

Fundamental Regulations of the Barenboim-Said Akademie Berlin

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Under the terms of § 123 (8) in conjunction with § 3 of the Berlin Higher Education Act (Berliner Hochschulgesetz - BerlHG), as amended on 26 July 2011 (GVBl, p. 378ff.), the Barenboim-Said Akademie (BSA) has adopted the following fundamental regulations:

- § 1 **The Academy and Related Legal Entities**
- § 2 **Responsibilities of the academy**
- § 3 **Academic independence and economic responsibility**
- § 4 **Members, Offices and Committees**
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§ 1 The Academy and Related Legal Entities

(1) Legal status and seat

The Barenboim-Said Akademie is an independent, state-recognized institution of higher education in accordance with Section 123 (1) of the Berlin University Act (BerlHG). The academy is located in Berlin.

(2) Sponsor

The Barenboim-Said Akademie gGmbH is the sponsor of the Barenboim-Said Akademie. The registered office of the company is also in Berlin. Daniel Barenboim, the initiator of the Barenboim-Said Akademie, has the title "President for Life". This title is not associated with any office at the university (cf. §4, (3)).

(3) Supervisory board

The work of the sponsor is monitored by a supervisory board. Its composition, tasks and rules of procedure are laid down in the corresponding regulations in the articles of association of BSA gGmbH.

§ 2 Responsibilities of the academy

(1) Obligation under BerlHG

The Barenboim-Said Akademie is strongly committed to the tasks laid down in § 4 BerlHG and undertakes to take them fully into account.

(2) Profile

The Barenboim-Said Akademie puts the new academic concept into practice, which aims to give artistic and scientific impulses for understanding on an international level, with special consideration of the Middle East and the specific conflicts in this region of the world. The overarching planning objective is the establishment of an educational institution in which three programmatic focal points are integrated and synergetically linked to form a common working and living environment:

- a) Musical practice and music pedagogy
- b) Humanities in its relations to musical theory and practice
- c) International Relations and Projects

The primary goal here is not merely to impart a further educational horizon in the sense of a *general course of study*. Rather, students acquire a fundamental understanding of the methods and contents of the humanities and social sciences, on the basis of which they can develop a more comprehensive theoretical and practical approach to the repertoire of classical music.

(3) Networking

The BSA maintains cooperation with domestic and foreign universities and other educational institutions.

(4) Assumption of additional tasks

The BSA may, with the approval of the sponsor, assume further tasks, in particular in the field of further and continuing education, and offer postgraduate and supplementary courses of study.

(5) Youth development

The BSA promotes young academics and artists and carries out research projects.

§ 3 Academic independence and economic responsibility

(1) Academic self-administration

The BSA exerts the full right of academic self-administration and is supported by its sponsor. The following tasks in particular are part of its academic self-administration:

- a) the preparation of curricula and the supervision of their fulfilment
- b) the preparation of study and examination regulations
- c) the matriculation and exmatriculation of students
- d) the organization of university examinations
- e) the awarding of academic degrees and distinctions
- f) the appointment of professors
- g) the professional and pedagogical training of scientific personnel
- h) the advancement of young scientists
- i) the development of research concepts and the implementation of research projects
- j) the evaluation of teaching and research
- k) the elaboration and further development of the Fundamental Regulations and other regulations governing academic life (Vocational Regulations, Admission Regulations, Study and Examination Regulations, etc.) as well as Rules of Procedure

(2) Employment

All employment contracts at the academy are concluded with BSA gGmbH. Directions issued by the university management to professors shall be admissible insofar as they relate to the organisation of teaching and to the establishment of and compliance with study and examination regulations.

(3) Relationship between sponsor and academy

It is the task of the academy sponsor to secure the economic basis of the academy. The sponsor respects academic independence in all decisions and reconciles it with its responsibility for the economic basis of university operations. Academic decisions are free and independent. If they do, however, affect the economic basis of the university beyond the agreed budgets and development plans, the sponsor can file an objection and refer the matter back to the Academic Senate for improvement. This concerns, inter alia, the opening, reorganization or closure of courses of study and the opening/closing of sites.

§ 4 Members, Offices and Committees

(1) Members of the Barenboim-Said Akademie are

- a) the students
- b) the professors
- c) the academic staff



- d) the non-academic staff

(2) Honorary memberships

The Barenboim-Said Akademie has the right according to § 2 Abs. 6 BerlHG to confer the dignity of an honorary member on outstanding personalities who have earned special merits in one of the university's specialist areas. The Academic Senate shall decide on the award of this title.

