



REGULATIONS
For Appointment Procedures
(Appointment Regulations)

at Johannes Gutenberg University Mainz
from August 10, 2023

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Please note that this document is a non-binding courtesy translation. Only the German version of this document has legal validity.

Based on section 50 subsection 3 of the University Act (*Hochschulgesetz*, HochSchG) of Rhineland-Palatinate dated September 23, 2020 (GVBl. p. 461), last amended by the law dated July 22, 2021 (GVBl. p. 453), BS 223-41, the Senate of Johannes Gutenberg University Mainz issued the following regulations on May 26, 2023. Parts three to seven of these regulations were approved by the Ministry of Science and Health in a letter dated August 7, 2023, ref: 7211-0001#2023/0001-1501 15312. They are hereby made public.

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Preamble

These regulations govern appointment procedures. They represent the quality assurance plan to be adopted as statutes by the University Senate in accordance with the relevant provisions of the University Act (section 50 subsection 3 HochSchG).

Part 1 General provisions

Section 1 Scope

- (1) These regulations are university statutes in accordance with section 50 subsection 3 HochSchG and apply to Johannes Gutenberg University Mainz (JGU).
- (2) Unless these regulations contain special stipulations stating otherwise, the provisions for the faculties, faculty councils, Deans, and Vice Deans, for Mainz School of Music and Mainz Academy of Fine Arts, their councils, Rectors, and Vice Rectors, and for Faculty 04 – University Medical Center, its faculty council, and its Chief Scientific Officer apply accordingly.
- (3) Subsection 2 also applies to the Department of Catholic Theology and the Department of Protestant Theology of the Faculty of Catholic and Protestant Theology, their faculty councils, Deans and Vice Deans. If the Faculty of Catholic and Protestant Theology is relevant, it will be named expressly.

Part 2 Appointment procedure

Section 2 Preliminary examination and call for applications

- (1) Every vacant professorship or professorship that will become vacant is available.¹ The President will decide on their (re-)assignment or whether to open a procedure for filling the position on the basis of a request from the relevant faculty, which generally presents the future direction of the professorship, its structural integration in research and teaching, and its positioning in the academic community both in Germany and internationally.
- (2) If the request is approved, a public call for applications will generally be published in good time, generally internationally, at the recommendation of the responsible faculty, with the exception of the cases mentioned in section 50 subsection 1 sentence 4 HochSchG. The call for applications must include the nature and scope of the tasks to be performed. The text of the call for applications must be approved by the President.

¹Differing regulations in contracts governed by state-church law must be observed.

Section 3 Involvement of the Equality Commissioner

- (1) Candidates of all genders must be ensured equal treatment in all phases of the preparation, planning, decision, and implementation associated with appointment procedures.
- (2) The Equality Commissioner must be involved in the entire process, from the drafting of the text of the call for applications or the decision not to issue a call for applications to the preparation of the appointment proposal and the offer of appointment.

Section 4 Involvement of the Disabled Persons' Representative

The Disabled Persons' Representative must be informed immediately and comprehensively about all matters that affect individuals or groups of people with severe disabilities and must be consulted before a decision is made. The Disabled Persons' Representative has the right to inspect the portions of application documents from applicants with severe disabilities that are relevant to the decision-making process and to participate in all commission meetings (section 178 SGB IX).

Section 5 Search Committee

- (1) The responsible faculty council must obtain the agreement of the President with respect to the proposal it makes regarding the composition of the Search Committee. Furthermore, the President may designate an external subject representative.
- (2) A crucial selection criterion is that the members to be included in the Search Committee have the appropriate professional qualification with regard to the professorship to be filled. In this context, the principle of gender parity must be observed in the designation of committee members and the minimum numbers of women and men must be guaranteed under all circumstances in accordance with section 37 subsection 4 HochSchG.
- (3) Search Committees include
 1. predominantly university teachers, at least one of whom shall be an external subject representative. The Search Committee shall comprise one member from outside the faculty if this is pertinent to the area of responsibility of the position to be filled.
 2. members of the groups listed in section 37 subsection 2 sentence 1 no. 2 and no. 3 HochSchG, who together shall make up at least a third of the members of the Search Committee.
- (4) Technical and administrative staff pursuant to section 37 subsection 2 sentence 1 no. 4 HochSchG may be included in the Search Committee. Each Search Committee for clinical subjects formed by Faculty 04 – University Medical Center shall include a member of the management board of the University Medical Center.
- (5) The Search Committee's resolution on the appointment proposal requires both the approval of the majority of committee members present as well as the majority of the

votes from the university teachers in the Search Committee in accordance with section 5 subsection 1 no. 1 of the Charter of the University.

