

Rules of Procedure

of the Disciplinary Committee at

Rhine-Waal University of Applied Sciences

Dated 14 October 2024

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# Section 1 Scope of application

These Rules of Procedure apply to the Disciplinary Committee of Rhine-Waal University of Applied Sciences pursuant to Section 4 of the Regulations for Imposing Disciplinary Measures for Violates of Regulations Committed by Students of Rhine-Waal University of Applied Sciences (hereinafter: Disciplinary Regulations).

# Section 2 Chairperson

In accordance with Section 4 (3) sentence 4, the president chairs the Disciplinary Committee. He/she is represented by the chancellor when absent.

# Section 3 Preparing a meeting

1. The Disciplinary Committee will meet as necessary at the behest of the chairperson. The Disciplinary Committee will convene without delay if one third of the members of the Disciplinary Committee with voting power request a meeting, specifying the agenda items to be dealt with.
2. The chairperson convenes the Disciplinary Committee by written or digital invitation. The provisional agenda and relevant documents already available at that time must be attached to the invitation in an appropriately confidential fashion.
3. The minimum notice period for convening a regular meeting is at least three days. In urgent cases, the notice period can be shortened to 24 hours. The chairperson may invite guests to a meeting or to individual agenda items.
4. The chairperson will draw up the provisional agenda for a meeting, taking into account the requests received by him/her up to three days before a meeting and falling within the area of responsibility of the Disciplinary Committee.

# Section 4 Conducting a meeting

1. Meetings can generally take place in person, online or as hybrid meetings with members attending both in person and online. If formal administrative procedures must be applied in accordance with Sections 63-71 of the Administrative Procedures Act NRW, the oral proceedings provided for in Section 67 of said Act must occur in person.
2. The chairperson of the Disciplinary Committee begins, chairs and ends all meetings. After a meeting has begun, the chairperson initiates each individual agenda item and, after the discussion, closes each item by initiating the next item on the agenda.
3. Members and other persons who are generally entitled to participate in a meeting are excluded from participating in an item on the agenda if they or their relatives are able to gain a direct advantage or disadvantage as a result of deliberations or a decision regarding this agenda item. The Disciplinary Committee will decide immediately on the exclusion of a person from participating in an agenda item

immediately after initiating said item and without the participation of the person concerned.

1. In case of doubt, the chairperson will decide on the interpretation of the Rules of Procedure. In the event of an immediate objection by a member, the Disciplinary Committee will decide on the interpretation of the Rules of Procedure. The decision is binding for the current meeting. If a provision is absent entirely, the Rules of Procedure of the Senate must be used.

# Section 5 Quorum

1. The Disciplinary Committee has a quorum if it has been properly convened and the majority of the members are present in accordance with Section 4 (5) sentence 2 of the Disciplinary Regulations. The chairperson must determine whether a quorum is present at the beginning of every meeting.
2. Once a quorum has been established, it will remain so until the chairperson, at the request of a member, formally determines that a quorum is no longer present. This request may be made at any time and takes precedence over all other requests.
3. The Disciplinary Committee has a quorum regardless of the number of members present if an agenda item has already been postponed because of quorum, the Disciplinary Committee is convening again to deliberate on said item, and the invitation made express reference to the consequences resulting from another lack of quorum.

# Section 6 Non-public meetings and confidentiality

1. The meetings of the Disciplinary Committee are not open to the public.
2. Invited guests may be present during items on the agenda for which they have been invited, unless otherwise specified. Guests are excluded from deliberations and votes on whether a violation of regulations has occurred and possible disciplinary measures.
3. Deliberations and decisions on agenda items must be treated confidentially by all persons present. Confidentiality must be maintained with respect to all persons who did not attend nor were permitted to attend this part of the meeting. If confidential information is disclosed to a person who was entitled to attend the meeting, these confidentiality requirements will also apply to that person.

# Section 7 Resolutions

1. The Disciplinary Committee decides on matters by resolution. As a rule, resolutions are passed in person by the members of the Disciplinary Committee. Resolutions can also be passed in online or hybrid meetings within the meaning of Section 4 (1).
2. Pursuant to Section 4 (5) sentence 1 of the Disciplinary Regulations, resolutions require a simple majority of valid votes to pass. A majority is reached when the votes for outweigh the votes against. In the event of a tie, the chairperson has the casting vote. Abstentions and invalid votes are not included when calculating majorities.
3. If a resolution to impose a disciplinary measure on a student is passed, said student will receive an official notice signed by the chairperson and containing both the justification for the decision and instructions on available legal recourse. If disciplinary proceedings are terminated, it is sufficient to inform the affected person(s) thereof in writing.

# Section 8 Minutes

1. Minutes will be taken for each meeting and must include the agenda, the attendance list, the items of discussion and the results of any resolutions.
2. The first draft of the minutes will be sent to members without delay after the meeting in question; the chairperson correct the minutes on request and indicate corrections accordingly. Once the minutes have been approved, the final version will be signed by the minute-taker and the chairperson and sent to the committee members with explicit reference to confidentiality requirements.

# Section 9 Committee office

1. The president’s office is also the office of the Disciplinary Committee.
2. The staff of the president’s office are responsible for the administrative affairs of the Disciplinary Committee. It acts on behalf of the chairperson and supports him/her in preparing and implementing disciplinary procedures and meetings of the Disciplinary Committee, as well as with related follow-up tasks. The office is responsible for taking minutes in meetings.

# Section 10 Entry into force

These Rules of Procedure will enter into force upon adoption of the corresponding resolution.

These Rules of Procedure entered into force by resolution of the Disciplinary Committee of Rhine-Waal University of Applied Sciences on 14 October 2024.