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University of Basel Statutes (University Statutes)

of 3 May 2012

Based on § 25 (c) of the agreement between the cantons of Basel-Landschaft and Basel-Stadt concerning the joint sponsorship of the University of Basel of 27 June 2006¹, the University Council adopts the following:

1. Part: General provisions

§ 1. Objective and tasks of the university

- 1 The university is an institute of academic teaching, research and services. It serves the common good and respects human dignity and the dignity of living beings.
- 2 The university operates in accordance with the University Agreement and the University Mandate from the governments of the contracting cantons.
- 3 The university regularly reviews the quality of its teaching and research.

§ 2. Collaboration and coordination

- 1 The university works with universities in Switzerland and abroad, and with other educational and research institutions.
- 2 It coordinates its education and research activities with other universities, specifically with regard to its degree programs and research areas.
- 3 It promotes exchange programs with students, lecturers and researchers from Switzerland and abroad.
- 4 It supports basic research and knowledge transfer to companies and institutions.
- 5 The university can form associations and participate in enterprises with other institutions to support research, teaching and knowledge transfer in accordance with the University Mandate.
- 6 Professorships affiliated with multiple faculties or institutions may be established in order to promote collaboration between faculties.

§ 3. Faculties

- 1 The university consists of the following faculties:
 - a) Faculty of Theology,
 - b) Faculty of Law,
 - c) Faculty of Medicine,
 - d) Faculty of Humanities and Social Sciences,
 - e) Faculty of Science,
 - f) Faculty of Business and Economics,
 - g) Faculty of Psychology.

¹ SG 442.400.

§ 4. *Co-determination and information*

- 1 The students and staff of the University of Basel are members of the university.
- 2 Members of the university are entitled to appropriate information and co-determination.
- 3 They are represented in the Senate and when the faculties and departments convene in accordance with the provisions of these Statutes. The electing bodies are the groups.
- 4 University members exercise their co-determination rights in groups.
- 5 University members can belong to the following groups:

Group I: Holders of professorships, tenure track assistant professors, and SNSF professors;

Group II: Non-tenure track assistant professors, university lecturers, adjunct professors, lecturers (*Privatdozent*), and research staff with teaching assignments;

Group III:² PhD students and postdocs at the University of Basel;

Group IV: Academic, technical and administrative staff without teaching assignments;

Group V:³ BA and MA students.

- 6 University members can only belong to one group.
- 7 The responsible bodies ensure that staff associations are involved at an early stage in the decision-making process for personnel matters of fundamental importance.

§ 5. *Gender equality*

- 1 The university is committed to the principle of equal opportunities for people of all genders and has set up the Equal Opportunity Committee for this purpose.
- 2 The university takes appropriate measures to promote gender equality and supports a balance between studying, career and family. In particular, it provides for childcare services.
- 3 To increase the percentage of female lecturers, the process for appointing professors prioritizes female applicants if candidates are equally qualified.

§ 6. *Cultural and social diversity*

- 1 The university is committed to social diversity.
- 2 It can set up services that benefit university members or it can support existing organizations.
- 3 The university takes appropriate measures to make it easier for disabled persons to study.
- 4 It advocates for student housing.
- 5 It advocates for a wide range of university sports programs and funds these programs.

§ 7. *Sustainability*

- 1 The university strives to achieve sustainability in all of its spheres of activity and influence.

§ 8. *Organization of the Faculty of Medicine*

- 1 The university sponsors medical teaching and research. Services are provided in the university departments and institutes as well as at the university hospitals and hospitals with university clinics.

² § 4 para. 5 Group III as amended by the University Council decision of 25 April 2013 (effective since 16 May 2013).

³ § 4 para. 5 Group V as amended by the University Council decision of 25 April 2013 (effective since 16 May 2013).

² The Medicine Steering Committee is responsible for teaching, research and services; its composition, tasks and areas of responsibility are set out in an agreement between the governments of the contracting cantons and the University Council.

