



Regulation of Ulm University on the granting of a habilitation from December 17, 2008

Pursuant to Section 39(1)(5)(1) of the Higher Education Act (*Landeshochschulgesetz – LHG*) of the German state of Baden-Württemberg in effect on January 1, 2005 (Law Gazette p. 1 ff), last amended by Article 1 of the Law on the Implementation of the Federalism Reform in Higher Education (*Gesetz zur Umsetzung der Föderalismusreform im Hochschulbereich – (EHFRUG)*) of November 20, 2007 (Law Gazette p. 505) of the Higher Education Act, the Senate of Ulm University has decided, in a session held on December 11, 2008, on the following policy. The President of the University issued his approval on December 17, 2008 pursuant to Section 39(5)(1) of the Higher Education Act.

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I. General

1. Definition of habilitation

- (1) The habilitation is the recognition of a special aptitude for teaching and research in a specific subject or field. With the successful habilitation, Ulm University confers the teaching license for a specific academic subject or field.
- (2) A habilitation can only be granted for subjects or fields for which Ulm University has sufficiently strong teaching and research competencies.

2. Prerequisites for admission to a habilitation procedure

- (1) To be admitted to a habilitation procedure, the candidate must
 - a) have a doctorate (Promotion) from a German institution of higher education or an equivalent academic degree from a foreign university and be entitled to hold that degree within the scope of the German constitution (*Grundgesetz*),
 - b) have completed post-doctoral work of at least three years in teaching and research in the field for which the teaching license is to be issued,
 - c) not be involved in an ongoing admissions procedure with another institution for a habilitation in the same subject area for which the teaching license is sought,
 - d) not have already failed twice in a habilitation procedure for the subject area or a related field for which the teaching license is to be granted, and
 - e) submit a written habilitation requirement pursuant to Section 3(1)(a) and Section 4.
- (2) The faculty council of the respective faculty shall stipulate, in a faculty policy concerning this habilitation procedure, the specific requirements regarding the scope and period of the teaching mandate and make a decision as to whether the candidate must, in addition, give a presentation.

3. Habilitation requirements

- (1) The habilitation is decided on the basis of the following habilitation requirements:
 - a) the presentation of a habilitation thesis pursuant to Section 4(1) or scientific publications pursuant to Section 4(2),
 - b) a program-related course to demonstrate the pedagogical and didactic competence pursuant to Section 5,
 - c) a scientific presentation followed by a discussion before the habilitation committee pursuant to Section 6.

The habilitation committee of the Faculty of Medicine may, with regard to Section 3(1)(b), recognize the requirement as fulfilled if the candidate presents a certificate from the Competence Centre for University Teaching in Medicine on the "Medizindidaktische Qualifikation I" (Medicine Teaching Qualifications I) or an equivalent certificate. The equivalency of certificates from other institutions shall be decided on by the habilitation committee.

- (2) A dissertation may not be used as a written habilitation requirement. The habilitation thesis may be written in German or English. The habilitation is to be completed within a period of four years, excluding the duration of the review process. At the latest after the expiry of two years from the announcement of the intention to pursue a habilitation, the main results of the habilitation requirement created by then are to be presented to the habilitation committee for evaluation. If a candidate provides no results, or if the presented results are unlikely to meet the requirements of Section 4, the candidate must, after an appropriate deadline, to be determined by the habilitation committee, submit a work plan to the habilitation committee for the proposed habilitation. The work plan is include an outline of the overall content and methodology, a detailed timetable and the envisaged scope of the work.
- (3) The habilitation committee may exempt candidates possessing the requested teaching license from another university or institution of higher learning of equal standing from Germany or abroad from some or all habilitation requirements and may recognize habilitation requirements that have already been accomplished.

