



CONSTITUTION OF HEIDELBERG UNIVERSITY

Pursuant to § 8 par. 4 of the Higher Education Act of the State of Baden-Württemberg (Landeshochschulgesetz, LHG) in the version of 1 January 2005 (GBl. No. 1/2005, p. 1 ff.), last amended by Article 2 of the Law for the Implementation of the Federalism Reform for Institutions of Higher Education (ZHFRUG) of 3 Dec. 2008, effective 1 March 2009, the Senate of Heidelberg University in its meeting of 16 June 2009 decided to change the university's Constitution of 1 Oct. 2008 as set out below. The University Council approved the decision by circulation on 6 July 2009.

The Baden-Württemberg Ministry for Science, Research and Art approved the amended version of the Constitution in its letter of 19 August 2009.

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PREAMBLE

In the awareness of its obligation to serve truth, freedom and humanity, Heidelberg University (Ruprecht-Karls-Universität Heidelberg) has passed the following Constitution:

- § 1** The full name of Heidelberg University is Ruprecht-Karls-Universität. The university follows the mottoes “Semper Apertus” and “Dem lebendigen Geist” (To the Living Spirit), and uses its traditional logo. The university colours are sandstone red – gold – sandstone red.
- § 2** As an institution of science, Heidelberg University is charged with the task of preserving, utilising, increasing and passing on the existing knowledge about mankind and nature. It accomplishes this task in the fellowship of teachers and students. It guides its students toward independent scientific thinking in order to prepare them for their professional future.
- § 3** Heidelberg University manages its own internal affairs within the framework of state legislation and with the participation of all of its members.

PART ONE

MEMBERS AND AFFILIATES OF THE UNIVERSITY, MEMBER GROUPS

§ 4 Members and affiliates of the university

- (1) Members of the university are the persons specified in § 9 par. 1 LHG. Retired professors and those who have been released from their duties, honorary professors, visiting professors, associate professors, honorary citizens and honorary senators are not eligible for membership or entitled to vote. In justified individual cases, a retired professor or a professor who has been released from his duties may be elected dean with the consent of the rector and the faculty or institution concerned. § 27 par. 2 and § 29 par. 2 remain unaffected.
- (2) According to § 9 par. 4 LHG, affiliates of the university are university employees who are not members of the university. They have access to the university’s institutions within the framework of the general statutes and the administrative and usage regulations, but they have no rights or duties of participation in the university’s self-administration. They are not eligible for office or entitled to vote. Affiliates of the university are also the university’s alumni (every former student who has received part or his/her academic education and/or conducted research at Heidelberg University).

§ 5 Member groups

For the purpose of representation in university bodies that are composed according to member groups, each category of members as specified below constitutes one group:

1. Teaching staff (professors, junior professors and lecturers) and adjunct professors if they are full-time employees of Heidelberg University and work primarily as professors (teachers)
2. Academic staff
3. Students and enrolled doctoral candidates (students)
4. Other staff (administrative and technical staff).

PART TWO THE RECTORATE

§ 6 Management of the university

- (1) The management board stipulated in § 16 LHG is called "Rectorate". The members of the Rectorate carry the titles of Rector (chair of the board), Registrar (board member responsible for economic and personnel management) and Vice Rector. One vice rector is designated First Vice Rector.
- (2) The rector and the registrar are full-time members of the Rectorate. In addition to the rector and the registrar, the Rectorate comprises four part-time vice rectors. These are proposed by the rector and elected by the Senate; the election must be approved by the University Council. On the occasion of the election of Rectorate members, it is also decided which of the vice rectors will become first vice rector. The future first vice rector is proposed by the rector.
- (3) The first vice rector acts as deputy for the rector; if the first vice rector is unavailable, one of the other vice rectors is called on to deputise. If the vice rectors are unavailable, the rector may enlist one of the deans as his deputy for duties that are within his responsibility according to the LHG. § 16 par. 2 clause 3 LHG remains unaffected.

§ 7 Term of office, re-election and voting out of full-time members of the Rectorate

- (1) The term of office of full-time Rectorate members is six to eight years as per decision of the University Council (§ 17 par. 2 clause 2 LHG). Full-time members may be re-elected once; the total term of office may not exceed 12 years. Only the registrar may be re-elected several times without limitation of the total term of office.
- (2) Upon hearing the Senate and obtaining the consent of the Ministry of Science and Research, the University Council may vote out every full-time member of the Rectorate with a two-thirds majority.

