

Academic Constitution of Constructor University

English version

23 June 2023

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The English version of the Academic Constitution is merely for the purpose of information. The German version alone shall be legally binding.

Constructor University strives for diversity among the representatives in its bodies, in particular to have representation of both genders and multiple nationalities in all bodies. Names of persons and functions appearing in this text shall include both the feminine and the masculine gender.

1 Preamble

This Academic Constitution forms the basis for regulated academic coexistence within the privately operated Constructor University. It is based on a joint commitment to excellence and highest quality standards in study, teaching, research, and management, to academic freedom and integrity in research and teaching, to the equality of different social groups at the university, and to the wise and efficient handling of existing human, material and non-material resources and the specifics of a private university. Constructor University does not discriminate on the basis of race, skin color, religion, gender, sexual orientation, national or ethnic origin, or disability. The rules of the Academic Constitution are aimed at promoting the intellectual and social development of all members of Constructor University, structuring and safeguarding the management of the institution expediently and sensibly, and ensuring that the university fulfills its mission for current and future generations.

2 Legal Terms and Conditions

2.1 Constructor University

Constructor University is the entirety of the academic operation of the institution. This document defines the constitutional order (Grundordnung) of Constructor University according to the Higher Education Act of Bremen (BremHG). It ensures freedom of research and teaching according to the German Basic Law (Deutsches Grundgesetz §5 Abs.3) and good academic practice as defined by the German Research Foundation (DFG).

2.2 Constructor University Bremen gGmbH

Constructor University Bremen gGmbH is the legal entity of Constructor University. The main supervisory body of Constructor University gGmbH is the Board of Governors. The Executive Board represents and manages Constructor University Bremen gGmbH. The Executive Board is supported by the Division Heads (Bereichsleiter).

The rights of Constructor University Bremen gGmbH and its executive bodies vis-à-vis Constructor University are listed in its bylaws (Gesellschaftsvertrag) and the respective rules of procedure (Geschäftsordnungen). These bylaws and rules of procedure constitute a legal framework within which the Academic Constitution applies.

The Works Council (Betriebsrat) is the legal organization representing all employees of Constructor University Bremen gGmbH towards the employer. All rights and obligations of the Works Council are defined by the Works Constitution Act (Betriebsverfassungsgesetz).

3 Academic Constituencies

The *Academic Constituencies* of Constructor University are as follows:

- *Students* - constituted by the Student Assemblies and represented by the Student Governments,
- *Faculty* - constituted by the Faculty Assembly and represented by the Faculty Council,
- *Staff* - constituted by the Staff Assembly and represented by the Staff Council,
- *Management* - constituted by the Executive Board and the Division Heads (Bereichsleiter).

Committees and other bodies of academic co-determination shall be composed according to the principle of adequate participation of all affected groups.

3.1 Students

The body of *Students* is constituted by all individuals who are enrolled at Constructor University in a Bachelor or Master degree program, any pre-degree program, or as doctoral students. *Undergraduate Students* are all students enrolled to obtain a Bachelor's degree and students in pre-degree programs. *Graduate Students* are all students enrolled to obtain a Master's degree and all doctoral students.

Students are at the very heart of the university. They are entitled to a peaceful and diversely structured environment that is conducive to learning and coexistence and are obliged to participate in this environment actively and preserve it. All students should be enabled by Constructor University to realize their academic potential fully and are responsible for working towards this goal. *Students* are responsible for their representation within Constructor University and in national and international student organizations.

Students contribute to

- teaching and research,
- development of guidelines for the conduct of members of Constructor University,
- development, implementation, and evaluation of academic policies and practices.

Student Assemblies

All *Undergraduate Students* constitute the Undergraduate Student Assembly. All *Graduate Students* constitute the Graduate Student Assembly. The Undergraduate Student Assembly and the Graduate Student Assembly stipulate the structure of their representation in the charter of their respective Student Government. They may opt for joint or separate representation.

