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### **Universität Hamburg Academic Search Regulations**

**Resolution of the Academic Senate  
on 20 November 2014**



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### **Preamble**

The Academic Senate has released the following Academic Search Regulations for the appointment of professors and junior professors pursuant to § 14 subsection 5 Hamburg higher education act (Hamburgisches Hochschulgesetz, HmbHG) in accordance with § 85 subsection 1 number 1 HmbHG.

### **§ 1**

#### **Job advertisement and applicant recruitment**

- (1) The Executive University Board advertises the position, usually internationally. The office of the dean of the faculty to which the professor will be appointed submits a proposal for the job advertisement text together with the application for a job advertisement.
- (2) The job advertisement includes the nature and scope of the tasks and duties, and, in particular the field, faculty, or academic institution to which the position is assigned, as well as the position description, the teaching and research tasks to be performed, and the required applicant attributes (teaching and research experience as well as, e.g., management skills). The subject area should be narrowed beyond the level of specificity required, § 14 subsection 1 sentence 3 HmbHG. Reference must be made to the regulations in § 12 subsection 7 sentence 2 HmbHG.
- (3) In particularly justified cases, professorial positions may be advertised exclusively for female applicants.
- (4) At the same time, the office of the dean and/or the Academic Search Committee must seek suitable researchers, particularly female researchers.
- (5) If at least one sufficiently qualified applicant does not apply for a job advertisement, and if the office of the dean or the Academic Search Committee does not manage to suggest nonapplicants, the Executive University Board will end the procedure on application by the office of the dean.

## § 2

### **Office of the dean and faculty council responsibilities**

- (1) The office of the dean of the faculty looking to appoint a position is responsible for ensuring the academic search procedure is conducted appropriately.
- (2) The faculty council appoints the Academic Search Committee and makes the final decision on the committee's appointment recommendation. The office of the dean forwards the appointment recommendation to the Executive University Board.

## § 3

### **Process duration**

At the beginning of the procedure, the office of the dean agrees a time frame with the Academic Search Committee to be communicated in a timely manner to external members and applicants who are under consideration. The duration of the procedure from the end of the application period until the communication of the appointment recommendation to the Executive University Board should not exceed six months. Applicants must be informed about important steps in the appointment process.

## § 4

### **Academic search representative**

- (1) The office of the dean must name an academic search representative for the faculty to support and monitor the conduct of the academic search procedure in the Academic Search Committee and act as an interface between the Academic Search Committee, the office of the dean, the faculty council, and the Executive University Board.
- (2) The academic search representative serves the University in its appointment responsibilities. In particular, the academic search representative ensures that the decisions made by the Academic Search Committee consider the strategic development plans for the University based on the Structure and Development Plan and the criteria laid out in the job advertisement. They must ensure that the competitive nature of the procedure and its transparency is preserved and that applicants are informed about the status of the procedure.
- (3) The academic search representative may participate in the Academic Search Committee meeting for their faculty in an advisory capacity. They may inspect all relevant documents.

## § 5

### **Academic Search Committee appointment and composition**

- (1) The Academic Search Committee includes representatives from the group of University teachers, including two external professors nominated by the Executive University Board, and one representative each from the student body and the academic faculty. Professors must have an absolute majority of the seats and votes in the committee.
- (2) The Academic Search Committee is appointed by the faculty council.
- (3) The voting members of the Academic Search Committee must be at least 40 percent men and 40 percent women. Suitable people from similar disciplines may also be considered. Exceptions must be approved by the Executive University Board on application from the office of the dean in consultation with the University's equal opportunity commissioner. Where not selected as a member of the Academic Search Committee, the faculty equal opportunity representative shall participate in committee meetings

in an advisory capacity and must be invited in the same manner as a member.

(4) Other faculties may send one representative from their teaching staff to the Academic Search Committee in an advisory capacity or more on request from the faculty conducting the procedure.

The faculties must be informed about the formation of the committee in good time and nominate their representatives pursuant to their faculty regulations. The number of representatives from other faculties may not exceed the number of voting members of the Academic Search Committee.