§ 8 Voting out of part-time members of the Rectorate

Upon hearing the University Council and the rector's proposal, the Senate may vote out every part-time member of the Rectorate with a two-thirds majority.

PART THREE THE SENATE

§ 9 Tasks of the Senate; election of the first and second speaker

- (1) The Senate is responsible for the tasks set out in § 19 par. 1 LHG. The Senate is also responsible for approving appointment proposals according to § 48 par. 4 LHG and § 24 of this Constitution.
- (2) The Senate elects a first and second speaker from among its members. The speakers represent the Senate in the University Council committee that selects the council members acc. to § 20 par. 4 LHG.

§ 10 Number of members-elect of the Senate; term of office of student members

- (1) In addition to those who hold membership by virtue of their office, the Senate has 20 elected members acc. to § 19 par. 2 LHG. Of these, eight members belong to the teaching staff (§ 5 no. 1), four members to the academic staff (§ 5 no. 2), four members to the students (§ 5 no. 3) and four members to the administrative and technical staff (§ 5 no. 4). § 10 par. 3 LHG remains unaffected. Within each group, only two members may be from the same faculty, central scientific institution or central operational institution of the university. Details can be found in the university's electoral regulations.
- (2) Student members are elected for a term of one year.

§ 11 Senate committees

- (1) The Senate may form deciding and advisory committees acc. to § 19 par. 1 clauses 3-5 LHG. The Senate may give the committees guidelines for their work and reassume responsibility for individual tasks previously delegated to the committees. The members of the Senate must be informed immediately about committee decisions.
- (2) The committee members should belong to different faculties and member groups as set out in § 10 par. 1 clause 2 LHG.

§ 12 Student Union (AStA) and Student Council

- (1) Besides the student representatives serving in the Senate, the voting members of AStA include seven additional student representatives. The term of office is one year. Members are elected in the course of the general elections for office at the university. Details can be found in the university's electoral regulations.

- (2) The departmental student committees form a Student Council in which the members of the Student Union (AStA) act in an advisory capacity (§ 25 par. 4 LHG).

PART FOUR THE UNIVERSITY COUNCIL

§ 13 University Council

- (1) The supervisory board as set forth in § 20 LHG is called "University Council". It consists of eleven members, of which six – including the chair – are not members of the university and five – including the vice chair – are university members as defined in § 9 LHG.
The term of office is three years.
- (2) The committee for the selection of the members of the University Council includes the first speaker and the second speaker of the Senate (§ 9 par. 2). The representatives of the Senate report to the Senate regularly during the selection proceedings – taking into account their legal obligation of confidentiality regarding personnel issues and their personal responsibility.

PART FIVE THE FACULTIES

§ 14 Faculties

The university comprises the following faculties:

Faculty of Theology
Faculty of Law
Medical Faculty Heidelberg
Medical Faculty Mannheim of Heidelberg University
Faculty of Philosophy
Faculty of Modern Languages
Faculty of Economics and Social Sciences
Faculty of Behavioural and Cultural Studies
Faculty of Mathematics and Computer Science
Faculty of Chemistry and Earth Sciences
Faculty of Physics and Astronomy
Faculty of Biosciences

§ 15 Faculty management

- (1) The management of each faculty consists of the dean, the vice dean as the dean's deputy and a dean of studies who in this function carries the title of Vice Dean (§ 23 LHG).
- (2) In faculties with more than 30 teaching positions (as defined in § 5 no. 1), there may be an additional vice dean on the management board.
- (3) The faculty management determines how the dean, his or her deputy and the other members represent each other in their area of operations and, as members by virtue of their office, on various university boards.
- (4) At the suggestion of the rector, the Faculty Council may vote out the dean with a two-thirds majority.