4. Written habilitation requirement

- (1) The written habilitation requirement must be developed independently and make a significant contribution to scientific knowledge. It must demonstrate the competence of the candidate to conduct professorial research in the field. The written habilitation requirement must concern the field for which the teaching license is sought.
- (2) The habilitation thesis may be substituted with original publications pertaining to the topic of the habilitation that were written after receiving the doctorate and published in supra-regional scientific journals and conference proceedings with peer-review system. The publications must, together and as a whole, meet the requirements for a habilitation thesis pursuant to Section 4(1). A written summary of the most important results is to be presented.

5. Program-related course

- (1) The program-related course must be derived from the curricula of the faculties. If the candidate is not the organizer of the course, he or she must be responsible for a thematic module of the course.
- (2) As part of this requirement, the candidate has to teach students on a specific topic in the context of a course that is included in the curricula of the faculties of the field for which the teaching license is sought.
- (3) The habilitation committee may, pursuant to Section 3(1)(b), consider the requirement as having been met on the basis of achievements in academic teaching pursuant to Section 2(2).

6. Scientific presentation

- (1) The scientific presentation should enable a judgment on the ability for scientific debate.
- (2) It should treat a key problem from the field for which the teaching license is sought. The lecture topic may not be the subject of the written habilitation requirement. With the scientific presentation, the candidate is to demonstrate their ability to provide a critical presentation of scientific issues and results to a prepared and educated audience from the field. The presentation shall be held without reading from notes.
- (3) In the ensuing discussion, the candidate is to defend his or her view of the subject of the presentation against possible objections and show that he or she is knowledgeable about other problems from the subject area.

II. Habilitation Procedure

7. Habilitation committee

- (1) The habilitation committee can be appointed by the Office of the Dean or by the faculty council of the respective faculty. Particulars shall be determined by the faculty council of the respective faculty in a faculty policy concerning this habilitation procedure. The policy may stipulate that two professors are to serve as advisory members during each habilitation procedure. The Dean or a representative designated by him or her is a member by virtue of office and shall be chairperson. If it is foreseeable that a committee member will be unable to attend a meeting, the habilitation committee shall appoint a replacement.
- (2) The habilitation committee is composed of professors and members with a habilitation who are fully employed at the respective faculty of Ulm University. The number of committee members is to be stipulated by the respective faculty in a faculty policy concerning this habilitation procedure. The term of office is two years. A reappointment is possible.
- (3) The habilitation committee of the respective faculty shall take the necessary measures and decisions for the organization and holding of meetings and is responsible for all decisions to be made in the context of the habilitation procedure;

It has, in particular, the responsibility for the following tasks:

- (1) Decision on the admission to a habilitation procedure
- (2) Decision on the evaluation of the written habilitation requirement
- (3) Decision on the evaluation of the scientific presentation
- (4) Decision on the evaluation of the program-related course
- (5) Decision on the appointment of the reviewer

In decisions 1 to 5, voting rights are also held by professors of the faculty who are not members of the habilitation committee as well as by committee members who have a habilitation, provided they teach full time at Ulm University.

- (4) The habilitation committee meets in closed session. It has a quorum if all members were duly invited and if at least half of the members are present. In determining whether a quorum is valid, the number of persons authorized to participate under subsection 3 is irrelevant.
- (5) The habilitation committee decides by a simple majority vote of the members who are present and who are authorized to vote. In a tie, the vote of the chairperson shall decide.
- (6) The decisions are made by an open show of hands. At the request of a member, secret ballots shall be taken.
- (7) The members of the habilitation committee are sworn to secrecy; the consultation documents are confidential.

