



University of Passau

General Doctoral Degree Regulation

of 1 December 2020

amending the previous General Doctoral Degree Regulation
of 3 August 2018

Please note:

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General Doctoral Degree Regulation of the University of Passau of 1 December 2020

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On the basis of Art. 13(1) sentence 2 in conjunction with Art. 64(1) sentence 5 of *Bayerisches Hochschulgesetz* (BayHSchG; the Bavarian higher education act), the University of Passau lays down the following by-laws:

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§ 1 Scope

¹This general doctoral degree regulation applies to all procedures at the University of Passau for the award, revocation and withdrawal of doctoral degrees and is supplemented by the subject-specific doctoral degree regulations of the individual faculties. ²Where a provision of any subject-specific doctoral degree regulation is inconsistent with these by-laws, the rules set forth in the present by-laws shall take precedence over the provisions of the subject-specific doctoral degree regulation.

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§ 2 Doctoral awards and honorary doctorates

(1) ¹Doctoral awards serve as proof of the ability to perform in-depth academic research in a specific subject area represented by a professor at the University of Passau and gained on the basis of an independent research paper (thesis) and a viva voce examination (oral examination); the subject-specific doctoral degree regulation may set forth provisions for the individual subject areas. ²The following doctoral degrees are awarded after successful completion of the due doctoral procedure at the University of Passau by way of a regular doctoral award:

- a) At the Faculty of Law:
Doctor of laws – doctor juris (Dr. iur.)

- b) At the Faculty of Business, Economics and Information Systems:
Doctor of economics – Dr. rer. pol.

- c) At the Faculty of Arts and Humanities:
 - Doctor of philosophy – Dr. phil.
 - Doctor of political science/governance and public policy – Dr. rer. pol.
 - Doctor of social sciences – Dr. rer. soc.
 - Doctor of cultural sciences – Dr. rer. cult.

- d) At the Faculty of Computer Science and Mathematics:
 - Doctor of science – Dr. rer. nat.
 - Doctor of engineering – Dr.-Ing.
 - Doctor of philosophy in natural sciences – Dr. phil. nat.

(2) ¹The faculty may award a doctoral degree in recognition of outstanding academic achievement in one of the subject areas offered by this faculty. ²The doctoral degrees mentioned in subsection 1 sentence 2 are awarded as honorary doctoral degrees with the addendum 'honoris causa' ('h.c.').

(3) ¹In German, women may style themselves '*Doktorin*', i.e. the feminine form of the academic degree awarded in accordance with this regulation. ²On request, the academic degrees are awarded in their feminine forms.

§ 3 Stages of the doctoral procedure

The doctoral procedure can be divided into the following stages:

- 1) Verification of qualifications and admission as a doctoral student
- 2) Admission to the doctoral examination and thesis submission
- 3) Viva voce examination
- 4) Publication of the thesis and award of the doctoral degree

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§ 4 Persons eligible to participate in the doctoral procedure

¹Any of the persons listed below, provided they are members of the University of Passau or any other university, university of applied sciences or art academy, including higher education institutions abroad, are eligible to serve as supervisors, referees and examiners:

- 1) professors within the meaning of the *Bayerisches Hochschulpersonalgesetz* (Bavarian higher education employment act; BayHSchPG)
- 2) honourably discharged or retired professors
- 3) *Privatdozenten/Privatdozentinnen*
- 4) *Juniorprofessoren/Juniorprofessorinnen*

²In individual cases, the Board of Examiners for Doctoral Awards may resolve to allow other persons who are authorised to conduct examinations under the *Hochschulprüferverordnung* (higher education examiners ordinance) to take part in the doctoral procedure, particularly if they are heads of junior research groups and hold a doctoral degree. ³At least one supervisor, at least one referee and at least one examiner of the Doctoral Examining Committee for Doctoral Awards must belong to the lead faculty of the University of Passau. ⁴The subject-specific doctoral degree regulation may specify additional groups of people as eligible to participate in the doctoral procedure.

§ 5 Board of Examiners for Doctoral Awards; Doctoral Awards Assembly; Doctoral Examining Committee

(1) ¹Unless the present regulation provides otherwise, the Board of Examiners for Doctoral Awards of the relevant faculty is responsible for all tasks related to the organisation of the doctoral procedure. ²The chairperson of the Board of Examiners for Doctoral Awards is responsible for the day-to-day administrative tasks that are of no fundamental import. ³The Board of Examiners for Doctoral Awards may delegate tasks to the chairperson of the Doctoral Awards Committee or to other officers.