§ 16 Faculty Council

- (1) The Faculty Council is responsible for the tasks set forth in § 25 par. 1 LHG. In addition, and without prejudice to the responsibilities of the Senate, the Faculty Council is charged with the following tasks:
 1. Acting on proposals for the staffing of the appointment committees and approving the suggested appointments of the committees acc. to § 48 par. 4 LHG
 2. Deciding on proposals for the conferment or revocation of the titles "adjunct professor", honorary professor, visiting professor and honorary doctor
 3. Deciding on drafts of administrative and usage regulations for university facilities belonging to the faculty incl. fees acc. to § 19 no. 10 LHG
 4. Deciding on drafts of regulations for doctoral degrees and professorships, and for admission to the university, studying and examinations.
- (2) The Faculty Council comprises the following members:
 1. By virtue of their office:
 - a) the members of the faculty management,
 - b) up to five full-time directors of scientific institutions belonging to the faculty. If the institution is headed by a team of directors, the team must appoint a speaker as representative to the Faculty Council. If more than five scientific institutions belong to the faculty, the Senate decides the order in which the directors of the institutions become members of the Faculty Council.
 2. By election: 16 voting members, of which
 - a) six must be teachers acc. to § 5 no. 1 who work full time at the university,
 - b) four must be representatives of the academic staff acc. to § 5 no. 2,
 - c) five must be students acc. to § 5 no. 3 and
 - d) one must be a representative of the administrative and technical staff acc. to § 5 no. 4.

§§ 10 par. 3, 27 LHG remain unaffected.

- (3) As an alternative to par. 1, the Faculty Council may decide to institute a Great Faculty Council, which performs the same tasks as the Faculty Council. The Great Faculty Council comprises the following members:
 1. By virtue of their office:
 - a) the members of the faculty management
 - b) all full-time teachers acc. to § 5 no. 1 of the faculty
 2. By election after determination by the Faculty Council:
 - a) six to eight students acc. to § 5 no. 3,

- b) four or five representatives of the academic staff acc. to § 5 no. 2 and
- c) up to three representatives of the administrative and technical staff acc. to § 5 no. 4.

§ 10 par. 3 LHG remains unaffected.

- (4) The term of office of student members is one year.

§ 17 Departmental student committees

The members of the departmental student committee who are not already members by virtue of their membership in the Faculty Council are elected according to the university's electoral regulations. The election is to be held at the same time as the election to the Faculty Council. The term of office is one year.

§ 18 Lecture plan

The teachers distribute teaching assignments among themselves in accordance with their duties. The regulations of the Higher Education Act, especially § 3 par. 3, § 24 par. 2 and § 26 par. 4 LHG, remain unaffected.

§ 19 Joint Commissions (general faculties, fields of study)

- (1) According to § 15 par. 6 LHG, the Senate may designate a Joint Commission as "Gesamtfakultät" (general faculty), in addition to specifying the respective branch of study, if this Joint Commission assumes tasks of several faculties that extend beyond the respective faculties. § 20 par. 1 no. 9 LHG remains unaffected.
- (2) According to § 15 par. 6 LHG, the Senate may designate a Joint Commission as "Studienbereich" (field of study), in addition to specifying the respective branch of study, if this Joint Commission is responsible for implementing study programmes that extend beyond individual faculties.
- (3) In the Joint Commissions, all member groups are represented and entitled to vote, unless there are provisions to the contrary in § 15 par. 6 LHG in combination with the provisions of this Constitution or of the procedural regulations.
- (4) The chair of a Joint Commission is called "speaker". When the Senate appoints the first speaker and his or her term of office, it also determines the order in which the deans of the faculties involved are to become speakers of the Joint Commission. This order usually follows the order of the university's faculties.
- (5) The Joint Commission may appoint a Joint Academic Commission whose tasks are set out in § 26 LHG. The Faculty Councils of the faculties involved may vote on the appointment of members to this Academic Commission. In addition to the institution of the Joint Commission according to par. 2, the Senate must also determine the number of members belonging to each group acc. to § 10 par. 1 LHG and their distribution across the faculties involved in accordance with the represented study programmes. The chair of the Joint Academic Commission is elected by the Joint Commission from among the full-time professors of the represented faculties; the chair holds the position of a dean of studies with the duties set forth in § 26 LHG.

PART SIX

THE EQUAL OPPORTUNITIES COMMISSIONERS

§ 20 Equal opportunities commissioner of the university

- (1) The rights and duties of the equal opportunities commissioner for academic staff and students and his or her deputies are set forth in § 4 LHG. Their term of office is two years. The equal opportunities commissioner may propose his or her deputy.
- (2) The equal opportunities commissioner is entitled to address the university publicly in the performance of his or her duties.