2. Part: Organization of the university

I. TASKS AND RESPONSIBILITIES OF THE UNIVERSITY BODIES

§ 9. *University Council*

¹ The University Council is the supreme decision-making body of the university and is responsible for supervision at the university. It is entrusted with fulfilling the University Mandate from the governments of the contracting cantons. It fulfills the duties entrusted to it as defined in the University Agreement and Mandate.

² The University Council

- a) is responsible for implementing the University Mandate;
- b) defines the strategic focus and development priorities of the university in consultation with the President's Board, the respective faculties and the Senate;
- c) regulates the organization of the university in a set of statutes specifically defining the composition and competences of the various university bodies and the structuring of the intra-university judicial processes;
- d) establishes the staffing policy and lays down terms of employment. It submits the basic benchmarks of the terms of employment to the governments of the contracting cantons for approval;
- e) monitors the quality of the university's services;
- f) makes decisions concerning
 - fa) the approval of structural professorships based on the development plans and structural plans of the faculties or separate structural reports;
 - fb) the establishment and dissolution of structural professorships, after consulting with the relevant faculties;
- g) is the electoral authority for
 - ga) holders of structural professorships;
 - gb) the Administrative Director at the request of the President's Board;
 - gc) the secretary of the University Council;
 - gd) the Appeals Committee for decisions of all intra-university bodies;
 - ge) the auditors;
- h) can, after consulting with the faculties, remove persons it has elected from office for good cause, or revoke professorships;
- i) issue the necessary regulations, in particular
 - ia) staffing rules;
 - ib) rules governing university fees;
 - ic) rules governing appointment procedures;

- id) admissions restrictions after consulting the President's Board, the respective faculties and the Senate;
- ie) a set of financing rules;
- if) rules governing secondary employment, agreements with third parties and the use of intellectual property in the context of work at the university;
- ig) rules for obtaining approval and signatures;
- j) administers the resources of the university through budgets in accordance with the University Mandate;
- k) makes decisions regarding the budget, annual financial statements and reporting in conjunction with the University Mandate and presents these documents to the governments of the contracting cantons;
- l) makes decisions concerning the use of the real estate fund in the context of the strategic orientation of the university and the specific function of the fund;
- m) appoints an expert committee for the real estate fund;
- n) acknowledges the financial audit report from the contracting cantons;
- o) approves
 - oa) the election process and the election of the President and the Vice Presidents at the request of the Senate;
 - ob) the student regulations at the request of the Senate;
 - oc) the study regulations;
 - od) the continuing education regulations;
 - oe) the appointment of adjunct professors;
- p) concludes agreements;
- q) presents the audit reports to the governments and the financial auditing bodies of the contracting cantons;
- r) fulfills the other duties assigned to it by the University Agreement.

³ The University Council makes decisions concerning the election of the pension institution for the professional pensions of university personnel with the consent of university personnel or any employee representatives.

§ 10. President's Board

- ¹ The President's Board consists of the President, two or three Vice Presidents, and the Administrative Director.
- ² In general, professors from Swiss and foreign universities can be elected to the post of President or Vice President. Each of these posts is filled in conjunction with a professorship at the University of Basel. The term is four years. Re-election is possible based on a performance assessment.
- ³ The President heads the President's Board.
- ⁴ Members of the President's Board are given special employment contracts. Exceptions are possible in certain cases. When electing internal candidates, appropriate solutions for substitutes are sought out in cooperation with the departments and faculties.
- ⁵ The General Secretary of the University coordinates the affairs of the President's Board and attends meetings in an advisory capacity.

