, is opened to the following office-holders (eligible participants), with the right to speak and table motions, but without the right to vote:

- a member of the Dean's office or, in the case of central institutes, of the directorate, or a person delegated by them, unless a member of the Dean's Office or of the directorate is a voting member of the Appointments Commission;
- a member of the status group under § 45 (1) sentence 2 clause 4 BerlHG;
- the Senate's reporting secretary, if requested by the faculty or central institute or President's Executive Council;
- the responsible women's representative or a proxy; these persons at the same time have a right to information in accordance with § 59 (6) sentence 3 BerlHG;
- the Disability Liaison Officer from the office of disabled persons' representatives, or his or her proxy, in the case of an application from a severely disabled person.

(3) In the appointment procedure for a tenure-track professorship, a member of the Tenure Board (§ 14) or a member of university teaching staff delegated by the Tenure Board in writing, with the right to speak and table motions, should take part in the meetings of the Appointments Commission. Before the Commission decides on an appointments list, they are to advise the Commission with regard to setting the performance requirements for the professorship in accordance with § 12 (2).

(4) The Dean or, in the case of central institutions, the Director, or a person delegated by them, shall issue invitations to the inaugural meeting of the Appointments Commission. This shall promptly determine a chairperson from among the group of university teaching staff. The chairperson is responsible, in particular, for the preparation of meetings, including issuing invitations to the members of the Commission and other eligible participants, leading meetings, taking minutes of meetings, including any results of votes, and formulating the final report, as well as drawing up a draft proposal for the faculty council or council of the central institute. The Commission shall take into account gender equality and may involve suitable persons in the selection process

for this purpose, in particular, by approaching such persons directly.

(5) The Appointments Commission sits in non-public sessions. The members of the Commission and the other eligible participants are bound to secrecy concerning the data and facts that become known to them in connection with the proceedings. Votes on the appointments list are carried out by secret ballot.

(6) The members of the Commission may only fail to appear at a session of the Commission in justified cases. The other eligible participants may be represented by a proxy. In the case of justified absence, the opportunity will be provided to allow these members of the Commission to participate in the meeting via video conference by means of suitable technical facilities approved at the Humboldt-Universität zu Berlin. The physical presence of the majority of Commission members during the meeting, including the majority of the university teaching staff, must be ensured. It must be ensured that the transmission in both directions is free from any technical disturbance. A vote on the appointments list by electronic means may only take place if it is ensured that it is not possible to infer the voting behaviour of those members of the Commission who are absent and have joined via video conference. The technical conditions of the transmission and the course of the discussion are to be recorded in the minutes. Saving the video conference is prohibited, and any data available in temporary storage must also be deleted immediately.

## § 5 Procedure

(1) Applications should be addressed to the Dean of the faculty or, in the case of central institutes, to the Director. In the case of appointments for which a joint commission is formed, the Deans' offices or directorates shall agree on the persons to whom applications should be addressed. The Dean's office or directorate shall review the applications and shall draw up an overview in tabular form.

(2) As soon as possible after the application deadline has passed, the Dean's office or directorate will send out the tabular overview of the applications together with the application documents to the members of the Appointments Commission and the other persons eligible to participate according to § 4 (2) and (3). Instead of sending the overviews and documents confidentially in writing, password-protected access to the documents may be enabled via information technology platforms (e.g., moodle or others). If applications are received after the application deadline has passed, they may be considered at the discretion of the Commission.

(3) The Commission will determine more detailed selection criteria in accordance with the contents of the established intended function of the position and the requirements set out in the call for tenders for the position. The Commission may weight the selection criteria during the course of the selection procedure. The selection criteria are binding for the rest of the selection procedure, in addition to the criteria specified in sentence 1. The Commission then examines the applications that have been received. The chairperson is obliged to inform the members of the Commission and the other persons eligible to participate that the decision-making process must be unbiased in respect of the candidates. The further procedure on this matter is determined by § 6.

