

Constitution

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Accredited by the Austrian Accreditation Council on July 12, 2007. and, after consultation with the University Senate, amended by the University Council on the proposal of the University Board on October 22, 2007, on February 27, 2009, on February 1, 2011, on July 10, 2012, on January 31, 2013, on February 2, 2015, on May 18, 2015, on September 16, 2020, on January 31, 2022 and on March 20, 2023.

0. Legal Status and Entity

§1. Modul University Vienna GmbH is the legal entity of Modul University Vienna, a private university in Austria that is accredited by the Austrian Accreditation Council according to §2 (1) lit. 1 Private University Law (PUG).

§2. The organizational structure and responsibilities of Modul University Vienna correspond to the institution's governing bodies, their mandate, and tasks in accordance with international standards. The governing bodies are:

- (a) The general assembly of the legal entity Modul University Vienna GmbH,
- (b) The University Board,
- (c) The University Council,
- (d) The University Senate.

§3. Modul University Vienna GmbH and its governing body (general assembly) base the performance on the company agreement and on the following principles:

- (a) Freedom of science and its teaching
- (b) Freedom of artistic creation, the mediation of art and its teaching
- (c) Fostering the variety of scientific and artistic theories, methods, and doctrines

§4. Modul University Vienna GmbH pledges to ensure the operating, maintaining, and financing of Modul University Vienna are in compliance with the Private University Law (PUG), Private Higher Education Law (PrivHG), and affiliated regulations. The responsibilities of the general assembly of the legal entity include the:

- (a) Approval of the balance sheet.
- (b) Appointment, discharge, and dismissal of the managing director.
- (c) Decisions on budget allocation to the University.
- (d) Decisions about establishing subsidiaries.
- (e) Appointment of the members of the university council according to Art. II §1 lit. a and b.

- (f) Confirmation of decisions by the University Board with significant economic impact according to Art. I §7.

I. University Board

§1. The University Board consists of:

- The President,
- The Vice-President,
- The Managing Director.

§2. The University Board meetings take place on a regular basis. The President is responsible for directing academic affairs, in particular the Modul University Vienna's program of teaching and research. The Managing Director is responsible for its commercial management. The members of the University Board have signatory authority over the assigned functions. A simple majority finalizes resolutions unless another majority is stipulated within the following terms.

§3. If prevented from performing their duties, the President is deputized by the Vice-President, the Vice-President by the longest serving Dean, and the Managing Director by his or her managing assistant.

§4. The Managing Director is responsible for all economic, financial, and administrative matters, as well as the personnel decisions necessary for daily administrative operations.

§5. The President prepares an annual report on research and teaching activities and presents it to the University Council.

§6. The University Board is particularly responsible for:

- (1) Drafting changes and/or amendments for resolution by the University Senate to the University's statutes regarding academic affairs.
- (2) Drafting and biennially revising, following consultation with the University Senate, the University's development and organization plan for resolution by the University Council.
- (3) Drafting proposals, following consultation with the University Senate, for resolution by the University Council for the introduction, change, or discontinuation of study degree programs.
- (4) The following decisions must be decided unanimously:
 - a. Drafting changes and/or amendments, for resolution by the University Council, to the University's statutes regarding non-academic affairs.

- b. Passing resolutions on the appointment of new faculty and third-party funded researchers upon the recommendation of the search committees, Heads of Schools, Directors of Research Centers, or project leaders, passing resolutions on the appointment of external teaching staff upon the recommendation of the Deans, Program Area Directors or the Director of Continuing Education, and passing resolutions on the extension or changes of the term of contracts of faculty, third-party funded researchers, and external teaching staff upon the recommendation of the Heads of Schools, Directors of Research Centers, the Director of Continuing Education or project leaders. All employment contracts are concluded with the representative of Modul University Vienna GmbH and the signature of the President, confirming that the appointment procedures for academic staff meet the requirements of the University's constitution. Employment contracts with third-party funded researchers are also signed by the project leader unless the employee is the project leader.
 - c. Approving the content of PR and advertising material.
 - d. Submitting proposals to the University Council for offering degree study programs at different locations.
 - e. Passing resolutions on fees, discounts, and scholarships.
- (5) After consultation with the University Council, approving regulations for new degree study programs proposed by the University Senate.
 - (6) Approving amendments to regulations of existing degree study programs proposed by the University Senate.
 - (7) Passing resolutions on the members of the Admissions Committees and admitting students recommended by the Admissions Committees to degree study programs.
 - (8) Awarding academic degrees and distinctions as defined by the study regulations and the University Constitution.
 - (9) Passing resolutions for new non-degree courses, study programs, or amendments to regulations of existing non-degree programs.
 - (10) Passing resolutions on rules and administrative processes related to the academic affairs of the University that are not explicitly listed as tasks of other University bodies (e.g. setting the academic calendar, initiation of quality-assurance measures, applying for accreditation extension)). Contracts with external organizations that are of an academic nature require the signature of the President and the Managing Director.
 - (11) The Managing Director appoints administrative staff after consultation with the other members of the University Board. The Managing Director initiates all other rules and administrative processes after consultation with the other members of the University Board.

