

THIS TRANSLATION OF 'Ordnung zur Qualitätssicherung in Tenure Track-Verfahren und weiteren Evaluationsverfahren befristeter (Junior-)Professuren der Universität zu Köln' PUBLISHED IN 'Amtliche Mitteilungen 89/2021' on 22 September 2021 IS NOT LEGALLY BINDING.

Please note: The final version might deviate from this draft.

Duty of inspection and right of objection:

According to §12 (5) of the Higher Education Act of North Rhine-Westphalia (Hochschulgesetz – HG NRW), procedural or validity violations of higher education law, other applying regulations or other forms of autonomous university law can no longer be asserted after one year has expired since the publication of these Regulations. Exceptions can be made if

1. the Regulations were not published in the prescribed manner,
2. the Rectorate has in advance objected to the decision of the committee responsible for ratification,
3. flaws in form and procedure have been asserted against the University in advance describing the violated legal provision and fact causing the flaw, or
4. upon publication, the legal consequences of the limitation period for inspection and objection were not clarified.

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Regulations on Quality Assurance in Tenure Track Procedures and Other Evaluation Procedures for Temporary (Junior) Professorships at the University of Cologne

as of 22 September 2021

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Preamble

Pursuant to § 2 (4) and 22 (1)(1)(3) of the Higher Education Act of North Rhine-Westphalia (Hochschulgesetz - HG) in the version of the Higher Education Future Development Act (Hochschulzukunftsgesetz – HZG NRW) of 16 September 2014 (GV. NRW. p. 547), last amended by Article 2 of the Act on Changing the Act on Art Colleges and Changing further Provisions in Higher Education (Gesetz zur Änderung des Kunsthochschulgesetzes und zur Änderung weiterer Vorschriften im Hochschulbereich) of 24 March 2021 (GV. NRW. p. 331), the University of Cologne enacts the following Regulations:

Part 1

General regulations

§ 1

Objectives

(1) The tenure track procedure is intended to offer excellent early-career researchers attractive career prospects at the University of Cologne and to create the possibility of retaining highly qualified early-career researchers at the University in the long term. The procedure specified in these Regulations serves quality assurance as well as the establishment of transparency, procedural security, and uniform formal standards throughout the University. Researchers in the tenure track procedure are given the opportunity, after a successful aptitude evaluation (interim evaluation), to receive an extension of their existing employment or public service contract, after a successful tenure evaluation (final evaluation), to be accepted into a permanent employment or public service contract at the University of Cologne. At the end of the successful tenure track procedure, the tenure track candidate is permanently appointed to a professorship. The shift to a permanent position in the event of a positive final evaluation is not subject to a financing reservation. The conditions for admission to the tenure track procedure are specified in the Appointment Regulations (Berufungsordnung).

(2) Uniform quality standards shall also be set by these Regulations to determine whether the junior professor without tenure track has proven eligible for full professorship and for the tenure of temporary professorships without tenure track.

(3) If the evaluations according to (1) of this Section are negative, counselling shall be offered to the candidates in order to facilitate a transition to other career paths or institutions.

§ 2

Scope

(1) These Regulations shall apply to all

- a) professorships (W2 and W3),
- b) junior professorships (W1),
- c) positions of research fellows and
- d) other early-career researchers not employed at the University of Cologne

on a tenure track at the University of Cologne.

(2) Additionally, these Regulations apply to the procedure serving to determine whether the junior professor without tenure track has proven eligible for full professorship (Section 39 (5) (2) HG) and to the procedure for the tenure of temporary professorships without tenure track (§ 38 (1) (3) (1) HG).

(3) Decisions on staffing a tenured permanent professorship according to the tenure track procedure as well as on the tenure of a temporary professorship without tenure track can only be made according to the procedure described in these Regulations.

Part 2

Commissions

§ 3

Rectorate Tenure Commission

(1) The Rectorate establishes a permanent commission for the purpose of quality assurance in the procedures laid out in these Regulations, chaired by a Vice-Rector, which monitors all procedures at the University of Cologne in accordance with these Regulations (hereinafter 'Rectorate Tenure Commission') and ensures uniform formal standards as well as transparency and procedural security. It is the task of the Rectorate Tenure Commission to make a recommendation to the Rectorate on the continuation or tenure of the candidate's employment or public service contract. Moreover, the Rectorate Tenure Commission shall submit proposals to the Rectorate for continuous improvement of the procedure based on its experience and on the feedback of the Faculty Tenure Commissions.

(2) Members of the Rectorate Tenure Commission are

- a) as voting members

- two representatives of the professors of each Faculty who are appointed by the Rectorate in consultation with the Senate on the recommendation of the Faculties,
 - two academic staff representatives who are appointed by the Rectorate in consultation with the Senate on the recommendation of the Senate representatives of their group,
 - two student representatives, who are appointed by the Rectorate in consultation with the Senate on the recommendation of the Senate representatives of their group.
- b) as a non-voting member: The chairperson. He or she may appoint a deputy chairperson from among the members of the Commission with voting rights or from among the members of the Rectorate.
- c) Without being members, the following representatives may participate in the meetings of the Rectorate Tenure Commission in an advisory capacity:
- two representatives of the professors, in the procedure of other early-career researchers according to § 2 (1d) of these Regulations members of the external academic institution where the candidate is employed.
- d) The University of Cologne's Equal Opportunities Officer shall be invited and informed like a member.

The term of office of the professors and academic staff members is four years, the term of office of the student members is two years. Reappointment is possible.

(3) Commission members may not be members of the Faculty Tenure Commission pursuant to § 4 and may not be mentors pursuant to § 8. The deans or the vice-deans responsible for the tenure-track procedure may not be members of the Rectorate Tenure Commission. The chairperson of the Faculty Tenure Commission pursuant to § 4 or the dean or the vice-dean responsible for the tenure-track procedure may be invited to meetings of the Rectorate Tenure Commission as an expert guest or submit to the Rectorate Tenure Commission a request for participation in order to explain the respective procedure.

(4) The Commission shall constitute a quorum if at least 9 of its members with voting rights and the chairperson or his/her deputy are present at the time the resolution is adopted. Resolutions may in exceptional cases also be passed by way of circulation, provided that no member objects.

(5) The Rectorate Tenure Commission shall meet as necessary. The chairperson is responsible for convening the meeting.

§ 4

Faculty Tenure Commission

(1) The Faculty Council (Engere Fakultät) of each Faculty establishes a commission for the purpose of quality assurance in the procedures laid out in these Regulations . Chaired by the dean or a vice-dean, the commission accompanies all quality assurance evaluation procedures laid out in these Regulations at the Faculty (hereinafter referred to as the 'Faculty Tenure Commission'). The Faculty Tenure Commission is the responsible body of the Faculty and has an advisory and supporting function vis-à-vis the Faculty. It supervises the evaluations and develops recommendations for the Faculty and the Rectorate Tenure Commission.