(4) The Appointments Commission shall then examine whether the applicants satisfy the formal requirements in accordance with the intended function of the position, the criteria specified in the call for tenders for the position, and the other legal requirements.

## **§ 6 Exclusion of eligible participants**

(1) The members of the Appointments Commission or Tenure Commission (§ 13) and those persons eligible to participate, with a right to speak and table motions, must promptly after gaining knowledge of the application documents, but at the latest in the Commission's first meeting, declare whether there are any grounds for exclusion or whether there is any concern of bias in relation to the applicants. This declaration must be handed over to the Dean or, in the case of central institutes, the Director until a chairperson is selected, and subsequently, to the chairperson.

(2) If, in relation to an applicant, circumstances in accordance with § 1 of the Berlin Administrative Procedure Act in conjunction with § 20 (1) of the Administrative Procedure Act (Federal), as amended, are satisfied for a person mentioned under § 4 (1) to (3), he or she may no longer be involved in the appointment procedure.

The Appointments Commission shall make a decision regarding the exclusion in accordance with paragraph 4, including when a member of the Commission or a person eligible to participate, with the right to speak and table motions, regards himself or herself as excluded, or when there are doubts as to whether the requirements outlined in sentence 1 are satisfied.

(3) A reason, independent of paragraph 2, that sufficiently justifies possible concerns relating to unbiased involvement in the Commission's procedure in respect of a member of the Commission or a person eligible to participate, with the right to speak and table motions, is in particular deemed to exist in the case of:

- a) close academic collaboration, either planned or existing, e.g., carrying out joint projects or joint publications with an applicant within the last three years;
- b) familial relationships that do not fall under paragraph 2, other personal ties or conflicts;
- c) teacher-student relationships;
- d) involvement of an applicant in an ongoing appointment procedure, or one that was concluded within the last twelve months, for a member of the Commission; or
- e) participation in mutual peer reviews within the last twelve months.

In such cases, those concerned shall notify the chairperson of the Commission of the reasons for possible bias.

Paragraph 2 and paragraph 3 sentences 1 and 2 shall also apply if a person involved in an appointment procedure asserts that such a reason exists.

(4) In the cases of paragraph 2 and paragraph 3, after the Commission member or person eligible to participate, with the right to speak and table motions, has made a declaration, to be submitted to the chairperson of the Commission, the Commission shall consult on the facts, in that person's absence,

and shall immediately decide whether the person concerned should be excluded from further collaboration or involvement in the Commission. The person concerned may not be involved in the decision. If the Commission rules out further collaboration or involvement in the Commission, the chairperson shall release the member of the Commission or participants endowed with the right to speak and table motions from further collaboration or involvement. The faculty council or, council of the central institute shall without delay instate a successor for any discharged member of the Commission. In the case of persons under § 4 (2) who are excluded from participation, their deputies shall continue to take part in the procedure for them; in the case of part-time women's representatives, the full-time women's representative shall nominate a part-time women's representative who will continue to participate in the Appointments or Tenure Commission.

## **§ 7 Invitations and interviews**

(1) The Appointments Commission shall make a longlist of candidates. When making the longlist, individual life circumstances shall be taken into account, such as periods of parental leave, employment prohibitions under the Maternity Protection Act (in accordance with § 95 (1) sentence 2 clause 5 BerIHG), or periods of caring for at least one child under 18 years (in accordance with § 95 (3) BerIHG) or for care-dependent relatives. The Commission may request papers that are particularly relevant for the professorship from the applicants remaining as a result of the longlist. With due regard to § 6 of the State Equality Act of the state of Berlin, as amended, the Commission shall issue invitations to interviews. These include:

- Sample lectures
- Discussions of the sample lecture
- Dialogue with each of the invitees about him or her as a person and about plans for an emphasis in research and teaching
- An exchange on a teaching concept

Lectures, and discussions of these, are open to all members of the university. The Dean's office or, in the case of central institutions, the directorate may admit additional guests. Demonstration lessons may also be requested. Discussions with students should be conducted so as to pay consideration to student concerns. In tenure-track procedures, the Tenure Commission can decide to dispense with a sample lecture.