(3) The central offices of the Barenboim-Said Akademie are

- a) Rector - as Head of the academy
- b) Dean - as Deputy Head of the academy and person responsible for academic matters
- c) Chancellor - as Head of Administration

(4) The central committees of the Barenboim-Said Akademie are

- a) the Academic Senate - a democratically elected self-governing body
- b) the rectorate - as extended university management
- c) the General Examination Committee - as the decision-making and supervisory body for admission procedures, credit transfer of ECTS credits, classifications, examination admissions and assessments, etc.
- d) the Appointment Committees - as executive and decision-making bodies in procedures for the appointment of new professors at the BSA
- e) the Board of Trustees - as an advisory body on questions of content and networking with other academic and non-academic institutions

(5) Terms of office

The term of office of functionaries and representatives (equal opportunities representatives, etc.) is generally two years. Exceptions to ensure greater continuity in central functions are, for example, the terms of office of the rector (see § 6 para. 1 (e) of these Basic rules), the chancellor (see § 6 para. 4 (b)) or the dean (see § 6 para. 2 (a)). A re-election is possible in all offices.

(6) An office ends with:

- a) the expiry of the term of office
- b) the resignation of office
- c) being voted out of office or if the vote is revoked
- d) the termination of membership at the university

§ 5 Individual members

(1) Students

- a) The students become members of the university by matriculation. The matriculation presupposes the conclusion of an educational contract with the BSA gGmbH. Further details are regulated by the BSA's admission regulations.
- b) The Student Union (SU) has the task of contributing to the realization of the academy's goals and tasks and of safeguarding the students' interests in the process.

(2) Professors

- a) To be appointed as a professor at the BSA, a candidate must meet the requirements for the appointment of professors as per § 100 BerlHG (proof of academic, artistic-creative and pedagogical aptitude).
- b) The procedure for appointing professors shall be laid down in a separate appointment regulation.

(3) Lecturers and teachers for special tasks

- a) Teaching assignments are issued by the Rector. The provisions of § 120 BerlHG apply. The lecturers independently perform the tasks assigned to them.
- b) Teachers may be appointed for special tasks (cf. § 112 BerlHG) if students are to be taught knowledge that does not require the employment requirements for professors.
- c) In accordance with § 123 Para. 2 No. 6 BerlHG, it must be ensured that at least 50% of the teaching tasks are performed by professors at the BSA.

(4) Academic and non-academic staff members

- a) Academic employees are those who work full-time at the university in teaching and research. They are associated with the rector, who can temporarily assign them specific tasks in research and teaching. Positions funded by third-party bodies are assigned to the respective project leaders.
- b) Non-academic employee are those employees who are full-time administrative employees of the academy.

§ 6 Offices in detail

(1) Rector

- a) The rector is in charge of the BSA. He or she is responsible for the orderly running of the university and makes the necessary decisions. He/she is responsible for strategic planning and its implementation within the framework of the academy development plan and for quality assurance within these processes. In accordance with § 56 (6) BerlHG, he/she has the right to speak, inform and submit proposals at all meetings of all bodies of academic self-administration and may be represented at such meetings.
- b) The rector exercises the right to enforce the house rules and may delegate this authority to other members of the university.
- c) The rector is represented in academic matters by a dean.
- d) The rector or another member of the rectorate appointed by him or her shall ensure that the persons obliged to teach properly fulfil their teaching and examination obligations. In this respect, he/she has the right to supervise and instruct all persons involved in teaching.
- e) The rector must have a university degree and management experience appropriate to the task at hand.
- f) The rector is elected by the Academic Senate in accordance with § 53 BerlHG and appointed by the sponsor.



- i. The Academic Senate and the sponsor may submit proposals for the election of the rectors. The Academic Senate shall draw up a nomination list containing all candidates for the office of the rector that are supported by at least one third of the members of the Senate.
- ii. The Academic Senate then decides on the proposals and elects the Rector by an absolute majority (> 50%) of its votes.
- iii. The election of the rector of the academy must be approved by the sponsor, which then appoints the rector.

(2) Dean

- a) The Dean is the permanent deputy of the Rector. He/she is responsible for the academic management of the individual study programmes in their overall context, with particular emphasis on musical theory and practice. The term of office is four years and is linked to the term of office of the rector. A re-election is possible
- b) The Academic Senate elects a dean from among the professors on the recommendation of the rector. The election procedure corresponds to that of the rector (§ 9 para. 6).

(3) Vice Dean

- a) The Vice-Dean is the permanent deputy of the Dean. The Vice-Dean is responsible for planning the guidelines and study objectives in the humanities, cultural sciences and social sciences. He/she reports to the Dean.
- b) The Academic Senate elects a Vice-Dean from among the professors on the recommendation of the Rector. The election procedure corresponds to that of the rector (§ 9 para. 6).