(2) ¹The Board of Examiners for Doctoral Awards is appointed by the Faculty Council for a two-year term; repeat appointments are permissible. ²It comprises no fewer than three and no more than eight people who are members of the University of Passau. The majority of members must be professors and all members must hold a doctoral degree. ³The members of the Board of Examiners for Doctoral Awards co-opt the chairperson and a deputy chairperson from the professoriate.

(3) The Doctoral Awards Assembly of the relevant faculty consists of all the faculty's eligible persons and the referees and is chaired by the chairperson of the Board of Examiners for Doctoral Awards.

(4) ¹The Doctoral Examining Committee conducts the viva voce examination. ²The members and the chairperson of the Doctoral Examining Committee are appointed from among the

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eligible persons once the supervisors have been heard by the Board of Examiners for Doctoral Awards. ³The doctoral student is informed in writing and without undue delay of the composition of the Doctoral Examining Committee, i.e. no later than two weeks ahead of the viva voce examination. ⁴The doctoral student must be informed without undue delay of any subsequent changes in the composition of the Doctoral Examining Committee.

(5) The subject-specific doctoral degree regulation may require a different composition of the Board of Examiners for Doctoral Awards, the Doctoral Awards Assembly and the Doctoral Examining Committee.

(6) Unfavourable administrative acts of the Board of Examiners for Doctoral Awards, the Doctoral Awards Assembly, the Doctoral Examining Committee or the chairperson of any of these bodies must be made in writing; they must state the reasons for the pertinent decision and provide information on the right to appeal.

§ 6 General requirements for admission as a doctoral student

(1) ¹Admission as a doctoral student is subject to completion of a relevant academic degree pursuant to Art. 64(1) sentence 2 BayHSchG. ²Degrees awarded by foreign higher education institutions should be recognised if, at the level required in each case, the competences conveyed by the degree programme do not differ fundamentally from the competences conveyed by the degree programmes referred to in Art. 64(1) sentence 2 BayHSchG. ³The equivalence agreements approved by the *Kultusministerkonferenz* (Standing Conference of the Ministers of Education and Cultural Affairs) and the *Hochschulrektorenkonferenz* (German Rectors' Conference) must be taken into account. ⁴In cases of doubt, the *Zentralstelle für ausländisches Bildungswesen* (Central Office for Foreign Education) should be heard. ⁵The subject-specific doctoral degree regulation may provide that graduates of other related or unrelated degree programmes may be admitted, subject to specific requirements.

(2) The applicant must not already hold the sought doctoral degree, completion of this degree must not have been finally rejected—unless the present regulation permits the renewed award of the doctoral degree—and the doctoral procedure for acquiring the sought doctoral degree must not have previously been performed at another higher education institution.

(3) In general, the applicant is obliged to provide proof that supervision at the relevant faculty has been confirmed by presenting a supervision agreement that conforms with the specimen provided in Schedule I.

(4) Additional admission requirements may be defined in the subject-specific doctoral degree regulation.

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§ 7 Supervision

¹The applicant must sign a supervision agreement with an eligible person prior to filing an application for admission as a doctoral student (Schedule I). ²The supervision agreement should be signed prior to starting out on the doctoral endeavour and no less than two semesters before admission to the doctoral examination. ³When the Board of Examiners for Doctoral Awards admits the doctoral student it usually appoints this eligible person as supervisor. ⁴Where no supervision agreement has been signed yet, the faculty will use its best efforts to find an eligible person who is willing to enter into a supervision agreement. ⁵If multiple supervisors are to be involved, the chairperson of the Board of Examiners for Doctoral Awards will appoint a lead supervisor on the basis of the applicant's proposal. ⁶The supervisor determines the topic for the thesis with the doctoral student and facilitates the doctoral endeavour.

§ 8 Admission as a doctoral student

(1) The written application for admission to doctoral study must be submitted to the chairperson of the faculty's Board of Examiners for Doctoral Awards.

(2) ¹The application must be accompanied by:

- 1) proof of compliance with the admission requirements;
- 2) a declaration specifying the doctoral degree sought and stating that this doctoral degree or any equivalent doctoral degree has not previously been obtained or that the pursuit of this degree has not previously been finally denied, unless the application is for resitting the doctoral examination as provided for by this regulation;
- 3) a specification of the subject in which the doctoral degree is to be awarded;
- 4) a supervision agreement pursuant to Schedule I;
- 5) a curriculum vitae in German and English with an account of the student's academic development;
- 6) in duly justified cases, proof of German and English language skills;
- 7) the details required in accordance with Art. 64(3) BayHSchG.