- (6) Neither the previous holder of the position nor faculty members who would be subject to instruction from the person to be appointed may be members of the Search Committee. Reference is made to section 4 subsection 2 of the Charter of the University.
- (7) In the case of joint appointments with a non-university research institution, members of the non-university research institution shall be included as members of the Search Committee. Subsection 3 shall remain unaffected. Notwithstanding the above, the non-university research institution may form its own Search Committee in addition to the JGU Search Committee pursuant to its own regulations. The appointment proposal may only be made by consensus between the non-university research institution and JGU. The procedure in accordance with section 6 shall remain unaffected.
- (8) The President must be informed of the Search Committee meetings. If a Search Committee remains unable to reach a resolution in at least three consecutively scheduled meetings without good cause, the President may dissolve it and mandate its reconstitution.
- (9) Search Committee meetings shall not be public. Resolutions on staffing matters must be passed by secret ballot. The members of the Search Committee are bound to confidentiality.
- (10) Consultations on the appointment and all documentation are confidential.

Section 6 Appointment proposal

- (1) The Search Committee is charged with carrying out the selection procedure and preparing an appointment proposal on the basis of the outcome. The appointment proposal shall be adopted by the Search Committee and presented to the responsible faculty council, which shall decide on the final appointment proposal and forward it to the President. Section 5 subsection 5 must be observed. The President shall prepare the Senate's resolution.
- (2) As part of the selection procedure, the Dean of the responsible faculty will obtain generally at least two comparative external evaluations on the shortlisted candidates at the suggestion of the Search Committee. The selection of the evaluators requires the agreement of the President. The President may request further evaluations in individual cases.
- (3) The appointment proposal shall contain three names. Vacancies on lists and double allocations of equal rank are only permissible in justifiable exceptions. Furthermore, if one gender is underrepresented in the group of university teachers, it must be stated how and with what success individuals of this gender were actively recruited to apply for the advertised professorship.
- (4) The appointment proposal must include the following aspects at the very least:
 1. An outline of the selection procedure and the selection of the applicants listed in the appointment proposal, including the reasons why
 - a) the applicants listed in the appointment proposal were considered,
 - b) the other applicants were not considered, and

- c) the shortlisted applicants who were invited to teach a trial course and hold a scientific lecture but who were not listed in the appointment proposal were not considered.
2. An outline of the criteria used to assess the research competence, teaching aptitude, and didactic skills of the applicants listed in the appointment proposal as well as the outcome of the assessment. In particular, this includes the appraisal of a previously conducted hearing in the form of
 - a) a scientific lecture and
 - b) a trial course or other form of lesson.

If deemed appropriate, the lecture and trial course may be combined. In this case, an explanation of how the students were involved must be provided.

Furthermore, the appointment proposal must include a statement written by and from the perspective of the student members of the Search Committee on the teaching presentation of the individuals listed in the appointment proposal and an explanation of how the faculty council took said perspective into account in its decision-making process. Notwithstanding the above, the Mainz Academy of Arts and Mainz School of Music shall formulate processes and criteria specific to their subjects for evaluating teaching.

3. A justification of the sequence of the appointment proposal in the form of a substantive and comparative appraisal in relation to the selection criteria of the text of the call for applications and in consideration of the external comparative evaluations pursuant to subsection 2.
 4. Depending on the situation and to be justified separately,
 - a) the inclusion of a JGU member in the appointment proposal,
 - b) an overrun of the 6-month period as stipulated in section 50 subsection 5 sentence 1 HochSchG, and
 - c) a deviation from the recommended provision of section 50 subsection 5 sentence 1 HochSchG, according to which appointment proposals should include at least three individuals.
- (5) Further details are laid out in the JGU appointment guidelines.

Section 7 Internal appointment

If the assessment of the submitted applications following the application deadline reveals that some applicants are members of JGU, the following applies

1. for the procedure:
 - a) Notwithstanding section 5 subsection 3 no. 1, the Search Committee must include at least one external subject representative and a non-faculty member of JGU, and
 - b) notwithstanding section 6 subsection 2, at least two comparative external evaluations must be submitted, which also include statements on the issue of the internal appointment.
2. for the appointment proposal:

- a) JGU members may only be included in the appointment proposal in justified exceptional cases. This is the case in particular if there is an adequate external call or if the applicant is included in the list of candidates suitable for appointment at another university.
- b) In general, JGU members may only formally be considered if they have acquired their doctorate from another higher education institution or have conducted research at another institution for at least two years.