(5) If the discipline or field of the professorship or junior professorship to be filled affects another faculty, the faculty council of the appointing faculty must actively strive for appropriate representation of the faculty concerned on the Academic Search Committee.

(6) If the position to be filled is a professorship or junior professorship with duties that must be performed at an academic institution outside the University, the University president must reach an agreement with the institution's operator before the academic search procedure begins on the composition of the Academic Search Committee and the conduct of the academic search up to the determination of the appointment recommendation (§ 97 HmbHG).

(7) Members delegated to the Academic Search Committee by another faculty pursuant to subsection 5 or an institution pursuant to subsection 6 have voting rights in all committee meetings.

(8) Members delegated to the Academic Search Committee through a cooperation agreement with an academic institution external to the University or from another university are not considered external members in terms of § 14 subsection 2 sentence 5 HmbHG.

(9) Individuals who hold or have held the position in question may not be part of the Academic Search Committee. Other conflicts of interest are addressed according to § 20 and 21 of the Hamburg administrative procedures act (Hamburgisches Verwaltungsverfahrensgesetz, HmbVwVfG). The members of the Academic Search Committee must submit a written declaration regarding potential conflicts of interest, which will be determined by the committee in accordance with § 20 subsection 4 HmbVwVfG.

## § 6

### Process, selection criteria

(1) The Academic Search Committee bases its selection on fulfillment of the selection criteria as well as the following:

- academic qualifications,
- didactic skills,
- ability to provide new inspiration in research and teaching at Universität Hamburg,
- expected academic contributions to core research areas at Universität Hamburg,
- special commitment to teaching and experience in curricular development,
- management aptitude, in particular leadership skills and interpersonal skills,
- experience with external-funding acquisition,
- international experience,
- willingness and aptitude for interdisciplinary collaboration,
- ability to consider gender issues in research and teaching.

(2) In its constitutive meeting, the Academic Search Committee may further specify the required criteria for the professorship where these are consistent with the role description in the job advertisement. This must occur prior to knowledge of the list of applicants.

## § 7

### Duty of confidentiality

Academic search matters will be addressed in closed session. Participants must treat all matters addressed in the meeting in strictest confidence. Voting on decisions regarding individuals (invitations, creation of appointment short lists) is conducted by secret ballot. In addition, on application, the Academic Search Committee may resolve to vote by secret ballot.

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## § 8

### Assessment of hiring requirements for professors pursuant to § 15 HmbHG

- (1) Hiring requirements for professors are assessed in accordance with § 15 HmbHG.
- (2) Additional academic achievements pursuant to § 15 subsection 4 HmbHG are evaluated against the qualifications required for the position. A *Habilitation* cannot be required as proof of additional academic achievements.

## § 9

### Assessment of hiring requirements for junior professors pursuant to § 18 HmbHG

- (1) Hiring requirements for junior professors are assessed in accordance with § 18 HmbHG.
- (2) The quality of doctoral work forms the basis of selection from a research standpoint. Potential additional academic achievements may be taken into consideration during the evaluation process. The lack of additional academic achievement may not be used as a criteria for exclusion.
- (3) Exceptions to the six-year period set forth in § 18 subsection 4 HmbHG are only permitted if the faculty can demonstrate that specific considerations for that particular subject usually result in the qualification phase for doctorate in that field extending beyond six years. Stringent standards are applied to exceptions from this period, and particular care given to ensuring that the objective of significantly reducing the age of first appointment intended by the junior professorship is not compromised.
- (4) A junior professor with educational or subject-specific didactic tasks in teacher training may be appointed only when they can demonstrate three years of teaching practice or similar practical experience. On demonstration of practical experience, the six-year period pursuant to § 18 subsection 4 HmbHG may be extended by one year; where practical experience can only be partially demonstrated, the one-year extension is shortened accordingly.