8. Habilitation request

- (1) The habilitation request must be submitted in writing to the Dean of the respective faculty. The request must indicate the subject or field(s) for which the teaching license is sought.
- (2) The request must be accompanied by:
 - a) a curriculum vitae,
 - b) the proof of the degree pursuant to Section 2(1)(a), in the original or notarized version,
 - c) the bound habilitation thesis or the scientific publications that are to be recognized as the written habilitation requirement, including the bound summary pursuant to Section 4(2)(3). The faculty council of the respective faculty shall stipulate, in a faculty policy concerning this habilitation procedure, the number of copies of the habilitation thesis or scientific publications to be submitted,
 - d) a complete list of previous scientific and subject-related publications as well as one copy each of these works and the dissertation. Manuscripts that have been accepted for publication may be included. The candidate shall designate three to five of his or her publications as representing their best work,

- e) a list of the participation to date in the preparation and teaching of courses,
 - f) a declaration that the principles laid down in the statutes of Ulm University for safeguarding good scientific practice in effect at the time of submitting the request were respected, in particular that the written habilitation requirement was accomplished independently, that no sources and tools were used other than those specified, and that segments that were copied verbatim or paraphrased are identified as such,
 - g) a statement about any other habilitation procedures outside of the faculty that are still ongoing or that were unsuccessfully completed,
 - h) an official certificate of good conduct of recent date. Members of Ulm University are exempted from this requirement,
 - i) three suggested topics for the scientific presentation,
 - j) three suggestions for dates and topics for the program-related course, unless exempted from this requirement under Section 5(3).
- (3) The applicant may withdraw the habilitation request without giving a reason and such that it is not considered as having ever been submitted up to the date of the decision on the acceptance or rejection of the written habilitation requirement by submitting a written notice to the Dean of the respective faculty,
 - (4) If the habilitation application meets the requirements in Section 8(2), the Dean shall submit it immediately to the habilitation committee. Otherwise, the Dean shall give the candidate a reasonable period of time for completion. If the habilitation request is not completed within this period of time, the Dean shall refuse it as inadmissible in writing and by stating the grounds.
 - (5) All documents submitted, except the originals of degree certificates as well as offprints, copies and publications, remain on file at the University. They are kept for ten years at the respective faculty and are subsequently managed in accordance with the provisions of the State Records Act (*Landesarchivgesetz*).
 - (6) Some of the documents of the habilitation application may be, upon consultation with the Dean, submitted in electronic form to the Dean of the respective faculty.

9. Admission to the habilitation procedure

- (1) The habilitation committee of the respective faculty decides on the admission to the habilitation procedure. The decision shall be communicated to the applicant by the Dean in writing; a negative decision must be substantiated and accompanied with information on the applicant's right to appeal pursuant to Appendix 1.
- (2) The admission shall be refused if
 - a) the applicant does not meet the requirements of Section 2(1).
 - b) the university or the respective faculty does not have the scientific competence,

- c) an academic degree has been revoked or facts exist which justify the revocation of a degree.
- (3) The admission may be refused if scientific misconduct occurred as per the principles of the statutes of Ulm University for safeguarding good scientific practices in effect at the time of making the decision. The habilitation committee shall decide on special cases.
 - (4) If criminal proceedings for an offense are pending that could result in the revocation of an academic degree, or if there is doubt as to whether scientific misconduct has occurred for safeguarding good scientific practices of the statutes of Ulm University in effect at the time of making the decision, the decision concerning the admission is to be suspended until the completion of the criminal proceeding.
 - (5) The habilitation committee reserves the right to verify the correctness of the published data by requesting that the applicant provide the corresponding original data and laboratory journals.