(4) Chancellor

- a) The Chancellor supports the Rector in the exercise of his or her duties. He/she heads the administration of the academy and is responsible for the financial budget.
- b) The Chancellor must have at least a university degree and administrative management experience appropriate to the duties to be performed.
- c) The Chancellor shall be appointed by the sponsor after hearing the Academic Senate and may be dismissed by it on significant grounds.

(5) Other Offices/Functions

- a) The Equal Opportunities Officer implements the general requirements of the LGG and AGG (Landesgleichstellungsgesetz and Allgemeines Gleichstellungsgesetz) at the BSA. She or he is elected by the Academic Senate. The term of office is two years, with the possibility of early dismissal and re-election.
- b) Further offices and functions can be introduced by the Academic Senate and the university management if required.

§ 7 Committees in detail

(1) Academic Senate



- a) The Academic Senate shall act in an advisory and decision-making capacity in matters of teaching, study and research which concern the entire BSA and are of fundamental importance.
- b) The Academic Senate makes statements and recommendations and takes decisions in particular in the following respects:
 - i. It shall adopt amendments to the basic rules and to the rules of appeal.
 - ii. It makes recommendations on fundamental questions of the study reform and on the development of the study programme.
 - iii. It advises on the establishment, change and abolition of faculties and degree programmes.
 - iv. It elects the Rector, the Dean and the Equal Opportunities Officer.
 - v. It establishes appointment committees and decides on the appointment of professors of the BSA.
 - vi. It adopts the general and special study and examination regulations of the BSA.
 - vii. It elects the professorial members of the General Examination Committee and appoints its chairperson and deputy chairperson.
 - viii. It advises on important budgetary issues (business plan, annual accounts) and is consulted on these by the sponsor and the supervisory board.
 - ix. It advises on the annual activity report.
- c) The Academic Senate has seven members with voting rights if the Rector also holds a professorship at the BSA; if this is not the case, the number of members increases to nine:
 - i. The rector - he/she is the chairperson of the Academic Senate analogous to the rules for state universities pursuant to § 60 Para. 4 BerlHG.
 - ii. Three further representatives of the group of professors of the BSA if the rector holds a professorship; otherwise the number of professorial members of the Academic Senate rises to five.
 - iii. One representative of the group of lecturers for special tasks and of teaching and research staff with a university degree (research assistants)
 - iv. One representative of the group of non-academic employees
 - v. A representative of the group of enrolled students

It must be ensured that the professors in the Academic Senate have a simple majority of votes.

The chancellor and the dean (if he/she is not a professorial member of the Academic Senate) have the right to speak and propose in the Academic Senate, but no voting rights. At the request of one of its members, the Academic Senate shall meet in the absence of representatives of BSA gGmbH.

If the academy does not employ any lecturer for special task or research assistant, the group of non-academic employees will send two representatives to the Academic Senate.
- d) The members of the Senate pursuant to paragraph 1, letter c) shall be elected, if necessary, by the respective delegating group. The election will be conducted by secret ballot. The term of office of the representatives of the students is one academic year, that of the representatives of the other members of the university two academic years each. A re-election is possible. If a Senate seat becomes vacant, the Academic Senate shall elect a representative by a simple majority from the same group as that of the former Senate member. The representative will remain in office until the regular Senate elections.

- e) The meetings of the Academic Senate can take place as virtual conferences, using video, telephone, or other digital communication tools. For urgent matters, decisions can be made through circular resolution given that none of the Senate members objects within one week from the date of transmission.
- f) The meetings of the Academic Senate are generally open to all members of the academy, with the exception of agenda items relating to staff matters.

(2) Rectorate

- a) The rectorate of the BSA includes:
 - i. the rector as chairperson
 - ii. the Dean
 - iii. the Chancellor
- b) The rectorate bears overall responsibility for all matters and decisions of the academy and supports the rector in the performance of his duties.
- c) The Academic Senate may, in consultation with the sponsor, vote to remove any member of the Rectorate - with the exception of the Chancellor - on significant grounds by a two-thirds majority of its votes.

(3) Board of trustees

- a) At least three, but not more than five, members of the board of trustees of the BSA are not themselves members of the academy or members of the sponsor.
- b) Members of the Board of Trustees are nominated by the Academic Senate and appointed by the Rector for a term of three years. A re-appointment is possible.
- c) In addition to the members of the Board of Trustees, the members of the Rectorate participate in the meetings of the Board of Trustees.
- d) The decisions of the Board of Trustees have the character of a recommendation and have no binding effect.

§ 8 Final provisions

(1) Decree and entry into force

- a) The Fundamental Regulations proposed here are issued by the academy and published internally by the academy.
- b) They shall enter into force in this revised form upon publication.