²The chairperson of the Board of Examiners for Doctoral Awards may decide whether proof can be provided in another form if the applicant is unable to present proof in the stipulated form.

(3) ¹Once the admission requirements have been met, the applicant is admitted as a doctoral student by the Board of Examiners for Doctoral Awards. ²The application is rejected if admission requirements are not met or the requisite proof has not been provided; in exceptional cases, no proof of the supervision agreement needs to be provided or the deadline may be extended to allow submission within a reasonable grace period.

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- (4) ¹Generally, the Board of Examiners for Doctoral Awards takes a decision on the application within three months. ²The decision to admit an applicant as a doctoral student is issued in writing. ³In accordance with Art. 36(1) *Bayerisches Verwaltungsverfahrensgesetz* (Bavarian administrative procedures act; BayVwVfG), the notice of decision may include ancillary conditions. ⁴Enrolment at the University for the purpose of doctoral study is optional.
- (5) Admission must be revoked if admission requirements are found not to have been met from the onset or cease to be satisfied after admission.

§ 9 Admission to the doctoral examination; thesis submission

(1) The application for admission to the doctoral examination must be made in writing to the chairperson of the Board of Examiners for Doctoral Awards. ²The application must be accompanied by:

- 1) the official notice of decision (*Bescheid*) on admission as a doctoral student;
- 2) where required, proof of compliance with the ancillary conditions set forth in the admission notice;
- 3) three (in the case of the Faculty of Computer Science and Mathematics: five) typed or printed bound copies of the thesis and an electronic copy generally, or in individual cases specifically, required by the chairperson of the Board of Examiners;
- 4) where required, a declaration on the form of the oral examination;
- 5) where required, proof of enrolment as a doctoral student (confirmation of academic progress);
- 6) the following written declarations:
 - an affidavit stating that the thesis was written independently and without any undue help from others and that all the materials and sources used and passages quoted verbatim or paraphrased from other works have been clearly identified as such (Schedule II);
 - an assurance to the effect that this same thesis or a similar version has not previously been submitted to this or another faculty for the purpose of obtaining an academic degree (Schedule III);
 - an assurance to the effect that the doctoral student has not previously obtained the sought doctoral degree or an equivalent doctoral degree and that completion of this degree has not been finally rejected;
 - where required, any further declarations stipulated in the subject-specific doctoral degree regulation;
- 7) In the case of the Faculty of Arts and Humanities and the Faculty of Computer Science and Mathematics, a comprehensive list of the doctoral student's publications related to the thesis must be presented to the faculty; further specifications are provided by the Board of Examiners for Doctoral Awards.

(2) ¹Generally, the chairperson of the Board of Examiners for Doctoral Awards issues a written decision on the admission to the doctoral examination within three months. ²The application is rejected if the applicant fails to submit all the documents listed in subsection 1 or the requirements for admission as a doctoral student are found not to have been met right from the start or they

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cease to be satisfied after acceptance of the application.

- (3) ¹The doctoral student may withdraw his or her application for admission to the doctoral examination as long as no referee's report has been completed for the submitted thesis. ²In this event, the examination procedure shall be deemed not to have been initiated.
- (4) ¹Where an application for admission to the doctoral examination and a completed thesis is submitted by a person not previously admitted as a doctoral student and not supervised by an eligible person, an application for admission as a doctoral student must be submitted as well. ²In such a case, no supervision agreement need be signed.

§ 10 Thesis requirements

- (1) The thesis serves as a demonstration of the doctoral student's ability to generate findings, through independent research, that advance the subject area in which it was written.
- (2) ¹As a general rule, the thesis must be written in German or English. ²The Board of Examiners for Doctoral Awards may allow a thesis to be written in other languages; if approved, a summary in German must be submitted, the length of which shall be determined by the Board of Examiners for Doctoral Awards. ³The German summary is not subject to the prohibition of seeking help from others.
- (3) Further specifications, also with regard to the publication of the thesis, are provided by the subject-specific doctoral degree regulation.

