

MAASTRICHT UNIVERSITY
UNIVERSITY COUNCIL

RULES OF PROCEDURE

Laid down by the University Council in its meeting of 26 June 2003 and amended in its meeting of 28 June 2017, 29 May 2019, 28 June 2023 and 24 June 2026.

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CHAPTER 1 GENERAL PROVISIONS

Article 1.1 Definitions

In these rules, the following definitions apply:

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| Act: | The Higher Education and Research Act (WHW); |
| Addendum: | Any addendum formally adopted by the University Council as part of these Rules of Procedure; |
| University: | Maastricht University (UM); |
| Executive Board: | The university's Executive Board; |
| Council: | The university's University Council; |
| Chair: | The council chair; |
| Committee: | The strategy committee, the research & education committee and/or the operations committee; |
| Presidium: | The presidium referred to in Article 3.1 of this regulation; |
| Registrar: | The registrar referred to in Article 2.1, paragraph 4- of the UM University Council regulation; |
| Delegation: | The academic staff, support staff or student delegation; |
| Personnel Delegations: | The council members of the academic staff and the support staff; |
| Student Delegation: | The council student members; |
| Electoral Regulations: | Electoral regulations for the election of the University Council, the service councils and the faculty councils of Maastricht University; |
| Central Elections Office: | The Central Elections Office referred to in Section 3 of the Elections Regulations; |
| Day: | Calendar day; |
| Supervisory Board: | The Supervisory Board of the University. |

Where these Rules of Procedure employ terms that correspond with terms defined in the act, these terms shall be assigned the meaning of the terms in the act.

Any addendum shall be considered an integral part of the Rules of Procedure. In the event of any conflict or inconsistency between the provisions of these Rules of Procedure and any addendum, the terms of the Rules of Procedures shall prevail to the extent of such conflict or inconsistency, unless the council decides otherwise in accordance with Article 6.1.

CHAPTER 2 COUNCIL MEMBERS AND CHAIR

Article 2.1 Council members

1. The council members are elected from and by the university's personnel and students in accordance with the Electoral Regulations.
2. When informing individual candidates that they have been elected as council members, the Central Elections Office simultaneously informs the chair. The chair will inaugurate the member during the next council meeting where they are present, or, in the case of an election for the following academic year, during the final meeting of the current academic year on the understanding that, in that case, membership will not take effect until the start of the new academic year.
3. Council membership shall end by default after the period as mentioned in Article 4 paragraph 1 of the Electoral Regulations. Council membership may be terminated on the grounds set out in Article 4 paragraph 3 of the Electoral Regulations.
4. If a council member fails to notify the chair and the Central Elections Office of the fact that they no longer meet the requirements for membership, the chair shall terminate their membership in writing and with immediate effect as soon as it becomes aware of this. The chair shall inform the Central Elections Office as soon as possible of the vacancy.
5. A vacancy because of a termination shall be filled in accordance with the procedure set out in Article 44 of the Electoral Regulations.
6. Council members who have been involved in the preparation of an intended decision or policy proposal by the Executive Board in a capacity other than that of council member, or who have advised on such topics, must abstain from participation in advice or approval issued by the council in connection with the matter.
7. Council members are required to attend all meetings of the council, committee(s) on which they sit and presidium (if applicable). An absence from a meeting must be reported in a timely manner to the chair of that meeting and the registrar.
8. If a member's presence at the plenary meetings or committee meetings is less than 75% (rounded up) during an academic year, this shall lead to a reduction in remuneration, proportional to the time of absence, at the end of that academic year.

Article 2.2 Chair and vice chair

1. The council selects a chair from the council or through formal procedures from outside the council in accordance with addendum 2.
2. If the chair is selected through a formal procedure from outside the council, they will not have a right to vote.¹
3. If the chair is selected from the council, they will keep all the rights and obligations associated with being an elected council member.
4. The council shall select a vice chair from the council, preferably from a delegation other than the chair's delegation.

¹ This is called a technical chair.

5. The vice chair shall replace the chair during any meetings the latter is unable to attend, or at the request of eleven members of the council.
6. Both the chair and the vice chair are elected for a maximum period of two years, unless they are from the student delegation, in which case they are elected for a maximum period of one year.
7. The chair may be reappointed by the council members once without the open recruitment procedure as laid down in addendum 2. Any subsequent reappointments of the chair are only possible after an open recruitment procedure. The vice chair may be reappointed as long as they remain eligible for the position of vice chair.
8. The council can decide to dismiss the chair or vice chair from their position prematurely if the council has lost confidence in them in accordance with the procedure laid down in Article 2.4.
9. If the chair and vice chair are both absent during a plenary meeting, the youngest council member shall deputise for them.
10. The chair and council are assisted by a registrar.

