

Habilitation Regulations

Please note that this is an unofficial translation of the Habilitation Regulations in Faculty I – Humanities.

In case of inconsistency between the German and the English version the German version of the agreement prevails.

Regulations for Habilitation in Faculty I - Humanities - of Technische Universität Berlin (HabilO FAK 1)

dated 6 June 2001

Pursuant to Sections 71 (1) no. 1 and 36 of the Berlin Higher Education Act dated 17 November 1999 (GVBl. p. 630) and most recently amended on 31 May 2000 (GVBl. p. 342), the Faculty Board of the Faculty of Humanities enacted the following Habilitation regulations: *

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I. Introductory Provisions

§ 1 - Teaching qualification

(1) Pursuant to Section 36(1) of the Berlin Higher Education Act (BerlHG), the Habilitation (postdoctoral lecturing qualification) serves as evidence of a candidate's

competence to autonomously represent a scientific discipline or subject area in research and teaching.

(2) An individual is considered a postdoctoral lecturer when, pursuant to Section 36(2) BerlHG, he/she has been granted the teaching qualification within the Habilitation procedure by a university entitled to award the Habilitation within the scope of the German Higher Education Framework Act.

§ 2 - Application requirements and Habilitation performance

(1) Pursuant to Section 36 (4) BerlHG, applicants must possess at least a university degree and doctorate to be admitted to the Habilitation procedure.

(2) The scientific achievements in research and teaching required for the award of the teaching qualification shall be proven by:

1. A not yet published comprehensive monograph (Habilitation thesis) or published or publication-ready scientific work equivalent to a Habilitation thesis,
2. At least two semesters of teaching in the form of lectures, integrated courses and seminars, together comprising at least four course hours per week at a university entitled to award the Habilitation,
3. The Habilitation lecture, pursuant to Section 9.

§ 3 - Habilitation application

(1) The application for admission to the Habilitation procedure (Habilitation application) is to be submitted in writing by the candidate to the dean of the faculty in which the candidate intends to acquire Habilitation (application faculty).

(2) The Habilitation application may include an additional participating faculty.

(3) The Habilitation application must name the subject in which the candidate intends to acquire the Habilitation.

(4) The application shall include:

1. Personal information,
2. A CV including descriptions of the candidate's education and professional development,
3. Documentation (certified copies or transcript) of the candidate's university degree and doctorate,
4. At least three copies of scientific publications pursuant to Section 2(2) no. 1; the Habilitation thesis must be in German. With the approval of the faculty board and if doing so does not affect the evaluation process, the thesis can also be submitted in another language, in which case a summary written in German must be included. The remaining publications may be submitted in another language. In such cases, each examiner can request translation into the language of the Habilitation thesis,
5. A written statement that pursuant to Section 2(2) no. 1, the candidate has compiled the thesis and other work without assistance and has not used sources and tools other than those indicated,
6. A complete list of the candidate's publications, inventions, and other technical,

- scientific, and academic achievements, if not already indicated under No. 4,
7. Documents about the candidate's teaching activities pursuant to Section 2(2) no. 2,
 8. A written statement that pursuant to No. 7, the courses were prepared and conducted independently, as well as a report of the objectives, content, and methods of teaching,
 9. A written statement that the candidate is aware of these Habilitation Regulations,
 10. A written statement that the candidate has not initiated any other Habilitation procedure that is still ongoing,
 11. A written statement that the candidate had initiated a Habilitation procedure for which a final decision has already been made, if applicable with complete information about the documents submitted in the process and the result thereof.
 12. Three topics from the requested subject for the Habilitation lecture pursuant to Section 9.

(5) Should scientific publications be evaluated which were published with other scientists, the candidate's contribution to the publication must be clearly demarcated and recognizable. The names, academic degrees, and addresses of any co-authors must be provided. Moreover, information must be provided whether these scientists acquired or applied for an academic degree or acquired or applied for Habilitation using the submitted joint work or parts thereof. The candidate submits his/her consent for these scientists to be informed of this Habilitation application. The same applies to courses conducted with other scientists.

(6) The dean of the application faculty examines the submitted documents for their completeness. If the documents are incomplete, the candidate will be notified of what is missing.

(7) The Habilitation application and the included documents (a single copy of the scientific publications pursuant to Section 2(2) no. 1) remain in the faculty, which, pursuant to Section 5, is responsible for the Habilitation procedure or assumes the primary role; if no faculty is responsible or assumes the primary role, the documents are to be submitted to the application faculty.