(2) Members of the Faculty Tenure Commission are

a) as voting members

- at least four and at most eight representatives of the Faculty's professors,
- an academic staff representative of the Faculty,
- a student representative of the Faculty.
- As a further voting member, the Faculties may elect a representative of the group of technical and administrative staff.

Members of the Faculty Tenure Commission and their deputies are elected by the Faculty. Members may not be members of the Rectorate Tenure Commission pursuant to § 3 or mentors pursuant to § 8. The term of office of the professors and academic staff members and, if applicable, f of members of the technical and administrative staff is two years, the term of office of student members is one year. Re-election is possible.

b) as a member without voting rights: the chairperson. He/she/they may appoint a voting member of the commission, a vice-dean, or the dean as deputy. It should be noted that taking on the role of deputy entails the loss of voting rights.

c) Non-members may participate in the meetings of the Faculty Tenure Commission in an advisory capacity:

- upon request of the Rectorate Tenure Commission, one member of the Rectorate Tenure Commission,
- two representatives of of the professors of the respective subject,
- in procedures of other early-career academics pursuant to § 2 (1d) of these Regulations, members of the external academic institution,
- upon proposal of the student representative of the Faculty, another competent person of Faculty's students,
- the Faculty's Equal Opportunities Officer; she/he/they shall be invited and informed like a member.

(3) The Commission shall constitute a quorum if at least 6 of its voting members according to (2) (1) or, if the option (2) (2) is exercised, at least 7 of its voting members and the chairperson or his/her/their deputy is present at the time of resolution. Resolutions may in exceptional cases also be passed by way of circulation, provided that no member objects.

(4) The Faculty Tenure Commission shall meet as necessary. The chairperson is responsible for convening the meeting.

Part 3

Evaluation Procedure

Chapter 1

General procedural regulations

§ 5

Evaluations

(1) The aptitude evaluation serves to determine whether the candidate has proven eligible for full professorship according to § 39 (5) HG (determination of eligibility, “Bewährungsfeststellung”,). The aptitude evaluation usually takes place in the third year of the junior professorship or the tenure track procedure of the academic staff. The aptitude evaluation serves as the basis for the decision on extending the employment or public service contract by a further three years. For W2 and W3 professorships with tenure track, an aptitude evaluation shall not take place.

(2) The tenure evaluation shall verify whether the candidate has continued to prove eligible for full professorship and whether he/she/they meets the tenure criteria according to these Regulations. The tenure evaluation serves as the basis for the tenure decision. In case of a positive tenure evaluation, the candidate will be offered a permanent employment or public service contract without tender.. For W2 and W3 professorships, the tenure evaluation must take into account that the person appointed to such a professorship is qualified to be a professor and therefore fulfils the employment requirements of a professor in accordance with § 36 (1) HG. In these cases, it is not required to determine whether the candidate has proven eligible for full professorship. For W1 professorships without tenure track, a tenure evaluation may be carried out in accordance with §§ 17 ff. of these Regulations upon request of the candidate.

(3) The procedures under (1) and (2) shall be subject to the general provisions under §§ 11 ff. and §§ 17 ff. of these Regulations.

(4) In the exceptional cases in which no tenure track is granted at the time of the advertisement, but the Faculty intends to grant it at a later date, the provisions on tenure evaluation pursuant to Sections 17 ff. of these Regulations shall apply accordingly. In these cases, the application of the tenure track regulations does not entitle the candidate to tenure.

(5) In exceptional cases where a temporary professorship without tenure track is to be subsequently made permanent pursuant to § 38 (1) (3) (1) HG, the special procedural provisions pursuant to § 22 of these Regulations shall apply.

§ 6

Evaluation dossier

(1) The procedures described in these Regulations shall be documented in a file, hereinafter referred to as the evaluation dossier (formerly tenure dossier). The dossier shall be kept in the dean's office of the respective Faculty and shall contain the documents described in Annex 2 to these Regulations. After completion of the procedure, the evaluation dossier shall be placed in the personnel file.

(2) The Faculties shall ensure transparent and clear communication about the procedure and inform the candidate appropriately about the procedural steps and the progress of the procedure. This shall be documented accordingly and included in the evaluation file.

(3) The Faculties must make subject-specific adaptations to the catalogue of criteria specified in Annex 3 of these Regulations and prepare written guidelines on the procedures. These shall be notified to the Rectorate Tenure Commission. Prior to entry into public service, the Faculties shall agree with the candidates on specific evaluation criteria applicable to the respective procedures in accordance with Annex 3 of these Regulations. The specified evaluation criteria in accordance with Annex 3 of these Regulations must be brought to the attention of the candidate no later than three months after entry into public service. The agreed catalogue of criteria must be signed by both parties and included in the evaluation dossier.

§ 7

Academic independence of junior professors / research fellows

(1) The junior professors in the evaluation procedures shall perform their duties in research and teaching independently in accordance with § 35 (4) (2) HG. The Faculties shall promote the academic autonomy and independence of the candidate. This also includes adequate equipment.

(2) In order to guarantee academic independence and to ensure comparability, the teaching and research tasks to be evaluated in the evaluation procedures described must be assigned to the research fellows for independent performance in accordance with § 44 (1) (6) and § 44 (2) (2) HG. Other early-career researchers who are not employed at the University of Cologne shall, in particular, assume independent teaching duties at the Faculty at which they are granted tenure track as part of their further academic qualification in consultation with the dean. The formal assignment is to be confirmed by the Faculty and included in the evaluation dossier.

§ 8

Mentoring

(1) From One professor of the candidate's subject shall be appointed as a mentor for each candidate. The candidate has the right of proposal. The dean of the Faculty appoints the mentor in agreement with all involved.

(2) The mentor shall provide critical collegial feedback to the candidate, be available as a contact person and for counselling, and accompany the preparation of the self-evaluation report in an advisory capacity. The mentor is not to be involved in the evaluation.

§ 9

Status discussion

(1) In a structured status discussion, the progress of the qualification and/or the individual development goals are discussed on the basis of the candidate's previous performance and progress in the fields of research, teaching, and academic self-government. Recommendations for the candidate's further qualification should be derived from the status discussion. That way, possible undesirable developments shall be addressed at an early stage.

(2) Participants in the status discussion are the dean, the chairperson of the Faculty Tenure Commission, and the candidate. Upon request of the candidate and with the consent of the other participants, the mentor and/or the managing director may also be invited as guests. The status discussion takes place at least once a year.

(3) A record of the results of the status discussion shall be made and signed by all participants, specifying the state of development with regard to the agreed goals and, if necessary, further measures. The record shall be forwarded in a timely manner to the dean's office, which shall include them in the evaluation dossier.