(2) In exceptional cases where particular justification exists, such as in the case of great geographical distance making it difficult for the applicant to travel to interview within the required time frame, sample lectures, discussions, dialogues and demonstration lessons may, upon resolution of the Appointments Commission, also take place via video conference. As far as possible, the conditions for these applicants where they are locally should be comparable to those for the other applicants coming for interview at the Humboldt-Universität zu Berlin. It must be ensured that the transmission in both directions is free from any technical disturbance. The transmission within the department of the Humboldt-Universität zu Berlin should take place in an area used for sample lectures and the demonstration lessons of the other applicants. It must be ensured from a technical point of view that questions may be put to the applicants connected via video conference by the members of the Appointments Commission and other eligible participants as well as the participating members of the university public. The technical conditions of the trans-

mission and the course of the questions must be recorded in the minutes. Saving the video conference after the questions have ended is prohibited, and any data available in temporary storage must also be deleted immediately.

(3) The members of the Appointments Commission may be absent at interviews if there are particularly important reasons. §4 (6) sentences 3 and 5 to 8 apply mutatis mutandis. If the absent member is not able to attend via videoconference, then any selection decision made by this member not participating in the interview may not be based on factors that were the subject of the interview.

(4) After the sample lectures, the Commission will draw up a non-ranked list of applications that have made it into the shortlist. Except in the case of § 28 (2) VerfHU, external expert opinions will be obtained for these applications. The Appointments Commission will nominate at least two external, internationally established experts for this purpose. §4 (1) sentence 8 applies mutatis mutandis. If it seems necessary from a subject-specific standpoint, one expert should – or, in the case of tenure-track appointment procedures, must – work at a university outside of the Federal Republic of Germany. The Dean's office or, in the case of central institutions, the directorate will then obtain the expert opinions; they may delegate the collection of expert opinions to the chairperson. In justified cases, in particular when there are a small number of applicants, the expert opinions may be obtained before the hearing of the applications. § 6 and § 4 (5) sentence 2 apply for the experts mutatis mutandis.

(5) The experts shall prepare comparative expert opinions. The Commission shall consult on the basis of these expert opinions. Based in particular on the expert opinions, the Commission shall decide on a proposal for an appointments list, which usually identifies three candidates. If no decision is reached on the appointments list, a further expert opinion is to be requested. Furthermore, within the scope of their responsibilities, a further expert opinion must be obtained upon request of the women's representatives or the office of disabled persons' representatives involved. If the list contains fewer than three names, this must be justified as an exceptional case, except for in those cases that are permitted by law. Members of the Appointments Commission may submit a dissenting opinion. If doubts are raised about the candidates included in the appointments list concerning their professional qualification, these must be substantiated through professionally qualified reasoning. The dissenting opinion is to be forwarded to the chairperson within 14 days of the Appointment Commission's decision.

(6) After the Appointments Commission has made its decision, the chairperson shall draw up a final written report containing the essential course of the proceedings as well as the justification for how the appointments list was compiled and shall forward this to the Dean or, in the case of central institutes, to the Director. He or she shall submit the appointments list to the faculty council or the council of the central institute to decide upon. Paragraph 5 sentences 7 to 9 (dissenting opinion) apply mutatis mutandis.

## **§ 8 Involvement of the women's representatives**

The women's representatives are to be involved throughout the entire procedure, in accordance with § 1. This also applies to the call for tenders or to dispensation with the call for tenders for the professorship in question. They contribute to the Appointments or Tenure Commissions within the scope of § 59 (6) to (9) BerlHG. The responsible women's representative in each case is to be given the opportunity to submit an opinion on the work of the Appointments Commission. The involvement of the women's representatives throughout the entire procedure shall be documented in writing.