§ 11 Evaluation of the thesis

- (1) ¹Once the doctoral student has been admitted to the doctoral examination, the Board of Examiners for Doctoral Awards appoints two referees (in the case of the Faculty of Computer Science and Mathematics: two or three referees) from among the eligible persons for the purpose of evaluating the thesis. ²As a rule, the lead supervisor is appointed as one of the referees. ³Where the topic of the thesis touches on the specific subject of another faculty, a member from this faculty may be appointed as an additional referee if eligible. ⁴The subject-specific doctoral degree regulation may provide further specifications with regard to referees.
- (2) ¹Each referee presents the Board of Examiners for Doctoral Awards with a written report on the thesis within a period of four months from his or her appointment. ²The referees check whether the submitted paper meets the requirements of a thesis. ³The referee's report proposes a grade and a Latin honour. ⁴Any change requests for the printed copy of the thesis must be included in the referee's report.
- (3) ¹The faculty's eligible persons make the thesis and the referees' reports as well as the grade proposed by the referees publicly available for consultation over a period of no less than two weeks but no more than four weeks; the doctoral candidate may also access the referees' reports during this time. ²The manner in which and the period over which the above are made publicly available

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for consultation is generally determined by the Faculty Council and, in specific cases, by the Board of Examiners for Doctoral Awards; they may be made publicly available for consultation electronically. ³The Board of Examiners for Doctoral Awards notifies all eligible persons in writing or electronically about such public availability for consultation and the time period of availability, the topic of the thesis, the name of the doctoral student and the proposal made by the referees no later than one week prior to commencement of public availability for public consultation. ³The doctoral student is likewise informed in writing or electronically about such public availability for consultation and the marks proposed in the reports of the referees.

(4) ¹Where the referees unanimously recommend acceptance or rejection of the thesis, the thesis will be deemed accepted or rejected. ²Where the referees fail to agree on a recommendation to accept or reject the thesis, it will be for the General Assembly to decide; the Doctoral Awards Assembly has the choice of appointing an additional referee. ³Where the evaluations differ by less than two marks, the mark for the thesis is calculated from the arithmetic mean of the individual evaluations, to one decimal point. ⁴Where the evaluations differ by two or more marks, the Board of Examiners for Doctoral Awards shall determine the mark to be awarded the thesis from among the marks proposed by the referees once a further referee has been appointed in the case described in sentence 1 above; in the case described in sentence 2 above, this decision shall be incumbent on the Doctoral Awards Assembly.

(5) ¹Where an eligible person from the faculty raises an objection within the period of public availability for consultation, the Doctoral Awards Assembly will be convened. ²The Doctoral Awards Assembly may deny the objection on the basis of the referees' reports and decide itself on whether the mark and Latin honour the thesis was awarded should be accepted or rejected. ³Before taking a decision, the General Assembly shall have the choice of appointing external referees.

(6) ¹Where the Doctoral Awards Assembly or the Board of Examiners for Doctoral Awards initially rejects the thesis, the doctoral student shall have the opportunity to revise his or her paper and re-submit it for review by the referees. ²As a rule, the thesis is then reviewed by the previously appointed referees following the same procedure as for the first review by the referees. ³Where no paper is submitted within the deadline, the thesis will be deemed rejected a second time.

(7) ¹Where the thesis is rejected a second time or is deemed to have been rejected a second time, it will be finally rejected, and the doctoral procedure shall be terminated. ²The thesis as well as the referees' reports shall then be retained and filed away by the faculty. ³The doctoral student may request admission to the doctoral examination once again, subject to submission of a thesis with a new topic.

§ 12 Viva voce examination (oral examination)

(1) ¹Where the thesis is accepted, the Doctoral Examining Committee shall conduct the viva voce examination. ²Further specifications are provided by the subject-specific doctoral degree regulation. ³The assessment and grading of the viva voce examination is not public. ⁴In the event of disruptions or in other special cases, the chairperson of the Doctoral Examining Committee may exclude individual persons or the general public.