Student Governments

The Student Assemblies elect their Student Governments according to the respective charter. If *Students* are represented as two separate entities, all *Undergraduate Students* are represented by the Undergraduate Student Government, all *Graduate Students* are represented by the Graduate Student Government, and both work closely together.

The responsibilities of the Student Government include representing *Students* towards the respective bodies within as well as outside Constructor University, serving as the link between *Students* and university authorities, administration or other groups on campus and actively contributing to the communication between those bodies, appointing all representatives of *Students*, and ensuring continuity.

In particular, the Student Governments are responsible for appointing the Student Delegates in the Academic Senate.

3.2 Faculty

Members of *Faculty* are the professors employed at Constructor University as well as adjunct professors and scholars who have been granted *Faculty* status by the Faculty Assembly.

Faculty is the body of Constructor University generally responsible for

- research and teaching,
- academic development,
- representation in the global academic community,
- safeguarding academic freedom,
- ensuring good academic practice.

In particular, these responsibilities concern

- appointment of *Faculty* members,
- professional development of *Faculty*,
- university entrance requirements,
- development of courses, modules and study programs,
- academic assessment measures,
- development and structure of the university's research profile,
- representation of *Faculty* within Constructor University and in academic organizations,
- ensuring high academic quality standards.

Faculty contributes to

- ensuring the research possibilities at Constructor University,
- long-term planning and preparation of the annual budget,
- hiring and professional development of teaching staff,
- development of guidelines for the conduct of Constructor University Members.

Faculty Assembly

The general decision-making of *Faculty*, in particular the election of representatives, takes place in the Faculty Assembly. All members of *Faculty* belong to it and have the same voting rights. The Faculty Assembly confers rules of procedure upon itself. The Faculty Assembly may award scholars affiliated with Constructor University *Faculty* membership, including a voting right, through a majority decision.

The Faculty Assembly elects the members of the Faculty Council.

Faculty Council

The Faculty Council executes the responsibility of *Faculty* in the Academic Senate, represents *Faculty* towards other university bodies, and chairs the Faculty Assembly. The Faculty Council consists of at least three and at most nine members who represent the spectrum of academic units at Constructor University. Selected members of the Faculty Council participate in the meeting of the Academic Senate and execute the nine votes of the Faculty Council. Composition and election of Faculty Council are regulated in the rules of procedure of *Faculty*.

The Faculty Council appoints a speaker and the Co-chair of the Academic Senate.

3.3 Staff

Staff consists of all employees of Constructor University that are not members of *Management*, *Faculty*, or *Students*.

The responsibilities of *Staff* include

- support of teaching and research,
- development, management, and evaluation of administrative practice,
- development, implementation, and evaluation of administrative policies,
- development, management, and evaluation of administrative projects and programs,
- representation of Constructor University in the corresponding national and international professional communities and organizations.

Staff contributes to

- teaching and research,
- administrative and institutional development of Constructor University,
- professional development of *Staff* members,
- development of guidelines for the conduct of Constructor University members,
- development, implementation, and evaluation of academic policies and practices,
- assurance of fair working conditions and transparent employment practices.

Staff includes *Teaching and Research Staff* as well as *Administrative Staff*.

Staff Assembly

The Staff Assembly consists of all *Staff* members. Each member has the same voting rights. It discusses and votes upon all matters regarding the rights, interests, and responsibilities of *Staff*. The Staff Assembly confers rules of procedure upon itself.

Staff Council

The Staff Council represents *Staff* towards *Management*, *Faculty*, and *Students* and ensures the responsibilities and rights of *Staff*. It is elected by the Staff Assembly. The Staff Council is responsible for appointing the Staff Delegates (neither member of *Faculty* nor of *Students*) in the Academic Senate.

The Staff Assembly may delegate the representation to the Works Council (Betriebsrat), in which case Staff Council and Works Council are identical.

3.4 Management

Management develops and drives the mission of Constructor University. It provides institutional leadership and ensures fair working conditions, as well as transparent employment practices.