§ 21 Advisory Equal Opportunities Commission

If the Senate institutes an Advisory Equal Opportunities Commission, the commission must be notified of all events within its scope of responsibility. The university administration and the faculties provide the commission with all statistical and other information it deems necessary for its work, unless this is prohibited by legal provisions or the will of the persons concerned. The members of the commission are legally bound to treat such information with confidentiality.

§ 22 Equal opportunities commissioner of the faculty

- (1) The members of the Faculty Council elect an equal opportunities commissioner for the faculty and one or more deputies with the participation of the university's equal opportunities commissioner. The equal opportunities commissioner of the faculty is entitled to attend the meetings of the Faculty Council and participate in an advisory capacity.
- (2) Without prejudice to the rights of the university's equal opportunities commissioner, the equal opportunities commissioner of the faculty must be notified of all incidents within his or her scope of responsibility acc. to § 20 par. 1 and may view the required documents unless this is prohibited by legal provisions or the will of the persons concerned. The commissioner is legally bound to treat such information with confidentiality.

PART SEVEN

SCIENTIFIC AND OPERATIONAL INSTITUTIONS

§ 23 Scientific and operational institutions

- (1) Scientific institutions and operational institutions (university institutions) are legally dependent units of the university that are provided with personnel, materials and rooms for the performance of university tasks.
- (2) Scientific institutions are used for the purposes of research, teaching and studying. They are usually assigned to one faculty (institutes and departments), but may also be part of several faculties. Central scientific institutions are usually assigned to the Rectorate. As a rule, only one scientific institution should be created for same or related subjects; the institution may be divided into departments. The director of a scientific institution coordinates the activities of the teaching staff (acc. to § 5 no. 1) working at the institution insofar as this is necessary to ensure an efficient use of resources. The Rectorate may decide generally or in individual cases that scientific institutions must provide services to other university institutions or individual university members. The administrative and usage regulations acc. to § 19 no. 10 LHG may stipulate the creation of an Academic Advisory Council that supports the management and organisation of the institution in an advisory capacity.
- (3) Operational institutions (libraries, computing centres, workshops, supply and auxiliary facilities, goods and other enterprises etc.) provide services. They may be assigned to one or more faculties or, if they are central institutions, to the Rectorate.
- (4) If a university institution is assigned to a faculty, it is supervised by the dean of the faculty. If an institution is assigned to several faculties, the Rectorate determines which dean is to supervise the institution. In all other cases, the institution is supervised by the Rectorate.
- (5) The university institutions draw up statutes acc. to § 19 no. 10 LHG that govern their organisation, administration and rights of use. The statutes must be approved by the Faculty Council if the institution is assigned to one or more faculties. In scientific institutions, the teaching staff (acc. to § 5 no. 1) working at the institution must be heard before the statutes are issued.
- (6) Scientific institutions should as a rule be administered by a team of directors, a director with a fixed term of office, or a team of directors with a fixed term of office. A permanent director may be appointed if this was set out in an appointment contract concluded before the entry into force of this Constitution. The director of an institute or department is usually elected. All teachers (acc. to § 5 no. 1) working at the institution may vote. § 27 par. 2 and § 29 par. 2 remain unaffected. The director of a central scientific institution is usually appointed by the Rectorate. All professors whose field of work is assigned to the institution are eligible for the office of director. Operational institutions usually have a permanent director appointed by the Rectorate.
- (7) The director of a university institution usually informs the full-time members of the institution about administrative matters once every semester. The statutes for administration and use acc. to § 19 no. 10 LHG may stipulate the participation of one representative of each departmental student committee of the departments belonging to the institution. The director must also convene a meeting if more than half of the persons described in clause 1 request it by signature. The meeting must be convened no later than 14 days after receipt of the signatures by the director.

