

Rules of Procedure of the Convention of the Evangelisch -Theologisches Studienhaus Adolf Clarenbach

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Evangelisch-Theologisches Studienhaus Adolf Clarenbach e.V.
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Foreword: The term “house community” used in the following corresponds to all people living in the Evangelisch-Theologisches Studienhaus Adolf Clarenbach. In these Rules of Procedure, the feminine term is used when naming individual persons or individual duties. This grammatical form includes all people.

§ 1 Convention

- (1) The entire house community of the Evangelisch-Theologisches Studienhaus Adolf Clarenbach must participate in the convention. Each member of the house community has full voting rights and exercises both active and passive voting rights.
- (2) The following are invited to the convention as guests:
 - (a) The Ephora,
 - (b) the Studieninspektorin,
 - (c) possibly other guests to be determined by the Seniorat.

Guests are not entitled to vote but have an advisory function and are subject to the authority of the convention leadership. Only the Studieninspektorin and the Ephora have the right to make proposals and requests.

- (3) Those who are unable to attend the convention must submit a written excuse to the Seniorat, stating the reason.
- (4) If the Studieninspektorin is a resident, the importance of her office shall prevail. She loses the right to stand for all offices and the right to vote for the election of the Seniorat.

§ 2 Semesteranfangskonvent

- (1) The Seniorat convenes the housing community within the first three weeks after the start of the semester to the Semesteranfangskonvent by posting an agenda (§ 5).
- (2) The Seniorat delegates the writing of the convention protocol to two persons from the house community.
- (3) The quorum must be established. The convention has a quorum if two thirds of all those entitled to vote (§ 1) are present.

- (4) Elections to duties in accordance with § 20 may be held by the convention, taking into account the Statutes.
- (5) It is the task of the convention to discharge all funds, except for the Hauskasse, at the request of the Kassenprüfer.

§ 3 Semesterendkonvent

- (1) Within the last three weeks before the semester break the Seniorat convenes the Semesterendkonvent by posting an agenda (§ 5).
- (2) § 2 (2) applies.
- (3) § 2 (3) applies.
- (4) § 2 (4) applies.
- (5) § 2 (5) applies.

§ 4 Special Convention

- (1) The Seniora is obliged to convene a special convention if at least one quarter of the house community requests it in writing by posting it on the notice board or the Seniorat decides to do so.
- (2) The request must be accompanied by a written statement of reason.
- (3) A special convention must be held within two weeks after the request.

§ 5 Agenda

- (1) The date and agenda of each convention is to be agreed in the Seniorat. The date is announced at least eight days before the meeting. In the case of special conventions, § 4 must be considered.
- (2) The agenda is communicated to the house community at least eight days before the date of the convention. It is considered adopted at the conclusion of the first item on the agenda. After the conclusion of the first item on the agenda, changes to the agenda can be made by a procedural motion.

§ 6 The Convention Leadership

- (1) The convention leadership consists of the Chairperson and the Associate Chairperson. The leadership is determined by nomination and vote in the previous convention where the quorum has been established (§ 2 (3)).
- (2) § 17 (2) applies.
- (3) If a member of the convention leadership makes a proposal or submits a report, this member hands over the leadership to a representative.
- (4) If a member of the convention leadership is prevented from attending, the Seniorat arranges for a substitute by appointing another member of the convention.

§ 7 Function of the Convention Leadership

- (1) The Chairperson opens, presides over and closes the convention, allows attendants to speak and reads important documents out loud.
- (2) The Associate Chairperson manages the list of speakers and collects and counts ballots and show of hands.
- (3) The convention leadership is free to divide the tasks among itself, other than as set out in § 7 (1) and § 7 (2).

§ 8 Convention Protocols

- (1) A protocol of the results of each convention shall be written. Decisions shall be explicitly mentioned in the protocol.
- (2) The protocol must state at least:
 - Present, absent and excused persons incl. guests (in case a person joins or leaves while the convention is still ongoing, a timestamp is added)
 - Time of opening, closing and breaks of the convention
 - Name of the protocol recorders
 - Objections to the written protocol and revisions
 - Duty reports (as attachment of an e-mail) and the names of the respective duty-holders
 - Exact wording of amendments and reformulations
 - Results of elections and motions and other resolutions (exact voting results at the request of a member of the convention)
 - Important information that has been communicated
 - Further templates as attachment
 - At the request of a convention member comments of convention members may be put into the protocol with the exact wording.
- (3) The convention protocols are available to the house community on the notice board and by e-mail via the Hausblick within two weeks after the convention.
- (4) The convention protocol must be posted on the notice board for at least one week.

§ 9 Objection to the Convention Protocol

- (1) If an objection to the convention protocol is raised and is not clarified by the Seniorat, the Chairperson consults the convention. If the objection is considered well-founded, the respective text passages are to be reviewed. The revised convention protocol has to be adopted at the next convention.

§ 10 Opening of the Debate

- (1) The Chairperson opens the debate on every item on the agenda, unless the debate is inadmissible or subject to special conditions.