§7. Decisions of the University Board that have significant economic implications require the approval by the general assembly of Modul University Vienna GmbH.

§8. Unless the University Senate is not able to make a proposal that meets the requirements of Art. V § 6 (6-7), the President and the Vice-President are elected by the University Council based on the proposal of the University Senate. The duration of the term of office for the President and Vice President is five years, which in any case ends with the termination of employment at Modul University Vienna. Re-election is possible.

§9. Upon the University Senate's proposal, the University Council is empowered to dismiss the President and/or the Vice-President from office with immediate effect on the grounds of justified loss of confidence, serious breach of duty, criminal conviction, a lack of physical or mental ability, or other behavior that makes further cooperation unreasonable. If the President retires from office, the Vice-President absorbs the President's duties until the next election.

§10. In addition to their annual holiday entitlement, the President is entitled to 30 working days leave of absence for research purposes each year. The Vice-President is entitled to 15 working days leave of absence.

II. University Council

§1. The University Council represents Modul University Vienna's interests and supports the University Board with the development of Modul University Vienna.

§2. The University Council consists of the following members:

(1) Ordinary members:

- a. four representatives of the owner
- b. two representatives of the industry or public institutions
- c. two representatives of other universities or research institutions

(2) Extraordinary members with an advisory vote:

- a. the President
- b. the Managing Director
- c. The University Council can summon additional members with an advisory vote.

§3. Modul University Vienna GmbH appoints the owner's representatives and the industry or public institution's representatives for a period of five years. The University Board appoints the

representatives from other universities or research institutes for a period of five years. Reappointment is permitted. The appointing parties are entitled to recall their appointees from office with or without cause, but they are obliged to do so with immediate effect in the event of justified loss of confidence, serious breach of duty, criminal conviction, a lack of physical or mental ability, or other behavior that makes further cooperation unreasonable. They must also ensure the immediate appointment of a member of the University Council to take their place.

§4. From among the ordinary members of University Council, a simple majority elects the chairperson of the University Council.

§5. The University Council serves to:

- (1) Pass resolutions, proposed by the University Board, on changes and/or amendments to the University's statutes when non-academic affairs are concerned.
- (2) Pass resolutions on the University's development and organization plan proposed by the University Board.
- (3) Elect the President and Vice-President from among three candidates proposed by the University Senate. If the University Senate is proposing less than three candidates, then the University Council is entitled to reject the proposal and to request a new list within eight weeks. If the University Senate is unable to propose three candidates within this extended period, then the University Council can nominate a person among existing faculty or launch a public call for recruiting a new President or Vice-President. The person nominated as President or Vice-President must have the qualification of a Full or Associate Professor. After the end of the President's or Vice-President's term of five years, the University Senate again has the opportunity to nominate candidates.
- (4) Recall the President and/or Vice-President from office if proposed by the University Senate.
- (5) Pass resolutions on the introduction and discontinuation of degree study programs if proposed by the University Board.
- (6) Pass resolutions on offering degree study programs at different locations.

§6. Each member of the University Council is entitled to one vote. The University Council has a quorum if at least 50 % of its members are present when the resolution is brought to a vote. The University Council passes its resolutions by a simple majority of the votes cast by the members present when the resolution is voted on. Resolutions of a strategic scope or of significant economic impact also require the simple majority of the votes of the representatives of the owners in the University Council. Abstentions do not count. In the event of a parity of votes, the vote of the chairperson is decisive. The University Council is convened by its chairperson. Each member is entitled to demand that the chairperson convenes the University Council. The invitation must be sent in writing to the other members. At least one week must elapse between the posting of the invitation and the date on which the meeting of the University Council is held.

III. Deans

§1. As outlined in the development plan of the University, the degree study programs offered by Modul University Vienna are organized by different academic levels: undergraduate, graduate, and post-graduate. Each degree study program is assigned to one particular academic level.

§2. The Deans are the directors of all degree study programs of one academic level. The Deans are responsible within the scope of their authority for all matters concerned with instruction within their degree study programs. The University Senate elects the Deans for the undergraduate programs from among the Full and Associate Professors and the Senior Lecturers. The Deans for all other programs are elected from among the Full and Associate Professors. They are elected for a period of three years. Re-election is permitted.