(8) The Habilitation application is to be rejected if

1. the requirements have not been met pursuant to Section 2,
2. documents have not been submitted pursuant to Section 3,
3. a Habilitation procedure in the same scientific subject has already been completed within the purview of the Higher Education Act,
4. a Habilitation procedure has been conducted in the same scientific subject elsewhere within the purview of the Higher Education Act,
5. the faculty is not responsible pursuant to Section 5 (1).

§ 4 - Candidate information

The candidate is to be immediately notified of any decisions over the course of the Habilitation procedure. Missed deadlines and any rejection decisions are to be substantiated in writing to the candidate and the Committee for Research and Junior Scholars (FNK).

II. Habilitation procedure

§ 5 - Responsible body for the Habilitation procedure

(1) A faculty is responsible for the Habilitation procedure when, pursuant to Section 99 BerIHG, the subject, in which the candidate intends to acquire the Habilitation, or a related subject in the faculty, are represented by at least one professor or jointly by multiple professors.

(2) As soon as the Habilitation application is formally complete, the dean of the application faculty immediately informs the FNK and all other faculties of Technische Universität Berlin of the Habilitation application, stating the date on which the application was complete, and if applicable, which other faculty is to be involved in accordance with the application.

(3) The application faculty and, if applicable, the additional participating faculty generally declare their technical competence for the subject matter within one month after receipt of the formally complete application or notification of the application; each faculty can challenge the technical competence of the other faculty. Within one month of being informed of the application, the faculty board of another faculty can declare its willingness to participate on the basis of its technical competence or challenge the technical competence of the application faculty or further participating faculties.

(4) If, on the basis of the procedure stated in Paragraph 3, only one faculty declares itself technically competent and no objections have been made to this declaration, this faculty is responsible for the Habilitation procedure.

(5) If, on the basis of the procedure stated in Paragraph 3, multiple faculties have declared themselves technically competent or their technical competence has been challenged, the FNK is to immediately draft a settlement proposal with the participation of the faculties involved, recommending the technical competence of a faculty or the appointment of a Joint Commission with Decision-Making Authority pursuant to Section 74(5) BerIHG under the leadership of a faculty or recommending that no faculty is technically competent. As a rule, the faculties involved must reach a decision concerning the settlement proposal at the next faculty board meeting. If a settlement is not reached, a decision is made by the Academic Senate.

(6) If a joint commission is appointed pursuant to Paragraph 5, the dean of the faculty with the primary role assumes the position of chair. In all following regulations, the faculties involved in the Joint Commission take the place of the responsible faculty, the Joint Commission the place of the faculty board of the responsible faculty, and the faculty administration of the leading faculty for the faculty administration of the responsible faculty.

(7) If responsibility for the Habilitation procedure is not assigned to the application faculty, the candidate may withdraw the Habilitation application.

§ 5a - Voting rights in the faculty board

(1) Voting rights during the performance evaluations (Sections 7(7), 8(3), and 9(4)) are reserved for the professors and other members of the faculty holding a postdoctoral qualification as well as all authorized professors in accordance with Section 70 (5) BerIHG. The vote shall be held openly. Abstentions from voting are not permitted. The

votes shall be recorded by name and the ballot papers added to the Habilitation file.

(2) In the event of a teaching demonstration, only those who also sat in on the demonstration lesson shall have the right to participate in the performance evaluation pursuant to Section 7(4). Only those who have also taken part in the Habilitation lecture shall have the right to vote in the decision on the award of teaching qualifications pursuant to Section 9(4).

(3) In all other Habilitation matters, all members of the faculty board, including the professors entitled in accordance with Section 70(5) BerlHG, vote; the other employees, however, vote with limited voting rights in accordance with Section 3 of the Ordinance on Employee Voting Rights.

§ 6 - Initiation of the Habilitation procedure

(1) Once it has been determined which faculty is responsible for the Habilitation procedure, the respective faculty board initiates the procedure without delay or concludes the rejection of the Habilitation application. The application can only be rejected when the subject for which the candidate has applied or the submitted scientific publications are not significantly separate from that or those of a previous Habilitation procedure undertaken by the candidate.

(2) With the invitation to this decision, the dean calls upon all professors primarily employed by the faculty to declare their willingness to cooperate in accordance with Section 70(5) BerlHG in conjunction with Section 31(1) of the Constitution of the University; this declaration applies to the entire Habilitation procedure. If professors only receive the right to participate during the Habilitation procedure, they are to be requested to make this declaration without delay.

§ 7 - Determination of teaching performance, demonstration lesson

(1) Upon initiation of the Habilitation procedure, the faculty board determines whether the teaching performance pursuant to Section 2(2) no. 2 is sufficient in nature and scope. Should the faculty board determine this as insufficient, it shall suspend the Habilitation procedure and provide the candidate with an opportunity to make up the missing teaching.