§ 11 Request and Permission to Speak

- (1) As long as the Chairperson did not grant an attendant to speak, she is not allowed to speak. If the Chairperson wishes to take part in the debate as a speaker, the Chairperson is also placed on the list of speakers.
- (2) Procedural motions are made by raising both hands.
- (3) If an attendant has a question to the current speaker concerning an item for discussion he shall say “Zwischenfrage” out loud. Such questions can only be asked if the speaker allows them in response to an appropriate question from the Chairperson.
- (4) In case of long speeches, the Chairperson may either urge the speaker to speak briefly or withdraw the permission for him to speak.

§ 12 Adjournment or End of the Debate

- (1) If the list of speakers is empty or no one wishes to speak, the Chairperson declares the debate closed.
- (2) The convention may, on request, adjourn the debate or close it. The request to close the debate takes precedence over the request to adjourn. A motion to close the debate may not be put to the vote until the different opinions have become clear.

§ 13 Interruption of the Convention

- (1) If disturbances arise during the convention which call into question the progress of the proceedings, the Chairperson may suspend or terminate the convention for a specified period.
- (2) If the Chairperson cannot make herself heard and then leaves the room, the convention is suspended. The Chairperson reassembles the convention.

§ 14 Postponement of the Convention

- (1) The convention may be adjourned if the convention members decides so by a procedural motion.

§ 15 Procedural Motions

- (1) With priority the Chairperson recognizes procedural motions. The request must relate to the subject matter being discussed or to the agenda. Procedural motions are:
 - A change to the agenda,
 - Closure of the debate (§ 12),
 - Closure of the list of speakers,
 - Reopening of the list of speakers,
 - Reopening of the debate,
 - Limitation of speaking time,
 - Re-vote,
 - Rereading of the motions put to the vote,
 - Redrafting of the motion under discussion (§ 24 (3)),
 - Election of a new convention leadership (Chairperson and/or Associate Chairperson),
 - Break,

- Postponement of the discussion (§ 12),
 - Determination of the quorum,
 - Giving the word to a person outside the list of speakers,
 - Obtaining an opinion pattern,
 - Personnel debate (§ 18),
 - Justification of the person,
 - Correction of own statements,
 - Explicit entry in the convention protocol
 - Konsensieren on a vote (§ 23),
 - Vote on deviation from the Rules of Procedure (§ 30),
 - Proposal for further action (Prozessvorschlag)
 - Postponement of the convention (§14),
 - Singing a song,
 - Secret ballot (§ 16 (5))
 - Election by acclamation (§ 20 (3)).
- (2) Further procedural motions may be motions which amplify or clarify procedural motions and precede them.
- (3) In order for a procedural motion to be put to the vote, objections (formal or substantive) must be brought forward. If there is no objection, a procedural motion is adopted without a vote.

§ 16 Election Procedure

- (1) An election is the transfer of a duty to one or more candidates.
- (2) The election is held by
- (a) concealed ballot papers,
 - (b) show of hands,
 - (c) acclamation (§ 20 (3)).
- (3) The elections are universal, equal, direct and free; normally by show of hands.
- (4) If these Rules of Procedure require elections using concealed ballot papers, the election is held by secret ballot.
- (5) If a member of the convention requests so, the election shall be held by secret ballot. No objections are possible.
- (6) Acceptance of the duty by those elected is to be made immediately after the election, but no later than the end of the convention. An absent candidate can give a written confirmation of her willingness to accept a duty which may be taken into account by the convention leadership. If the person elected refuses to accept the election, a new election will be held.

§ 17 Election Proposals

- (1) The Seniora: Two weeks before the Semesterendkonvent, the Seniora publishes a list of eligible persons for election proposals. Proposals must be signed by at least three persons. All members of the house community may only use their right to sign once, unless the candidate supported by them withdraws their candidacy.
- (2) Other duty-holders and convention leadership: During the convention and on a list which is posted on the notice board beforehand the members of the house community nominate candidates for the other duties and the convention leadership of the following convention.

§ 18 Personnel Debate

- (1) A debate on personnel should facilitate the election held by the convention by gathering objective information on the candidates relevant to the election.
- (2) Candidates must leave the room while the debate is taking place. With the exception of the questions in § 18 (3), the contents of the personnel debate will not be revealed, in particular not to the candidates.
- (3) After the end of the debate, the convention leadership may ask the candidates any questions that have arisen during this personnel debate, which must be answered immediately. It gives all candidates the opportunity to say the most important arguments for and against them being nominated concerning their experience and express a few sentences about themselves. § 11 (4) applies in this respect. The election must then be held.
- (4) No objection may be raised to a request for a personnel debate.
- (5) A personnel debate always takes place before the election of members of the Seniorat and of the Finanzwart is held.