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- (2) ¹The chairperson of the Board of Examiners for Doctoral Awards will determine a date for the viva voce examination in agreement with the members of the Doctoral Examining Committee. ²As a rule, the examination is conducted no later than three months after the thesis has been accepted. ³The doctoral student is notified of the examination date in writing no later than two weeks prior to such date. ⁴Subject to the doctoral student's consent, the two-week period for prior notification may be reduced.
- (3) Minutes must be taken of the viva voce examination. They must indicate the name of the examiner, the time, venue and duration of the examination, the main subjects of the examination as well as the marks; the minutes must be signed by all members of the Doctoral Examining Committee.
- (4) ¹Each member of the Doctoral Examining Committee will award a mark for the candidate's performance in the viva voce examination. ²The oral examination has been passed if the majority of individual marks correspond at least to the Latin honour '*rite*'. ³In the event of a tie, the chairperson of the Doctoral Examining Committee has the casting vote; at the Faculty of Computer Science and Mathematics, the chairperson of the Doctoral Examining Committee has no vote. ⁴The overall mark for the viva voce examination is calculated on the basis of the arithmetic mean of the individual marks given. ⁵The chairperson of the Doctoral Examining Committee informs the doctoral student of the mark earned for the viva voce examination directly after the oral examination itself.
- (5) ¹The viva voce examination is deemed to have been failed if the doctoral student does not appear for the examination as scheduled or withdraws without good cause after the viva voce examination has started. ²Reasons given to justify withdrawal from or failure to appear for the examination must be submitted to the Doctoral Examining Committee (the Board of Examiners for Doctoral Awards at the Faculty of Law) without undue delay and substantiated. ³If the reasons are accepted, a new examination date shall be scheduled. ⁴Where a candidate's inability to sit an examination occurs prior to or during the examination, the chairperson of the Doctoral Examining Committee must be notified without undue delay. ⁵Candidates who wish to justify their inability to sit an examination with an illness must submit a doctor's certificate which provides a medical justification for the candidate's inability to take part on the day of the examination. ⁶Where there is reasonable doubt, the chairperson of the Doctoral Examining Committee may also request a certificate issued by a public health officer (*Amtsarzt*).
- (6) ¹Within a period of three months from being informed of the results of the viva voce examination, a doctoral student may resit the viva voce examination he or she has failed the first time. Such a request must be submitted to the chairperson of the Board of Examiners for Doctoral Awards. ²Where this deadline is missed or the candidate fails to resit the examination without good cause, the candidate will be deemed to have been awarded a final fail in the oral examination and the doctoral procedure shall be terminated. ³In this case, the thesis as well as all the referees' reports are kept and filed away by the faculty. ⁴Where a reasonable excuse can be provided, the Doctoral Examining Committee shall schedule a new date in accordance with subsection 2.

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§ 13 Overall grade for the doctoral award

- (1) ¹Where the thesis has been accepted and the viva voce examination passed, the Board of Examiners for Doctoral Awards will decide on the overall grade for the doctoral award. ²The overall grade is based on the arithmetic mean of the mark awarded for the thesis, which is weighted by a factor of three (in the case of the Faculty of Law and the Faculty of Business, Economics and Information Systems) or two, and the mark awarded for the viva voce examination, which is weighted by a factor of one. ³The Latin honour is determined by the overall grade. ⁴The chairperson of the Board of Examiners for Doctoral Awards shall notify the doctoral students of the overall grade for the doctoral procedure in writing. ⁵Once the overall grade has been determined, the doctoral award procedure is terminated within the meaning of Art. 5(2) no. 13 *Hochschulstatistikgesetz* (higher education statistics act; HStatG), even if the doctoral degree has yet to be awarded.
- (2) ¹After notification of the overall grade, the doctoral student is granted access to the doctoral award records. ²The chairperson of the Doctoral Examining Committee (in the case of the Faculty of Law: the chairperson of the Board of Examiners for Doctoral Awards) decides on the place and time of such access.

§ 14 Award of the doctoral degree and doctoral certificate

- (1) ¹Once the doctoral student has met all his or her obligations related to the publication of the thesis, the doctoral degree is presented to him or her in the form of the doctoral degree certificate. ²The certificate specifies the degree completed, the topic of the thesis, the overall grade and the Latin honours awarded for the thesis as well as the viva voce examination, unless the subject-specific doctoral degree regulation provides otherwise. ³The date of the viva voce examination is indicated as the day of the doctoral award. ⁴The certificate is signed by the president of the University of Passau and the dean of the faculty. ⁵One copy of the doctoral award certificate is filed in the doctoral award records.
- (2) ¹Once the doctoral award certificate has been presented, doctoral students are authorised to style themselves as doctors. ²The chairperson of the Board of Examiners for Doctoral Awards may, subject to further notice, permit a doctoral student to style himself or herself as a doctor before this time if his or her thesis is to be published by a commercial publisher and the doctoral student provides proof of having signed a contract with the publisher or of the publisher's firm acceptance of the thesis for publication and he or she meets all other obligations in connection with the publication of the thesis. ³The subject-specific doctoral degree regulation may derogate from the above.

§ 15 Special examination arrangements and deadlines

- (1) ¹Where a doctoral student is able to demonstrate that he or she is unable to complete assessments under the specified conditions, either in their entirety or in part or within the deadlines indicated in this regulation, due to a disability or long-term serious and/or chronic illness, the chairperson of the Board of Examiners for Doctoral Awards and the Doctoral Examining Committee (in the case of the Faculty of Law: the Board of Examiners for Doctoral Awards) shall, upon written

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request, take reasonable action to compensate for any resulting disadvantages, the former with respect to the thesis and the latter with respect to the viva voce examination. ²In particular, such action may include the modification of established examination conditions, the extension of time limits given to complete assessments and completion of assessments of equal merit. ³The doctoral student shall be obliged to provide reasons to justify the requested special arrangements. ⁴For the purpose of verification, suitable proof and, if there is reasonable doubt, a certificate issued by a public health officer (*Amtsarzt*) may be requested. ⁵The request must be submitted together with the application for admission to the doctoral examination. ⁶The doctoral student must be notified in writing of the decision.