(4) The Faculties develop a binding guideline for these discussions. The status discussions should particularly mention the following points:

- scientific achievements
- commitment to teaching
- third-party fundraising
- supervision of theses and dissertations
- participation in academic self-government
- further achievements: prizes, transfer, memberships, editorships etc.
- recommendations and career prospects
- identification of possibilities of participation in existing and planned cooperative projects of the Faculty

§ 10

Individualized procedure

(1) The time schedule pursuant to § 11 and § 17 may be deviated from in favour of an individualized procedure. The Faculty Tenure Commission shall submit the request for an individualized procedure to the Rectorate in consultation with the candidate and shall inform the Rectorate Tenure Commission in advance. The Rectorate Tenure Commission may veto the application and request a new procedure. If no veto is entered, the Rectorate shall make the final decision. The agreements on the individualized procedure shall be included in the evaluation dossier.

(2) In the case of an individualized procedure, the aptitude evaluation pursuant to § 5 (1) may be waived. The candidate's eligibility for full professorship shall be determined during tenure evaluation. The waiver of the tenure evaluation according to § 5 (2) is not possible.

Chapter 2

Aptitude evaluation

§ 11

Initiation of procedure

By submitting the self-report to the chairperson of the Faculty Tenure Commission, the candidate requests to initiate the aptitude evaluation procedure as a rule no later than 12 months before the expiry of the temporary public service contract of the junior professorship pursuant to § 39 (5) (1) HG or the employment relationship of the research fellow with tenure track. If the self-report is not submitted within this period, the chairperson of the Faculty Tenure Commission shall request the candidate to submit the self-report. The candidate's self-report must be submitted to the chairperson of the commission, as a rule, no later than six weeks after the request. The submission of the report initiates the evaluation procedure. The Rectorate Tenure Commission is informed of the opening of the procedure by the chairperson of the Faculty Tenure Commission.

§ 12

Evaluation

(1) The Faculty Tenure Commission obtains at least two detailed external reviews of the candidate's academic development from internationally renowned reviewers, one of which preferably from a reviewer from abroad. Based on the subject, the international reputation of the reviewer can be replaced by a national reputation in individual cases and with justification. Individual delays in the academic career path are to be taken into

account appropriately, in particular child-raising and care periods. The Faculty shall justify the selection of the reviewers in writing. The reviewers shall enclose a statement of impartiality to their review in accordance with the Principles of the University of Cologne on Questions of Conflict of Interest in the currently valid version.

(2) The reviewers receive a written assignment from the Faculty Tenure Commission stating the agreed evaluation criteria and including the candidate's self-report. The reviewers should rank the performance according to the evaluation scheme provided by the Faculty (see Annexes 4 and 5). The reviews should contain a clear statement on whether the candidate has proven eligible for full professorship and a recommendation regarding the extension of the public service or employment relationship. The reasons for the selection of the reviewers, the Faculty's assignments to the reviewers, the evaluation criteria as well as the reviews shall be included in the evaluation dossier.

§ 13

Pedagogical aptitude, overall achievement

(1) The pedagogical aptitude is assessed by an opinion of the vice dean's office of studies and teaching on the basis of the self-report on the candidate's teaching performance as well as available teaching evaluations and teaching samples (see Annex 3.3). The observation of a teaching event is recommended. The opinion shall be included in the evaluation dossier.

(2) The managing director of the institute/department and the dean may draft an additional opinion to evaluate the candidate's overall performance and commitment to academic self-government as well as on aspects of academic integrity (see Annex 3). The opinion shall be included in the evaluation dossier.

(3) In the case of a joint appointment with a non-university research institution, an additional opinion to evaluate the overall performance and the commitment of the candidate to academic self-government as well as on aspects of scientific integrity shall be obtained from the non-university research institution. The opinion shall be included in the evaluation dossier.

§ 14

Commission recommendation

(1) On the basis of the self-report and the reviews obtained as well as the statements on the teaching performance and the overall performance, the Faculty Tenure Commission shall provide a written report, which must refer to the evaluation criteria or to the catalogue of criteria according to § 6 (3) of these Regulations. The report shall include at least a description and evaluation of the candidate's achievements to date in the fields of research, teaching, and academic self-government/integration into the Faculty as well as an assessment of the candidate's further academic development or potential. The report concludes with a recommendation on the continuation or termination

of the public service contract or employment relationship. The recommendation shall be included in the evaluation dossier.

(2) The Faculty Tenure Commission shall submit the report to the Faculty Council (Engere Fakultät) for resolution. The resolution in the Faculty Council shall be passed by secret ballot. The resolution and the result of the vote shall be recorded in writing. If the Faculty's resolution deviates from the recommendation of the Faculty Tenure Commission, the reasons shall be stated in the minutes. The minutes shall be forwarded to the Rectorate Tenure Commission together with the other documents of the evaluation dossier at least six months prior to the end of the procedure. In the event of a negative decision by the Faculty Council or on the proposal of the chairperson of the Rectorate Tenure Commission, the Rectorate Tenure Commission may submit a dissenting opinion to the Rectorate within one month. The opinion shall be included in the evaluation dossier.

(3) The chairperson of the Faculty Tenure Commission shall inform the candidate of the decision of the Faculty Council timely after expiry of the Rectorate Tenure Commission's deadline. It shall provide the candidate with written and qualified feedback on his/her/their previous work. The Commission's feedback shall be documented.

(4) A negative decision should be communicated to the candidate at least four months prior to the end of employment. The notification should be accompanied by an offer for a development conversation. The candidate may appeal the Faculty's decision to the Rectorate Tenure Commission within two weeks of notification by the Faculty. The detailed procedure is laid out in § 16. The Faculty's notification and the candidate's appeal shall be included in the evaluation dossier.

(5) The candidate may submit a written statement at any time during the procedure. The statement is to be included in the evaluation dossier.

§ 15

Aptitude decision

(1) The Rectorate shall decide on the proposal for resolution of the Faculty Council on the aptitude of the candidate.

(2) In the case of a positive decision, the public service or employment relationship shall be extended as a rule by three years to a total of six years with the consent of the junior professor or research fellow. In the event of a negative decision, the candidate shall leave the public service or employment relationship. In this case, the Faculty may grant phase-out-financing for one year.

§ 16

Appeal procedure

(1) In the event of the candidate's appeal to the negative decision of the Faculty pursuant to § 14 (4), the procedure shall be continued by the Rectorate Tenure Commission.

(2) The Rectorate Tenure Commission shall hear the candidate. It may obtain further external reviews or hear other persons. On this basis, it shall issue a written recommendation on the termination or continuation of the tenure track procedure. This recommendation shall be included in the evaluation dossier. The recommendation of the Rectorate Tenure Commission is forwarded to the Rectorate and the dean's office of the Faculty.

(3) Based on the recommendation of the Rectorate Tenure Commission and the other documents contained in the evaluation dossier, the Rectorate shall make a final decision on the continuation or termination of the tenure track procedure. Before a negative decision is made, the candidate will be given the opportunity to comment in writing on the facts relevant to the decision in accordance with § 28 of the Administrative Procedure Act of North Rhine-Westphalia (Verwaltungsverfahrensgesetz NRW). In the context of the inspection of files, personal data on the reviewers must be made anonymous in the case of reviewers on professional aptitude.