§ 11. Tasks of the President's Board

¹ The President's Board is in charge of university-wide affairs. In particular, the President's Board is responsible for

- a) representing the university to the public and on Swiss and international university committees;
- b) the establishment, change and dissolution of departments as well as the approval of changes to the structure of departments;
- c) the development of the long-term and short-term investment plan, financial plan, budget and annual accounts as well as the annual report to be presented to the University Council;
- d) the approval of the rules of the organizational units of the university;
- e) appointment negotiations in cooperation with the dean of the respective faculty;
- f) the appointment of assistant professors as well as university lecturers at the request of the faculties;
- g) the approval of research sabbaticals and continuing education semesters as well as requests for leave from the faculties; it adopts a set of rules for this purpose;
- h) the rules governing admission to studies in cooperation with the faculties, the teaching program and the criteria for granting or revoking degrees and titles;
- i) the adoption of specific rules for admission to continuing education sessions and events;
- j) use of financial resources from the foundations and the funds of the university's endowment;
- k) dissemination of information concerning all university-wide matters, organizing and implementing university-wide events and elections;
- l) the adoption of university-wide rules for academic conduct, which are subject to approval by the Senate;
- m) the archiving of university documents in compliance with the archiving laws of the contracting cantons;
- n) compliance with disciplinary rules;
- o) the planning of the spatial development of the university in cooperation with the University Council and the supporting cantons;
- p) the approval of rules for continuing education programs.

² The President's Board

- a) has a say in establishing committees for development and structural plans as well as for appointments, and can delegate a voting member to these committees;
- b)⁴ can authorize university units outside the faculties to award academic degrees;
- c)⁵ has the right to control access to all university premises.

³ The President's Board comments on all proposals submitted to the University Council by boards within the university. The President's Board attends to the following matters in particular and submits proposals to the University Council:

- a) Development and structural plans of the faculties;
- b) The creation of new degree programs or the dissolution of existing programs;
- c) The selection or appointment of holders of structural professorships;
- d) The non-selection or termination of holders of structural professorships;

⁴ § 11 para. 2 (b) as amended by the University Council decision of 19 December 2013 (effective since 20 February 2014).

⁵ § 11 para. 2 (c) (originally (b)) added by the University Council decision of 19 December 2013 (effective since 20 February 2014).

- e) Rules concerning the collection of university fees in compliance with the principles detailed in § 14 University Agreement;
 - f) Rules governing cooperation with third parties.
- 4 On behalf of and in cooperation with the University Council and in agreement with the organizational units, the President's Board is responsible for the planning of focal areas in teaching, research and services in accordance with § 7 para. 2 (b) of these Statutes.

§ 12. President's Conference

- 1 The President's Conference comprises the members of the President's Board, the deans and the Senate Chairperson.
- 2 The President's Conference helps shape common opinions, prepares decisions on university-wide matters and facilitates the sharing of information between the President's Board and the various faculties.
- 3 The President's Conference is chaired by the President and generally convenes once a month during lecture periods.

§ 13. Senate

- 1 The Senate is comprised of 77 members, namely the members of the President's Board (ex officio), the seven deans (ex officio) and the following representatives of the groups:
 - a) 30 holders of professorships (two theology, three law, six medicine, seven humanities, seven science, three business and economics, two psychology);
 - b) one member from Group II per faculty;
 - c) one assistant per faculty;
 - d) two student members per faculty; and
 - e) eight academic, technical and administrative staff members.
- 2 The Senate elects one person to the post of Senate Chairperson for a term of four years. Re-election is possible. The President's Board and the current Chairperson agree on arrangements with respect to relieving the Chairperson of certain academic obligations.
- 3 Provided they are not part of the Senate ex officio, the members can be elected by their groups for a term of four years. Re-election is possible.
- 4 A committee prepares the Senate meetings.
- 5 The General Secretary of the university is responsible for taking the minutes at Senate meetings.