Part 3
Appointments
without a call for applications
(ad personam procedure)

Section 8
Awarding tenure / making professorships and
junior professorships permanent
section 50 subsection 1 sentence 4 no. 1 and 3 HochSchG

- (1) At the request of the faculty council, the President may
 - 1. appoint a professor in a temporary civil servant position or a fixed-term employment contract to the same or a higher-ranking professorship as a tenured civil servant or employee with a permanent contract and
 - 2. appoint a junior professor to a professorship as a tenured civil servant or employee with a permanent contract.
- (2) The faculty council's request is admissible given the following:
 - 1. Proof of a corresponding permanent position at the faculty.
 - 2. Written outline of the reasons for the request that the candidate receive tenure or their position be made permanent. In particular, these reasons can be an external offer of appointment worth contending for or proof of an internationally recognized accolade.
 - 3. A written statement on
 - a) the importance of the professorship for the strategic development of the subject and faculty and
 - b) the ability of the person to be appointed to establish connections within and beyond the faculty, including with regard to strengthening existing research networks and teaching collaborations.
 - c) If no external call is made, the teaching performance of junior professors in particular must be evidenced.
- (3) In addition to the majority of the members present and entitled to vote, the faculty council's resolution on the request also requires a majority of the votes from the university teachers in the faculty council. Reference is made to section 6 of the Charter of the University.
- (4) The President shall inform the Senate of the execution of the decision.

Section 9
Appointment
to a higher-ranking professorship
section 50 subsection 1 sentence 4 no. 4 HochSchG

- (1) Upon the request of the faculty council and with the approval of the responsible ministry, the President may appoint a professor with a tenured civil servant position or a permanent contract to a higher-ranking professorship in a tenured civil servant position or as an employee with a permanent contract in justified exceptional cases.
- (2) The faculty council's request is admissible given the following:
 1. Proof of a corresponding permanent position at the faculty.
 2. A written explanation of the justified exceptional case. In particular, this can be an external offer of appointment worth contending for, confirmation of excellence through outstanding internationally recognized accolades (e.g. Leibniz Prize, ERC Advanced Grant), or other proof of exceptional capabilities of the person to be appointed, as well as
 3. A written statement on
 - a) the importance of the professorship for the strategic development of the subject and faculty and
 - b) the ability of the person to be appointed to establish connections within and beyond the faculty, including with regard to strengthening existing research networks and teaching collaborations.
- (3) Section 8 subsections 3 and 4 apply accordingly.

Section 10
Appointment
of a junior research group leader
to a fixed-term position
section 50 subsection 1 sentence 4 no. 5 HochSchG

- (1) Upon the request of the faculty council, the President may appoint a junior research group leader who is supported by a cross-university funding program, which in turn makes provisions for a procedure that comprises a call for and assessment of applications, to a professorship in a temporary civil servant position or with a fixed-term employment contract.
- (2) The faculty council's request is admissible given the following:
 1. Proof of a corresponding fixed-term W 2 or W 3 professorship position and
 2. Submission of the following documents:
 - a) overview of academic career (CV),
 - b) list of publications,
 - c) outline of teaching activities,
 - d) request for the establishment of the junior research group, and
 - e) funding decision from the funding body.
- (3) Section 8 subsections 3 and 4 apply accordingly.

Section 11
Appointment
in the special interest of JGU
section 50 subsection 1 sentence 4 no. 8 HochSchG

- (1) Upon the request of the faculty council and with the approval of the responsible ministry, the President may, as a justified exceptional case, appoint a specially qualified person to a professorship that is of special interest to the university with respect to improving quality and developing the university's profile.
- (2) The faculty council's request is admissible given the following:
 1. Proof of a corresponding permanent position at the faculty.
 2. Detailed outline of the function of the professorship – typically designated as W 3 – which is essential for JGU and the development of its profile, in particular with regard to the refinement or development of a particular specialization or focus. The professorship must ensure that the person to be appointed can comprehensively contribute their outstanding expertise to the benefit of the university.
 3. Written outline on the outstanding reputation of the person to be appointed in their discipline at the time of their appointment as well as their ideal suitability for the position in accordance with subsection 2 no. 2 sentence 2. The proposal must be accompanied by the CV and a description of outstanding academic achievements of the person to be appointed.
 4. A written explanation of the justified exceptional case. In general, such a case exists when a competitive selection process does not appear necessary because the person to be appointed would win the competition. The justification must exclusively and explicitly be based on and result from the academically outstanding CV of the person to be appointed.
- (3) The faculty council shall have its request prepared by a commission appointed by it specifically for this purpose.
 1. Section 5 applies accordingly to the composition of the commission, with the stipulation that at least two external subject representatives must be included in the commission, section 5 subsection 3 no. 1 sentence 1 clause 2 notwithstanding.
 2. Section 6 subsections 1 and 2 apply accordingly to the obtaining of external evaluations with the stipulation that, section 6 subsection 2 sentence 1 notwithstanding, typically at least three evaluations must be obtained from external academics who represent the subject at another university or equivalent research institution. These individuals must themselves enjoy an excellent reputation; one of them should be active abroad.
- (4) The appointment requires the approval of the Senate and the responsible ministry.