4 Academic Governance - Constructor University

4.1 Academic Senate

The Academic Senate is the main executive body for academic co-determination at Constructor University. Its tasks comprise the participation in and the monitoring of all academic matters in teaching and research. The Academic Senate gives itself rules of procedure. It is composed

of delegates from all Academic Constituencies. It discusses and votes on all academic policies, academic regulations and appointments of *Faculty* members of the university.

In particular, the Academic Senate deliberates and votes on the following matters:

- academic study programs and curricula: introduction, discontinuation, and changes of academic study programs,
- academic policies and procedures,
- policies and procedures regarding *Faculty* hiring and promotion,
- academic quality control: safeguarding high academic standards and ensuring proper scientific conduct.

The Academic Senate participates in the development of the academic profile of Constructor University as well as in the establishment and denomination of faculty positions.

Composition and distribution of votes

The composition of the Academic Senate and the distribution of votes are as follows:

- President (no vote, Chair),
- Academic Operations (four votes),
- Faculty Council (nine votes, Co-Chair),
- Undergraduate Student Delegate (one vote),
- Graduate Student Delegate (one vote),
- Teaching and Research Staff Delegate (one vote),
- Administrative Staff Delegate (one vote).

The President chairs the Academic Senate, the Faculty Council appoints a Co-Chair. The voting rights of Academic Operations are executed by the Head of Academic Operations and the Deans (or equivalent functions). Faculty Council and all Delegates in the Academic Senate come into office through a process regulated by the respective Academic Constituencies and following democratic principles. Faculty Council and Staff Delegates have a term of office of two academic years, Student Delegates of one academic year.

Procedures and communication

The Chair prepares an agenda for each meeting of the Academic Senate. Any member may bring forward agenda items, any formal decision has to be requested in the agenda. During the teaching period the Academic Senate meets at least once a month.

A quorum shall exist if three quarters of the votes of the Academic Senate are represented. In urgent cases decisions may be taken via circular resolution. The Academic Senate passes resolutions with a simple majority of present votes.

The Academic Senate minutes all its decisions; minutes are made public to the university. Parts of the agenda and the respective minutes may be declared confidential.

The Academic Senate may invite guests to its meetings.

The decisions of the Academic Senate are implemented by the Executive Board.

Cases of Dissent

In cases of severe interest of Constructor University Bremen gGmbH, the Executive Board has the authority to reject or overrule formal decisions made by the Academic Senate. If a formal Academic Senate decision is ignored, rejected or overruled by the Executive Board or if the Executive Board implements an action against a formal decision of the Academic Senate, the Academic Senate can establish a *Case of Dissent*. The Case of Dissent will be directed to Internal Auditing. Internal auditing will independently and objectively assess the Case of Dissent. After hearing both parties or - in case of urgency - directly, Internal Auditing has to communicate the Case of Dissent and provide a recommendation to the Board of Governors for a final decision. This decision of the Board of Governors is binding for both parties, the Executive Board and the Academic Senate.

4.2 President

The President is responsible for all academic matters and represents Constructor University in the global academic community. The President chairs the Academic Senate. The Board of Governors establishes a nomination committee for the appointment of a new president. The selection of the new President is supported by the Academic Senate.

4.3 Academic Operations

Academic Operations is concerned with the strategic and operational matters related to research and teaching, including planning and development of research profiles and study programs, quality assurance, and the administration of the annual academic budget. Academic Operations is led by the Head of Academic Operations (Provost) who supervises all *Faculty*, research and teaching staff. The Head of Academic Operations may delegate responsibilities to the Deans (or equivalent functions). The Head of Academic Operations provides regular information to the Academic Senate.

The appointment and dismissal of the Head of Academic Operations and all supporting personnel with supervisory power over Faculty shall take place with the significant participation of the Academic Senate. Before the initiation of a search and selection process, rules of procedure have to be developed and approved by both the Executive Board and the Academic Senate. The process is organized by a finding committee installed by the President for this purpose. The finding committee is chaired by the President.

The Head of Academic Operations and the Deans (or equivalent functions) are members of the Academic Senate.