(2) ¹The protective provisions stated under the *Mutterschutzgesetz* (MuSchG; the German federal maternity protection act), as amended, which is intended to protect working mothers, shall apply accordingly to doctoral awards. ²The statutory protective periods stipulated by the MuSchG must be taken into account when calculating any time limits under this regulation. ³Sentence 2 also applies to parental leave within the meaning of *Bundeselternzeitgesetz* (BEEG; the German federal parental benefit and parental leave act), as amended.

§ 16 Deceit, revocation and withdrawal of the doctoral degree

(1) ¹Where the doctoral student attempts to influence the results of an assessment by fraudulent means (e.g. by cheating, plagiarism or the use of prohibited aids), the affected assessment shall be marked '*nicht bestanden*' (fail). ²Plagiarism is deemed to have been committed where the intellectual property of others is violated intentionally or through gross negligence with serious implications for academic research by making unauthorised use, under the pretence of authorship, of a work created and copyrighted by someone else or of material research findings, hypotheses, teachings or research methods originating from someone else.

(2) Where, prior to presentation of the certificate, material requirements for admission as a doctoral student or admission to the doctoral examination are found to have been erroneously accepted as given or the doctoral student obtained admission as a doctoral student or admission to the doctoral examination by providing information that was in essence false or incomplete, the Board of Examiners for Doctoral Awards may declare that the doctoral examinations have been awarded an '*endgültig nicht bestanden*' (final fail) and the application for admission as a doctoral student has been rejected.

(3) ¹Where fraud as set forth in subsections 1 or 2 is found to have been committed at a later point in time, the Board of Examiners for Doctoral Awards may declare that the doctoral examinations have been awarded a '*nicht bestanden*' (fail) or an '*endgültig nicht bestanden*' (final fail), declare the certificate granted as invalid and revoke the doctoral degree awarded. ²The doctoral student shall then be obliged to return the doctoral certificate awarded to him or her.

(4) In the cases set forth in subsections 1 to 3, the initiation of a new doctoral procedure is excluded.

(5) Where the requirements for admission as a doctoral student are not met even though the doctoral student had no intention to deceive and this fact only becomes known after presentation of the certificate, such failure to comply is remedied by the candidate's passing of the doctoral

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examination.

(6) At the request of the Board of Examiners for Doctoral Awards, the Doctoral Awards Assembly will decide, after hearing the person affected, whether this person has proven to be unworthy of using the doctoral title as a result of academic misconduct engaged in after the award of the doctoral degree and whether the doctoral degree is to be revoked in accordance with Art. 69 BayHSchG.

§ 17 Doctoral award in cooperation with foreign higher education institutions

(1) ¹The doctoral procedure may be implemented jointly with a foreign higher education institution.

²The conditions are that:

- 1) the foreign higher education institution has the right to award doctorates under its national legislation and the academic degree awarded by it is recognised in Germany,
- 2) an agreement on the implementation of joint doctoral awards has been signed with the partner institution that sets forth the specifics of the joint doctoral procedure and has been approved by the Faculty Council and the Board of Examiners for Doctoral Awards (at the Faculty of Law: the Faculty Council),
- 3) the applicant has been admitted as a doctoral student both at the University of Passau and at the partner institution.

³Where the doctoral procedure at the partner institution has been terminated without success and the doctoral student has not lost his or her entitlement to a doctoral award, the doctoral procedure may be continued at the University of Passau. ⁴All other specifics of the procedure shall be governed by the joint agreement. ⁵This joint agreement may include provisions that depart from the present doctoral degree regulation, particularly with regard to the review of the thesis by referees and the implementation and marking of the viva voce examination. ⁶In addition, the agreement must include provisions relating to the continued implementation of the doctoral procedure at the relevant institution if cooperation in the doctoral award fails, especially if the thesis is not accepted at the University of Passau or at the foreign educational establishment or, as the case may be, the oral examination at the University of Passau or the foreign educational establishment is awarded an '*endgültig nicht bestanden*' (final fail).

(2) The subject-specific doctoral degree regulation may derogate from the above.

§ 18 Effective date and transitional provision

¹This regulation shall take effect on the day after its publication and govern the doctoral awards at all faculties in conjunction with the respective subject-specific doctoral degree regulation.