10. Evaluation of the written habilitation requirement

- (1) After admission to the habilitation procedure, the habilitation committee and the faculty members pursuant to Section 7(3) shall appoint three professors from the field, or affiliated field, for which a teaching license is sought to conduct an evaluation of whether the written habilitation requirement meets the requirements of Section 4, requesting one expert opinion from each professor. At least two of the reviewers must be from a university or research institution other than Ulm University. The professors must be fully employed at a university or research institution in Germany or abroad.
- (2) The reviewers must submit their evaluations in writing within two months after accepting their appointment. The evaluations must contain a substantiated recommendation as to whether the habilitation requirement should be accepted or rejected.
- (3) The reviewers may recommend to suspend the procedure for a maximum of three months in order to give the candidate an opportunity to respond to criticism and to revise the work. In the case of a revision, the original version shall remain a part of the habilitation procedure and is to be considered in the decision on the written habilitation requirement. The reviewers may also recommend that the scope or the name of the subject or field for which the teaching license is sought be changed.
- (4) The chairperson shall notify the habilitation committee and the faculty members pursuant to Section 7(3) of the recommendations of the reviewers and give them the opportunity, by way of dissemination or other appropriate means, to take note of the written habilitation requirement, the evaluations and the documents referred to in Section 8, subsections 1 and 2. The habilitation committee and the faculty members pursuant to Section 7(3) have the right to take a stance, in writing, within a period to be determined by the Dean. That period shall not be shorter than one month and not longer than three months.
- (5) If the evaluations of the reviewers differ from each other, further evaluations can be obtained. If other evaluations are requested, the provisions of subsections 1 to 4 shall apply.

- (6) The candidate is to be given the opportunity to inspect the evaluations and expert opinions and to issue a written response to the reviewers. That response is to be considered in the decision.
- (7) Taking into account the submitted expert opinions pursuant to Section 10(2) and the position pursuant to Section 10(4), and the candidate's response referred to in Section 10(6), the habilitation committee shall decide on the acceptance or rejection of the written habilitation requirement and, where appropriate, on the temporary suspension of the procedure. In the case of acceptance, the candidate is admitted to proceed with further habilitation requirements.
- (8) If the written habilitation requirement is not accepted, the procedure is considered to have failed, notwithstanding the provision in Section 10(9). In this case of rejection, the Dean shall provide the candidate a written notice within a reasonable time, listing the reasons and advising about the candidate's right to appeal in accordance with Appendix 1.
- (9) If the habilitation procedure has been completed unsuccessfully due to a rejection of the written habilitation requirement, a new habilitation request may be submitted, but only once and at the earliest two years after delivery of the notice. That procedure shall be based on sections 7 and following.
- (10) If the habilitation committee determined that the candidate has demonstrated his or her ability to perform independent research in accordance with Section 4, the Dean shall inform the candidate that he or she is admitted to pursue the procedure.

11. Evaluation of the program-related course

- (1) If the proof of a program-related course has not already been submitted, the habilitation committee shall determine the subject and scope of the program-related course that is to serve to demonstrate the candidate's pedagogical and didactic competence. The Dean shall determine the date of the course and shall notify the candidate at least 14 days prior of the date, scope and subject. At the request of the candidate, this period may be reduced to eight days.
- (2) The Dean then invites the members of the habilitation committee, the members of the faculty pursuant to Section 7(3) and the student members of the faculty council with a notice of at least 8 days to attend the program-related course.
- (3) The habilitation committee and the faculty members pursuant to Section 7(3) decide whether the candidate has demonstrated his or her pedagogical and didactic competence. The student members of the faculty council participate with an advisory capacity. If the habilitation committee and the faculty members pursuant to Section 7(3) believe that the presentation did not meet the necessary requirements pursuant to Section 5, it shall suspend the habilitation procedure. In that case, the Dean shall send the candidate a written notice about this decision, including reasons and information on legal recourse in accordance with Appendix 1. The candidate may repeat the course no earlier than six months and no later than twelve months with a different topic. The written habilitation requirement remains. The habilitation committee and the faculty members pursuant to Section 7(3) may provide recommendations for the improvement of the candidate's pedagogical and didactic competence. A repetition is subject to sections 11(1) and (2) and to clauses 1 and 2 of this subsection.

If that presentation also fails to satisfy the requirements, the habilitation procedure has definitively failed. In that case, the candidate shall receive from the Dean a written notice of the decision including reasons and information on legal remedies in accordance with Appendix 1.