## **§ 9 Involvement of the office of disabled persons' representatives**

The office of disabled persons' representatives is to be involved in the appointment procedure when there are applications from severely disabled people. It contributes to the Appointments and Tenure Commissions. Severely disabled applicants are invited to attend the interviews. An invitation is unnecessary if the applicant obviously lacks the necessary professional competence. § 8 sentences 4 and 5 apply mutatis mutandis.

## **§ 10 Procedure after a decision has been made**

(1) After the faculty council or the council of the central institute has reached its decision, a discussion of the list shall take place between the President and representatives of the faculty or central institute, which should include the Dean or, in the case of central institutes, the Director. If there are significant concerns about the list decided by the faculty council or council of the central institute, the President may pass the process back to the faculty council or council of the central institute for reconsideration.

(2) If the discussion of the list does not give rise to any objections, the Dean's office, or in the case of central institutes, the directorate, shall forward the appointments list decided upon by the faculty council, or the council of the central institute, respectively, to the University Senate for its opinion.

(3) After consideration in the University Senate, the President shall, in the case of a favourable opinion under § 5 (1) (c) point 3 VerfHU, forward the appointments list, as a recommendation for appointment, to the Senate department responsible for higher education institutions, requesting that it issue the offer of a professorship. Otherwise, the proposed appointments list will be passed back to the faculty or central institute who submitted it for their reconsideration.

## **§ 11 Appointment negotiations**

Promptly after the Senate member responsible for the institutes of higher education in the state of Berlin has issued an offer of a professorship, the Humboldt-Universität zu Berlin shall offer to enter into appointment negotiations with the appointed person. The results of the negotiations must be recorded in writing. Reference to an exchange of written correspondence between the parties involved is sufficient, provided that the mutual will of both parties is sufficiently clear. § 12 (3) remains unaffected.

## § 12 Tenure-track appointments

(1) The Humboldt-Universität zu Berlin may issue the assurance of a tenure track when establishing a fixed-term post of employment. This must be recorded in the decisions concerning the clearance for and institution and intended function of the professorship as well as in the call for tenders. The rules below apply in addition when carrying out an appointment procedure with the assurance of a tenure track. The rights of the University Senate to participate in appointment procedures apply, unless otherwise stipulated in this statute.

(2) In the case of limited appointments that come with the assurance of a tenure track, specific performance requirements are to be set that must be satisfied in order for an appointment for life to be made. The more detailed conditions (performance requirements) in the categories "Research", "Academic teaching", "Participation in academic self-government", "Promotion of young researchers" and "Acquisition of personnel management skills" are outlined in the framework conditions of the annex to this statute. The Appointments Commission decides on the proposed specific performance requirements before the proposed appointments list. The Tenure Board participates in this via one of its members or a delegated member of university teaching staff. The Tenure Board then receives the performance requirements agreed by the Appointments Commission and issues an opinion on these to the faculty council or the council of the central institute within four weeks. If this opinion is not received by the Dean or, in the case of central institutes, the Director within this period, it shall be deemed that the Tenure Board holds a favourable opinion on the performance requirements proposed by the Appointments Commission. The faculty council or council of the central institute then decides on the performance requirements for the tenure-track professorship, in each case to be specifically negotiated with the persons to be appointed, as well as on the appointment proposal. At least two-thirds of the performance requirements from each of the categories of research and teaching must be selected.

(3) The performance requirements are to be agreed between the Humboldt-Universität zu Berlin and the persons appointed in each case and are to be recorded in writing as part of the appointment agreement. The Humboldt-Universität zu Berlin guarantees adequate resources for the tenure-track professorship, appropriate for the field of study in question, within the framework of § 102 (6) BerlHG.

(4) In mutual agreement with the tenure-track professor, the faculty council or council of the central institute will appoint at least one mentor from the status group under § 45 (1) sentence 2 clause 1 BerlHG to support the tenure-track professor along his or her academic development. Mentors have an advisory role; they do not undertake any assessment of performance and are not part of the decision-making process. The mentor and tenure-track professor meet at least every six months for a status review. Here, they discuss the current status of the performance thus far and identify where action is needed to achieve a positive evaluation. In the case of junior professorships, the Commission responsible for the interim evaluation in accordance with § 102b (2) BerlHG may, with the consent of the junior professor, forward the result of the interim evaluation, including the associated documents, to the mentor.