Part 4
Interim evaluation procedure
as part of the junior professorship,
section 54 subsection 2 sentence 2 HochSchG, and
as part of an appointment with tenure track approval
section 55 subsection 2 no. 1 HochSchG

Section 12
Scope

The provisions of this part apply to the interim evaluation procedure (evaluation procedure for orientation purposes)

1. for junior professors in accordance with section 54 subsection 2 sentence 2 HochSchG and
2. for junior professors as well as professors with tenure track approval in the salary group W 2 in accordance with section 55 subsection 2 no. 1 HochSchG.

Section 13
Subject of the evaluation,
performance criteria

- (1) The subject of the interim evaluation is to determine the performance of the individual professor or junior professor in teaching and research or the arts, taking into account their involvement in academic self-administration based on specific performance criteria. Involvement in academic self-administration is not typically a performance criterion at Faculty 04 – University Medical Center and is therefore not included in the evaluation.
- (2) Performance criteria that are to be agreed upon in the context of the appointment can be taken into particular consideration.
 1. In research or the arts:
 - a) the quality of research-related or artistic activities as well as how they find their expression, particularly in publications and lectures, recordings, concerts or exhibitions,
 - b) third-party funding applications and acquisitions,
 - c) cooperation and transfer activities,
 - d) the task of publishing, evaluating or serving on the jury in relevant competitions,
 - e) active organization of artistic projects,
 - f) membership in scientific or artistic committees, and
 - g) awards, honors and prizes.
 2. In teaching:
 - a) dedicated teaching,
 - b) examination experience,
 - c) international reach,
 - d) awards, acquisition of funds,
 - e) contribution to the further development of teaching, and
 - f) involvement in scientific, clinical or artistic continuing education.

3. Involvement in academic self-administration:
 - a) participation in self-administration committees,
 - b) collaboration in other university projects, and
 - c) assumption of other tasks and functions at JGU.
4. The responsible faculty is at liberty to supplement the criteria in general or pursuant to requirements unique to the specific position. This applies in particular to Faculty 04 – University Medical Center with regard to patient care.

Section 14 Performance agreement

- (1) The Dean of the responsible faculty shall agree upon performance criteria with the professor or junior professor in accordance with section 13 subsection 2 and lay them out in the form of a performance agreement. This must be set out in writing prior to official employment.
- (2) The criteria that are laid out in the performance agreement form the basis for the interim evaluation and, in the case of tenure track professorships, the final evaluation. A subsequent amendment or extension of these criteria, or an amendment to the previously agreed language of the self-evaluation, is only possible by mutual agreement.
- (3) The performance agreement must be approved by the President.

Section 15 Interim evaluation procedure

- (1) After the third year of employment at the earliest and prior to the lapse of the fourth year of employment at the latest, the faculty council of the responsible faculty shall conduct an interim evaluation procedure to determine the professor's or junior professor's progress with regard to the evaluation criteria laid out in the performance agreement.
- (2) A resolution requires the majority of the university teachers pursuant to section 5 of the Charter of the University.

Section 16 Evaluation Commission for the interim evaluation

- (1) The responsible faculty council shall form a commission in good time, the majority of which is comprised of university teachers, to prepare the resolution in accordance with section 15. The Equality Commissioner of the faculty shall serve as an advisory member of the commission. Neither biased individuals nor individuals concerned about others' potential bias pursuant to sections 20 and 21 of the Administrative Procedure Act (VwVfG) may be members of an Evaluation Commission. Reference is made to section 4 subsection 2 of the Charter of the University. The commission shall carry out the evaluation procedure and decide on a proposal to submit to the faculty council to determine the professor's or junior professor's progress. Section 15 subsection 2 applies accordingly.