²Transitional provisions may be specified in the subject-specific doctoral degree regulation.

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Schedule I – Supervision Agreement

This Supervision Agreement governs the relationship between the doctoral student and the supervisors at the University of Passau. The applicable doctoral degree regulations and employment law provisions take priority.

1) Parties involved

Doctoral student: _____

Supervisors (with an examination right): _____

Additional supervisors (with an examination right), where applicable: _____

Other parties involved, where applicable: _____

Supervisors assist the doctoral student throughout his or her doctoral study by providing advice with respect to content, with particular reference to choosing a topic and/or drafting the doctoral thesis and/or carrying out the research portion of the doctoral project.

2) Topic

Working title/topic/subject of the doctoral thesis:

- The topic was described in an exposé dated _____. The exposé is appended to this Agreement (Appendix 1).
- The topic will be set by (date) _____ in an exposé not exceeding ___ pages in length. The exposé will then be appended to this Agreement (Appendix 1).
- An exposé is not required.

The supervisors will comment on the exposé and provide recommendations on how to proceed. In particular, they will comment on the doctoral student's subject expertise for the proposed topic/subject and may recommend further qualification measures (see section 6). Non-negligible changes to the topic/subject may only be made by mutual agreement.

3) Work plan

The doctoral student and the supervisors shall create a work plan which will constitute an integral part of this Agreement (Appendix 2). The supervisors will take measures to ensure compliance with the work plan on an ongoing basis. Non-negligible changes to the work plan may only be made by mutual agreement.

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The length of doctoral study is expected to be ___ years.

- As part of the doctoral project, the doctoral student will endeavour to deliver lectures and publish articles/chapters to the following extent, respectively on the following platforms (e.g. journals, anthologies, conferences, workshops etc.):
-

4) Consultations with supervisors

The doctoral student and the supervisors will meet at least every _____ (e.g. three, six or twelve) months for a consultation. The doctoral student will report on the content of the partial outcomes of the doctoral project and on compliance with the work plan. Where necessary, the work plan will be updated (Appendix 2) and the topic or subject reduced, expanded or otherwise changed. As part of this consultation, the following points may also be addressed:

- Presentation of the doctoral project (e.g. in the research group or faculty, or through publications or talks at conferences)
- Other funding for the doctoral project
- Financing for conferences and/or stays abroad

The parties involved may keep minutes (meeting notes) of the consultations.

5) Financing

A financing plan serves to create transparency, certainty and trust. The doctoral student is currently to be financed through:

- a scholarship (indicate donor and term): _____
- a staff position, (indicate employment term): _____
- external funds, (indicate funding term): _____
- other: _____

Follow-on financing: Where the employment/scholarship term is less than the length of doctoral study, the remainder of the doctoral study duration will be funded by means of:

- a scholarship (indicate donor and term): _____
- a staff position, (indicate employment term): _____
- external funds, (indicate funding term): _____
- other: _____
- as yet unknown

6) Duties and responsibilities of the doctoral student

The doctoral student undertakes to submit and explain work progress that corresponds to the work plan at the regularly held consultations (section 4). If the doctoral student's work does not meet the defined objectives, the doctoral student must provide an explanation of the reasons for his or her inability to meet the objectives. If no valid reason is given for the insufficient work progress, the doctoral student may twice be granted a reasonable grace period to carry out the work required for

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meeting the agreed level of progress. If these deadlines pass without the doctoral student having met and submitted the agreed work objectives, the supervisor has the right to terminate this Supervision Agreement for good cause under section 11 of this agreement.

The preceding paragraph shall apply accordingly to lectures and/or publications, insofar as they are part of the agreed work plan (section 3).

The doctoral student will take part in the following qualification measures:

The doctoral student will take part in the following working groups/research consortiums/graduate programmes:

- The doctoral student applies for enrolment at the University of Passau for the purpose of doctoral study.
- The doctoral student applies for membership of the Graduate Centre.

To be completed by doctoral students who are at the same time employees of the University of Passau: Participation in the above qualification measures, working groups, research consortiums and graduate programmes

- shall take place exclusively within the working hours set aside for the doctoral student's own academic qualification.
- shall take place within the doctoral student's overall working hours.

7) Duties and responsibilities of the supervisors

The supervisors shall support the doctoral student's academic autonomy, e.g. by introducing them into their academic network and by providing advice on publication projects.

If required, supervisors will assist the doctoral student in seeking a suitable contact or mentor who is able to provide additional support for the doctoral project.

The supervisors will supervise the doctoral student until completion of the doctorate, regardless of whether an employment contract exists with the University. This includes work steps required after the doctoral oral examination (viva voce, thesis defence; in German: 'Rigorosum' or 'Disputation').