§ 14. Tasks of the Senate

- 1 The Senate undertakes the following tasks:
 - a) The Senate comments on university-wide academic issues as well as on development priorities and targets; it deals with strategic projects;
 - b) it promotes teaching and research and, in particular, collaboration between disciplines and faculties;
 - c) it is consulted regarding changes to the University Statutes;
 - d) it grants authorization to teach (*venia docendi*);
 - e) it submits requests to the University Council for the granting of the title of Professor;
 - f) it is entitled to submit proposals to the governing bodies for the election of a voting member of the University Council;

- g) it elects the President and Vice Presidents, who are then subject to approval by the University Council. It adopts a procedure to be submitted to the University Council for approval;
- h) it elects members to their respective committees and monitors their activities;
- i) it designates an Ombudsman's Office within the university;
- j) it appoints representatives of the university to their respective external boards;
- k) it adopts regulations that govern the other bodies, procedures and election processes;
- l) it issues student regulations, which are subject to approval by the University Council.

II. TASKS AND RESPONSIBILITIES OF THE UNIVERSITY ORGANIZATIONAL UNITS

§ 15. *University organizational units*

- 1 The faculties, departments and institutes are the organizational units of the university.
- 2 Departments are budgetary and administrative units of the faculties. They include the teaching, research and service areas assigned by the faculty. They plan, organize and coordinate their members' activities. Faculties and departments may be divided into subject areas for the purpose of coordinating the content of closely related teaching, research and services; these areas do not have an administrative structure.
- 3 Institutes are budgetary and administrative units that cover teaching, research and service content across different faculties. They report directly to the President's Board.
- 4 When institutes are established, the President's Board defines the arrangements for constitution, organization, responsibility and co-determination. The exchange of services between institutes and faculties is governed by service agreements.
- 5 With the approval of the University Council, university organizational units may coordinate their work towards strategic objectives in interdisciplinary Centers of Excellence, which usually also involve inter-faculty collaboration.
- 6 The organizational regulations for faculties and departments stipulate a head (in the case of faculties, the dean), as well as the assembly and any other bodies.
- 7 All university members in the organizational units are represented at assemblies. Groups are represented in such assemblies in accordance with the ratios defined in these Statutes. Changes to these proportions can be made with the agreement of all groups.
- 8 The faculty and department assemblies issue organizational regulations subject to approval by the President's Board. These regulations govern the specific allocation of the powers and duties mentioned in §§ 16–18 to university bodies. They establish the proportions of groups in the bodies and govern the procedure for electing group representatives. They also define the function, term of office, authority and tasks of the head/dean elected by the holders of full-time professorships.
- 9 Individual professors are responsible for the content of teaching and research.

§ 16. *Faculty*

- 1 A faculty
 - a) awards academic degrees;
 - b) applies to the Senate for the granting and withdrawal of authorization to teach (*venia docendi*) and for the conferral of the title of professor based on a specific qualification procedure;
 - c) issues teaching assignments;
 - d) issues study regulations, which are approved by the University Council;

- e) is consulted regarding the establishment and dissolution of degree programs and of structural professorships in its area;
- f) prepares a faculty development and structural plan in cooperation with the organizational units. It writes advertisements for the appointment of professors based on positions approved by the University Council, and submits them to the President's Board;
- g) assesses the applications received and, based on the requirements of the President's Board concerning academic focus and financing, compiles a list of selected applicants for submission to the President's Board;
- h) elects the Dean and Vice Dean, in agreement with the President's Board, for a term of at least two years;
- i) applies for the granting of research and continuing education semesters as well as vacation for teaching staff;
- j) ensures the quality of teaching, research and services in its area;
- k) within the framework of its responsibility, approves for submission to the President's Board the faculty budget and the budget for sub-departments.

§ 17. Department

¹ A department is a budgetary and administrative unit and is subordinate to the faculty within the organizational structure. It

- a) can use the approved personnel and equipment as it wishes;
- b) prepares the department budget for submission to the faculty and applies to the President's Board for funding;
- c) is involved in the creation, design and withdrawal of degree programs;
- d) manages the technical, physical and administrative infrastructure;
- e) contributes to the development of the faculty development and structural plan under the leadership of the faculty;
- f) applies to the faculty for the granting of research and continuing education semesters and vacation, for decision by the President's Board in compliance with § 16 (i).