PART EIGHT

TEACHING STAFF

§ 24 Appointment

- (1) The candidate proposed by the Appointment Commission acc. to § 48 par. 4 LHG must be approved by the Faculty Council and the Senate before the Rectorate makes its decision.
- (2) The proposal submitted by the Appointment Commission to the Faculty Council, the Senate and the Rectorate must include well-founded statements on the candidate's scientific qualification and teaching aptitude, the required assessments and a list of all applicants.
- (3) The Faculty Council, Senate and Rectorate may request assessments of the proposed candidate from full-time professors of other faculties, other universities or comparable scientific institutions to aid them in their decision-making.
- (4) If the Faculty Council, Senate or Rectorate refer the proposal back to the Appointment Commission, the commission must come to a new decision.
- (5) Dissenting opinions of members of the Faculty Council, Senate or Rectorate must be communicated to the Appointment Commission and the other bodies involved.

§ 25 Internal appointment

If a member of Heidelberg University is to be appointed based on the preliminary selection of the Appointment Commission, an appropriate decision of the Appointment Commission is necessary in addition to the requirements of § 48 par. 3 clause 4 and clause 2 LHG.

§ 26 Associate and adjunct professors

- (1) Associate professors are given access to the teaching and research facilities of the university according to the statutes for administration and use as set forth in § 19 no. 10 LHG.
- (2) The licence to teach of an associate professor expires
 1. if the associate professor is appointed associate professor or granted a comparable teaching licence by another institution of higher education in or outside of Germany,
 2. if the associate professor waives the licence by written notification to the rector,
 3. if the associate professor is convicted in a criminal procedure before a German court, and if this conviction would cause a civil servant to lose the rights associated with their status.
- (3) The teaching licence is in abeyance while the person concerned is employed as a professor or junior professor at Heidelberg University or another university authorised to award habilitations.
- (4) The teaching licence can be revoked

1. if the person concerned has not held a teaching position for two years for reasons within his or her responsibility,
2. if he or she commits a legally recognised criminal offense that, in the case of a civil servant, would lead to disciplinary action that can only be imposed in the course of formal disciplinary proceedings,
3. if there is a reason that would justify the revocation of civil servant status.

The teaching licence can also be temporarily revoked by the rector – until the criminal offense has been legally recognised – if the circumstances of the case would cause a civil servant to be relieved of his duties in accordance with § 78 LBG (Civil Service Law).

- (5) Associate professors that fulfil the requirements for an appointment as professor acc. to § 47 LHG may be granted the title “adjunct professor” by the Senate after a teaching term of usually two years and following a proposal to this effect by the faculty. § 6 par. 1 no. 2, § 70 par. 2 and § 72 LBG apply accordingly. The Faculty Council decides on the proposal to be submitted to the Senate. The proposal must include assessments by two full-time professors of another university or comparable scientific institution. In particular, the assessments must state whether the associate professors have proven themselves in their teaching and research since being granted the teaching licence. The academic rights and duties of associate professors are not affected by the granting of the title “adjunct professor”. The same applies to university lecturers who meet the requirements of § 51 a par. 5 LHG.
- (6) Junior professors may be granted the title of “adjunct professor” if the requirements of § 51 par. 9 and § 47 LHG and the requirements in paragraph 5 clauses 2 to 5 are met. The Faculty Council decides on the proposal to be submitted to the Senate. The same applies to junior lecturers who meet the requirements of § 51 a par. 5 LHG.
- (7) The right to carry the title of “adjunct professor” lapses with the expiration of the teaching licence or if one of the reasons in par. 2 applies. The licence is in abeyance while the person concerned is employed as professor or junior professor at Heidelberg University or another university with the authority to award habilitations. It can be revoked if one of the reasons in par. 4 applies or if the person concerned proves unworthy.

§ 27 Honorary professors

- (1) Honorary professors are appointed by the Senate based on a proposal by the faculty. The proposal must include a valuation of the candidate’s professional, didactic and personal aptitude. To this end, the university requests assessments by professors of the appropriate subject who are employed by other universities or comparable scientific institutions. The assessments must be added to the proposal. The appointment may be temporary.
- (2) If scientific institutions of other umbrella organisations cooperate with the university in joint or related projects, senior scientists of these institutions may be granted the position, under corporation right, of a professor with civil servant status. The position is granted by the Senate based on a proposal by the faculty and does not include the right to hold the office of rector, vice rector, dean, vice dean or dean of studies. § 6 par. 1 no. 2, § 70 par. 2 and § 72 LBG apply accordingly.
- (3) The position as honorary professor expires when the person concerned is awarded a teaching position acc. to § 5 no. 1 at the university or if one of the reasons in § 26 par. 2 apply.
- (4) The appointment as honorary professor may be revoked if one of the reasons in § 26 par. 4 apply.