Article 2.3 Tasks of the chair

1. The chair prepares and presides the council meeting, and is responsible for maintaining order during council meetings.
2. The chair prepares and presides over the presidium meetings, and, as far as possible in consultation with the presidium, coordinates the logistics of the activities of the committees.
3. The chair legally represents the council in cases as defined in Chapter 9, title 2, paragraph 3 of the act.
4. The chair meets regularly with the Executive Board with the goal of achieving and maintaining effective communication and efficiency during council meetings. The vice chair may participate in these meetings.
5. The council mandates the chair to monitor the budget and approve budget expenses up to 2500 EUR. At least three times a year, the chair shall meet with a university financial controller regarding the council's budget and shall subsequently present an overview of the expenses and the budget as well as the results of that meeting to the presidium.
6. If an expense exceeds 2500 EUR, the chair shall seek approval from the presidium for that expense before approving that expense.

Article 2.4 Vote of no confidence

1. If one or more council members have concerns regarding the functioning of the chair, they can inform the confidential committee about this in writing.
2. After receiving the concerns as referred to in paragraph 1, the confidential committee shall organise an ad hoc council meeting without the chair or any other third parties present. A member from the confidential committee shall act as secretary to that meeting and shall take minutes of the meeting.
3. During the ad hoc meeting, as referred to in paragraph 2, the concerns raised shall be discussed by the council members. Following the discussion, the council may decide to:
 1. Task the confidential committee to discuss the concerns raised with the chair, hear the chair and try to find an amicable solution; or, if this proves reasonably unfeasible, then
 2. Hold a vote of confidence.

4. If a vote of confidence is held, votes shall be cast using closed and non-signed pre-printed ballot notes or digital forms on which the (no) confidence can be checked in the corresponding box.
5. If eleven or more council members give a vote of no confidence, the confidential committee shall inform the chair of this in writing as soon as possible and shall include the reasons for the vote.
6. Following the vote of no confidence, the chair shall step down immediately. If the chair is a member of the council, they shall remain so after the termination of their term as chair. A new chair is appointed in accordance with Article 2.2. The vice chair shall act as interim chair until a new chair is appointed. An interim vice chair is appointed by the council in accordance with the procedure laid out in Article 2.2.

CHAPTER 3 PRESIDIUM AND COMMITTEES

Article 3.1 Presidium (see addendum 1 Roles of the members of the presidium and confidential committee)

1. The council has a presidium.
2. The presidium is composed of the chair, the vice chair, the chairs of the standing committees, and, where necessary, one or more additional members of the council to guarantee that every delegation is represented by at least one council member.
3. The chair is a non-voting member of the presidium. In cases of a tie, the matter is referred to the council, if necessary outside the regular council meeting.
4. The presidium supports the chair in preparing the council and committee meetings and coordinating the activities of the council and committees.
5. The presidium is mandated to act on the council's behalf in urgent situations and during the period after the last council meeting of a given academic year and before the first council meeting in the following academic year (hereinafter: summer recess). An urgent situation is a situation in which waiting for the next scheduled council meeting to make a decision would result in significant negative consequences for the university or the council.
6. For purposes of paragraph 5 of this article, in cases of urgent situations or during the summer recess, a quorum for a meeting of the presidium shall consist of no less than half of the total number of members of the presidium.² Any decisions in urgent situations or during summer recess shall require a majority of half the members plus one in favour of that decision.
7. A mandate can be given by the council to the presidium for the execution of a specific task. The mandate must be given in writing and must describe the task to be carried out, the way in which the mandate must be exercised, and the period for which it is granted. The presidium must act in accordance with these instructions and may not exceed the scope of the mandate without the express consent of the mandator. The council shall have the right to revoke the mandate at any time by giving written notice to the presidium. The mandate will also be automatically terminated upon completion of the task or at the end of the agreed period.
8. The council mandates the presidium to consent, on the council's behalf, on the composition of the boards and committees linked to UM to the degree that the council is authorised and with the exception of the duties reserved for the confidential committee.
9. The provisions set out in these rules apply mutatis mutandis to decision-making, reporting, and advising by the presidium, unless specifically stipulated otherwise.

² Rounded up in case of an uneven number of presidium members.

10. The presidium notifies the council of decisions it has taken on behalf of the council during the first council meeting following such a decision.
11. The presidium meetings are not public unless the presidium decides otherwise.
12. The report and the recommendations of the presidium are confidential insofar as the chair of the presidium has imposed confidentiality.
13. The presidium members are responsible for communicating (intended) advices and (intended) decisions that are relevant to the entire council, to their respective delegations, either via digital communication or by organising periodic meetings. The chair shall supervise this process.