Chapter 3

Tenure evaluation

§ 17

Initiation of procedure

(1) As a rule, the tenure evaluation shall begin no later than 12 months prior to the expiry of the temporary public service relationship of the junior professor pursuant to § 39 (5) (2) (1) HG or of the employment relationship of the research fellow with tenure track, in the case of W2 and W3 professorships, as a rule no later than 12 months prior to the expiry of the temporary public service relationship. If an individual agreement has been reached in accordance with § 10, the time of the tenure evaluation shall be determined by this agreement. The tenure evaluation procedure shall be initiated upon request of the candidate. Upon the candidate's request, the tenure evaluation may be waived. In this case, the tenure track procedure shall be discontinued.

(2) By submitting the self-report to the chairperson of the Faculty Tenure Commission, the candidate requests to initiate the tenure evaluation procedure as a rule no later than 12 months before the expiry of the temporary public service relationship by submitting the self-report. If the self-report is not submitted within this period, the

chairperson of the Faculty Tenure Commission shall request that the candidate submit the self-report. As a rule, the candidate's self-report must be submitted to the chairperson of the Commission no later than six weeks after the request. The submission of the report initiates the procedure. The report shall be included in the evaluation dossier. The Rectorate Tenure Commission shall be informed of the initiation of the procedure by the chairperson of the Faculty Tenure Commission.

§ 18

Evaluation

(1) The Faculty Tenure Commission shall obtain at least three detailed external reviews of the candidate's research achievements from internationally renowned reviewers. In certain academic disciplines, the international reputation of the reviewer may be replaced by national reputation in individual cases and with justification. Individual delays in the academic career path are to be taken into account appropriately, in particular child-raising and care periods. In justified exceptional cases, the Commission may obtain only two reviews; the justification shall be attached to the reviews and included in the evaluation dossier. The Faculty shall justify the selection of the reviewers in writing. At least one of the reviewers should work abroad. The reviewers shall enclose a statement of impartiality to their review in accordance with the Principles of the University of Cologne on Questions of Conflict of Interest in the currently valid version.

(2) The reviewers receive a written assignment from the Faculty Tenure Commission stating the agreed evaluation criteria as well as the candidate's self-report. The reviewers should rank the performance comparatively according to the evaluation scheme provided by the Faculty (see Annexes 4 and 5). The reviews should contain a recommendation regarding the candidate's tenure. The reasons for the selection of the reviewers, the work assignment, the criteria, and the evaluations shall be included in the evaluation dossier.

§ 19

Educational aptitude, overall achievement

(1) The pedagogical aptitude is assessed by an opinion of the vice dean's office of studies and teaching on the basis of the self-report on the candidate's teaching performance as well as available teaching evaluations and teaching samples (see Annex 3.3). The observation of a teaching event is recommended. The opinion shall be included in the evaluation dossier.

(2) The managing director of the institute/department and the dean may draft an additional opinion to evaluate the candidate's overall performance and commitment to academic self-government as well as on aspects of academic integrity (see Annex 3). The opinion shall be included in the evaluation dossier.

(3) In the case of a joint appointment of a (junior) professor with a non-university research institution, an additional opinion to evaluate the overall performance and the

commitment of the candidate to academic self-government as well as on aspects of scientific integrity shall be obtained from the non-university research institution. The opinion shall be included in the evaluation dossier.

§ 20

Commission recommendation

(1) On the basis of the reviews obtained and the other documents in the evaluation dossier, the Faculty Tenure Commission shall provide a written report which must refer to the evaluation criteria. The report includes at least a description and evaluation of the candidate's achievements to date in the fields of research, teaching, and academic self-government, as well as an assessment of further academic development or potential. The report concludes with a recommendation for either the acceptance of the candidate into a permanent employment or public service contract without tender, or termination of the tenure-track procedure. The report shall be included in the evaluation dossier.

(2) On the basis of the recommendation of the Faculty Tenure Commission and the other documents in the evaluation dossier, the Faculty Council recommends either the acceptance of the candidate into a permanent employment or public service contract without tender, or termination of the tenure-track procedure. The vote shall be by secret ballot. The recommendation of the Faculty Council shall be noted and shall include at least the result of and reasons for the vote. The recommendation shall be included in the evaluation dossier. The evaluation dossier shall be forwarded to the Rectorate Tenure Commission at least six months prior to the end of the procedure.

(3) On the basis of the recommendations of the Faculty Tenure Commission, the Faculty Council, the reviews obtained and the other documents in the evaluation dossier, the Rectorate Tenure Commission shall draft an opinion which shall be included in the evaluation dossier. The opinion must refer to the evaluation criteria and contain a recommendation for either the acceptance of the candidate into a permanent employment or public service contract without tender or for the termination of the tenure-track procedure. The recommendation shall be included in the evaluation dossier. The recommendation of the Rectorate Tenure Commission shall be sent to the dean of the Faculty concerned.

(4) In the case of a negative recommendation by the Rectorate Tenure Commission, the candidate shall be given the opportunity to comment within two weeks after notification by the chairperson of the Rectorate Tenure Commission. The statement shall be included in the evaluation dossier.

(5) The Rectorate Tenure Commission may deviate from the procedural steps set out here in particularly urgent cases, provided that this deviation does not conflict with the recognizable purpose of the procedural step in question.

(6) The candidate shall have the opportunity to submit a written statement at any time during the procedure. The statement shall be included in the evaluation dossier.

§ 21

Tenure decision

(1) The Rectorate shall make the final decision on either the acceptance of the candidate into a permanent employment or public service contract without tender, or termination of the tenure-track procedure. Prior to a negative decision, the candidate shall be given the opportunity to comment in writing on the facts relevant to the decision in accordance with § 28 of the Administrative Procedure Act of North Rhine-Westphalia (Verwaltungsverfahrensgesetz NRW). Within the framework of the inspection of files, personal data of the reviewers shall be made anonymous regarding the reviews of the candidate's professional aptitude.

(2) In the event of a negative decision by the Rectorate, the Faculty may grant junior professors with tenure track a one-year phase-out financing. This does not apply to W2 and W3 professorships.

Part 4

Special procedures

§ 22

Subsequent procedure

(1) In cases of retroactive tenure of temporary professorships according to § 5 (5) of these Regulations, the Faculty shall obtain at least two reviews by external, internationally renowned professors on the research achievements of the candidate. In their comparative assessment, the reviews should be based on the criteria described in Annex 3 and conclude with a clear recommendation on tenure. Furthermore, the Faculty shall obtain an opinion from the vice-dean for studies and teaching on the teaching performance according to § 13 (1) (or § 19) of these Regulations. Taking these reports into account, the Faculty Council shall make a tenure recommendation to the Rectorate. The Rectorate shall make the final decision.