(2) As soon as the faculty board has declared the teaching performance as sufficient, it resumes the, if applicable, suspended Habilitation procedure. In order to assess the candidate's didactic abilities, the faculty board obtains an evaluation from the responsible institute. (Possible bases for this didactic evaluation include, seminar concepts, teaching materials, the candidate's own evaluation materials, questionnaires from seminar participants, or work shadowing.) If the faculty board is unable to evaluate the candidate's didactic abilities because the teaching completed at TU Berlin was insufficient in scope, the candidate is required to give a demonstration lesson. A demonstration lesson may also be held at the request of the candidate. If a demonstration lesson is to be given, the candidate proposes three topics. The faculty board selects one of the topics and determines the place and date of the teaching demonstration. The demonstration lesson is open to the University public and shall encompass a double lesson and particularly be oriented in particular towards the needs of students. A discussion of the didactic concept forms part of the demonstration lesson.

(3) At least 14 days before the scheduled date, the dean is to invite the members of the faculty board, the professors, the adjunct lecturers (Privatdozent/in), and further

postdoctoral lecturers of the faculty in writing. An invitation to the teaching demonstration will also be publicly posted.

(4) After the demonstration lesson, a summary report on the overall teaching performance (didactic report) is prepared by the dean, taking into account the documents in accordance with Section 2(2) no. 2 and Section 3(4) no. 8, and submitted to the faculty board at the next faculty board meeting. In its expert evaluation, the faculty board also considers counter-evaluations from members of the faculty board and other members of the faculty with voting rights that deviate from the majority opinion. Should the faculty board evaluate the teaching performance as negative, it can give the candidate an opportunity to conduct a demonstration lesson or, if applicable, repeat the demonstration lesson once. Should the faculty board thereafter once again evaluate the teaching performance as negative, the Habilitation procedure is terminated.

§ 8 - Collection and treatment of expert evaluations on research performance

(1) Should the faculty board evaluate the teaching performance as positive, it will name at least two reviewers to give an expert evaluation of the candidate's research performance. One reviewer must primarily be employed as a professor in the responsible faculty. The remaining reviewers should be professors at another university entitled to award the Habilitation or a foreign university with a comparable academic standard. Only persons who are scientifically qualified to assess at least essential parts of the work in accordance with Section 2(2) no. 1 may be named as reviewers. Qualification is traditionally proven by a professorship in the faculty or a Habilitation in the project. It can also be proven otherwise.

When selecting the reviewers, the faculty board shall ensure that they are able to assess the work comprehensively, if necessary in cooperation with each other. Each reviewer is to immediately take note of the work in full and to justify the evaluation result in writing in a comprehensible manner.

(2) On the basis of the work as per Section 2(2) no. 1, the reviewers shall, as a rule, submit written reports on the candidate's scientific achievements in research independently of one another within three months. These reports must describe the innovative achievements in detail and establish whether the scientific performance of the candidate necessitates a different delimitation of the subject from that of the application.

(3) The reports must be available for at least two weeks in the faculty administration. All individuals personally invited to the demonstration lesson pursuant to Section 7(3) may review the documents pursuant to Section 2(2) no. 1 and inspect the reports. Voting members of the faculty have the right to submit detailed written counter-evaluations. These counter-opinions are to be considered in further decisions regarding the Habilitation procedure.

(4) After expiration of the display period according to Section 3, the faculty board shall immediately decide on the continuation or termination of the Habilitation procedure and, if necessary, on a delimitation of the subject deviating from the application on the basis of the expert evaluations and possible counter-evaluations. The expert evaluations and, if applicable, counter-evaluations from the group of members with voting rights are to be attributed a binding effect in principle with regard to content and are therefore to be granted decisive influence on the evaluation decision of the faculty board. The faculty board can obtain a further (if possible external) expert evaluation before making its decision. If a further expert evaluation is obtained, the display period of two weeks must

again be observed pursuant to Section 3.

(5) If the faculty board deems a delimitation of the subject necessary, it must justify this in writing to the candidate. Should the candidate not consent to the changed subject, he/she can withdraw the Habilitation application.

§ 9 - Habilitation lecture

(1) If the faculty board has decided to continue the Habilitation procedure and has reached agreement with the candidate on the subject, it shall select the topic of the Habilitation lecture from the proposals requested in accordance with Section 3(4) Er. 12 and determine the place and location thereof. The Habilitation lecture is public and consists of a scientific lecture of approximately 45 minutes duration and a subsequent scientific discussion.

(2) The dean invites the public to the Habilitation lecture via a public announcement at least 14 days before the scheduled date. The reviewers, members of the faculty board, professors, adjunct lecturers (Privatdozent), and other members of the faculty with a Habilitation, as well as the president and deans of the other faculties at Technische Universität Berlin are to be invited in writing. On the orders of the faculty board the dean can invite further persons.