§3. The Deans must:

- (1) Represent the corresponding degree study programs with respect to the other university bodies.
- (2) Deal with the regular affairs of the degree study programs.
- (3) Harmonize the work of the degree study programs with the university's development goals.
- (4) Be responsible for the academic and pedagogical orientation of the degree study programs in collaboration with the University Board.
- (5) Assure the quality of teaching within the degree study programs.
- (6) Ensure that the teaching program complies with the curriculum.
- (7) Make decisions on the interruption of studies.
- (8) Select the teaching staff who do not belong to the academic staff.
- (9) Assign the teaching staff to the courses following consultation with the Heads of Schools.
- (10) Share experiences and exchange best practices with their counterparts at Modul University Global Campuses and report their findings to the President on a regular basis.
- (11) Be responsible for the resources at their disposal.
- (12) Participate in selecting the students according to the admissions criteria of the respective degree study programs.
- (13) Chair degree study program relevant conferences as stipulated in Art. VII-IX.
- (14) Decide on waiving retake and study extension fees in exceptional cases.

§ 4. For the selections of the degree study programs that are connected by their content (modules), the Dean can assign the functions named in Art. III § 3 lit. 5, 6, 8, and 9 to a Program Area Director. The Dean appoints the Program Area Directors from among the faculty with a doctorate.

IV. Schools and Research Centers

§1. The University Board implements the academic organizational structure of schools and research centers according to the University's development plan. The purpose of the schools is to further develop the academic knowledge of their discipline and to make it useful to the society. Research centers serve interdisciplinary research collaborations and/or are an expression of an institutional focus.

§2. The Heads of Schools are, in the framework of their authority, responsible for research and human resource development within their school. The Heads of Schools are elected by the respective department's academic staff from among its Full and Associate Professors for a term of five years. Re-election is permitted. Each member of the academic staff is entitled to one vote. The school has a quorum if at least 50% of its members are present when the resolution is voted on. The school passes its resolution by a simple majority of the votes of the present members. Abstentions do not count. In the event of a parity of votes, the longest serving member of the academic staff makes the decisive vote.

§3. The Heads of Schools' functions are:

- (1) representing the school with respect to the other university bodies
- (2) dealing with the regular affairs of the school
- (3) harmonizing the school's activities in the areas of research, services, and sustainable development with the University's development goals
- (4) being responsible for the compliance of the school's academic staff with its teaching load, in cooperation with the respective Deans and Program Area Directors
- (5) assuring the quality of the school's activities
- (6) responsibility for and supervision of the academic staff assigned to him/her
- (7) responsibility for the resources at their disposal

§4. Research centers consist of faculty and researchers who already have substantial third-party funding successes. Target agreements specify the acquisition of third-party funding from national and international research sponsors. The heads of the research centers are appointed by the

University Board among the scientific employees and are, in the framework of their authority, responsible for research and human resource development within their research center.

V. University Senate

§1. The Senate is the University's central body of academic self-administration and central means of university internal communication. It has the right to participate and the obligation to contribute to the development of all academic affairs, the organization of the content of research and study degree programs (consecutive and continuing education degree programs), and the appointment of university bodies.

§2. The University Senate consists of

- a. six members from and elected by the group of the Full and Associate Professors;
- b. six members from and elected by the group of all other faculty members;
- c. three members from and elected by the group of all administrative staff;
- d. one member from and elected by the group of all non-faculty researchers
- e. four student representatives, nominated by the student union (ÖH) at the university;
- f. the members of the University Board.

In addition to the members of §2 a-b, Deans are also members of the University Senate. In exception to the members of the University Board, each member of the University Senate is entitled to a vote. The University Senate has a quorum if at least 50 % of its members entitled to a vote are present when the resolution is voted on. Unless otherwise stipulated in the University's statutes, the University Senate passes its resolutions by a simple majority of the votes of the members present when the resolution is voted on. Abstentions do not count. In the event of a parity of votes, the resolution is voted on by the group of Full and Associate Professors. In the event of another parity of votes, the chairperson makes the decisive vote, even if he or she is a member of the University Board. In case of absence, the vote can be transferred to another group member. If this group member is not an elected member of the Senate, then he/she becomes a member of the Senate as long as he/she holds the transfer vote. No member of the Senate can have more than two votes. If an elected member of the University Senate leaves the University or is promoted to a different group, the remaining members of the respective group in the Senate may nominate a substitute. If there are no remaining members of the respective group in the Senate, then the chairperson will invite the longest serving member of the respective group outside the Senate in order to nominate a substitute.

§3. The members in §2 a-d are elected every three years via secret balloting by their respective peers. When the University owns more than 50% of the company, members of the University's affiliated companies have the right to participate in the voting of the University Senate. The Senate can decide on further regulations related to the election.

§4. The President chairs the University Senate.

