

# RULES OF PROCEDURE

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## OF THE FACULTY COUNCIL OF THE FACULTY OF COMMUNICATION AND ENVIRONMENT OF RHINE-WAAL UNIVERSITY OF APPLIED SCIENCES

FROM 22.01.2025

### **Section 1 Members of the Faculty Council**

- (1) The Faculty Council is composed of the members defined under Section 10 (1) of the Constitution of Rhine-Waal University of Applied Sciences who have the right to submit motions, speak and vote.
- (2) The Faculty Council also includes members who cannot vote, but may speak and introduce motions, who are defined under Section 28 (3) of the Higher Education Act of North Rhine-Westphalia (HG NRW), in conjunction with Section 10 (2) of the Constitution of Rhine-Waal University of Applied Sciences.
- (3) Members of the Executive Board and the Equal Opportunities Officer may participate in sessions of the Faculty Council in accordance with Section 16 (5) and Section 24 (1) HG NRW. They are permitted to speak and introduce motions.
- (4) Furthermore, heads of degree programmes of the faculty who are not members of the Faculty Council are permitted to speak and introduce motions.

### **Section 2 Chairperson**

- (1) In accordance with Section 10 (4) of the HSRW Constitution, the dean of the faculty chairs the Faculty Council.
- (2) The chairperson is represented by the vice-dean.
- (3) If both the chairperson and their representative are prevented from attending a meeting of the Faculty Council, the most senior professor member will instead lead the meeting of the Faculty Council.

### **Section 3 Convening a meeting**

- (1) The chairperson will convene the Faculty Council when needed, but no fewer than three times per semester. The chairperson is required to convene the Faculty Council if requested to so in writing or electronically by a majority of voting members or at least three voting members representing at least two separate groups; requests to convene must include the topic(s) of discussion. With the exception of the

constituting meeting, the Faculty Council can generally meet in person, online or in hybrid with members attending both in person and online (refer to Section 12 (2) sentence 6 HG NRW).

- (2) The notice period for convening a meeting is at least seven days. The notice period can be shortened in urgent cases, but a minimum of three days between invitation and meeting must be observed.
- (3) Meeting dates and the proposed agenda will be published for all members of the university by public notice or electronically. The Faculty Council will set the dates for the meetings required for each semester by subsection (1) sentence 1 in advance.
- (4) The proposed agenda will be sent with all documents required for the meeting to members of the Faculty Council in writing or electronically by no later than seven days before the start of the meeting. 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 comply with the mandatory minimum notice period. Motions must be justified in writing or electronically and contain, where appropriate, a recommended decision.
- (6) Members of the Faculty Council who are unable to attend a meeting must notify the chairperson of their absence without delay.
- (7) Members can attend individual meetings of the Faculty Council – with the exception of the constituting meeting – digitally if they would otherwise be prevented from attending in person for an important reason (refer to Section 12 (2) sentence 6 HG NRW). Notification must occur in accordance with subsection (6). The chairperson is responsible for judging whether an absence is legitimate. In justified cases, the chairperson can exclude the option of digital attendance for specific meetings of the Faculty Council.

## **Section 4 Attendance**

- (1) Faculty Council meetings are generally open to the public, but admittance depends on the general availability of seating and maximum occupancy for the (appropriately) selected meeting room. Non-members are not permitted to attend digitally. 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 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 Faculty Council 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 resolution of the Faculty Council – to invite external guests to attend, in person or digitally, entire meetings or for the duration of individual agenda items, for which they will be granted the right to speak.
- (5) The Faculty Council can grant non-members the right to speak.

## **Section 5 Agenda**

- (1) Every member of the faculty is entitled, until ten days before a meeting, to propose agenda items to the chairperson of the Faculty Council in writing or electronically.
- (2) The Faculty Council will confirm the agenda with a simple majority vote at the beginning of each meeting.
- (3) Agenda items can be tabled during a meeting at the request of any member of the Faculty Council and with a simple majority of votes from the present members.

- (4) Agenda items can be removed permanently at the request of a member of the Faculty Council during a meeting and with a two-thirds majority of votes from voting members.
- (5) Items which were not discussed must be given priority on the agenda for the next meeting.

## **Section 6 Quorum**

- (1) The Faculty Council 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 Faculty Council again within four weeks to discuss the same agenda item again. The Faculty Council will then have a quorum for this item 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 does not apply to changes to these regulations or to elections of the dean, vice-dean or associate dean of studies.