(3) The Habilitation lecture is held in German and conducted by the dean. All persons personally invited to lecture have the right to participate in the discussion.

(4) On the basis of the expert evaluations and possible counter-evaluations, scientific performance, and the Habilitation lecture, the faculty board shall decide at a closed meeting following the Habilitation whether to grant the teaching qualification for the intended subject or to discontinue the Habilitation procedure; the reviewers may participate in the discussion with the right to speak.

§ 10 - Habilitation

(1) Within one year, the candidate shall make available to the University Library and the faculty a set of the work in accordance with Section 2(2) no. 1 in a form suitable for reproduction. The date of the opening of the Habilitation procedure, the date of the faculty board's decision on the award of the teaching qualification, the names of all the reviewers, as well as the identifier of Technische Universität Berlin in library traffic (D 83) must be indicated. The deadline may be extended by the faculty board at the request of the candidate.

(2) As soon as the work has been made available in accordance with Paragraph 1, the dean hands over to the candidate the certificate by which the faculty grants him or her the teaching qualification for the intended subject. The certificate bears the date on which the faculty board granted the teaching qualification, the signatures of the president and dean, and the seal of Technische Universität Berlin. The Habilitation is complete upon bestowal of the certificate, i.e. the candidate has been granted the teaching qualification. The FNK is to be notified of the completion of the Habilitation procedure.

§ 11 - Withdrawal of Habilitation application

(1) The candidate can withdraw the Habilitation application as long as the Habilitation procedure has not yet been initiated, especially if the faculty has not been named responsible for the Habilitation procedure pursuant to Section 5(7). In this case, the Habilitation application is considered as not submitted.

(2) The candidate may withdraw the Habilitation if there is a deviation from the proposed designation of the subject in accordance with Section 8(4).

(3) The dean is to inform the FNK of the withdrawal of Habilitation application.

§ 12 - Termination of the Habilitation procedure

(1) Except in the cases stated in Sections 7(4), 8(3), and 9(4), the Habilitation procedure is to be terminated by a resolution of the faculty board if

1. the candidate has failed or refused, without sufficient justification, to comply within the prescribed period with an invitation to him or her to complete the Habilitation procedure,
2. or if prior to awarding the Habilitation, academic misconduct is proven against the candidate during the Habilitation procedure.

(2) The dean informs the FHK of the termination of the Habilitation procedure.

III. Final Provisions

§ 13 - Rights of the postdoctoral lecturer

(1) Pursuant to Section 118 (1) BerlHG, the postdoctoral lecturer has the right to request the *venia legendi*. The application must be submitted to the faculty responsible for the subject of the *venia legendi*. The *venia legendi* is awarded by the president on the order of the faculty board.

(2) A certificate signed by the dean and the president shall be handed over for the granting of the teaching authorization. The right to teach is associated with membership of the University and the right to use the term *Privatdozentin/Privatdozent* (Priv.-Doz./private lecturer).

§ 14 - Withdrawal and expiration of the teaching qualification

(1) The teaching qualification expires when the postdoctoral lecturer is no longer entitled to bear the title of Doctor. According to Section 36 (7) BerlHG, the president shall determine the expiration upon request of the faculty.

(2) The teaching authorization is revoked by resolution of the faculty board if the Habilitation was obtained by unfair means.

§ 15 - Data processing and access to files

(1) The faculty is authorized to process personal data collected in accordance with these regulations to the necessary extent for the fulfillment of the assigned tasks in the Habilitation procedure. Conveyance of data shall be permitted only on the basis of a specific legal provision. The faculty can keep anonymous statistics for business purposes.

The Habilitation documents are stored in examination files. These are created and processed by the faculty board or on its behalf.

(2) Within three years of completion of the Habilitation procedure, the candidate is to be granted access to his/her examination file upon request within a reasonable amount of time. The faculty determines the place and time of the inspection. In all other respects, the Administrative Procedure Act of Berlin shall apply.

§ 16 - Temporary provision

For Habilitation procedures that have already been initiated at the time these regulations take effect, the prior Habilitation Regulations of the Chair of Communication and History dated 15 February 1982 and 7 May 1984 respectively, and the Habilitation Regulations dated 16 September 1964 of TU Berlin (for the Chair of Education and Didactics) apply.

§ 17 - Entry into force

These regulations enter into force the day following their publication in the Official Gazette of Technische Universität Berlin and replace the previous Habilitation Regulations of the Chairs of Communication and History, and Education and Didactics.

* approved by the Senate Department of Science, Research and Culture on 20 April 2001.