- (2) The interim evaluation shall comprise the assessment of performance in teaching and research or the arts, taking into account involvement in academic self-administration. The commission shall obtain two external evaluations for this assessment.
- (3) The commission shall propose up to five external evaluators to the President for approval. The proposal must include a justification for the specific selection of the external evaluators in accordance with subsection 4. The President may designate two external evaluators who are not included in the commission's proposal.
- (4) No one may be designated to conduct the assessment who
 1. has been involved in qualification procedures of the professor or junior professor within the last six years,
 2. has closely collaborated academically with the professor or junior professor within the last six years,
 3. has been otherwise engaged in an employment relationship with the professor or junior professor within the last six years, or
 4. is excluded from participation pursuant to sections 20 and 21 VwVfG.
- (5) The external evaluations should provide an assessment of the professor's or junior professor's progress in teaching and research or the arts based on their self-evaluation and the corresponding performance agreement, taking into account involvement in academic self-administration. If necessary, the Evaluation Commission may request additional documents required for the assessment from the responsible faculty. The evaluations may address further questions from the Evaluation Commission.
- (6) The commission shall carry out the teaching evaluation with significant student involvement and in accordance with a procedure that is defined by the faculty and that governs, among other things, the involvement of JGU's Center for Quality Assurance and Development. The commission members shall form their own impressions of the teaching in question, e.g. by observing classes.

Section 17 Self-evaluation

The Dean's Office of the responsible faculty shall request that the professor or junior professor submit a written self-evaluation in good time with regard to section 15 subsection 1, setting a reasonable deadline of at least one month. The self-evaluation shall contain a comprehensive outline of previous performance in teaching and research or the arts, taking into account involvement in academic self-administration, based on the criteria set out in the performance agreement as well as a personal statement regarding any special circumstances governing the documented performance as appropriate.

Section 18 Evaluation Commission report

On the basis of the professor's or junior professor's self-evaluation, the nature and extent of their involvement in academic self-administration, the external evaluations, and the teaching performance evaluation, the Evaluation Commission shall prepare a written report for the relevant faculty council on the professor's or junior professor's progress. The assessment is based exclusively on the criteria set out in the performance agreement. The assessment will appropriately take into account employment contract extensions in accordance with the

provisions of the University Act (*Hochschulgesetz*); these include in particular maternity leave, parental leave, and care periods.

Section 19 Evaluation outcome

On the basis of the Evaluation Commission's report, the faculty council of the responsible faculty shall record in writing the individual professor's or junior professor's progress in teaching and research or the arts, taking into account their involvement in academic self-administration. The Dean shall share this record with the professor or junior professor in a timely manner.

Section 20 Orientation discussion

- (1) Following the determination of the professor's or junior professor's progress, they will typically receive qualified feedback on the evaluation results in a personal discussion with the head of the Evaluation Commission. Minutes of the discussion must be taken and the key outcome documented therein.
- (2) The performance agreement defined in section 14 may be amended by the Dean in agreement with the professor or junior professor with regard to a subsequent tenure procedure. The amendment to the performance agreement must be approved by the President.

Part 5 Quality assurance for tenure track appointments in accordance with section 55 subsection 3 sentence 2 HochSchG

Section 21 Scope

The provisions of this part apply to

1. junior professors in accordance with section 55 subsection 1 sentence 1 HochSchG and
2. professors in a temporary civil servant position or with a fixed-term employment contract in accordance with section 55 subsection 1 no. 2 HochSchG

who were promised a permanent professorship within the scope of their employment at JGU once they have proven themselves suited to the promised professorship over the course of a maximum six-year employment period (tenure track) and the general provisions of public service law are met (section 55 subsection 1 HochSchG). The tenure track must have been stipulated in the call for applications.

Section 22 Tenure track

- (1) As part of an appointment with tenure track approval,
 1. an interim evaluation pursuant to part four of these regulations and
 2. a final evaluation pursuant to this part of these regulations of whether the candidate has proven themselves a suitable university teacher on the basis of the performance criteria agreed in writing in accordance with section 14shall take place.
- (2) Before a call for applications for a tenure track position is published, it must be determined which professorship is to be granted to the individual to be appointed, once they have proven themselves a suitable candidate.
- (3) Under the preconditions set out in section 8 subsection 2, the President may grant the professorship promised in the call for applications without carrying out the final evaluation stipulated in this part of the regulations. Section 8 subsections 3 and 4 apply accordingly.

Section 23 Subject of the final evaluation

- (1) The performance criteria agreed in the current version of the interim evaluation in accordance with section 14 in conjunction with section 20 subsection 2 are the subject of the final evaluation.
- (2) The President shall grant tenure if, in light of the performance agreement, the faculty determines that the candidate is suitable for the lifetime professorship at the recommendation of the Tenure Commission and the general provisions of public service law are met. The typical international assessment standards in the relevant discipline apply. Family-related leave and other extraordinary personal circumstances must be taken into account as appropriate.