§5. The University Senate is convened in writing by its chair at least once a year. It is also convened if at least six members, stemming from at least two groups, (§1 a-f) request this in writing. At least one week must elapse between the posting of the invitation to the University Senate and the date on which the University Senate is held.

§6. The functions include but are not limited to the following:

- (1) Passing resolutions on changes and/or amendments to the University's statutes on issues related to academic affairs proposed by the University Board.
- (2) Commenting on the University's development and organization plan, which is drafted by the University Board.
- (3) Passing resolutions on guidelines for promotion to Associate and Full Professor, which in addition to a simple majority of the University Senate, require a simple majority of the votes of the Full and Associate Professors present when the resolution is voted on.
- (4) Passing resolutions, upon nomination by the President, for the faculty representatives on promotion, habilitation, and appointments committees, which, in addition to a simple majority of the University Senate, require a simple majority of the votes of the Full and Associate Professors present when the resolution is voted upon.
- (5) Electing the representatives of faculty and administrative staff on the Studies and Examinations Committee, the Inclusion and Diversity Committee, the chair of the Examination Regulation Conference, and other committees decided by the University Senate.
- (6) Proposing three candidates from among the Full and Associate Professors for nomination as President.
- (7) Proposing three candidates from among the Full and Associate Professors for nomination as Vice-President.
- (8) Applying to the University Council for the discharge from office of the President or the Vice-President at the end of their term of employment or with immediate effect on the grounds of justified loss of confidence, serious breach of duty, criminal conviction, a lack of physical or mental ability, or other behavior that makes further cooperation unreasonable.
- (9) Passing resolutions on conferring honorary awards after consultation with the University Council.

- (10) Defining the requirements for academic degrees and distinctions. Passing resolutions on regulations for new degree study programs or amendments to regulations of existing degree study programs for approval by the University Board, which, in addition to a simple majority of the University Senate, require a simple majority of the votes of the Full and Associate Professors present when the resolution is voted on.
- (11) Bringing information of important developments affecting Modul University Vienna to the attention of the University Board.

VI. Studies and Examinations Committee

§1. The Studies and Examinations Committee is responsible for performing the functions assigned in the examination regulations. It consists of two professor representatives, two other faculty members, and two student representatives.

§2. The University Senate elects the representatives of the professors and the other faculty on the Studies and Examinations Committee. At its initial meeting, the committee elects one of the two professors as the chairperson.

§3. The duration of the members' term of office is three years. A new member is elected by the University Senate for the rest of the term if one of the members of the Studies and Examinations Committee resigns from their position. Re-election is possible.

§4. The Studies and Examinations Committee is convened by the chairperson and has a quorum if the chairperson and two additional members are present. The Studies and Examinations Committee passes its resolutions with a majority of the valid votes cast. Abstentions count as votes that have not been cast. In the event of a parity of votes, the chairperson makes the decisive vote.

§5. The Studies and Examinations Committee ensures that the examination regulations are complied with and reports regularly to the University Board on the development of the examination results and periods of study.

§6. All students and examiners at Modul University Vienna can consult the Studies and Examinations Committee.

§7. Members of the Studies and Examinations Committee can be excluded from dealing with matters that could involve them in a conflict of interests.

§8. The members of the Studies and Examinations Committee can attend all examinations at any time.

§9. The members of the Studies and Examinations Committee are under an oath of confidentiality.

VII. Degree Study Program Conferences

§1. New academic regulations, or changes of academic regulations, related to degree study programs of the University, except the Examination Regulations and Student Code of Conduct, are discussed and proposed by the Undergraduate, Graduate, or Post-Graduate Study Program Conference. It serves as a platform for information and as a tool of quality management for degree study programs.

§2. The members of the Study Program Conference are the Dean, all faculty members who have taught or will be teaching in the previous, current, or next semester in any of the respective degree study programs, the respective Program Managers, all Full and Associate Professors, the Internship Coordinator (if any of the degree study programs covered by the Degree Study Program Conference includes an internship opportunity), and two student representatives. All members of the Degree Study Program Conference have one vote. The Dean can invite external lecturers and other informants with an advisory vote.

§3. The Degree Study Program Conference is convened by the Dean and has a quorum if a minimum of three other faculty members are present. The Degree Study Program Conference passes its resolutions with a majority of the valid votes cast. Abstentions count as votes that have not been cast. In the event of a parity of votes, the Dean casts the decisive vote.

VIII. Examination Regulation Conference

§1. The Examination Regulation Conference proposes changes in examination regulations and the Student Code of Conduct of degree study programs. The Conference serves as a platform for information and as a tool of quality management for all rights and duties of students related to their studies in any of the degree study programs offered by the University.