§ 23

Early procedure

(1) If a (junior) professor, a research fellow or other early career researcher with tenure track pursuant to § 2 (1) of these Regulations receives an offer by another

university for a professorship of at least equal value before completion of the evaluation procedure specified in these Regulations, the tenure evaluation pursuant to §§ 17 ff. or a shortened evaluation may be initiated to retain the candidate at the UoC. The Rectorate shall decide on this in individual cases upon application by the Faculty.

(2) As a rule, an application for early tenure may be submitted no earlier than 18 months after entry into public service at the University of Cologne.

§ 24

Procedure for joint appointments

(1) In the case of joint appointments of a (junior) professor with tenure track with non-university research institutions, the provisions of these Regulations shall apply accordingly.

(2) In order to correspond to the specific profile of the joint professorship, the university and the non-university research institution shall jointly determine the evaluation criteria at the beginning of the procedure in consultation with the candidate.

(3) The commissions pursuant to §§ 3 and 4 may hear representatives of the non-university research institution in individual cases.

(4) The non-university research institution is bound to the Rectorate's decisions according to §§ 15 and 21 of these Regulations

§ 25

Procedure for endowed professorships

(1) Temporary W2/W3 endowed professorships without tenure track, the continuation of which is intended, shall be evaluated in accordance with § 5 (4) of these Regulations on tenure evaluation pursuant to §§ 17 ff. of these Regulations.

(2) The sponsor may appoint experts to the Faculty Tenure Commission and the Rectorate Tenure Commission. As a rule, these persons shall participate in the relevant meetings of the commissions in an advisory capacity without being members. Exceptions to this rule may be submitted to the Rectorate for decision.

§ 26

Closing provisions

(1) Recommendations on amendments as well as the repeal of these Regulations may be submitted by all bodies involved in the procedure to the Rectorate Tenure

Commission, which shall submit them to the Rectorate after consideration.

(2) Evaluation procedures commenced before the entry into force of these Regulations shall be continued in accordance with the provisions of the Regulations in force at the time of commencement of the procedure. Insofar as target agreements were concluded before the entry into force of these Regulations, these shall serve to provide orientation. Junior professors without tenure track and tenure track candidates who started their employment before the new Regulations came into force shall be given the choice of whether they wish to be evaluated according to the new Regulations.

(3) These Regulations shall enter into force on the day following their publication in the Official Bulletins of the University of Cologne. At the same time, the Regulations of 07 June 2018 (Official Bulletins 34/2018) shall cease to apply.

Issued on the basis of the resolution of the Senate of the University of Cologne of 08 September 2021.

Cologne, 22 September 2021
The Rector
of the University of Cologne

signed
Professor Dr Axel Freimuth

Annexes

Annex 1 Evaluation procedure of tenure track candidates and other temporary (junior) professors at the University of Cologne	
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Annex 1 Evaluation procedure of tenure track candidates and other temporary (junior) professors at the University of Cologne

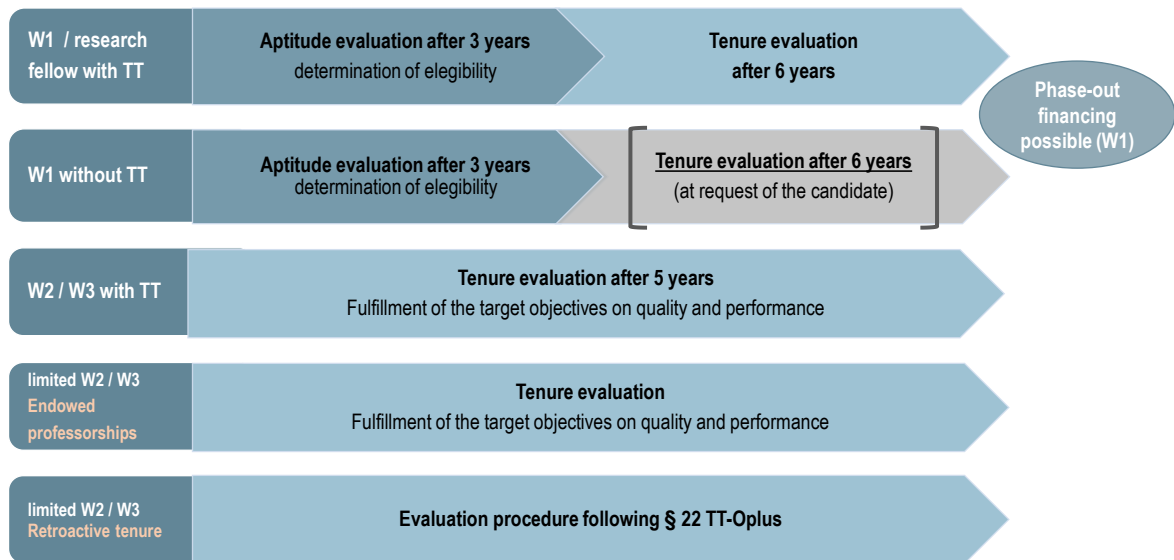


Figure 1 Evaluation procedure of tenure track candidates and other temporary (junior) professors at the University of Cologne.

Annex 2 Evaluation dossier

a) General provisions

The evaluation dossier is an ongoing documentation of the candidate's performance and assessments. It must be kept strictly confidential and chronological according to the procedural steps in the dean's office of the Faculty. After completion of the tenure procedure, it shall be included in the personnel file.

The evaluation dossier may only be inspected by persons who are authorized to properly fulfil their mandate within the framework of the tenure-track procedures defined herein.

The evaluation dossier contains at least the following documents:

1. Call for applications of the (junior) professorship / research fellow position
2. an agreed catalogue of criteria signed by the dean and the candidate
3. Documentation of the transfer of independent tasks (only in the case of research fellows in tenure track procedures)
4. Agreements on the individual procedure, if applicable,
5. Minutes of the status discussions between the candidate, the dean, the chairperson of the Faculty Tenure Commission and, if applicable, the mentor
6. self-reports by the candidate
7. reports and recommendations of the Faculty Tenure Commission
8. justification for the selection of the reviewers
9. letters to the reviewers, including evaluation criteria and evaluation scheme
10. reviews (if applicable, justification of the reduced number according to §§ 8 (2) and 11 (2), including the reviewers' statements of impartiality according to the Principles of the University of Cologne on Conflict of Interest of 7 June 2018
11. opinion of the vice-dean's office for studies and teaching on educational aptitude
12. if applicable, an opinion of the managing director on the overall performance and commitment of the candidate in academic self-administration as well as on aspects of academic integrity
13. recommendation of the Faculty Council, including minutes of the decision of the Faculty Council including voting result
14. reports and recommendations of the Rectorate Tenure Commission
15. statements by the candidate, if applicable
16. documentation of the communication of the decisions to the candidates

b) Self-report

The self-report documents the candidate's performance. It must be written in English, unless the Faculty decides otherwise in individual cases. The language in which it must be written shall be bindingly communicated to the candidate upon request for submission. In particular, it must be ensured that international reviewers can participate in the procedure without hindrance.