8) Principles of good academic practice

The parties involved shall comply with the Rules of the University for the Ascertainment of Good Academic Practice and for the Investigation of Alleged Academic Misconduct.

9) Reconcilability of family life and academic work

The University strongly supports a balance between family life and academic work. Pursuant to section II subsection 3 of the *'Grundsätze der staatlichen bayerischen Hochschulen zum Umgang mit Befristungen nach dem Wissenschaftszeitvertragsgesetz und zur Förderung von Karriereperspektiven für den Wissenschaftlichen Nachwuchs'* (Principles of Bavarian State

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Universities for Fixed-Term Employment Pursuant to the Higher Education Temporary Employment Act and for the Advancement of the Career Prospects of Early Career Researchers in Academia'), and at the request of parents-to-be in an early consultation between the supervisors and the doctoral student, it shall be established how a balance between family life and doctoral study is to be achieved in each specific case. Where necessary, the work plan will be adjusted by mutual agreement. The Women's Representative or a person of trust of the doctoral student and/or the supervisors may be consulted. Special supporting measures are to be agreed as required and accompanied where necessary by the Equal Opportunities Section.

10) Conflict

If conflicts arise, the parties involved shall comply with the Rules of the University for the Ascertainment of Good Academic Practice and for the Investigation of Alleged Academic Misconduct.

Doctoral students may raise any grievances with the Ombudsperson at the University's Graduate Centre.

11) Termination and rescission

The doctoral student and any supervisor may terminate the Supervision Agreement for good cause, for instance in cases where the doctoral student has not met the agreed interim objectives despite having been granted a grace period twice, or if the personal bond of trust has been broken. Notice must be served in writing, specifying the reasons for the termination. The written notice must be given to the doctoral student or each supervisor. The parties shall endeavour to reach mutual written rescission.

The parties involved are no longer tied to the obligations under the Supervision Agreement once the agreement has been rescinded or terminated; other duties in accordance with the respectively applicable doctoral degree regulations remain hereby unaffected. If the doctoral student has already been accepted or admitted to the University of Passau in accordance with the applicable doctoral degree regulations, the chairperson of the relevant faculty's Board of Examiners for Doctoral Awards must be informed of the rescission or termination. A new Supervision Agreement may be concluded between the doctoral student and the remaining supervisor and/or other supervisor.

12) Copies/entry into force/abrogation

Several copies of this Supervision Agreement shall be issued for the supervisors, the doctoral student and the faculty's Board of Examiners for Doctoral Awards, in English where applicable. It shall enter into force upon acceptance of the doctoral student or upon admission to the University of Passau, in accordance with the applicable doctoral degree regulations. Acceptance or admission shall be appended to the Supervision Agreement (Appendix 3). The acceptance of the doctoral student or the admission to the University of Passau in accordance with the applicable doctoral degree regulations shall be requested immediately once the Supervision Agreement is concluded. If the doctoral student is not accepted or admitted, the Supervision Agreement shall not enter into force.

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The Supervision Agreement shall end upon completion of the doctoral procedure in accordance with the applicable doctoral degree regulations, or upon expiry of the rights from the doctorate in accordance with the applicable doctoral degree regulations, or upon termination for good cause or mutual rescission (see section 11).

Place, date and doctoral student's signature

Place, date and supervisor's signature

Place, date and supervisor's signature

13) Appendices

- Appendix 1 (under section 2): Exposé
- Appendix 2 (under sections 3 and 4): Work plan
- Appendix 3 (under section 12): Acceptance or admission in accordance with the applicable doctoral degree regulations

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Schedule II – Declaration of own work (affidavit)

I confirm that I am the author of this doctoral thesis, having written it independently without undue help, and that all the materials and sources used and passages quoted verbatim or paraphrased from other works have been clearly identified as such.

Place, date, doctoral candidate's signature

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Schedule III – Declaration of original work (affidavit)

I confirm that this same thesis or a similar version has not previously been submitted to this or another faculty for the purpose of obtaining an academic degree.

Place, date, doctoral candidate's signature

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Issued as per the resolution of the Senate of the University of Passau of 11 July 2018 and as approved by the President of the University of Passau on 1 August 2018, reference number IV/5.I-10.3401/2018.

Passau, 3 August 2018

UNIVERSITY OF PASSAU
The President

Professor Carola Jungwirth

These by-laws were issued by the university on 3 August 2018 and announced on 3 August 2018 by posting on the noticeboards of the university.

The date of promulgation is 3 August 2018.