§2. The members of the Examination Regulation Conference are all Deans, a representative of the Studies and Examinations Committee nominated by its chair, the head of quality management nominated by the University Board, one representative of the Program Managers (Academic Office) nominated by the President, and two student representatives. The Deans and the representative of the Studies and Examination Committee have one vote. All other members of the Examination Regulation Conference have an advisory vote. The chair of the Conference is elected by the University Senate from among all Deans of Modul University Vienna. The chair can invite informants with an advisory vote.

§3. The Examination Regulation Conference is convened by the chair and has a quorum if a minimum of two Deans and two other members are present. The Examination Regulation Conference passes

its resolutions with a majority of the valid votes cast. Abstentions count as votes that have not been cast. In the event of a parity of votes, the chair casts the decisive vote.

IX. Semester Conference

§1. If stipulated by the study regulations, a Semester Conference is held for each degree study program at the end of every semester. If not stipulated by the study regulations, the functions of the Semester Conference are taken by the Dean.

§2. The Semester Conference is the body deciding on a student's termination of enrolment due to academic reasons (which will be executed by the University Board), subsequent readmission to a course, and examination reattempts.

§3. The members of the Semester Conference are the Dean, all members of the teaching staff for the respective semester and degree study program, and two student representatives. The Dean and each member of the teaching staff have one vote; student representatives only have an advisory vote.

§4. The Semester Conference is convened by the Dean and has a quorum if a minimum of three other members of the teaching staff are present. The Semester Conference passes its resolutions with a majority of the valid votes cast. Abstentions count as votes that have not been cast. In the event of a parity of votes, the Dean makes the decisive vote.

§5. Members of the Semester Conference must recuse themselves from matters that may involve a conflict of interest. All discussions within the Conference are to be treated as confidential.

X. Admissions Committee

§1. The University Board appoints an admissions committee for each individual degree study program.

§2. They are comprised of the Dean of the respective degree study program responsible for examining academic qualifications, as well as one representative of the administrative staff who is responsible for examining the formal criteria. A student representative with a consultative vote may be nominated by the Student Union to participate in the Admissions Committee.

§3. The function of the Admissions Committee is to assess the applications for positions at the University according to the stipulated academic and formal criteria.

§4. If necessary, a ranking system with waiting lists will be applied.

§5. There is no right of appeal against the decisions made by the Admissions Committee.

§6. The President is responsible for the formal admission of students.

§7 Applicants who feel they have been discriminated against during the application process may inform and lodge a complaint with the Inclusion and Diversity Committee.

XI. Inclusion and Diversity Committee

§1. The Inclusion and Diversity Committee consists of five staff members that are elected by the University Senate for a period of two years and of two student representatives who are nominated by the Student Union. At least two of the members have to be women. The Inclusion and Diversity Committee elects one of its members as its chair (Diversity Manager) by simple majority; he or she acts as the coordinator of its actions and as the primary contact person for external requests. Additionally, a Special Needs Coordinator will serve as the primary contact person for issues of disability. The Commissioner is elected by simple majority.

§2. The Inclusion and Diversity Committee proposes to the University Senate an Affirmative Action Plan for Managing Diversity and the Advancement of Women and monitors the plan's compliance after its approval.

§3. The guidelines about the procedure for students with special needs are proposed to the University Senate by the Inclusion and Diversity Committee and the Committee additionally implements the guidelines approved by the University Senate.

XII. Election of Student Representatives

§1. The student representatives are elected according to the current regulations of the Austrian Student Union Law (Hochschülerinnen und Hochschülerschaftsgesetz).

XIII. Appointment Procedure for Academic Staff

§1. Each new post at the academic establishment is to be publicly advertised by the University Board, within Austria and abroad. Exceptions are possible for temporary positions when the cumulative period of work does not exceed six months. Every tender has to be reviewed by the Diversity Manager prior to being published. The period during which the post is to be advertised must be at least three weeks. For University Lecturers, Senior Lecturers, and Assistant Professors, the Head of School in question will prepare a report on the procedure for advertising the post

(advertising text, media and period during which the post is to be advertised, statement of the diversity manager) and a justified recommendation to the President regarding appointment. For Junior Faculty (Researchers and Lecturers), the Dean of the PhD program will assume this task. For third-party funded Researchers, the respective Director of Research Center or project leader will assume this task. Employment contracts are concluded as defined in Article I § 6 (4) lit b.

§2. In the case of the appointment of Full Professors and Associate Professors, the applicants who fulfil the formal and academic requirements must attend an Appointments Committee hearing. If necessary, the Appointments Committee can insist on an example class or lecture. The Appointments Committee must announce to the President which applicants they would shortlist for selection.

§3. The members of the Appointments Committee must assess the suitability of the shortlisted applicants for the advertised post of Full Professor or Associate Professor and prepare a report on this. In particular, they must judge whether applicants possess the high level of academic and professional qualifications required for the advertised post (e.g. habilitation or equivalent proof).