Section 24 Central Tenure Board

- (1) The President shall appoint a Central Tenure Board in agreement with the Senate. It shall be appointed on a permanent basis.
- (2) The Central Tenure Board shall be comprised of six university teachers from JGU with an international reputation for excellence in teaching and research or the arts. The members are appointed by the President for a term of three years in agreement with the Senate. Reappointment is permissible. In particular individuals from faculties in which junior professorships are commonly used as a qualification path to lifetime professorship will be considered for appointment. The Equality Commissioner of the Senate shall be a member of the Central Tenure Board in an advisory capacity.
- (3) The Central Tenure Board is tasked with ensuring the quality of the procedure by participating in the final evaluation.

- (4) The President shall delegate a member from the Central Tenure Board to serve in an advisory capacity in each Tenure Commission set up by the faculty in question in accordance with section 25. This member will be the Evaluation Delegate for the procedure. They will accompany the procedure and, once it has been concluded, prepare a written statement on the proper course of the procedure as well as any special, exceptional circumstances. The Evaluation Delegate shall forward this statement to the Dean of the responsible faculty and the members of the Central Tenure Board via the head of the Tenure Commission.

Section 25
Composition of
the faculty Tenure Commissions

- (1) The faculty responsible for the evaluation procedure shall appoint a Tenure Commission. With respect to the members listed in subsection 3 no. 1 and 2(c), the composition of the Tenure Commission requires the agreement of the President.
- (2) Neither biased individuals nor individuals concerned about others' potential bias pursuant to sections 20 and 21 of the Administrative Procedure Act (VwVfG) may be members of a Tenure Commission. Reference is made to section 4 subsection 2 of the Charter of the University.
- (3) The following individuals make up the Tenure Commission
1. with the right to vote:
 - a) five university teachers pursuant to section 37 subsection 2 sentence 1 no. 1 HochSchG, including at least two external subject representatives and, if objectively advisable, one individual from outside the faculty,
 - b) one student pursuant to section 37 subsection 2 sentence 1 no. 2 HochSchG, and
 - c) one member of the academic staff pursuant to section 37 subsection 2 sentence 1 no. 3 HochSchG.

Furthermore, the President may appoint additional members.

One member of the technical and administrative staff pursuant to section 37 subsection 2 sentence 1 no. 4 HochSchG may be included in the Tenure Commission with the right to vote.

2. in an advisory capacity:
 - a) the Dean who holds the chair,
 - b) the Equality Commissioner of the faculty, and
 - c) the Evaluation Delegate pursuant to section 24 subsection 4.

Section 26
Time specifications

- (1) Upon the request of the person to be appointed, the procedure shall be initiated at the latest one year prior to the expiry of the fixed-term contract. The request must be submitted in good time to the responsible faculty in advance.
- (2) The outcome of the final evaluation should be made available six months prior to the end of the fixed term.

Section 27
Evaluation procedure

- (1) The individual to be appointed shall submit a self-evaluation in the agreed language to the Tenure Commission in due time and at the latest one year prior to the expiry of the fixed-term contract, which will serve as the basis for the final evaluation and addresses the agreed performance criteria.
- (2) The Tenure Commission shall evaluate the performance of the person to be appointed in teaching and research or the arts, taking into account involvement in academic self-administration. The criteria listed in the performance agreement as amended in the interim evaluation form the basis for the Tenure Commission's evaluation pursuant to section 14 in conjunction with section 20 subsection 2. The relevant subject may submit a statement to the Tenure Commission regarding the integration of the person to be appointed in the relevant academic institution. The Tenure Commission may consider this statement as part of its evaluation. The Dean of the responsible faculty shall provide the Tenure Commission with a report outlining the outcome of the interim evaluation of the person to be appointed in accordance with section 19.
 1. The Tenure Commission shall propose up to five external evaluators to the President for approval. The proposal must include a justification for the specific selection of the external evaluators in accordance with no. 2. The President may designate two external evaluators who are not included in the commission's proposal. The external evaluations shall be written based on the criteria in the performance agreement pursuant to subsection 2 sentence 2. The evaluations shall comment on the extent to which the person to be appointed is suitable for a permanent professorship. If a statement of this nature has already been made in the evaluations as part of the interim evaluation, the Tenure Commission may, in agreement with the President, choose not to obtain the additional external evaluations stipulated in sentence 1, the previous sentences notwithstanding.
 2. No one may be selected to conduct the assessment who
 - a) has been involved in qualification procedures of the professor or junior professor within the last six years,
 - b) has closely collaborated academically with the professor or junior professor within the last six years,
 - c) has been otherwise professionally associated with the professor or junior professor within the last six years, or
 - d) is excluded from participation pursuant to sections 20 and 21 VwVfG.
 3. The Tenure Commission shall carry out the teaching evaluation with significant student involvement and in accordance with a procedure that is defined by the faculty and that governs, among other things, the involvement of JGU's Center for Quality Assurance and Development.

