

Rules of Procedure of the Senate

at Rhine-Waal University of Applied Sciences

Dated 29 January 2025

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Section 1

Members of the Senate

- (1) The Senate is composed of the members set forth Section 6 (1) of the Constitution of Rhine-Waal University of Applied Sciences, who have the right to speak, introduce motions and vote.
- (2) The Senate also includes the members set forth in Section 6 (2) of the Constitution of Rhine-Waal University of Applied Sciences, who have the right to speak and introduce motions. The persons defined under Sections 22 (2) and 24 (1) of the Higher Education Act of North Rhine-Westphalia (HG NRW) are also considered members of the Senate with the right to speak and introduce motions.

Section 2

Chairperson

- (1) The Senate is led by a chairperson in accordance with Section 6 (4) of the HSRW Constitution. The chairperson is supported in their duties by a deputy chairperson elected from the members defined in Section 1 (1).
- (2) The chairperson's responsibilities include:
 - a. preparing Senate meetings together with the Executive Board;
 - b. convening meetings;
 - c. leading meetings; and
 - d. ensuring proper minute-taking.
- (3) If the chairperson and the deputy chairperson are both indisposed or in the case of the first meeting of a newly constituted Senate, the meeting will be led instead by the most senior professor member defined under Section 1 (1).
- (4) The chairperson or the deputy chairperson leads Senate meetings.
- (5) The chairperson and deputy chairperson are elected by secret ballot. Elections conducted via electronic ballot are permissible if they adhere to Section 17 of the Election Regulations for Committees and Governing Bodies of Rhine-Waal University of Applied Sciences. The nominee receiving the absolute majority of votes will be elected. If an absolute majority was not achieved, a second round of voting will occur; if there were multiple nominees in the first round, the two nominees who received the most votes will be eligible for election in the second round. The person receiving the most votes in the second round will be elected (relative majority). In the event of a tie, the winner will be determined by drawing lots.

Section 3

Convening a meeting

- (1) The chairperson will convene the Senate when necessary, but at least three times per semester. The chairperson is required to convene the Senate if requested to do so in writing or electronically, with the topic for discussion clearly indicated, by a majority of voting members or at least three voting members from at least two different groups.
- (2) The notice period for convening a meeting is at least seven days.
- (3) Meeting dates and the proposed agenda will be published openly for the university.
- (4) The proposed agenda (in English and German) will be sent to Senate members in hard copy or electronically, together with all documents required for the meeting, no later than seven

days before the scheduled meeting. Informational documents and proposed resolutions will be provided in English, but without any attachments, upon request from at least one Senate member. In exceptional cases, supporting documents for motions can be handed out to members during the meeting itself.

- (5) Motions must be submitted to the chairperson no later than ten days before a meeting in order to adhere to the minimum notice period. Motions must be justified in writing or electronically and contain, where appropriate, a recommended decision.
- (6) Members who are unable to attend a Senate meeting must notify the chairperson of their absence and the reason(s) in writing or electronically without delay.
- (7) Members can attend individual meetings digitally – with the exception of the constituting meeting – if they would otherwise be unable to attend in person for an important reason (refer to Section 12 (2) sentence 6 HG NRW). An important reason is defined, in particular, as any work, family or health-related reason – or any reason related to the rights and obligations of a student – which would prevent a member from attending a meeting in person. Notification must occur in accordance with subsection (6). The chairperson is responsible for deciding whether a given reason for not attending is valid. Where justified, the chairperson can preclude the option of digital attendance for specific meetings of the Senate.

Section 4 University public

- (1) As a rule, Senate meetings are open to the university public (refer to Section 12 (2) sentence 1 HG NRW). Matters relating to personnel or examinations are always handled in closed meetings in accordance with Section 12 (2) sentence 3 HG NRW.
- (2) Members of the university can be excluded from a Senate meeting in justified cases by a two-thirds majority vote. Motions to close a meeting to the university public must be justified, discussed and voted on in closed meetings only.
- (3) Members of the Senate are bound to confidentiality in all matters considered confidential by law, special resolution or the general nature of the subject matter.
- (4) The chairperson has the right – and obligation, when compelled by Senate resolution – to invite external guests to attend Senate meetings or individual agenda items, where they will be permitted to speak, in person or digitally..
- (5) The Senate can grant non-members the right to speak.