§4. The Appointments Committee must provide all shortlisted applicants with the opportunity to present themselves in an appropriate manner to at least the school and staff in the related academic areas.

§5. Based on the reports and opinions, the Appointments Committee prepares a justified appointment proposal containing up to three applicants who are deemed most suitable for the post according to the Appointments Committee's requirements. Special reasons must be stated for a proposal containing fewer than three candidates.

§6. The President makes a selection from the appointment proposal but can refer to the Appointments Committee if the proposal does not include the most suitable applicants. The President appoints the successful candidate.

§7. Upon signing their contract of employment with Modul University Vienna, the Full Professor or Associate Professor acquires the Modul University Vienna teaching license (*venia docendi*) for the subject for which they have been appointed. They are required to use the title 'Full Professor' or 'Associate Professor' with the suffix 'at the private university'.

§8. The Modul University Vienna teaching license (*venia docendi*) of a Full or Associate Professor expires when he/she does not execute teaching activities.

XIV. Appointments Committee

§1. Each appointments committee consists of three Full Professors, one Associate Professor, one other member of the faculty, and one student representative.

§2. The function of the Appointments Committee is to conduct the appointments procedure for Full Professors or Associate Professors.

§3. At the proposal of the University Board, the University Senate elects the professor representatives, the representatives of the other academic teaching establishment, as well as the chairperson of the appointments committee. The President must submit an alternative proposal as soon as possible in the event that the appointments committee is not elected. The University's student representatives nominate the student member.

§4. The Committee reaches its decision on the basis of the reports and opinions of its members and external assessors. A minimum of three external assessors must be commissioned by the committee to evaluate, in a written report, the research and scholarly performance of the candidate. Additional internal or external assessors may be invited by the committee to assess other areas of activities. Each member of the committee is entitled to a vote. Internal or external assessors nominated by the committee are required to submit a written report and are not considered as members of the committee. The committee has a quorum if at least two-thirds of its members are present when the resolution is put to a vote. The committee passes its resolutions by a simple majority of the votes of the members present when the resolution is voted on. Voting is done via a ballot. Abstentions do not count. The committee is convened by its chairperson. The invitation must be sent in writing to the other members. At least one week must elapse between the posting of the invitation and the date on which the constituent meeting of the committee is held.

XV. Habilitation and Promotion Committees

§1. For a member of the academic staff with a doctorate who is particularly distinguished in their field of research and teaching, the President of Modul University Vienna, on application and following a habilitation procedure, can grant a Modul University Vienna teaching license (*venia docendi*) for an entire academic subject area. The applied for teaching license must fall within the scope of Modul University Vienna's areas of specialization or usefully complement the area. The granting of the teaching license is associated with the right to freely practice academic teaching at Modul University Vienna using its facilities, as well as to supervise and assess academic theses.

§2. Any member of the academic staff with the rank of Associate Professor whose high level of performance and contributions to the mission of the University can, upon application and following an evaluation procedure, be granted promotion to the title of Full Professor by the President of Modul University Vienna.

§3. The application for the granting of the teaching license or for being promoted to Full Professor is to be addressed by the President. The President must initiate the election of a habilitation or promotion committee with the authority to make recommendations. The President must propose three Full Professors, one Associate Professor, and one Assistant Professor or Senior Lecturer for the committee. One Full Professor may hold a position at a different university. Student representatives are entitled to appoint one member who can vote based only on the teaching qualifications of the applicant.

§4. Based upon the nomination of the President, the University Senate approves the habilitation or promotion committee and its chairperson. The President must submit an alternative proposal as soon as possible in the event that a committee is not approved.

§5. The committee reaches its decision based on the reports and opinions outlined in the guidelines for habilitation and promotion committees, which are decided on by the University Senate. However, a minimum of three external assessors must be commissioned by the committee to evaluate, in a written report, the research and scholarly performance of the candidate. Additional internal or external assessors may be invited by the committee to assess other areas of activities. Each member of the committee is entitled to a vote. Internal or external assessors nominated by the committee are required to submit a written report and are not considered as members of the committee. The committee has a quorum if at least two-thirds of its members are present when the resolution is put to a vote. The committee passes its resolutions by a simple majority of the votes of the members present when the resolution is voted on. Voting is done via a ballot. Abstentions do not count. In the event of a parity of votes, the resolution is rejected. The committee is convened by its chairperson. The invitation must be sent in writing to the other members. At least one week must elapse between the posting of the invitation and the date on which the constituent meeting of the committee is held.

§6. The University Senate can pass more detailed guidelines regarding the process and the criteria for qualification.