Article 3.2 Committees

1. The council has the following committees:
 - the strategy committee;
 - the research & education committee;
 - the operations committee;
 - the confidential committee (special committee).
2. Each council committee consists of a minimum of six and a maximum of ten members, and each delegation is represented in each of the committees by at least one member. Within each committee, the number of members from the personnel delegation and the number of members from the student delegation should be equal whenever possible. The committee meetings are open to the public, with the exception of the confidential part, which is only open to council members. The meetings of the confidential committee are not open to the public or other council members.
3. The confidential committee consists of four members: one academic staff member, one support staff member, and two student members.
4. When selecting a chair for one of the council committees, one or more candidates per committee shall be put forward. The chair of the council will submit nominations, in advance and with the approval of the candidates, for chairs of the committees, and will present these to the council for approval. Insofar as is possible, each committee chair shall come from a different delegation.
5. The task of the committees is to prepare the council's activities and advise it in the relevant areas.
6. In exceptional cases, the council may give a mandate, by unanimous vote, to a committee to handle affairs on the council's behalf where the council has the right of consent or advice, pursuant to the Maastricht University Council Regulation, or otherwise has the right to be heard. The committee will inform the council about the manner in which the committee exercised its mandate in the first council meeting following the exercise of the mandate.
7. In principle, the committees will convene before every council meeting, if subjects that concern the committees have been put on the council agenda or have been brought to the committees' attention.
8. The chair of the council can attend the committee meetings as an observer.
9. Articles 4.4, 4.6, 4.7, paragraphs 1 and 3, 4.8 and Article 4.14, paragraphs 1, 3, 4 and 5 apply to the committee meetings, reporting and advisory activities.
10. During the first council meeting of the new academic year, the composition of the committees will be presented to the council for approval. The provisional composition may be determined at an earlier point by the chair of the council and at the recommendation of the members.

Article 3.3 Ad hoc committees

1. The council can decide to establish ad hoc committees to prepare specific subjects/items that are part of the council's tasks but are not part of the standing committees' remit.
2. The council lays down the ad hoc committees' tasks, composition and work method when establishing the committee, with due observance of the provisions set out in Chapter 3 of this regulation.

Article 3.4 Confidential committee (see addendum 1 Roles of the members of the presidium and confidential committee)

1. The members and the chair of the confidential committee are appointed by the council at the first meeting after the summer recess.
2. The confidential committee members shall select a chairperson from their own group.
3. The confidential committee has the mandate of the University Council and, pursuant to this mandate, operates on behalf of the University Council in the following matters:
 - coordinating the annual appraisal of the chair of the University Council according to a procedure established in addendum 2;
 - awarding the Dr Tanspenning;
 - awarding the honorary doctorate (honoris causa) during the Dies Natalis celebrations;
 - nominating members of the Supervisory Board to the Ministry of Education, Culture and Science (MOCW), according to Article 9.7 paragraph 2 of the Higher Education and Research Act;
 - the appointment of staff and student members of the confidential committee to serve on a selection committee put together by the Supervisory Board for the purposes of appointing members to the Executive Board, according to Article 9.3 paragraph 3 of the Higher Education and Research Act.
4. The confidential committee advises the University Council on the matters below by executing the established procedures and providing shortlists of possible candidates:
 - the appointment and reappointment of members of the Executive Board.
 - the appointment and reappointment of the chair of the University Council in accordance with addendum 2;
 - the appointment of the registrar to the University Council (one member is part of the selection committee);
 - the profiles of the members of the Executive Board and the Supervisory Board.
5. The confidential committee will hold extra meetings if:
 - the chair of the council requests it to do so;
 - at least four of its members request this, providing the reasons;
 - confidential issues within the council or presidium require this.
6. The confidential committee informs the University Council on progress being made with regard to its duties and mandate.
7. The members of the confidential committee shall be bound by a duty of confidentiality, including towards council members, regarding the information they receive during and about the interviews with and the (annual) appraisal of the chair, unless a majority of the council votes that it is necessary to make the documents available to the council members. A council member that is either a party in the concerned case, or was in charge of the decision-making (e.g. ad-hoc committee or confidential committee) cannot vote on this matter.
8. The registrar shall act as secretary for the confidential committee, with the exception of secretarial duties for meetings of the confidential committee concerning the Council

chair or (a member of) the registrar, or concerning matters which, in the confidential committee's judgment and for reasons of confidentiality, can only be handled by a member of the confidential committee. For these matters, a member of the confidential committee will act as secretary to that meeting.