## § 13 Tenure-track procedure

(1) The tenure-track procedure shall be initiated at the latest 15 months before the end of a fixed-term employment contract or, in the case of junior professorships, of the second period of service, upon the application of the professors in question. The Dean's office will notify the professors in question at the latest six weeks before the application deadline of the need to make an application and of the consequences of the deadline passing – for example, losing the possibility of being appointed as a civil servant for life or to a permanent post of employment as a result of the tenure-track professorship. The faculty council or council of the central institute will instate a Tenure Commission for the procedure in good time before the start of the evaluation and will request a self-evaluation report from the person being evaluated. §§ 4 and 6 apply mutatis mutandis with respect to the composition and procedure of the Tenure Commission, including the participation of members of the Tenure Board or those delegated by it, with the proviso that half the members from the status group of university teaching staff should belong to other faculties or central institutes. In the case of junior professorships with the assurance of a tenure track, the procedure for determining whether the applicant has proved himself or herself suitable, in accordance with § 102b BerlHG, and the tenure-track procedure may be carried out simultaneously and separately in justified cases.

(2) The Tenure Commission examines whether the performance requirements agreed in connection with the appointment or engagement have been met. The Tenure Commission obtains expert opinions on this from at least three to five outstanding, internationally established external university teaching staff. §4 (1) sentence 8 applies mutatis mutandis. At least one expert must work at a higher education institution outside of the Federal Republic of Germany, provided that it seems necessary from a subject-specific standpoint. Those being evaluated may suggest experts, of which the Tenure Commission may consider at least one. In addition, teaching evaluations made by students must be taken into account for at least half of the teaching activities conducted by the tenure-track professor. The self-evaluation report and the teaching evaluations are to be made available to the experts. To achieve a positive evaluation, outstanding achievements are to be registered in the category "Research" when compared on an international level. The performance requirements in the category "Teaching" must be met in full. If the specifically agreed performance requirements are not determined to have been achieved in one of the categories "Participation in academic self-government", "Promotion of young researchers" or "Acquisition of personnel management skills", the Tenure Commission may, in compensation, take account of particularly outstanding achievements in the categories "Research" or "Teaching" in order to determine the accomplishment of the agreed performance requirements. This compensation is only possible once. The Tenure Commission discusses with the tenure-track professor his or her development within the scope of the tenure-track professorship and the performance accomplished.

(3) The Tenure Commission submits the result of the evaluation to the faculty council or council of the central institute together with a proposal for an appointment as a civil servant for life or to a permanent post of employment, for them to decide upon. For this to happen, the general public service employment hiring requirements must be fulfilled for the upcoming professorship. In the case of junior professorships, determination of the candidate having proved himself or herself suitable

in accordance with § 102b (2) BerlHG is a prerequisite for this. It is the responsibility of the Dean's office to review the hiring requirements and the assessment of the candidate having proved himself or herself. In other respects, § 7 (5) sentences 7 to 9 (dissenting opinion) and (6) as well as § 10 (3) apply *mutatis mutandis*.

(4) If the faculty council does not determine the agreed performance requirements to have been achieved or if the general public service employment hiring requirements are not evident for the upcoming professorship, the administrative authority will, upon application of the person evaluated, extend the limited-appointment as a civil servant or the fixed-term post of employment in accordance with statutory or other regulations (phasing-out period).