## § 10

### In-house appointments

- (1) Junior professors can only be considered for a professorial appointment if they have completed their doctorate at another university or have worked outside the University for at least two years, either in an academic or predominantly academic function.
- (2) University academic staff can receive tenure only in justified exceptional circumstances and only under the requirements provided in subsection 1 (external doctoral studies or at least two years external academic employment).
- (3) Other University members according to § 2 subsection 1 and § 2 subsection 2 numbers 3–5 and 8 of the Universität Hamburg Statutes (visiting professors, acting professors, adjunct lecturers, and *Privatdozenten*) working at the University for longer than six months at the time the job advertisement was published may be nominated for appointment only in special circumstances. This also applies to applicants who have predominantly acquired their qualifications (doctorate and/or *Habilitation*) at Universität Hamburg. Subsections 1 and 2 remain unaffected. Recommendations must be justified separately.
- (4) If an individual named in subsection 2 or 3 above is recommended for appointment, at least two external assessments must be obtained and reviewed by the Academic Search Committee. In-house appointments are only permitted when the Academic Search Committee determines that the in-house applicant is better qualified than other applicants based on these positive external assessments.



## § 11

### Tenure track

(1) A job advertisement and the creation of an appointment recommendation are not required if a junior professor is granted tenure at the same university, as long as the junior professorship was advertised as having a potential for tenure track. This requires the junior professor to have received a positive assessment in a previously conducted assessment procedure. The interim evaluation conducted as part of a junior professorship does not replace the assessment procedure required for tenure track at the end of a junior professorship.

(2) For tenure track appointments, § 10 subsection 1 of the Academic Search Regulations apply to the appointment to a junior professorship.

## § 12

### Hearings

(1) After the end of the application period, a short list of applicants will be invited to a hearing and a closed-session discussion.

(2) The hearing must be designed to provide insights into the applicant's teaching qualifications.

(3) All qualified applications from female applicants must be considered when drawing up the hearing short list. If this is unworkable due to an oversized applicant pool of female applicants, at least an equal number of male and female applicants must be invited for an interview.

(4) The hearings are open to the University public. It must be announced to faculty members in an appropriate form. The Executive University Board will be invited to the hearing.

(5) Information related to the requirements associated with the position, its resources including University services (e.g., Dual Career Service), and the prospects and expectations of the applicant will be discussed in the closed-session discussion. The applicant will also have the opportunity to present their managerial and people management skills.

## § 13

### Reviews

(1) The Academic Search Committee should obtain at least two assessments from external professors, including at least one comparative assessment to evaluate the subject-specific and pedagogical suitability of the short-listed applicants.

(2) The number of female professors asked to provide an assessment must be proportionate to the anticipated number of assessments required.

(3) A declaration regarding conflict of interest pursuant to § 5 subsection 9 sentence 2 also applies to experts providing opinions.

## § 14

### Academic Search Committee recommendation

After conducting the hearing, the Academic Search Committee creates its appointment recommendation based on fulfillment of the job advertisement criteria and the selection criteria listed in § 6 as well as on consideration of the assessments and § 18 HmbHG.

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## § 15

### **Minority recommendation**

Every member of the Academic Search Committee is entitled to provide a minority recommendation. This must provide an explanation of why the majority recommendation is not being followed.

## § 16

### **Faculty council decision**

The faculty council makes its decision on the appointment recommendation and any minority recommendations where provided by the Academic Search Committee based on those recommendations and on the faculty's equal opportunity representative. A decision that deviates from the recommendation provided by the Academic Search Committee must be justified and reasons submitted along with the unaltered recommendation.

## § 17

### **Communication of appointment recommendation to Executive University Board via the office of the dean**

The office of the dean forwards the appointment recommendation and the decision of the faculty council to the Executive University Board. The office of the dean may attach an alternative opinion.