## **Section 7 Passing resolutions, resolutions via written circular**

- (1) Where not otherwise stated, the Faculty Council will pass resolutions by simple majority of valid votes cast by present voting members.
- (2) Voting will occur by the raising of hands, provided no present voting member of the Faculty Council has requested a vote by secret ballot. Personnel matters are always decided by secret ballot. Secret votes will be conducted only when all voting members are present personally and by handing out physical ballots; the rules pertaining to votes submitted electronically are set forth in Section 17 of the HSRW Election Regulations.
- (3) Every outvoted member is entitled to present a dissenting opinion in writing, provided that the right to do so was reserved in the meeting. The dissenting opinion must be submitted electronically or in hard copy within five days to the chairperson of the Faculty Council 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 Faculty Council, said member must be excluded from discussing or voting on this resolution.
- (5) Proposals must be put forward in writing before being voted on. Proposals must also be read aloud before voting commences.
- (6) In exceptional cases, resolutions of the Faculty Council can be circulated electronically or in writing for voting purposes (silence procedure), provided no member of the Faculty Council raises any immediate objections. Voting members of the Faculty Council will be given a period of 14 days to respond to a circulated resolution. The chairperson must report on resolutions passed by circulation procedure in the next open meeting of the Faculty Council and explain the reasons for choosing this procedure. Personnel matters cannot be decided by circulation procedure.
- (7) If the dean considers a resolution to be unlawful, he/she must raise an official objection. This will result in another discussion and vote. In addition, the objection temporarily suspends the resolution's entry into

force. This second round of discussion will occur in the next scheduled meeting of the Faculty Council. If the dispute cannot be resolved, the Executive Board must be informed immediately.

- (8) The chairperson of the Faculty Council will decide alone on non-postponable issues for which a resolution of the Faculty Council cannot be passed in time. This does not apply to elections or personnel matters. The chairperson of the Faculty Council must then disclose to the other members 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 Faculty Council may request a limit to speaking time. If another member of the Faculty Council objects, a vote will be held on the original request.
- (4) If a speaker has digressed, the chairperson may 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) 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.
- (7) 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) Secret ballot
  - (l) Return to a previous agenda item
  - (m) Give the floor to a non-member of the Faculty Council
  - (n) Exclusion of the university public
  - (o) Adjourn the meeting.
- (8) 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.
- (9) A motion to return to a previous agenda item (subsection (7) (l)) requires a two-thirds majority of valid votes cast by present voting members.

## **Section 9 Reporting to the Faculty Council**

The dean will report to the Faculty Council once per year on the implementation of resolutions of the Faculty Council in accordance with Section 27 (1) and Section 28 (1) HG NRW.

## **Section 10 Minutes**

- (1) Minutes must be taken during every meeting of the Faculty Council and be signed by both the chairperson and the minute-taker after approval by the Faculty Council.
- (2) Minutes must contain at least the following:
  - the day, place, start and end time of the meeting;
  - the names of those present;
  - The agenda items and the essential elements of the discussion;
  - the full texts of resolutions, the voting results and additional explanations (if applicable); and
  - dissenting opinions.
- (3) A draft of the minutes will be provided to the members of the Faculty Council without delay or, at the latest, included with the invitation for the next meeting. Objections to the minutes must be raised in the next scheduled meeting of the Faculty Council.
- (4) Approved minutes for meetings of the Faculty Council which were open to the university public will be published openly in a suitable fashion.
- (5) The task of minute-taking may be delegated to non-members of the Faculty Council upon request. Minute-takers are bound to confidentiality in all matters considered confidential by law, special resolution or their general nature.

## **Section 11 Commissions**

- (1) The Faculty Council can form commissions for additional support and advising.
- (2) These rules of procedure apply analogously to these commissions.

## **Section 12 Adopting or amending the rules of procedure**

- (1) Adopting the rules of procedure requires a majority of votes from voting members of the Faculty Council.
- (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 voting members of the Faculty Council.

## **Section 13 Entry into force**

These rules of procedure entered into force by resolution of the Faculty Council on 12 February 2025 and replace the previous rules of procedure dated 29 May 2013.

Professor Dr Klaus Hegemann  
Dean, Faculty of Communication and Environment