4. The Tenure Commission shall invite the person to be appointed to hold an academic lecture open to the entire faculty and to teach a trial course. If deemed appropriate, the lecture and trial course may be combined. Students must be involved as appropriate. In addition, a student member of the Tenure Commission shall submit a statement on the teaching presentation of the individual to be appointed.
- (3) During the final evaluation, the person to be appointed must be given the opportunity to appear before the Tenure Commission in addition to the research and teaching presentation. The responsible faculty council typically defines more detailed terms.
- (4) Achievements or circumstances of which the Tenure Commission only becomes aware after the self-evaluation is submitted must be taken into consideration up until the decision regarding the evaluation recommendation is made; the Tenure Commission may choose to obtain a supplementary statement from the external evaluators.

Section 28 Tenure decision

- (1) Upon completion of the evaluation, the Tenure Commission shall submit to the responsible faculty council a written outline of the procedure as well as a recommendation with respect to the fulfillment of performance criteria in accordance with section 23 subsection 2 and with respect to whether the person to be appointed has proven themselves a suitable university teacher. The recommendation must be accompanied by the statement from the Evaluation Delegate as well as the students.
- (2) If the Tenure Commission proposes that tenure be refused, the faculty shall grant the candidate the opportunity to comment in writing on the facts used to substantiate the decision based on knowledge of the relevant documents within a period of two weeks of the receipt of the notification before the faculty council makes a decision.
- (3) In addition to a favorable final evaluation in accordance with subsection 1 and the fulfillment of the provisions of public service law, the appointment to a permanent professorship is subject to an affirmative vote by the responsible faculty council.

Section 29 Decision of the President and appointment

- (1) Following an affirmative vote by the faculty council in accordance with section 28 subsection 3, the faculty shall formally request that the President permanently appoint the candidate to the promised professorship and shall submit all relevant documentation.
- (2) Following a negative vote by the faculty council, the faculty shall formally request that the President terminate the procedure and shall submit all relevant documentation. The request must be substantiated in writing.
- (3) The President shall make a decision on the request pursuant to subsection 1 or subsection 2 on the basis of the report submitted by the Tenure Commission and the statement from the Evaluation Delegate.
- (4) If the votes from the Tenure Commission and the faculty council are incongruent, or if the Evaluation Delegate submits a critical statement, the faculty must substantiate its request with particular respect to the discrepant vote or the critical statement.

Furthermore, the President may send the request made pursuant to subsection 1 or subsection 2 back to the responsible faculty and ask for clarification. In such a case, the faculty is free to resubmit or modify the request.

- (5) The President shall inform the Senate of the outcome of the evaluation procedure.

**Part 6
Special provisions
for the
University Medical Center
for tenure track appointments in accordance with section 55 HochSchG**

**Section 30
Performance criteria, orientation discussion on commencement of employment,
interim evaluation**

- (1) Section 14 subsection 1 notwithstanding, an initial orientation discussion shall be held between the professor or junior professor and the Chief Scientific Officer in which the specific performance criteria are laid out. The agreed performance criteria shall be set out in the corresponding service contract. Section 14 subsection 3 notwithstanding, the agreement governing the performance criteria does not require the approval of the President.
- (2) Sections 16 to 20 shall not apply.
- (3) The faculty council shall form a Tenure Commission pursuant to section 31 in good time to prepare the resolution in accordance with section 15. As part of the appointment with tenure track approval, an interim evaluation (evaluation for orientation purposes) shall take place in accordance with section 32. Furthermore, the provisions of subsections 4 to 6 must be observed.
- (4) On the basis of the evaluation in accordance with subsection 3, the Tenure Commission shall draw up a written report outlining the professor's or junior professor's progress to be submitted to the faculty council. Section 18 sentence 3 applies accordingly.
- (5) On the basis of the Tenure Commission's report, the faculty council shall determine the professor's or junior professor's progress in teaching and research as well as – if relevant – in patient care. Section 19 sentence 2 applies accordingly.
- (6) Following the determination of the professor's or junior professor's progress, they will typically receive qualified feedback on the evaluation results in a personal meeting with the head of the Tenure Commission. Minutes of the discussion must be taken and the key outcome documented therein.