The self-report shall include at least:

General information

- CV
 - list of publications (reporting period, structured according to type of publication)
- list of academic presentations
- a max. 10-page description of the goals achieved, taking into account the three fields of research, teaching (incl. brief explanation of teaching forms and methods), academic self-administration as well as future research plans.

In addition, the following overviews should be listed in a tabular Annex:

- i. Research
 - indication and brief explanation of the most important research topics
 - applications for third-party funding, successfully obtained third-party funding (public, private sector)
 - description of cooperation (internal/external)
 - awards, prizes, scholarships
 - memberships
 - cooperation with practice
 - transfer/patents
- ii. Teaching
 - list of lectures and seminars, brief description of taught content
 - list of supervision of final theses and doctoral dissertations and activities to promote early-career researchers
 - information on the internationality of teaching (e.g., courses offered in other

languages, supervision of international students)

- results of teaching evaluations
- other evidence of teaching qualifications: e.g., teaching projects, further training,
- research on teaching

iii. Academic self-government

- brief description of activities in self-government and own contribution
- membership in academic societies and professional associations
- editorship of academic journals, series etc.
- review activities
- other activities as an expert, reviewer, or at administrative, legislative, and judicial hearings, etc.

iv. Proposals of reviewers for the evaluations

The Faculty Tenure Commission and the Rectorate Tenure Commission may stipulate the submission of further information/documents.

c) Reports and recommendations of the Rectorate Tenure Commission and the Faculty Tenure Commission

To ensure comparability, reports of the Faculty Tenure Commission and the Rectorate Tenure Commission should be structured similarly and address similar points:

- Introduction
- Evaluation procedure (process, description self-report, justification for the selection of external reviewers)
- Framework conditions (subject-specific aspects)
- Criteria and standards of evaluation
- Presentation and evaluation of research performance
- Presentation and evaluation of performance in teaching and academic self-government
- Evaluation of overall performance and assessment of potential
- Summary (main results, recommendation)

Annex 3 Assessment criteria

1) General criteria

The overarching criterion is the candidate's eligibility and aptitude for a professorship, to be assessed according to the respective professional standards. The eligibility and aptitude should be assessed according to the quality standards of regular appointment procedures. Furthermore, the candidate should be ranked within his/her/their cohort of peers in the academic discipline. This ranking should take special circumstances (child-rearing, care, disability) into account.

The following catalogue of criteria provides a framework for establishing overarching standards for tenure-track evaluations. The catalogue of criteria can be expanded or narrowed down depending on the respective discipline. Should this necessitate changes, they must be reported to the Rectorate Tenure Commission. At the beginning of the procedures, the Faculties agree with the candidates on specific evaluation criteria applicable to the respective procedures. The specified evaluation criteria of these regulations shall be brought to the attention of the candidate at the beginning of the procedure. The agreed catalogue of criteria must be signed by both parties and included in the evaluation dossier.

2) Potential criteria for the evaluation of research performance (for reviewers):

- awards, prizes
- acquisition of research projects and third-party funding (scope, funding source, peer review)
- extension and innovation of work since the dissertation
- guest lectures (national/international)
- societal or practical relevance of the research
- founding of cooperative research/working group alliances
- editorships and reviews
- (inter)national visibility and networking
- complexity of research
- cooperations (internal/external, national/international)
- (co-)organization of congresses / workshops / conferences (national/international)
- perception and evaluation of publications (national/international)
- quality of publications (plausibility, methodological foundation, innovative character, contribution to the development of a research field, citations)
- quality, originality, and creativity of research

- quality of clinical competencies
- transfer / third mission (non-university cooperation/projects), patents, cooperation with practice
- potential of academic development in national or international comparison

3) Potential criteria for evaluating pedagogical aptitude / university teaching competencies (for statements from the vice dean):

- supervision of theses and dissertations
- teaching competencies and further training
- development / coordination of degree programmes
- extracurricular teaching engagement
- innovation and scope of the teaching portfolio / teaching spectrum
- teaching concept (teaching forms & methods)
- mentorships
- quality of teaching (results of teaching evaluations, results of peer evaluations, teaching awards, invited lectures)
- fit of teaching (in the case of tenure track in the final evaluation, attached teaching concept)
- other activities to promote early-career researchers

4) Potential criteria for evaluating engagement in academic self-government (for statements of the executive director / dean):

- service to the scientific community and for the scientific community:
 - editorial work
 - social commitment
 - memberships in scientific and professional societies
 - organization of workshops / conferences / sessions
 - activities as a reviewer
 - other activities as an expert, etc.
- local networking
- mentorships
- participation in academic self-government
- public outreach / science communication
- academic integrity

Annex 4 Evaluation scheme of the University of Cologne

Ratings of academic performance in evaluation procedures of tenure track candidates and other temporary (junior) professors at the University of Cologne

Reviewers should rank the research achievements comparatively using the following evaluation scheme. In the text of the review, the assessment is to be substantiated by differentiated arguments. The following evaluation scheme can be adapted by the Faculties. Any adjustments shall be reported to the Rectorate Tenure Commission.

Please rank the candidate's **performance** in the **area of research according** to the following **assessment levels**:

- A) The candidate
- belongs to the leading researchers in relation to his/her/their international comparison cohort¹ (best 1 %) and
 - has achieved outstanding results or has concrete prospects of doing so.
- B) The candidate
- is clearly visible internationally and clearly above average in relation to his/her/their comparison cohort¹ (best 10 %)
 - has achieved several significant results or has concrete prospects of doing so, or has the clearly recognizable potential to achieve significant results in the next three years, *and*
 - shows at most minor shortcomings in certain fields.
- C) The candidate
- is internationally visible, clearly visible nationally and competitive in relation to his/her/their peer cohort¹ (top 30%).
 - has achieved several relevant results or has concrete prospects of doing so, or has the clearly recognizable potential to achieve relevant results in the next three years, *and*
 - has at most some moderate shortcomings.
- D) The candidate
- has at most limited international visibility or no clear national visibility
 - has achieved few or hardly any relevant results or has concrete prospects of doing so and does not have the clearly discernible potential to achieve several relevant results in the next three years, *or*
 - has one or more significant shortcomings.

¹ 'Comparison cohort' refers to the entirety of scholars or scientists who are in a similar phase of their academic career or whose doctorate dates back a similar amount of time.

Annex 5 Evaluation scheme for the assessment of academic achievement

For the evaluation of the academic performance of tenure track candidates and other temporary (junior) professors, the following table can be made available to the reviewers, including the determination of the candidate's eligibility for full professorship (only aptitude evaluations) and the recommendations for extension / transition / tenure. The criteria to be listed and evaluated can be found in Annex 3.2. Academic performance is assessed using the evaluation scheme (see Annex 4).