## § 18

### **Content of the appointment recommendation**

- (1) The appointment recommendation must include the appointment list and clarification.
- (2) The appointment list should usually include three names. The list must include members of both genders. Women or men must be preferentially considered if qualifications are equivalent, provided that the ratio of women or men in proportion to all members pursuant to § 10 subsection 1 number 1 HmbHG in that faculty does not amount to more than 50 percent, unless there are serious social reasons that would justify excepting the applicant from the rule (§ 14 subsection 3 HmbHG). Previous disadvantage must be considered when assessing the qualifications, performance, and capability of applicants with disabilities or chronic diseases (§ 14 subsection 3 sentence 4 HmbHG).
- (3) The explanation contains
  1. the qualifications of each recommendation, their subject-specific, pedagogical, and personal suitability appraised separately and weighted against the tasks to be performed, and
  2. a resulting justification of the recommendations in the order presented. In this, the explanations of the qualifications of the individuals listed in the appointment list in consideration of the job description, the job advertisement text, and selection criteria must be coordinated into a justified proposal.
- (4) The appointment recommendation also comprises a process report and brief résumés for those included in the list.
- (5) The Executive University Board decides what additional information should be provided with the appointment recommendation. They must be taken from the appendix to this regulation.

## § 19

### **Executive University Board evaluation and decision**

- (1) The Executive University Board decides on the appointment according to the appointment recommendation. The appointment is usually decided in the order provided in the appointment recommendation. Deviation from this order must be justified.
- (2) The University's equal opportunity commissioner has the opportunity to comment to the Executive University Board prior to its final decision.

## § 20

### **Extraordinary appointment**

- (1) In exceptional circumstances, the Executive University Board—in agreement with the University Council—may appoint an exceptionally suitable individual whose appointment is of particular interest after a hearing by the faculty council.
- (2) A job advertisement and the creation of an appointment recommendation is not required.

## § 21

### **Effective date**

This regulation becomes effective after adoption by the Academic Senate and upon publication by the president. The Universität Hamburg Academic Search Regulations as announced on 1 January 2009 are simultaneously repealed.



## Appendix to the Academic Search Regulations pursuant to § 18 subsection 5 Academic Search

### Regulations Appointment Recommendation and Supporting Information

The office of the dean is requested to submit the following documents to the Executive University Board regarding the appointment:

#### 1. Appointment recommendation presented

- 1.1 the remit and level of the professorship
- 1.2 the steps of the procedure
  - appointment and composition of the Academic Search Committee and the appointment of the chair
  - where the job advertisement will be issued, and when the application period ends
  - efforts made to attract female applicants or applications from an underrepresented gender
  - Criteria:
    - reasons for not considering applicants (which applicants have not fulfilled the appointment requirements, individual explanations required)
    - reasons for the selection of assessors
    - declarations of conflict of interest
    - hearings and the discussions with applicants (time, number, and gender of those invited)
- 1.3
- 1.4 Academic Search Committee resolutions and voting results, the decision of the faculty council on the appointment recommendation with voting results, and the office of the dean statement (with voting results),
- 1.5 the reasons leading to selection: the qualifications of each recommended applicant, their subject-specific, pedagogical, and personal suitability appraised separately and weighted against the tasks to be performed in the order provided in the appointment recommendation
- 1.6 including an analysis of the assessments obtained, an assessment of any minority proposals and/or dissenting opinions of the faculty's equal opportunity representative, a justification for deviating from the list of three recommendations, and a separate justification in the event of an in-house appointment proposal

#### 2. Documents to be submitted with the appointment recommendation:

- 2.1 job advertisement text
- 2.2 (confirmed) minutes of the Academic Search Committee meetings (the agenda of the last meeting of the Academic Search Committee must be approved by the members present), the faculty council, and the office of the dean
- 2.3 the president's letter naming external members of the Academic Search Committee
- 2.4 list of all applications received
- 2.5 declarations of conflicts of interest
- 2.6 statement from the faculty's equal opportunity representative
- 2.7 obtained signed assessments (at least two external assessments)
- 2.8 minority recommendations from the Academic Search Committee, where relevant
- 2.9 brief résumé, current activities, and addresses for short-listed candidates
- 2.10 all application documents where hard copies have been submitted
- 2.11 for short-listed applicants: university degree certificate, doctorate certificate, *Habilitation* certificate (where applicable)