Article 3.5 Functioning of the chair

1. The performance and functioning of the chair are reviewed and evaluated in accordance with the procedure set out in addendum 2.

CHAPTER 4 COUNCIL MEETINGS

Article 4.1 Frequency

1. The council meets according to a timetable jointly decided by the council and Executive Board before the beginning of each academic year. The registrar shall send the council members invites for the council meeting.
2. Further, the council meets:
 - if the presidium deems it necessary;
 - if the Executive Board deems it necessary; or
 - if at least four council members submit a reasoned request in writing to the chair.
3. If paragraph 2 applies, the chair convenes the meeting within eight working days after the request has been received by the chair from the presidium, the Executive Board or the council members.

Article 4.2 Determining and mailing the agenda and proposals

1. The chair draws up the council meeting agenda in consultation with the Executive Board and includes:
 - the items submitted by the chair and the council members;
 - the agenda items submitted to the council by the Executive Board.
2. At least seven days before a council meeting, the registrar shall send the members the agenda for that meeting and relevant documents.
3. If the relevant documents, as referred to in the second paragraph are not sent to the council members at least seven days before the day of the meeting, the chair informs the council of the reasons for this. The presidium shall decide whether or not to discuss these documents in that specific meeting during its preparation of the council meeting.
4. At least seven days before a council meeting, the registrar shall make the agenda and documents referred to in the second paragraph public through a digital platform designated for this purpose, with the exception of the agenda items and documents pertaining to the confidential part of the council meeting.
5. The council's registrar makes available the agenda and documents referred to in the second paragraph, unless these documents are confidential, for inspection by interested third parties.
6. In the event that a council member submits a proposal on the grounds of Article 3.1 of the UM University Council regulations, the proposal must be in writing and include an explanation. The proposal is submitted to the chair, who will bring it to the attention of the Executive Board and the other council members.

Article 4.3 Quorum

1. A quorum for a council meeting shall consist of no less than half of the total number of members of the council plus one. The result is rounded down.
2. If a quorum is not present when the chair opens the meeting, they shall adjourn the meeting for a maximum of thirty minutes. If, after the adjournment, a quorum is still not present, the chair shall close the meeting.
3. If a meeting is closed in accordance with paragraph 2, the chair shall schedule a new meeting to take place after a minimum of four and a maximum of ten working days.

Article 4.4 Attendees

1. As a rule, the members and the secretary of the Executive Board will attend the council meetings and partake in the deliberations.
2. The Executive Board can be assisted by advisers at the meeting.
3. The council may invite other people to attend the meeting in an advisory capacity and partake in the deliberation.
4. If an attendance list is used during a council meeting, all members present shall sign it during the meeting.
5. In principle, the registrar will attend the council meeting, but will not partake in the deliberations.
6. The council's public meetings may be attended by third parties. Third parties may not partake in the deliberations.
7. The chair can permit third parties to speak and allocates the time available for this. The third-party/parties and council members will not discuss any remarks made by a third party/third parties in their presence. The Executive Board, however, has the ability to shortly respond and clarify remarks made by a third party/third parties.

Article 4.5 Laying down the agenda

1. The council will decide which agenda items are discussed. The subjects submitted by the Executive Board will be put on the agenda of the first council meeting following the submission, unless the Executive Board explicitly agrees that discussion of the subject by the council be postponed for a period to be determined by the Executive Board.
2. The council can decide to address items not included on the agenda following a proposal by the chair.
3. The council will determine the order of agenda items following a proposal by the chair.

Article 4.6 Public access

1. Council meetings are public unless Article 4.7 applies.
2. Unless designated as confidential by the council and/or Executive Board, the meeting's documents are public.

Article 4.7 Closed deliberation

1. Confidential documents sent to the council members are dealt with in the closed part of the meeting. Further, the council holds closed meetings when the chair deems this necessary, when at least four council members or the Executive Board request so, and when the council deliberates or makes decisions on:
 - business plans of companies integrated or to be integrated into the UM

- Holding BV, or businesses associated with UM Holding BV;
- matters whereby the interests or privacy of specific employees and/or students may be harmed as a result of public deliberations; and
 - matters whereby the interests of the university or its units may be harmed as a result of public deliberations.
2. The chair shall ensure that decisions made in a closed part of the meeting are announced to the relevant parties as soon as possible.
 3. The members and secretary of the Executive Board, the advisers of the Executive Board, other individuals who participate in the deliberations in an advisory capacity at the invitation of the council, the council members in attendance, the registrar to the University Council and employees of the secretariat to the representative bodies can attend a closed part of the meeting.