Section 5 Agenda

- (1) The chairperson must include in the proposed agenda every item that has been requested in writing by a member of the Senate, the Executive Board or the Board of Governors at least ten days before a scheduled meeting. The final agenda will be adopted at the beginning of the meeting. Items that were not on the proposed agenda provided to members cannot be opened for discussion if at least two voting members object to doing so. Other amendments to the agenda can be carried by a simple majority of votes.
- (2) The agenda must include, at a minimum, the following:
 - a. Determination of a quorum
 - b. Approval of the previous meeting's minutes

- c. Confirmation of the current meeting's agenda
 - d. Enquiries and reports.
- (3) The Senate will confirm the agenda by simple majority vote at the beginning of each meeting.
 - (4) During a meeting, agenda items can be tabled at the request of a Senate member and with a simple majority of votes from present members.
 - (5) During a meeting, agenda items can be removed permanently at the request of a Senate member and with a two-thirds majority of votes from voting members.
 - (6) Tabled items must be given priority on the agenda for the next meeting.

Section 6

Quorum

- (1) The Senate has a quorum if at least half of its voting members are present and the current meeting was properly convened. The Higher Education Act of North Rhine-Westphalia and the Constitution of Rhine-Waal University of Applied Sciences remain unaffected. The chairperson must determine whether a quorum is present at the beginning of every meeting. An official reprimand must be issued at the beginning of an improperly convened meeting. A reprimand issued after the conclusion of the meeting is immaterial.
- (2) If the chairperson determines that a quorum is not present, then they will adjourn the meeting and convene the Senate again – while adhering to the requirements in Section 3 (2) – within at least four weeks to discuss the same agenda item. In this case, the Senate will then have a quorum regardless of the number of present voting members. Members must be expressly notified of this special rule when convening this second meeting.
- (3) Subsection 2 sentence 2 does not apply to amendments to the Senate's rules of procedure, elections, or the confirmation of elections.

Section 7

Adopting resolutions, majorities

- (1) Where not otherwise stated, the Senate will pass resolutions by simple majority of valid votes cast by present voting members. A simple majority is achieved when the number of aye votes exceeds the number of nay votes or, in the case of multiple motions, when the majority of votes are cast for a specific one. Abstentions are not counted.
- (2) Voting occurs by the raising of hands, provided no present voting member of the Senate has requested a vote by secret ballot. Personnel matters are always decided by secret ballot.
- (3) Every outvoted member is entitled to present a dissenting opinion in writing, provided that the member has declared their intent to exercise this right during the meeting. The dissenting opinion must be submitted electronically or in hard copy within five days to the chairperson of the Senate and recorded in the minutes for the meeting. The dissenting opinion must be included in resolutions presented to other authorities.
- (4) If a resolution directly affects a member of the Senate, that member must be excluded from discussions and votes on said resolution.
- (5) Resolutions must be put forward in writing before they can be voted on. In addition, they must be read aloud before voting commences.
- (6) In exceptional cases, Senate resolutions can be adopted by circulation procedure and vote conducted electronically or in writing, provided no member of the Senate raises any

immediate objections. Voting members of the Senate will be allotted a period of 14 days to respond to a circulated resolution. Personnel matters cannot be decided by circulation procedure.

- (7) The chairperson must report on resolutions passed by circulation procedure in the next open meeting of the Senate and explain the reasons for choosing this procedure.
- (8) If the Executive Board considers a Senate resolution unlawful or incompatible with the principles of sound financial management, then it is obligated to raise an immediate objection. This objection will temporarily suspend the resolution's entry into force. The disputed resolution will be put up for discussion in the next meeting of the Senate. If the dispute cannot be resolved, the Board of Governors will be consulted. If the dispute cannot be resolved despite the involvement of the Board of Governors, then the Executive Board will involve the responsible ministry.
- (9) The chairperson of the Senate will decide on non-postponable issues for which a Senate resolution cannot be adopted in time. This does not apply to elections or personnel matters. The chairperson of the Senate must disclose to the other members of the Senate without delay, but no later than during the next meeting, the reasons for the decision and the action taken.

Section 8

Order during meetings

- (1) The chairperson gives permission to speak during a meeting, generally in the order that requests are received. To provide additional clarification or a direct response, the chairperson may give permission to speak out of turn.
- (2) To ensure the orderly conduct of a meeting, the chairperson may take the floor at any time.
- (3) To expedite the proceedings, the chairperson may limit speaking time to an appropriate amount. In addition, every member of the Senate may request a limit to speaking time. If another member objects, a vote will be held on the matter.
- (4) If a speaker has digressed, the chairperson can urge them to return to the topic at hand.
- (5) If a speaker exceeds their allotted time or ignores the chairperson's urging to return to the topic, the chairperson may forbid them to speak.
- (6) The chairperson is responsible for ensuring that meetings run smoothly and without disruption. They have the right to take appropriate measures in the interest of this responsibility. If these measures include the exclusion of the university public from the meeting, the Senate may subsequently vote to include the university public again.
- (7) Procedural motions can be submitted during a meeting and automatically take precedence over all other requests to speak. However, procedural motions cannot interrupt current speakers, votes or elections in progress. Procedural motions only address the course of proceedings. Members may put forth a procedural motion by raising two hands.
- (8) The following procedural motions are permissible:
 - (a) Determine whether procedural or formal errors have occurred
 - (b) Determine the presence of a quorum
 - (c) Reorder agenda items
 - (d) Remove, defer or introduce an agenda item
 - (e) Defer a resolution