4.4 Academic University Committees

The Academic Senate can assign well-defined tasks and responsibilities to Academic University Committees. They are established by and report to the Academic Senate. The Academic Senate approves their rules of procedure. The composition of Academic University Committees is function-driven and determined by their rules of procedures according to the principle of equal participation of all affected groups. Members of Academic University Committees are selected by their respective Academic Constituency according to its rules of procedure (charter).

Undergraduate and Graduate Education are responsibilities of at least one standing Academic University Committee whose main tasks are drafting and monitoring policies, developments, decisions and processes in its area of responsibility.

5 Corporate Governance - Constructor University Bremen gGmbH

Corporate governance of Constructor University Bremen gGmbH and its executive bodies are defined by its bylaws (Gesellschaftsvertrag).

6 Academic Integrity and Quality Management

6.1 Academic Integrity Committee

The Academic Integrity Committee, a joint committee with equal representation of *Students* and *Faculty*, is responsible for promoting and carrying out activities that facilitate an environment of academic integrity.

In addition, the committee is responsible for providing support and advice to all members of the academic community regarding issues of academic integrity, including providing informal advice, mediating informal cases, and conducting formal hearings. The Academic Integrity Committee shall be the primary forum for adjudicating issues of academic integrity at Constructor University.

The Academic Integrity Committee is established by and reports to the Academic Senate. Members of the Academic Integrity Committee are nominated by their respective Academic Constituency.

6.2 Ombudsperson

The President appoints an ombudsperson based on the recommendation of the Academic Senate. The ombudsperson acts as a neutral, independent person of trust and mediator for cases of queries regarding good scientific practice and its violation through scientific dishonesty.

6.3 Equal Opportunity

Constructor University values the diversity of its community and promotes the recognition, acceptance and right of all its members to be treated with fairness, equality and justice. Constructor University has a standing committee on equal opportunity. This committee is established by and reports to the Academic Senate. Members are nominated by their respective Academic Constituencies.

6.4 Quality Management

Quality management at Constructor University strives towards continuously improving teaching and research. The university-wide regulations for quality management are determined by the Academic Senate who is responsible for the implementation of all measures.

6.5 Internal Auditing

Internal Auditing of Constructor University Bremen gGmbH is accomplished by an independent and objective (impartial) institution. According to the definition of "The Institute of Internal Auditors (The IIA)" it provides assurance and consulting services to review and improve the operations of Constructor University Bremen gGmbH. In addition, Internal Auditing deals with Cases of Dissent between the Academic Senate and the Executive Board.

6.6 Constitution Committee

The Constitution Committee consists of at least one representative from each of the four Academic Constituencies. It meets at least once a year to deal with reported violations of the Academic Constitution, and also with proposed amendments and potential modifications.

In cases of reported violations of the Academic Constitution the Constitution Committee acts as a mediator between the affected parties. If mediation fails the Constitution Committee may involve Internal Auditing to resolve the issues.

In order to facilitate editorial and non-controversial changes of the Academic Constitution, the Constitution Committee drafts a proposal that is then communicated to the university public, and submitted to the representative bodies of the Academic Constituencies for review. The proposed changes enter into force if within three months no Academic Constituency submits in writing a formal and reasoned objection to the Constitution Committee through their representative bodies. In case of an objection the Constitution Committee may retract the proposed change or submit a revised proposal after negotiations with the affected parties. The Constitution Committee may involve Internal Auditing in order to reach a consensus. Only when all negotiation and mediation efforts fail, the Constitution Committee may declare the proposed change substantial.

Substantial changes to the Academic Constitution are prepared by a committee with representatives from all Academic Constituencies formed for this purpose. Substantial changes are

approved separately by the Student Assembly, the Faculty Assembly, the Staff Assembly, *Management*, and the Board of Governors after university-wide discussion.

7 Final Provisions

The Academic Constitution was approved by the Board of Governors on 8 June 2017 and enters into force on 1 September 2017.

Version	Decision	Details	Valid as of
Version 1.0	Board of Governors 2017-06-08	Complete document	2017-09-01
Version 1.1	Academic Senate 2023-12-13	Name change from Jacobs University to Constructor University	2023-12-13