Article 4.8 Order during the meeting

1. The chair maintains order during the meeting. To this end, they can briefly adjourn the meeting to restore order and, if the order is disturbed again after reconvening the meeting, close the meeting.
2. The chair can exclude attendees who disturb order during the meeting from the deliberations or the meeting.
3. The chair can decide to allocate speaking times at the start of each agenda item. Speaking times apply to all speakers. Speaking times that have not been used up may not be transferred to another speaker.
4. The sequence in which the chair can give the floor to speakers can be broken when an attendee requests to be given the floor to submit an order-related item. The chair decides, without discussion by the council, on all matters regarding order immediately after these have been presented.
5. The council members or the Executive Board can request the chair to adjourn the meeting.
6. The chair decides on the request to adjourn the meeting and may ask for the council's opinion in this matter.

Article 4.9 Closure of deliberations

1. After closing the deliberations, or if nobody asks to be given the floor, the chair formulates the content of the decision. By default, every decision made by the council is subject to a vote, unless none of the council members objects to the chair's proposal to forgo a vote and consider the decision to have been taken unanimously.
2. The staff and student delegations separately decide on matters for which the council's staff or student delegation have the right of approval while the other delegation has the right of advice, on the understanding that advice-related decision-making precedes approval-related decision-making.

Article 4.10 Voting

1. The members vote independently according to their personal opinion without instructions from or consultation with others.
2. Unless a different majority is required by or pursuant to the act, decisions are made by normal majority of the number of votes cast 'in favour', 'against' or 'blank', whereby the majority is determined on the basis of the votes 'in favour' and 'against'. The blank votes and abstentions are not considered.

3. Members vote by a showing of hands, unless five or more council members or the chair request an anonymous vote. In that case, voting shall be done through closed, non-signed ballot notes.
4. The council can also choose to vote by digital methods.
5. Except when members request a vote by roll call as defined in Article 4.11, attending members can, if so requested, cast a vote explanation, i.e. request a brief recorded motivation for the vote to be cast.
6. If no decisions are made in a meeting on the grounds of equal division of votes, the making of a decision is postponed to the next meeting. In that meeting, the deliberations may be reopened. If in this meeting no decisions can be made again on the grounds of equal division of votes, the proposed decisions submitted by the Executive Board for approval or advice are deemed to have acquired approval or positive advice.
7. In the event of equal division of votes on a subject of which decision-making cannot be postponed in the opinion of the Executive Board and/or the chair, the council casts its votes a second time in the same meeting. The provisions in the last sentence of paragraph 5 apply mutatis mutandis.

Article 4.11 Voting by roll call

1. If five or more members oppose the procedure set forth in Article 4.10, paragraph 4, the council can vote by roll call according to the name order on the attendance list. The vote begins with the member appointed by the chair.
2. In the event of a roll call vote, the chair, provided that they are a council member, casts their vote last.
3. In the event of a roll call, the members vote using the words 'in favour', 'against', 'blank' or 'abstention' without any other addition.
4. Once cast, a vote cannot be changed.
5. In the event of a vote by roll call, the provisions of Article 4.10 paragraphs 5 and 6 apply mutatis mutandis.

Article 4.12 Proxy voting

1. Any member may authorise a proxy to vote on their behalf by submitting a written proxy to the chair prior to the meeting for which the proxy is appointed.
2. Proxy voting shall be permitted for all meetings.
3. The proxy shall contain the name of the council member appointing the proxy, the name of the proxy, and a clear indication of the meeting(s) for which the proxy is being appointed.
4. Each member shall be entitled to appoint only one proxy for any given meeting. Each council member acting as a proxy may only do so for one other council member.
5. The registrar shall maintain a record of all proxy appointments.
6. A member may revoke their proxy appointment at any time by submitting a written revocation notice to the chair prior to or during the meeting.

Article 4.13 Voting for individual people

1. Votes for individual people are cast using closed and non-signed pre-printed ballot notes or digital forms, whereby the box next to a candidate's name can be checked. Ballots that do not have the name of one of the candidates checked are considered abstentions. Ballots with more than one name checked are invalid.
2. If more than one position is to be filled and a list of nominees is available, the council shall first vote, in the order of nominees, on those positions for which there is more than one candidate, and subsequently on the remaining nominees.

3. If none of the candidates wins a majority of votes after the first round, a second round takes place with the same candidates.
4. If none of the candidates wins a majority of votes after a second round, a third round takes place with the top two candidates who received the most votes. In the event of an equal division of votes in the third round, fate decides via coin toss which candidate is elected.