² Departments may, by agreement with the faculty and with the approval of the President's Board, be expanded, reorganized or regrouped.

§ 18. Institute

¹ An institute is a budgetary and administrative unit and is subordinate to the President's Board in the organizational structure. It is led by a member of Group I; the groups must be appropriately included in the management. It

- a) can use the approved personnel and equipment as it wishes;
- b) issues teaching assignments;
- c) prepares the institute's budget for submission to the President's Board and applies to the President's Board for funding;
- d) coordinates teaching, research and services with the faculties concerned in accordance with service agreements;
- e) manages the technical, physical and administrative infrastructure of the institute;
- f) applies to the President's Board for the granting of research and continuing education semesters as well as vacation.

2 The institute head is appointed by the President's Board, taking due consideration of the interests of the faculties involved.

§ 19. University-wide academic and administrative services

1 The university-wide academic and administrative services are headed by the President, Vice President or Administrative Director in accordance with their overall responsibility. The President's Board makes decisions concerning the allocation of individual areas of the President's Office.

2 The central university administration is headed by the Administrative Director. The Administrative Director is elected at the request of the President's Board.

§ 20. Central academic services and facilities

1 Central academic services and facilities are normally under the control of the President, individual Vice Presidents or the Administrative Director. They keep their own accounts.

III. THE STUDENT BODY, THE ASSISTANTS' ASSOCIATION AND THE APPEALS COMMITTEE

§ 21. Student body

1 The student body is represented by the University of Basel Student Union ("skuba"). It is organized in accordance with the law governing associations (Art. 60 CC).

2 Students automatically become members of skuba upon registration. Students are specifically made aware of this during the registration process.

3 Students who do not wish to join skuba are required to inform the President's Office in writing. In doing so, they waive their membership rights.

4 skuba represents student, university and education policy interests in the Senate and, in compliance with regulations, on faculty and department boards and university committees and when dealing with authorities and the public. Other tasks are defined in a performance agreement with the President's Office.

5 skuba offers services for students.

6 skuba receives funding from the university's global budget, member contributions and other income.

§ 22. Assistants' Association (avuba)

1 Assistants are represented by the University of Basel Assistants' Association ("avuba") and consists of a body of University of Basel PhD students and postdocs. It is organized in accordance with the law governing associations pursuant to the CC.⁶

2 PhD students and postdocs automatically become members of avuba upon appointment or enrollment.⁷

3 PhD students and postdocs who do not wish to join avuba are required to inform the President's Office in writing. In doing so, they waive their membership rights.⁸

4 avuba represents the interests of its members and of early-career academic researchers in the Senate and, in compliance with regulations, on faculty and department boards and university committees and when dealing with authorities and the public. Other tasks are defined in a performance agreement with the President's Office.

5 avuba offers services for PhD students and postdocs.⁹

6 avuba receives funding from the university's global budget, member contributions and other income.

§ 23.¹⁰ *Appeals Committee*

- 1 The Appeals Committee is a judicial body without a mandate and is responsible for handling appeals against decisions made by any intra-university body.
- 2 The committee has six members: five members have voting rights and one member acts in an advisory capacity. The members are elected by the University Council for a term of four years and may not be members of the university. The legal secretary serves on the committee in an advisory capacity. The Appeals Committee appoints the legal secretary.
- 3 The Appeals Committee is headed by a presiding judge.
- 4 The Appeals Committee has a quorum when at least three members with voting rights are present.

§ 24.¹¹ *Appeals Committee 2 – Examinations*

**3. Part: Appointments, elections and voting, constituent assembly of university
organizational units**

§ 25. *Appointment procedure*

- 1 The procedure for appointing professors is initiated, based on the development and structural plans, by the faculty in consultation with the President's Board, on the basis of approval resolutions by the University Council. The faculties are responsible for conducting the appointment procedure. The University Council selects the holders of structural professorships.
- 2 The appointment procedure is governed by regulations¹² issued by the University Council.
- 3 The appointment of clinical professors in the Faculty of Medicine is coordinated with the employing hospitals.