§7. The President decides on the application for the approval of the teaching license or promotion based on the recommendation of the habilitation or promotion committee. There is no ordinary right of appeal against this decision.

§8. The President must reject a recommendation by the committee if important principles of the procedure were infringed.

§9. The successful completion of the habilitation procedure entitles the applicant to use the professional title 'Associate Professor' as long as they remain employed by the University, thereafter 'Privatdozent'. The title 'Associate Professor' or 'Privatdozent' is to be used together with the suffix 'at the private university'. The granting of the Modul University Vienna teaching license (venia

docendi) neither establishes an employment relationship nor alters any existing employment relationship with Modul University Vienna.

§10. The successful completion of the promotion procedure entitles the applicant to use the professional title of 'Full Professor' as long as he or she remains employed by the University. The title 'Full Professor' is to be used together with the suffix 'at the private university'. The right to use the title of Full Professor does not automatically alter an existing employment relationship with Modul University Vienna.

XVI. Supervision and Assessment of Undergraduate and Postgraduate Theses

§1. All academic staff and external lecturers may take on the supervision and assessment of bachelor and master theses. However, the supervision of a bachelor or master thesis by external lecturers or by academic staff without a doctorate requires the approval and assessment of the Dean in question.

§2. The supervision and assessment of a dissertation has to be conducted by academic staff or external lecturers with a habilitation or an equivalent qualification. The supervision of a dissertation by an external lecturer requires the consent of the respective Dean.

XVII. Issuance of Diplomas, Diploma Supplements, and Transcripts

§1. All academic diplomas issued by Modul University Vienna have to be signed by the President of Modul University Vienna and the Dean of the respective degree study program. All diploma supplements are signed by the Dean of the respective degree study program. All final transcripts are signed electronically by the President or by an administrative member assigned by him/her. Temporary transcripts are signed by the Head of the Academic Office or by an administrative member assigned by him/her.

§2. Diplomas and final transcripts can be digitally signed if a publicly accessible fraud-proof verification system exists.

§3. The award notice of an academic diploma is to be revoked and withdrawn by the President if it subsequently emerges that the academic degree or the academic name has been obtained fraudulently, in particular through falsified certificates or by simulating academic or artistic achievements.

XVIII. Continuing Education Programs

§ 1. After consultation with the University Council, the University Board may decide on continuing education courses or continuing education study programs conferred by Modul University Vienna or any of its affiliated companies. The basic aim of continuing education studies is to provide academically informed degree and non-degree education with an applied focus.

§ 2. Non-degree continuing education studies may be licensed by a national or international partner and offered in different languages. The responsibilities of the partner organization and Modul University Vienna or any of its affiliated companies will be outlined in a collaboration or service level agreement. The quality assurance of the teaching offered in non-degree continuing education studies in collaboration with national or international partners must be under the supervision and control of Modul University Vienna.

§ 3. From among all faculty members of Modul University Vienna with a doctoral degree, the University Board appoints the Director of Continuing Education that directs all non-degree studies. The Director of Continuing Education may appoint a Program Director for each of the non-degree continuing education programs. All regulations related to non-degree continuing education studies require approval by the University Board.

§ 4. The regulations of non-degree continuing education courses or programs must be published on the website of Modul University Vienna. The admissions criteria for non-degree continuing education courses or programs may include the recognition of professional experiences and/or prior learning skills.

§ 5. Offering a course or portion of an accredited degree program as a continuing education course or study program requires approval by the respective Dean.

§ 6. When a non-degree course or study program is offered as a foundation for a degree program, then the course or program must be proposed by the respective Degree Study Program Conference and approved by the University Senate and the University Board.

§ 7. Students successfully completing continuing education study programs with at least 30 ECTS can receive a diploma conferring the title 'Certificate of Advanced Studies (CAS)'. Students successfully completing continuing education study programs with at least 60 ECTS can receive a diploma conferring the title 'Diploma of Advanced Studies (DAS)'. All diplomas of continuing education can be affiliated with a content characteristic name as a suffix. All non-degree continuing education diplomas must be signed by the Director of Continuing Education.

§ 8. Based on the decision of the respective Dean, credits earned during non-degree continuing education studies can be transferred to a degree study program offered by Modul University Vienna.