Category	Criterion / Indicator	Assessment	Level
Research	[List of criteria, see 3.2]	<i>[Note for reviewers: please elaborate on your assessment.]</i>	[Evaluation scheme, see Annex 4]
	[Criterion 1]		
	[...]		

Final recommendation:

[Please summarize your assessment in body text and make a recommendation based on the categories listed below].

[Only aptitude evaluations] **The junior professor/research fellow with tenure track has**

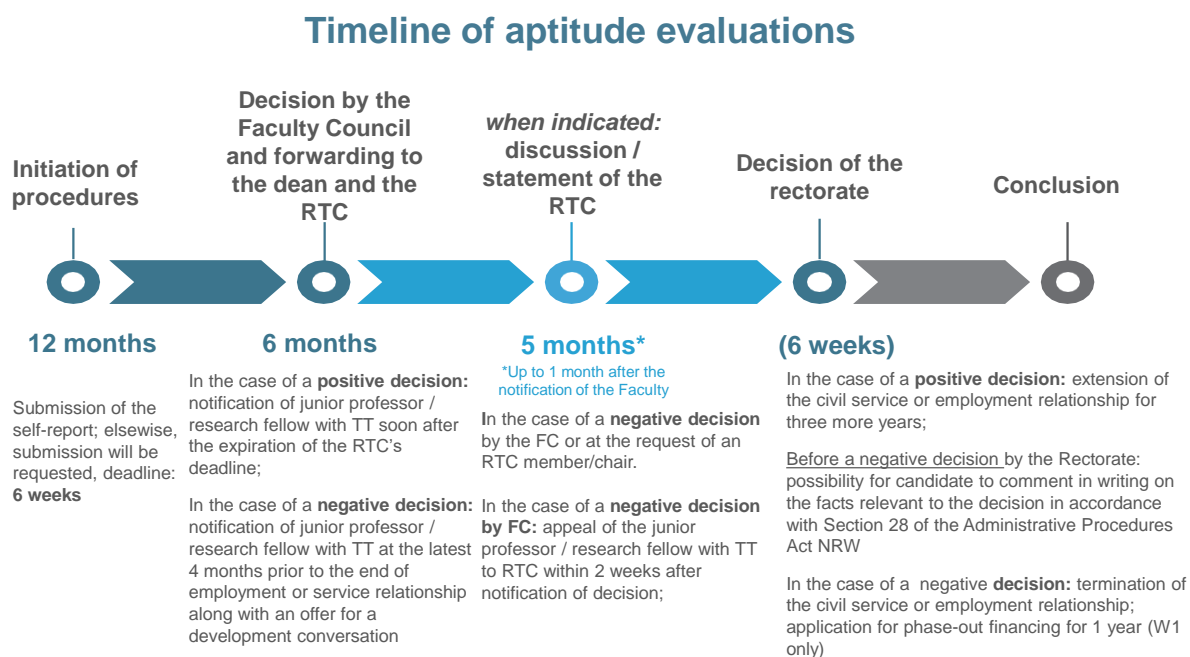
- fully proven
- proven with restrictions
- not proven

himself/herself/theirselves eligible for full professorship.

[To be adjusted depending on procedure] **In summary, I recommend the extension / transition / tenure**

- unreservedly.
- with reservations.
- I do not recommend the extension / transition / tenure.

1) Timeline for aptitude evaluations



Note: The figures in brackets are approximate values.

Figure 1 Timeline for aptitude evaluations

2) Procedural steps of aptitude evaluations

Table 1 Procedural steps of aptitude evaluations

Procedural step	Deadline (before the end of the employment contract)	What?	Who? * from whom?	To whom?
Initiation of procedures by submission of the self-report	12 months	Self-report of the junior professor / research fellow with TT	Junior professor / research fellow with TT	Chair of the FTC
Request to submit the self-report (if not submitted beforehand)	12 months	Message	Chair of the FTC	Junior professor / research fellow with TT
Final submission of self-report	10.5 - 10 months	Self-report of the junior professor	Junior professor / research fellow with TT	Chair of the FTC
Notice on the initiation of the procedure to RTC	In the event of unsolicited submission of the self-report or request for the self-report	E-Mail regarding the initiation of procedures	Chair of the FTC	Chair of the RTC

Procedural step	Deadline (before the end of the employment contract)	What?	Who? * From whom?	To whom?
If appropriate, statement of the junior professor / research fellow with TT	anytime	Statement	junior professor / research fellow with TT	Dean / Chair of the FTC / RTC
Recommendation of the FTC	Until the convening of the Faculty Council	Report, incl. recommendation	FTC	Dean
Decision of the Faculty Council <u>and</u> forwarding of documents to the RTC	6 months	Application of the Faculty and complete evaluation dossier	Dean	Chair of the RTC
In the case of a positive decision of the Faculty Council:				
Notification of junior professor / research fellow with TT	Not long after the expiration of the RTC's deadline	Written and qualified feedback on performance so far	Chair of the FTC	junior professor / research fellow with TT
In the case of a negative decision of the Faculty Council:				
Notification of the junior professor / research fellow with TT	After expiration of the RTC's deadline, at the latest 4 months prior to the expiry of employment or public service contract	Decision and offer of a development conversation	Chair of the FTC	a) junior professor / research fellow with TT b) RTC
Appeal of the junior professor / research fellow with TT	2 weeks after notification of decision	Appeal	junior professor / research fellow with TT	Chair of the RTC
In the case of a negative decision of the Faculty Council or upon of an RTC member:				
RTC discussion	Up to 1 month after notification of the Faculty (5 months)	Recommendation of the RTC	RTC	a) Rectorate b) Dean
In the case of a negative recommendation by the RTC :				
<i>Notification</i> of junior professor / research fellow with TT	<i>Immediately after the RTC's decision</i>	<i>Result of the procedure in the form of a letter with a postal delivery certificate and notification by phone</i>	<i>Chair of the RTC</i>	<i>junior professor / research fellow with TT</i>
Statement by the junior professor	2 weeks after notification of the negative recommendation	Statement	junior professor / research fellow with TT	Chair of the RTC
Decision of the Rectorate	(6 weeks)	Decision	Rectorate	a) Dean b) Human Resources c) Department 12

<i>Forwarding of the procedure's result</i>	<i>4 weeks</i>	<i>Procedure's result</i>	<i>Rectorate</i>	<i>a) Dean b) Human Resources</i>
<i>Notification of junior professor / research fellow with TT</i>	<i>Immediately after the Rectorate's decision</i>	<i>Procedure's result</i>	<i>Faculty</i>	<i>junior professor / research fellow with TT</i>
In the case of a positive decision of the Rectorate				