§ 26. *Elections and voting*

- 1 Unless specified otherwise, elections and voting are decided by a simple majority of the members with voting rights present. If a vote is tied, the chairperson has a casting vote.
- 2 All university boards must conduct elections and voting on personal matters in writing and in secret.
- 3 If multiple positions are to be filled during elections, a separate voting procedure is conducted for each position.
- 4 If there is only one candidate available for election, this candidate is deemed to be elected by tacit election.

⁶ § 22 para. 1 as amended by the University Council decision of 25 April 2013 (effective since 16 May 2013).

⁷ § 22 para. 2 as amended by the University Council decision of 25 April 2013 (effective since 16 May 2013).

⁸ § 22 para. 3 as amended by the University Council decision of 25 April 2013 (effective since 16 May 2013).

⁹ § 22 para. 5 as amended by the University Council decision of 25 April 2013 (effective since 16 May 2013).

¹⁰ § 23 and title as amended by the University Council decision of 25 April 2013 (effective since 16 May 2013).

¹¹ § 24 repealed by the University Council decision of 25 April 2013 (effective since 16 May 2013).

¹² § 25 para. 2: Appointment Regulations of the University of Basel dated 25 April 2013, available at <http://www.unibas.ch>, "Documents", "Legal Regulations".

§ 27. Constituent assemblies

- 1 The constituent assembly consists of all incumbents in professorships in the organizational units at the time of the entry into force of these Statutes.
- 2 The groups are represented in the following ratios:
 - a) In a faculty constituent assembly
 - aa) the total number of professors corresponds to 55% of seats;
 - ab) Group II accounts for 25% of seats, and
 - ac)¹³ 10% of seats go to PhD students/postdocs and students respectively.
 - b) In a department constituent assembly
 - ba) the total number of professors corresponds to 60% of seats;
 - bb)¹⁴ Group II, PhD students and postdocs, administrative and technical staff, and students each account for 10%.
- 3 Each group is represented by at least one person. If one of the groups does not exist in an organizational unit, the percentage allocated to this group is distributed between the other groups in the same proportions.
- 4 The constituent assembly is chaired by a full-time professor (who has a casting vote). Decisions are made by absolute majority of the members present.
- 5 If an organizational unit has fewer than five holders of professorships, they cannot be outvoted if they are in agreement.

§ 28. Tasks of the constituent assembly

- 1 The constituent assembly decides whether the organizational unit assembly should consist of all holders of professorships or only representatives.
- 2 The percentages for representation at the assembly may be changed with the agreement of all represented groups. The decision is made within the groups by a majority of those present.
- 3 If changes are made to these proportions, the percentages must not fall below 10% per group.

4. Part: Final provisions

§ 29. Changes to the Statutes

- 1 Changes to these Statutes can be requested from the University Council via the Senate and President's Board.
- 2 The University Council submits changes to these Statutes to the Senate for comment.

§ 30. Transitional provision

- 1 The changes in membership of Groups II and IV (§ 4 para. 5) introduced by these Statutes and the resulting changes to the composition of the Senate (§ 13 para. 1) will be implemented at the next election of the Senate. Due to the extension of the term of office of the Senate (§ 13 para. 3), the effective date is 1 August 2015.

Final provision

These Statutes must be published; they are valid from 1 August 2012. The University of Basel Statutes dated 12 December 2007 shall be repealed on the same date.

¹³ § 27 para. 2 (ac) as amended by the University Council decision of 25 April 2013 (effective since 16 May 2013).

¹⁴ § 27 para. 2 (bb) as amended by the University Council decision of 25 April 2013 (effective since 16 May 2013).