**§ 31
Composition of the
Tenure Commissions**

- (1) In composing the Tenure Commission, care must be taken to ensure both specific and superior levels of specialist expertise as well as continuity and comparability in the application of interdisciplinary assessment criteria. The Tenure Commission is therefore composed of permanent and alternating members.
- (2) The Tenure Commission comprises

1. the following permanent members with voting rights, each of whom must work in a different electoral area of the University Medical Center:
 - a) seven university teachers pursuant to section 37 subsection 2 sentence 1 no. 1 HochSchG. These university teachers must work at the University Medical Center, but they do not necessarily have to belong to the University Medical Center faculty council.
 - b) one student and one deputy member from the student body pursuant to section 37 subsection 2 sentence 1 no. 2 HochSchG,
 - c) one member and one deputy member of the academic staff pursuant to section 37 subsection 2 sentence 1 no. 3 HochSchG, and
 - d) one member and one deputy member of the technical and administrative staff pursuant to section 37 subsection 2 sentence 1 no. 4 HochSchG.

2. the following permanent members in an advisory capacity:
 - a) the Chief Scientific Officer,
 - b) the Vice Deans,
 - c) the Equality Commissioner for academic staff, and
 - d) the Evaluation Delegate appointed by the President pursuant to section 24 subsection 4.

3. the following alternating members with voting rights:
 - a) another university teacher pursuant to section 37 subsection 2 sentence 1 no. 1 HochSchG and
 - b) up to two external members with a connection to the field.

- (3) In agreement with the President, the faculty council shall appoint the permanent members of the Tenure Commission with voting rights for a period of three years; the students for a period of two years.

- (4) In agreement with the President, the faculty council shall appoint alternating members of the Tenure Commission based on the specific procedure at hand. The permanent members of the Tenure Commission may submit corresponding recommendations to the faculty council.

- (5) The Chief Scientific Officer generally chairs the commission. At the Chief Scientific Officer's request, the faculty council may appoint the chair, assigning this position to one of the permanent members from amongst the university teachers.

Section 32 Evaluation procedure

- (1) Section 27 shall not apply. The Tenure Commission shall evaluate the performance of the person to be appointed in teaching and research and – if applicable – patient care. The criteria agreed in the orientation discussion and laid out in the employment contract shall serve as a basis for this evaluation. Faculty 04 – University Medical Center shall request the relevant documents from the individual to be appointed in good time.

- (2) The director of the corresponding unit at the University Medical Center is entitled to submit to the Tenure Commission a professional assessment of the research, teaching, and – if applicable – patient care in the form of a written statement.

- (3) The Department of Research and Teaching – office of the Tenure Commission – shall organize a lecture to be held by the individual to be appointed for the student body in good time. In addition to the person to be appointed, invitations shall be extended to the members of the faculty council, the students at the University Medical Center, and the members of the Tenure Commission. The Tenure Commission shall send a member to represent it who will then report back to the Tenure Commission about the lecture. The 30-minute lecture shall be open to all faculty members and cover a topic prescribed to the person to be appointed from the curriculum of the relevant subject area. Following the lecture, the individual to be appointed shall verbally outline for the Tenure Commission their own teaching philosophy and previous career with a focus on teaching experience and contexts. The person to be appointed should be able to describe their own guiding principles and didactic methods as well as their attitude toward students. Furthermore, they shall present themselves as an accomplished and engaging teacher. The Tenure Commission may invite the person to be appointed to hold an academic lecture for the commission at either party's request.
- (4) The Department of Research and Teaching – office of the Tenure Commission – shall obtain a written statement on the teaching presentation of the person to be appointed from the student member of the Tenure Commission. The student member of the Tenure Commission may waive the submission of such a statement.
- (5) As part of the final evaluation, the person to be appointed will be invited to a Tenure Commission meeting shortly after their request has been submitted. The person to be appointed does not need to submit a request as part of the interim evaluation; in this case, the invitation is issued in such good time that the deadlines are guaranteed to be met. The objective of this meeting is to determine the progress of the person to be appointed with respect to the performance agreement by means of all the information available, and to present the outcome in writing to the faculty council.
- (6) The director of the unit at the University Medical Center will be asked to propose five external evaluators. At least two of these evaluators should come from abroad. The Tenure Commission shall evaluate this proposal and submit a specific recommendation for two external evaluators (one of whom is from abroad) to the Chief Scientific Officer. The selection decision lies with the Chief Scientific Officer and requires the agreement of the President.

Part 7
Final provision

Section 33
Entry into force

These regulations enter into force on the day following their announcement in the JGU gazette of publications (*Veröffentlichungsblatt*). At the same time, the provisions of Sections 17 to 39 of the Charter of Johannes Gutenberg University Mainz dated May 5, 2014, as amended by the seventh amendment regulations of November 10, 2021, will cease to be in force.

Mainz, August 10, 2023

Professor
Dr. Georg Krausch
- President -