Article 4.14 Reporting

1. The registrar prepares the minutes of each council meeting, accompanied by the decisions and attendance list.
2. The council meetings are audio recorded. The audio recordings are kept by the registrar for two years.
3. Unless designated as confidential, the report, decisions and audio recordings are publicly accessible by request.
4. The council members are informed regarding the minutes of a public meeting and then those minutes are submitted to the council for approval by putting them on the agenda for the next council meeting.
5. The minutes of a closed part of the meeting are submitted for approval in the closed part of the meeting and made available to the council members. The same applies mutatis mutandis to reports of the closed part of the committee meetings.

Article 4.15 Annual report

1. Each November, the council decides on a report of its activities during the session year as defined in Article 9.32 paragraph 8 of the act.
2. The minutes are sent to the Executive Board for information/inspection and made available online.

CHAPTER 5 SPECIAL PROVISIONS

Article 5.1 The right of initiative

1. The council is authorised to submit proposals and express opinions to the Executive Board on all matters relating to the university.
2. In accordance with Article 9.32 paragraph 2 of the act, the Executive Board will provide a written response, stating reasons, in the form of a proposal within three months.
3. Before issuing the response as referred to in Article 5.1, paragraph 2, the Executive Board will give the council the opportunity to consult with it at least once.
4. If the proposal of the council as referred to in Article 5.1, paragraph 1, concerns a matter that falls under the authority of another body than the University Council, the Executive Board will report this fact. However, in such instances, the Executive Board will still consult the University Council, as referred to in Article 5.1, paragraph 3.

Article 5.2 Consultation with the Supervisory Board

1. At least twice a year, the University Council will consult with the Supervisory Board of Maastricht University.

2. The council will decide whether this is a plenary meeting with all council members attending or whether a council delegation will consult on its behalf. In either case, the council chair will be part of the delegation.
3. The consultation with the Supervisory Board will cover, as a minimum, the general state of affairs within the university. In addition, more specific matters may be discussed.
4. The council chair will consult with the secretary of the Supervisory Board and/or its members about the agenda for the meeting. The agenda is sent to the participants at least ten working days prior to the meeting. In the event of urgency, subjects may be added to the agenda when the meeting begins, unless the chair of the Supervisory Board or the chair of the University Council objects.
5. The meeting with the Supervisory Board is closed.
6. The minutes of the meeting with the Supervisory Board are not public, unless the chair decides otherwise with the approval of the Supervisory Board.
7. The provisions of Article 4.4 do not apply to the meeting with the Supervisory Board. At the meeting, the registrar of the University Council and the Secretary of the Supervisory Board are present.
8. In consultation with the chair of the Supervisory Board, the chair may decide to invite other individuals to the meeting.

CHAPTER 6 FINAL PROVISIONS

Article 6.1 Unforeseen circumstances

In the event of doubt about the application or explanation or any provision in these rules of procedure, and in events for which they do not provide, the council shall decide following the chair's proposal after consultation with the presidium.

Article 6.2 Amendment and adoption of the rules of procedure

The council may amend and re-adopt the rules of procedure at all times. After adoption thereof by the council, the chair will ensure that the Executive Board is informed of such changes.

Article 6.3 Entry into force

These rules of procedure take effect on the day on which they are adopted.

Adopted by the council in its meeting of 26 June 2003 and amended in its meeting of 28 June 2017, 29 May 2019, 28 June 2023 and 24 June 2026.

Maastricht, June 2026

Addendum 1 Roles of the members of the presidium

The registrar of the University Council

The registrar is the secretary of the presidium. The registrar makes the agenda of the presidium together with the presidium Members and publishes the agenda of the presidium with all the accompanying documents. The registrar makes the minutes of the presidium. The registrar is notified if a presidium member cannot be present. The registrar communicates with the registrar of the EB concerning matters that the presidium wants to have addressed by the presidium. All external communication from and to the council, its presidium, and its committees goes through the registrar, with the exception that the confidential committee is allowed to have external communication through its own chair when required for the proper performance of its duties, such as for example, in the situations referred to in Article 3.4, paragraph 8.

The registrar will always be involved in presidium and council meetings and it is only permissible to exclude the registrar when any issues or communications concern the registrar themselves.

The chair of the University Council

The chair of the University Council is also the chair of the presidium. They chair and prepare the presidium meetings as well as the plenary meetings. Additionally, the chair participates in regular meetings with the Executive Board and the vice chair to ensure effective communication and efficiency in case of absence. The chair formulates the written advice based on the council's decisions.

The vice chair of the University Council

The vice chair chairs the presidium in the absence of the chair. If the vice chair is a student, the vice chair initiates contact with the different student parties of the UC and functions as an intermediate between the student delegation and the presidium. The vice chair is also allowed to participate in the meetings with the Executive Board. In cases when and where the chair is not able to fulfil their duties, the vice chair will preside and prepare the meetings. Additionally, the vice chair has individual meetings with the chair.