#### **§ 14 Tenure Board**

(1) The President's Executive Council shall form a Tenure Board to assess the quality of the tenure-track procedures of the Humboldt-Universität zu Berlin. The Tenure Board should also be involved via the Appointments Commission in the appointment procedure for tenure-track professorships and in establishing the performance requirements that need to be fulfilled as part of a tenure-track procedure in order for employment to be extended for an indefinite period of time. Members of the Tenure Board should participate in Tenure Appointments Commissions and Tenure Commissions in accordance with this statute. The Tenure Board may delegate university teaching staff in writing to participate in the commissions in question on behalf of the members of the Tenure Board.

(2) The Tenure Board consists of five outstanding university teaching staff. Two of these are allowed to not be members of the Humboldt-Universität zu Berlin (external members). The President appoints and instates the members. The Tenure Board designates an external member as chairperson. The term of office is three years; re-appointment is possible. The members of the Tenure Board, university teaching staff delegated by it, and other persons involved in the procedure are bound to secrecy and may not disclose information to third parties.

(3) The Tenure Board shall receive the appointment procedure documents immediately after the faculty council or the council of the central institute has resolved to make a lifetime appointment. It reviews the transparency of the decision. In order to do this, it may consult the Dean or, in the case of central institutions, the Director, the chairperson of the Tenure Commission, and members of the Faculty Council. § 6 applies *mutatis mutandis* for the members of the Tenure Board.

(4) After the faculty council or council of the central institute has reached its decision regarding the lifetime appointment, the Tenure Board should make a written recommendation within four weeks to implement the decision. A circular resolution is permissible. In other respects, § 4 (6) sentences 3 and 5 to 8 apply *mutatis mutandis*. After consultation within the President's Executive Council, the President may, if recommended, pass the process back to the faculty or central institute for further deliberation and a repeat decision.

(5) In addition, the Deans, or, in the case of central institutes, the Directors, the responsible women's representatives and, in the case of severely disabled tenure-track professors, the office of disabled persons' representatives have the right, within the period mentioned under paragraph 4, to approach the Tenure Board for an assessment of the procedure.

(6) The full particulars regarding chairmanship, dates, notices or votes are regulated by the Tenure Board by means of a set of rules of procedure.

(7) Once a year, the Tenure Board is to enter into an exchange with the corresponding governing bodies of the Freie Universität Berlin and the Technische Universität Berlin, with the aim of attaining equality with respect to the qualitative requirements for tenure-track procedures, in the interests of Berlin as a place of academia.

#### **§ 15 Joint Appointments**

Joint appointment procedures may be carried out for joint appointments with research institutions external to the university. If a joint appointments commission common to the Humboldt-Universität zu Berlin and the other institution is instated, its composition is permitted to deviate from § 4 (1) of this statute; the number of university teaching staff from the Humboldt-Universität zu Berlin should amount to no less than half of the members from the university teaching staff status group. Participation of the responsible women's representatives and, if applicable, the responsible office of disabled persons' representatives must be ensured. Full details, in particular concerning the formation and composition of the Appointments Commissions, the procedure, and the decision-making process of the institutions involved, shall be laid down in a joint appointment agreement to be concluded between the Humboldt-Universität zu Berlin and the research institution. In other respects, the regulations that pertain to the Humboldt-Universität zu Berlin shall apply.

#### **§ 16 Notification**

After the offer of a professorship has been accepted, all unsuccessful applicants will be informed in a timely manner in writing, or, if the application was received electronically or the possibility of communication by electronic means is available, then in electronic form, of the result of the selection process and of the intended, forthcoming appointment or engagement of the appointee. There must be at least two weeks between notification and the intended appointment or engagement.

#### **§ 17 Transitional arrangements, entry into force**

(1) For procedures to fill professorships that were begun before this statute entered into force, the regulations that applied up until that point shall fundamentally continue to apply until the end of the procedure. Provided that the conditions under §§ 2 and 3 are essentially fulfilled upon this statute entering into force, the faculties or central institutes may continue to pursue an already initiated appointment procedure in line with the provisions of this statute, following a decision from the faculty council or council of the central institute.

(2) This statute enters into force on the day after its publication in the *Official Gazette of the Humboldt-Universität zu Berlin*.