- (f) Transfer a matter
 - (g) End a debate
 - (h) Close the list of speakers
 - (i) Limit speaking time
 - (j) Break for a short recess
 - (k) Return to a previous agenda item
 - (l) Give the floor to a non-member of the Senate
 - (m) Exclusion of the university public
 - (n) Adjourn the meeting.
- (9) Procedural motions are carried if no objections are raised. In the event of an objection, the procedural motion will be put to a vote without debate. In this case, and when not stated otherwise, the procedural motion will be carried with a simple majority of valid votes cast by present voting members.
- (10) A motion to return to a previous agenda item (subsection (8) (k)) requires a two-thirds majority of valid votes cast by present voting members.

Section 9

Minutes

- (1) Minutes must be taken during every Senate meeting and signed by both the chairperson and the minute-taker after approval by the Senate.
- (2) Minutes must contain at least the following:
- the day, place, start and end time of the meeting;
 - The agenda items and the essential elements of the discussion;
 - the exact wording of resolutions, voting results and accompanying explanations (if available); and
 - dissenting opinions; and
 - the attendance record as an annex.
- (3) A draft of the minutes will be provided to the members of the Senate without delay or, at the latest, together with the invitation for the next meeting. Objections to the minutes must be raised in the next scheduled Senate meeting.
- (4) Approved minutes for meetings of the Senate that were open to the university public must be published together with an English translation in a suitable fashion for members of the university. On request, the minutes for the approval process itself will be translated into English.
- (5) Minute-taking may be delegated to non-members of the Senate upon request. Minute-takers are bound to confidentiality in all matters considered confidential by law, special resolution or their general nature.

Section 10

Commissions

- (1) The Senate can form commissions to provide additional support and advising.
- (2) These rules of procedure apply analogously to these commissions.
- (3) The Senate will form a Diversity Commission to serve in an advising capacity in accordance with Section 9b of the HSRW Constitution. The commission will comprise the following voting members:
 - One professor currently serving in the Senate with voting power
 - Four professors at HSRW, one from each faculty
 - Two academic staff members
 - One non-academic staff member
 - Two students.

The Senate will elect these members separately by group. The Executive Board member in charge of this area of responsibility, the Inclusion Officer, the Disability Liaison Officer and the Representative for Students with Disabilities or Chronic Illnesses will also serve on the Diversity Commission in an advising capacity, but without voting power. The commission will elect a chairperson from among its members.

Section 11

Elections

- (1) Voting will be conducted by physical ballot or electronically in accordance with Section 17 of the Election Regulations. Where not otherwise stated, members will be elected to a governing body, committee or commission separately by members of their same group. Nominees are elected by relative majority. The nominee receiving the most votes will be elected. If multiple members from a single group are to be elected, the nominees receiving the most votes will be elected. In the event of a tie, the winner will be determined by drawing lots. Section 2 (5) applies to the election of the Senate chairperson and deputy chairperson.
- (2) Election-related discussions concerning specific individuals are closed to the university public and the person in question. Motions to end the debate are not permissible. Minutes will not be taken during these debates.
- (3) A selection committee will be formed to elect members to the Board of Governors, with two representatives of the Senate sitting on this committee. The Senate will elect these two representatives from among its members with voting rights.
- (4) A member of a commission or governing body can only be recalled by electing a replacement member.

Section 12

Adopting or amending the rules of procedure

- (1) Adopting the rules of procedure for the Senate requires a majority of votes from members with voting power.
- (2) Amendments to the rules of procedure are only possible via written request. The full text of amendment requests must be included in the meeting invitation.
- (3) Amendments to the rules of procedure require a majority of votes from members of the Senate with voting power.

Section 13
Entry into force

These rules of procedure entered into force by Senate resolution on 29 January 2025 and replace the previous rules of procedure dated 15 December 2020.

Professor Dr Wögen N. Tadsen
Chairperson of the Senate