The chairs of the committees

The committee chairs report to the presidium about the agenda meetings for the different committees and prepare the committee meetings with the other members of the presidium and prepare the plenary meeting with the other members of the presidium. When needed, the members of the presidium consult with or inform other members of their fractions about non-confidential presidium matters.

The confidential committee

The University Council has, next to the topic-driven committees Strategy, Research and Education, and Operations, a confidential committee.

The confidential committee (CC) consists of four members, two representatives of the student delegation, one representative of the support staff delegation, and one representative of the scientific staff delegation. Members of the CC are chosen from and by the University Council (UC) members for the period of the academic year. If a member leaves the UC during the academic year, this person will no longer be a member of the CC. However, a member can decide to leave the CC. A new member will be chosen for the remainder of the academic year in case of a vacancy.

The chair of the confidential committee

- The chair of the CC is a member of the CC and is chosen from and by the members of the CC.
- The chair initiates the CC meetings and chairs these meetings.
- The chair facilitates contact with the presidium, UC, Executive Board, Supervisory Board, and other bodies on behalf of the CC.

Member of the confidential committee

- A member of the confidential committee cannot be part of the presidium simultaneously.

Addendum 2 Procedure for the performance review, and reappointment and appointment of the chair

1. Performance review of the chair

1.1 Interviews

In accordance with Article 2.3 paragraph 6 of UC Rules of Procedure (hereinafter: RoP), the chair is initially appointed for a term of two years. During that timeframe, three interviews shall be carried out by the confidential committee, specifically at the beginning of the term (two months after the start of the academic year), during the midpoint (at 12 months), and at the end of the term (at 18 months). In the first interview, the expectations of the chair shall be discussed, in the second interview, key performance indicators shall be evaluated, and in the last interview the progress compared to the second evaluation is discussed.

If indications arise that the chair is not meeting the predetermined expectations and impeding the council's work, the confidential committee may schedule an additional interview or bring forward a planned interview.

1.2 Procedure

A member of the confidential committee shall contact the following parties to submit their written input for the second and the third interview, one month prior to the planned interview:

- All UC members
- The members of the Executive Board
- The UC registry

All persons involved will receive questions (closed-ended questions on a scale and an open comment box) via a UM-approved survey tool, and the option to request a face-to-face meeting with the confidential committee.

Questions could include:

General questions

1. How would you describe the chair in three words?
2. What do you think about their way of communicating, and what are their best attributes and points of improvement on this topic?
3. Where is, according to you, the added value of this chair regarding the development of the role and quality of the participatory bodies at this university?
4. What areas could the chair improve in?
5. Any other comments on the performance of the chair?

Specific questions for the UC members:

1. Do you feel heard by this chair, and do you feel they represent the council's interest well?
2. How do you experience their way of chairing/leading the council and what would you like to see them do more often?
3. For what issues do you go to them, and for what would you like to go to them (but you don't yet)?

Specific questions for the EB:

- How is your working relationship with the chair?
- Do you have any feedback that you would like to share with the council?
- Do you have any concerns that you would like to share with the council?

The confidential committee will summarise and anonymise the feedback into a single, final document, including a list of points that are going well and points that need attention. The result of the evaluation might be that the confidential committee suggests a specific training to be completed by the chair. The council will have access to the final report, but the confidential committee will have access to the raw data.

This report will be discussed between and signed by the chair and the members of the confidential committee. The final report shall be archived in a shared digital folder, which is only accessible to the current council members and one administrator. When the term ends (or the chair leaves the council pre-emptively), the documents related to the performance interviews, including the final report and the raw data supporting it, shall be deleted by the confidential committee after 12 months following the end of the academic year in which the interviews took place.

1.3 Performance reviews in case of reappointment

In consecutive terms following a reappointment, three interviews shall be carried out by the confidential committee, specifically within six months of the reappointment, between six and twelve months of the reappointment, and between twelve and eighteen months of the reappointment. Each interview will be preceded by a survey, as outlined in 1.2.

2. Reappointment and appointment of chair

2.1 Background

After a positive performance interview at the end of a chair's first term, the UC can decide to offer the chair a second term. After the second term, there will be a vacancy, open to the UM community, including the sitting chair.