12. Evaluation of the scientific presentation

- (1) The course is followed by the scientific presentation. The habilitation committee selects one topic for the scientific presentation from the proposed topics. It may also request additional topic suggestions from the candidate. The Dean shall announce the date and the topic at least 14 days before the event. The period may be shortened by mutual consent.
- (2) The Dean shall invite the members of the habilitation committee and the members belonging to the faculty pursuant to Section 7(3) to the oral presentation and the ensuing discussion. The faculty council of the respective faculty shall determine the duration of the scientific presentation, and shall indicate that choice in their faculty policy concerning this habilitation procedure. The scientific presentation is open to the faculty. The ensuing debate will be open to the public. All faculty members have the right to speak and ask questions. The scientific presentation and the ensuing discussion should not exceed 90 minutes.
- (3) Immediately after the end of the discussion, the habilitation committee and the members of the faculty pursuant to Section 7(3) shall decide on the acceptance or rejection of the scientific presentation. That decision should take into consideration whether the content and form of the scientific presentation and performance in the ensuing discussion meet the requirements of Section 6.
- (4) In the case of a rejection of the scientific presentation, the presentation may be repeated with another topic at the earliest six months and at the latest 12 months after the presentation. The written habilitation requirement remains. A repetition is subject to subsections 1, 2 and 3 of this section. In the case that the second presentation also fails to satisfy the requirements, the habilitation procedure has definitively failed. The candidate shall receive a written notice from the Dean including reasons and legal remedies in accordance with Appendix 1.

13. Conclusion of the habilitation

- (1) If the written and oral habilitation requirements are accepted pursuant to sections 10 and 12 and if the pedagogical and didactic competence has been demonstrated pursuant to Section 11, the habilitation committee shall finalize the habilitation by determining the name or designation of the field or subject area. If a habilitation was requested for several subjects or fields, each request shall be voted on separately. The habilitation committee may make recommendations in that regard. If the habilitation committee wishes to deviate from the proposed designation of the subject or field, the person concerned shall be heard beforehand.
- (2) The Dean of the respective faculty shall notify the candidate of the result of the habilitation procedure. With the notification of the decision to the candidate, the habilitation is concluded.

14. Extension of the habilitation

- (1) Upon request, the habilitation committee can extend the habilitation to other subjects or fields in which special scientific capabilities were demonstrated. In this case, the oral habilitation requirements are usually dispensed with. However, the respective provisions concerning the written habilitation requirement apply.
- (2) If the extension of the habilitation is wholly or partially denied, the candidate shall receive from the Dean a written notice including the reasons and legal remedies in accordance with Appendix 1.

15. Revocation and expiry of admission to the habilitation

- (1) The admission shall be revoked if the prerequisite under Section 2(1)(a) is shown to be lacking in the course of the habilitation procedure.
- (2) The admission may be revoked if the candidate has been found guilty of cheating, especially if this violates the principles of the statutes of Ulm University for safeguarding good scientific practices Ulm in effect at the time of admission. Should the habilitation committee revoke the approval, it is declaring the previously met habilitation requirements to be invalid and terminates the procedure.
- (3) The habilitation procedure shall be suspended if there is doubt as to whether scientific misconduct has occurred as per the statutes of Ulm University in effect at the time of admission for safeguarding good scientific practices.
- (4) The habilitation committee is responsible for these decisions. The candidate shall be given the opportunity to express him or herself.
- (5) The habilitation expires upon revocation of a doctoral degree.
- (6) Decisions on the revocation or expiry of the habilitation shall be communicated to the candidate by the Dean in writing, including reasons and legal remedies in accordance with Appendix 1.