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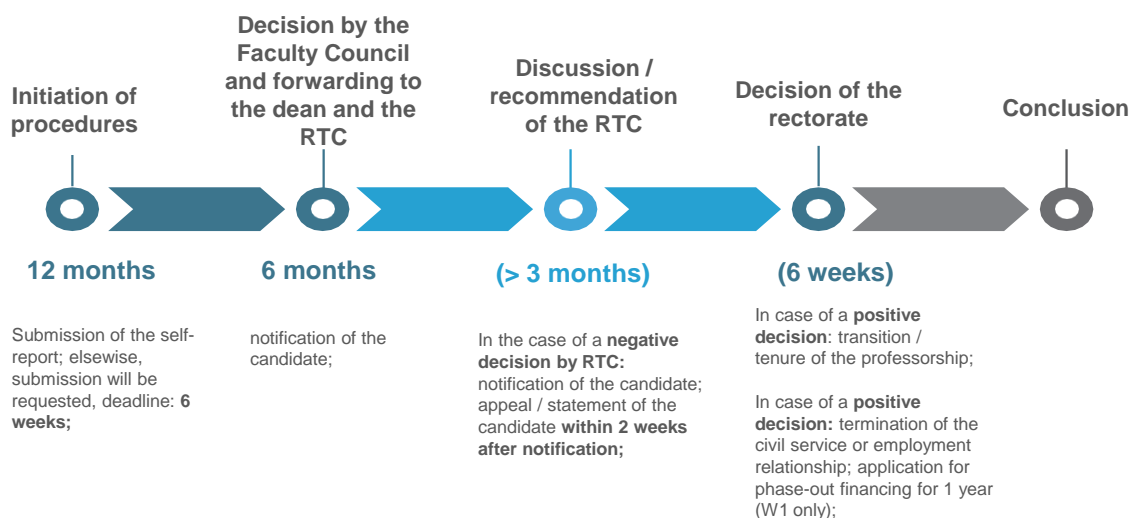
Procedural step	Deadline (before the end of the employment contract)	What?	Who? * From whom?	To whom?
Extension of the public service or employment relationship by a further three years				
Before a negative decision of the Rectorate				
Statement of the junior professor / research fellow with TT		possibility to comment in writing on the facts relevant to the decision in accordance with § 28 of the Administrative Procedures Act NRW.	RTC-Chair	junior professor / research fellow with TT
<i>In the case of a negative decision</i> of the Rectorate				
<i>Notification of junior professor / research fellow with TT</i>	<i>Immediately after the Rectorate's decision</i>	<i>Result of the procedure in the form of a letter with a postal delivery certificate and notification by phone</i>	<i>RTC-Chair</i>	<i>junior professor / research fellow with TT</i>
<i>Appeal of junior professor / research fellow with TT</i>	<i>Up to 2 weeks after receipt of the notification letter indicating the negative decision</i>	<i>Appeal</i>	<i>junior professor / research fellow with TT</i>	<i>Rectorate</i>
<i>If applicable, application for phase-out financing</i>	<i>Immediately after the Rectorate's decision</i>	<i>application for phase-out financing</i>	<i>Dean</i>	<i>Responsible staff in D4 Human Resources</i>
<i>If applicable, approval of phase-out financing</i>	<i>Asap</i>	<i>approval of phase-out financing</i>	<i>Junior professor</i>	<i>Dean</i>

Note: The figures in brackets are approximate values. Information in italics is not regulated in these Tenure Track Regulations.

Annex 7 Procedure for tenure evaluations

1) Timeline for tenure evaluations

Timeline of tenure evaluations



Note: The figures in brackets are approximate values.

Figure 1 Timeline for tenure evaluations

2) Procedural steps in tenure evaluations

Table 1 Procedural steps in tenure evaluations

Procedural step	Deadline (before the end of the employment contract)	What?	Who? / from whom?	To whom?
Initiation of procedures by submission of the self-report	12 months	Self-report of the candidate	Candidate	Chair of the FTC
Request to submit the self-report (if not received)	12 months	Message	Chair of the FTC	Candidate
Final submission of self-report	10.5 - 10 months	Self-report of the candidate	Candidate	Chair of the FTC
Information of the RTC on the initiation of the procedure	In the case of unsolicited submission of the self-report or request for the self-report	E-Mail on initiation of procedure	Chair of the FTC	Chair of the RTC
If applicable, statement of the candidate	anytime	Statement	Candidate	Dean / Chair of the FTC / RTC
Recommendation of the FTC	(Until the session of the Faculty Council)	Report, incl. recommendation	FTC	Dean

Procedural step	Deadline (before the end of the employment contract)	What?	Who? / From whom?	To whom?
Decision of the Faculty Council and forwarding of the documents to the RTC	6 months	Application of the Faculty and complete evaluation dossier	Dean	a) Chair of the RTC
Recommendation of the RTC	(> 3 months)	Recommendation of the RTC	RTC	a) Rectorate b) Dean
<i>In the case of a negative recommendation of the RTC:</i>				
<i>Notification of the candidate</i>	<i>(immediately after the RTC's meeting)</i>	<i>Result of the procedure in the form of a letter with a postal delivery certificate and notification by phone</i>	<i>Chair of the RTC</i>	<i>Candidate</i>
Statement of the candidate	2 weeks after notification of decision	Statement	Candidate	Chair of the RTC
Rectorate Decision of the rectorate	(6 weeks)	Decision	Rectorate	a) Dean b) Human Resources c) Department 12
<i>Forwarding of the procedure's result</i>	<i>4 weeks</i>	<i>procedure's result</i>	<i>Rectorate</i>	<i>a) Dean b) Human Resources c) Department 12</i>
In case of a positive decision of the Rectorate				
transition / tenure of the professorship				
Before negative decision of the Rectorate				
<i>Statement of the candidate</i>		Possibility to comment in writing on the facts relevant to the decision in accordance with § 28 of the Administrative Procedures Act NRW.	RTC-Chair	<i>Candidate</i>
In the case of a negative decision of the Rectorate				
<i>Notification of candidate</i>	<i>Immediately after the Rectorate's decision</i>	<i>Result of the procedure in the form of a letter with a postal delivery certificate and notification by phone</i>	<i>Rector</i>	<i>Candidate</i>
<i>If applicable, appeal of the candidate</i>	<i>Up to two weeks after receipt of the notification letter indicating the negative decision</i>	<i>Appeal</i>	<i>Candidate</i>	<i>Rectorate</i>
<i>If applicable, application for phase-out financing</i>	<i>Immediately after the Rectorate's decision</i>	<i>application for phase-out financing</i>	<i>Dean</i>	<i>Responsible staff in D4 Human Resources</i>

<i>If applicable, approval of phase- out financing</i>	<i>Asap</i>	<i>approval of phase-out financing</i>	<i>Junior professor</i>	<i>Dean</i>
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Note: The figures in brackets are approximate values. Information in italics is not regulated in these Tenure Track Regulations.

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