2.2 Timeline and procedure

After the 'end-of-term' reflection interview at 18 months, the confidential committee shall meet with the presidium, excluding the chair, to discuss the report resulting from the performance interview. The goal is to draft an advice, supported by arguments, to the UC about a go/no-go decision. A 'go' advice entails offering the UC chair a second term, in case it was their first term, or to advise the UC to inform the chair to solicit a third (or subsequent) term in case it was their second (or subsequent) term. In case of a 'no-go', the advice to the UC will be to vote against a reappointment in case it was the chair's first. A separate meeting organised by the vice chair shall take place with all UC members to vote confidentially after having received the advice from the confidential committee. The advice, together with the outcome of voting ('majority in favour or not in

favour', without explicitly mentioning the number) will be included in a letter that is shared with the chair.

When the chair is reappointed, the vice chair informs the Executive Board and the Observant with an official letter. The registrar deals with the official channels (i.e., preparing the official decision and sending this to the registrar of the EB).

2.3 Vacancy

In case it is decided not to offer a second term, the confidential committee will be asked to start the search for a new chair. They will draft a vacancy text, based on the previous examples with adjustments based on the current needs of the council. This will be shared with the council and made definite after approval by the council through a simple majority vote.

The confidential committee is in charge of creating a short list of candidates after the profiles of the applicants have been reviewed by them. They will then plan interviews with the selected candidates. The list of interview questions will be shared with the council beforehand so that amendments can be made. The candidates will be asked to present themselves to the confidential committee in a short pitch.

The registrar of the council will be asked to be present during the interviews and take minutes during the question round. The confidential committee will then make a ranking based on the information they received and their impressions. They will present these findings in an extra meeting with the whole UC council, organised by the chair of the confidential committee. Council members can ask to access the minutes of the interviews to have an in-depth insight. At the end of this meeting, there will be a confidential voting procedure. In case of an ex-aequo between two or more candidates, a new discussion can be opened followed by a new voting procedure. In case no decision can be reached the council might opt to hear the candidates again in separate individual meetings followed by another voting session, or may decide to re-advertise the vacancy.

Addendum 3 Dispute resolution procedure

At the first plenary meeting of each academic year, a ranked shortlist of three staff members and three student members for an ad hoc committee for dispute resolution shall be made. The ad hoc committee shall consist of three members: the vice chair, a staff member and a student member. In case of a dispute (see below), the ad hoc committee shall be assembled based on the previously mentioned ranking. This means that the staff and student members ranked first shall take place in the committee together with the vice chair. If (one of) those members is involved in the dispute, the person ranked second shall take place in the ad hoc committee and so forth. If the vice chair is involved in the dispute, they shall be replaced by the staff member ranked third. If all shortlisted members of the ad hoc committee are involved in the dispute, the ad hoc committee shall be comprised of three chairs from faculty councils (selected by means of a lottery).

The ad-hoc committee will designate a chairperson and a secretary from its own members. The chairperson will be in charge of handling procedural matters, while the secretary will be responsible for scheduling appointments and taking meeting minutes. The ad hoc committee is assisted by a legal advisor who shall advise on the legal framework of the dispute at hand.

A dispute occurs when there is a conflict or disagreement involving at least one UC member or the UC chair with one or more UC member(s) or the UC chair. Such disputes shall be made known via email to the ad hoc committee, via the vice chair or the highest-ranked member not involved in the dispute.

Once a dispute has been made known, the ad hoc committee is formed in accordance with the above. The task of the ad hoc committee is to investigate the (nature of the) dispute. It may do so through individual interviews with the persons involved. The minutes of these interviews will be sent to the person concerned for approval within a maximum of seven calendar days. If that person does not respond within that period, the minutes shall be considered adopted.

Based on the investigation, the ad hoc committee may refer the person(s) who have made the dispute known to the UM central complaints point (CSP for students, CCP for staff) if it feels the complaints point is the competent organ for dealing with the dispute. Following the individual interviews, the ad hoc committee may invite those involved in the dispute to a meeting to present its findings. Members of the UC may attend this meeting as well as listeners, unless decided otherwise by the ad hoc committee. The chair of the ad hoc committee shall try to mediate between those involved to come up with a reasonable solution. Minutes shall be made of that meeting. The minutes of this meeting will be sent to all attendees for approval within a maximum of seven calendar days. If a person does not respond within that period, the minutes shall be considered accepted by that person.

The ad hoc committee shall draw up a report regarding its findings, which shall be made available to the members of the council at their request, as well as an advice for a proposed solution, if possible. If the mediation is unsuccessful after three separate attempts (meetings), then the dispute must be considered unsolvable. In such case, the UC shall decide by simple majority on the proposed solution by the ad hoc committee.

If the ad hoc committee cannot present a solution to the UC, if the proposed solution has not received a simple majority of the votes or if ten or more UC members are involved in the dispute, the chair shall request the Executive Board to organise an interim election. All matters deemed controversial by either the UC or the Executive Board shall be postponed until the first council meeting of the newly elected UC.