§ 9. Under special circumstances, continuing education programs can also lead to degree programs. Students successfully completing continuing education study programs with at least 180 ECTS at a similar qualification level as undergraduate degree study programs, can receive a diploma conferring the titles “Bachelor of Arts (Continuing Education)”, short “BA (CE)”, “Bachelor of Science (Continuing Education)”, short “BSc (CE)”, or “Bachelor Professional”, short “BPr”. Students successfully completing continuing education study programs with at least 120 ECTS at a similar qualification level as graduate degree study programs, can receive a diploma conferring the titles “Master of Arts (Continuing Education)”, short “MA (CE)”, “Master of Science (Continuing Education)”, short “MSc (CE)”, or “Master Professional”, short “MPr”. Continuing education master study programs in the field of "Business Administration" shall be awarded the academic degree of "Master of Business Administration", short "MBA" or the degree of “Executive Master of Business Administration”, short “EMBA”, provided that the scope and requirements are demonstrably comparable to the scope and requirements of several foreign master programs in the subject in question. All continuing education study programs which lead to a degree are subject to the same MU quality requirements and rules as degree study programs. They are in the discretion of the respective Dean, must be proposed by the respective Degree Study Program Conference and approved by the University Senate and the University Board.

XIX. Policy on Honorary Awards

§1. With the consent of the University Senate and after consultation with the University Council, the University Board may confer honorary awards and titles.

- 1) The University may confer the degree of honorary doctor (Doktor honoris causa, Dr h.c.) upon people who have made an outstanding contribution through scholarly achievements, who have contributed in a significant way to disciplines of interest to Modul University Vienna, and who, through their work, have a relationship to Modul University Vienna. The honorary doctor title will be awarded in an area relevant to Modul University Vienna’s academic disciplines.
- 2) The University may confer the title of honorary senator upon people who have earned recognition through special measures to Modul University Vienna and by aiding in the development of their scientific field. This title, apart from purely scholarly honors, is the highest award conferred by Modul University Vienna. Honorees have to be resolute in their extraordinary and long-term commitment to the academic and cultural mission of Modul University Vienna.
- 3) The University may confer the title of honorary citizen upon people who have performed acts of exceptional merit in respect to the design and furnishing of Modul University Vienna.
- 4) The University may confer an honorary university ring upon people who have either made a significant academic contribution to any of Modul University Vienna’s disciplines or who

have achieved merit in respect to the development of Modul University Vienna. The honorary university ring may only be awarded once a year and can be awarded to representatives of companies.

- 5) The University may re-confer an academic title upon people, especially on the occasion of the 50th anniversary of the day the title was first awarded, who have earned this recognition through outstanding scholarly achievements or through a special relationship to their alma mater - Modul University Vienna.

§2. Applications to confer an honor, in accordance with these guidelines, must be submitted in writing to the University Board. Members of the University Council, the University Board, as well as the Heads of Schools at Modul University Vienna are eligible to submit an application.

§3. The honorees listed in §1 lit. 1-4 are entitled to use the title conferred upon them in their daily business and professional lives. To keep a record of names, titles, dates, and the duration of the honors, a book of honors will be maintained by the office of the President of Modul University Vienna.

§4. The re-conferring of an academic title, as well as the conferring of an honorary doctorate, honorary senator, honorary citizen title, or the honorary university ring will be performed during an academic ceremony. The honoree will receive a diploma signed by the President and stamped with the official seal of Modul University Vienna.

§5. With a two-thirds majority vote, the University Senate may recall the University Board's decision to confer an honorary title on an honoree that through subsequent actions proves unworthy of the honor. The diploma will be revoked, and the registration in the book of honors will be deleted.

§6. Provisions will be made in the Modul University Vienna budget to cover the costs of bestowing honorary medals and diplomas as proposed in §1.

XX. Guidelines for the Dedication of Rooms

§1. After consultation with the University Senate and the University Council, the University Board may dedicate a room in a person's honor.

- 1) The University may place honorary plaques in bronze, silver, or gold in honor of natural people or legal personalities who have contributed to Modul University Vienna, its organizational units, its students via material support, or who have performed great acts of service to the University as an intuition and supported the scholarly achievements of the University in a significant way.

- 2) The University may dedicate buildings, as well as rooms of any kind (e.g., lecture halls and seminar rooms). The dedication may make use of the name of a living or deceased natural person, or legal personality, or the name may include words that describe a specific event.
- 3) The University may dedicate buildings and establish monuments in honor of deceased persons who worked at Modul University Vienna, and whose reputation for outstanding scholarly achievements continues to be celebrated. Monuments of living persons are not permitted. The earliest a monument can be erected is five years after the person's death. Plaques honoring specific groups of people or functionaries of Modul University Vienna or recognizing a specific event in the history of the University are not considered monuments in the sense of §1 lit. 2.

§2. Applications for dedications as laid out in the guidelines must be submitted in writing to the University Board. Members of the University Council, the University Board, as well as the Heads of School of Modul University Vienna are eligible to submit an application.

§3. Provisions will be made in the budget of Modul University Vienna to cover the costs of bestowing honorary medals and diplomas as proposed in §1 lit. 1-2. In order to cover incurred costs (in particular those stemming from §1 lit. 3), the applicant should submit a financing proposal.