16. Conferral of the teaching license; Use the title "Privatdozent"; Certificate

- (1) The license to teach a particular scientific subject or in a specific field is granted based on the successful habilitation. The license entitles to use the designation "Privatdozent" (private lecturer) if the person having received the habilitation teaches, free of charge, courses of at least two hours per semester week in his or her field in the semesters following the granting of the license.
- (2) By order of the habilitation committee, those scientific subjects or fields are determined to which the teaching license applies. The Dean, as chairperson of the habilitation committee, shall notify the President of the decision.
- (3) A certificate shall be issued for the successful habilitation. It must include:
 - a) the name and degrees of the person receiving the habilitation,
 - b) the subject of the habilitation thesis or the titles of the other habilitation requirements,

- c) the designation of the subject or field for which the teaching license is granted,
- d) the date of the conferral of the teaching license,
- e) the signatures of the President and the Dean of the respective faculty, and
- f) the seal of the University.

17. Suspension of the teaching license

- (1) The teaching license as a Privatdozent is suspended
 - a) if the lecturer is employed as a professor at his or her university,
 - b) if the lecturer is employed as an adjunct lecturer at a university or holds a professorship in the subject or field for which the teaching license was granted,
 - c) if the lecturer is employed as an assistant professor at a university.
- (2) In the case of adjunct lecturers or junior professors, a suspended Privatdozent teaching license is not renewed if the non-continuation of their employment was due to an incompetence of teaching in higher education. In these cases, the teaching license expires.

18. Expiry and revocation of the teaching license

- (1) The right to teach as a Privatdozent expires through
 - a) an appointment as a professor at a university,
 - b) an appointment as Privatdozent or the awarding of a similar teaching license at another university,
 - c) a written waiver, which must be explained to the President,
 - d) a criminal conviction by a German court when that judgment incurred the loss of benefits and entitlements of an official civil servant.
- (2) The right to teach as a Privatdozent will be revoked if the lecturer, for reasons within his or her control, has failed to hold courses of at least two hours per week over a period of time specified in a faculty policy concerning this habilitation procedure. The faculty council of the respective faculty shall determine the duration of the non-exercise of teaching.
- (3) The right to teach as a Privatdozent may be revoked if
 - a) the lecturer commits an act that resulted in the disciplinary action of an official/civil servant that can only be imposed in a formal disciplinary proceeding,
 - b) a reason exists that would justify the revocation of the appointment as official/civil servant,
 - c) a disciplinary action against the Privatdozent from the university becomes incontestable or if the Privatdozent violates the rules of good scientific practice.

- (4) With the expiration or revocation of the teaching license, the right to use the title "Privatdozent" also expires.

19. Conferral of the teaching license in special cases

- (1) An application for the granting of a teaching license can be made if the candidate has been granted a habilitation in another faculty of Ulm University or an institution of higher learning of equal standing under the jurisdiction of the Higher Education Act (*Hochschulrahmengesetz*) Section 3(3). The habilitation committee of the respective faculty may request supplementary requirements. The procedure for such a request is based on sections 10 and following.
- (2) The conferral of the teaching license becomes effective only with the relinquishment of the former teaching license.

20. Extension of the teaching license

- (1) The habilitation committee may modify or extend the teaching license to other subjects or fields of the respective faculty in which the person receiving the habilitation has demonstrated outstanding scientific achievements. Section 16 shall apply accordingly.

21. Access to the file

- (1) Upon request, the person receiving the habilitation is to be given access to the admission procedure files after the completion of the procedure, insofar as their knowledge to assert or defend their legal interests is required. This request must be submitted to the Dean of the respective faculty within one year after completion of the habilitation procedure.

III. Concluding Provisions

22. Entry into force and transitional provision

- (1) This habilitation regulation comes into force on the day following its publication in the Official Bulletin (*Amtliche Bekanntmachungen*) of Ulm University.
- (2) With the coming into force of this regulation for granting habilitations, the habilitation regulation from August 16, 2008, published in no. 17 of the Official Bulletin of Ulm University on July 23, 2008, is superseded.

Ulm, December 17, 2008

[signature]

Professor Dr. Karl Joachim Ebeling

President