- (5) With the end of the term or with the expiration, revocation or withdrawal of the appointment as honorary professor, the person concerned also loses the right to carry the title "honorary professor".

§ 28 Research leave

The application for a research leave of one semester must include a statement of the dean and the responsible dean of studies in addition to meeting the requirements stipulated in § 49 par. 6 LHG.

§ 29 Academic rights of released and retired teachers

- (1) Teachers as defined in § 5 no. 1 who have retired or been released from their duties retain the right to conduct research and use the equipment of the institution in question, with the institution's consent, as set forth in the statutes and the administrative and usage regulations. They are also entitled to teach and take part in academic examinations, in particular examinations leading to the awarding of a doctorate or professorship; details can be found in the examination rules and regulations.
- (2) Teachers may enter into an agreement with the Rectorate to continue working at the university for a limited time after their release from duty or retirement. In this case, they may also assume leading positions in an institution of the university. With the exception of the decision-making bodies described in the LHG (Rectorate, Senate, University Council, Faculty Management, Faculty Council), these teachers may serve on any university body that is directly related to their duties and are both entitled to vote and eligible for election, without prejudice to the provisions of § 4 par. 1 and § 23 par. 6.

§ 30 Important reasons for a release from duties of academic self-government

- (1) A member of the university may refuse an office in the university's self-government if one of the following important reasons acc. to § 9 par. 2 LHG applies:
1. The member has already made all the contribution to self-government that may reasonably be expected from him or her
 2. The member cannot assume the additional task without neglecting his or her duties to the university or to the public to an unreasonable degree
 3. The member would not be equal to the task due to poor health.
- (2) The assessment of whether a stated reason is important is made by the faculty management, if the office concerns self-government tasks in the faculty, or by the Rectorate in all other cases.

PART NINE

HONORARY DOCTORATES, HONORARY SENATORS AND HONORARY CITIZENS

§ 31 Honorary doctorates

A faculty or general faculty (§ 19) may award an honorary doctorate for outstanding, especially outstanding intellectual, merits. A corresponding proposal submitted to the responsible body according to the doctoral degree regulations requires a three-fourths majority. Honorary doctorates must be approved by the Senate.

§ 32 Honorary senators and honorary citizens

Persons who have rendered outstanding services to the university may be appointed honorary senators or honorary citizens by the Senate.

PART TEN

EDUCATION

§ 33 Selection and aptitude assessment

Heidelberg University is responsible for its students: for selecting and educating them, providing advice and support, examining them, and furthering their professional career and continued training. To accomplish all this, access to the study programmes is to be based on selection and aptitude tests whenever this is legally possible.

§ 34 Tuition fees

Heidelberg University charges socially acceptable tuition fees to ensure the continued quality of teaching and education at the university. The students as defined by § 5 no. 3 are involved in the decision on how tuition fees are to be used.

PART ELEVEN

BULLETIN, FINAL PROVISIONS, ENTRY INTO FORCE

§ 35 Bulletin, announcements

- (1) The rector publishes a bulletin that provides information on the statutes of the university and on decisions regarding the creation, modification, abolishment and assignment of university institutions. The bulletin is published at least four times a year and must be made available to all affiliates of the university.
- (2) The rector ensures that the most important decisions of the Senate and the faculties, other issues of special significance and free positions at the university can be communicated.

§ 36 Male and female occupational titles

Female members of the university have the right to use female occupational titles; male members may use male titles.

§ 37 Passing and amendment of the Constitution

Decisions on the passing and amendment of the Constitution require a majority of two-thirds of the attending Senate members, and at least three-fifths of the voting Senate members.

§ 38 Entry into force

This amended version of the Constitution enters into force on the day after its announcement in the bulletin of the rector.

The previous version of the Constitution of Heidelberg University, dated 1 Oct. 2006, becomes ineffective on the same day.

Heidelberg, this 26 August 2009

Prof. Dr. Bernhard Eitel
Rector