§ 19 Election of the Members of the Seniorat

- (1) The convention elects the members of the Seniorat by secret ballot (§ 16). The term of duty of the new Seniorat begins with the transfer of duty of the old Seniorat to the new Seniorat, which must take place within one week after the Semesterendkonvent. The Seniorat is composed of the Seniora, the Konseniora and the Deputy Konseniora.
- (2) The members of the Seniorat are determined by the convention by universal, equal, direct, free and secrets election by an absolute majority of the valid votes cast. If none of the nominees achieves the required majority, a run-off vote is held immediately between the two best placed or the three best placed (in the event of a tie for the second placed) of the first round of voting.
- (3) This second ballot is decided by a simple majority of attendants. In the event of a tie, the election is repeated until a simple majority is obtained.

§ 20 Elections to Other Duties

- (1) The convention elects by open ballot (§ 16).
- (2) On request, the election may take place by vote (§ 22). All those entitled to vote have as many votes as the Statutes assign for.
- (3) Elected are the persons who have the most votes and accept the election. If there are only as many nominees for the election as are provided for the respective duty by the Statutes, they can be confirmed by acclamation as long as no request for voting is made.

§ 21 Handover of Duties

- (1) The handover of duties shall take place within one week. A handover protocol signed by both parties is to be submitted to the Seniorat within this period.

§ 22 Voting Rules

- (1) Voting takes place by show of hands.
- (2) Unless the Statutes or these Rules of Procedure contain other regulations, decisions are made by simple majority. In the event of a tie, the result of the vote is negative.
- (3) The votes in this voting do not have to be counted individually. If the convention leadership does not agree on the result of the vote, a cross-check should be made. If they do not agree even after it, they should count the votes.
- (4) If the Statutes or these Rules of Procedure prescribe a certain majority for a decision or election, the chairman is supposed to expressly state that the approval of the required majority is given.
- (5) Instead of a majority decision, the convention can vote by Konsensieren (§ 23).

§ 23 Konsensieren

- (1) Upon request (see § 15), decisions which are to be voted on may be taken by Konsensieren. In this case the simple majority does not decide, but the proposal with the least resistance is determined. Konsensieren is particularly useful when more than two proposals on the same point of discussion are put to vote.
- (2) While voting by Konsensieren, each member of the convention evaluates each proposal by a show of hands (no resistance = hand on chest, little resistance = left hand outstretched, much resistance = both hands outstretched) or by Konsensieren-cards with numbers from 0–10 (0 = no resistance, 10 = very large resistance, 1–9 = feeling in between). The proposal with the least resistance and therefore with the greatest acceptance is considered to have been accepted by the convention.
- (3) The convention leadership will familiarise itself with the procedure (further material on this is available on the server).

§ 24 Motions

- (1) The following motions may be placed on the agenda of the convention as items for discussion:
 - (a) Motions from the house community (§ 25),
 - (b) Motions of no confidence (§ 26),
 - (c) Motions to amend the Statutes (§ 27),
 - (d) Motions to amend the Rules of Procedure (§ 28).

§ 25 Requests from the House Community

- (1) Requests from the house community must be signed by the Seniorat or one eighth of the house community unless the Rules of Procedure stipulate otherwise or permit something else.
- (2) During the debate on the subject of negotiation, rephrasing of proposals can be requested by a procedural motion.

- (3) Motions that are accepted by a majority of the residents are valid until further notice.
- (4) Requests involving the expenditure of funds from the Studikasse are valid for a year and a half, unless resolved otherwise.

§ 26 Votes of No Confidence

- (1) Upon request the convention may deliver a vote of no confidence to a duty-holder at a convention or a special convention convened for this purpose.
- (2) In order to place the vote of no confidence on the agenda of a regular convention the request has to be up on the notice board for seven days.
- (3) The corresponding special convention must be announced on the notice board three days after the request has been made (weekends and public holidays not included).
- (4) The request must be signed by half of the house community. Requests which are not covered by this are not allowed to be placed on the agenda.
- (5) Immediately after the vote of no confidence, another person has to be elected by secret ballot to the respective duty. This person is only elected if she reaches two-thirds of the convention. If there are several candidates for the succession election, a run-off vote is held first to determine a single successor candidate.

§ 27 Motions to Amend the Statutes

- (1) Motions to amend the Statutes must be accompanied by a brief statement of reasons.
- (2) Motions to amend the Statutes must be signed by the Seniorat or by one eighth of the house community.
- (3) Motions for amendments have to be published on the notice board for seven days.
- (4) Amendments to the Statutes must be adopted by the convention.
- (5) Subparagraphs which are the subject of amendment must be voted on subparagraph by subparagraph by the convention. A paragraph is adopted if it reaches two thirds of the votes of the convention.
- (6) A new and amended version of the Statutes has to be adopted in its entirety once again by the convention.

§ 28 Motions to Amend the Rules of Procedure

- (1) The procedure for motions to amend the Rules of Procedure matches the one described in § 27.

§ 29 Pattern of Opinions

- (1) A pattern of opinion can be requested by show of hands as a procedural motion. Before the vote a question which can be answered unambiguously with a show of hands has to be formulated. There is no need to discuss the subject of the negotiations, unless a member of the convention wishes to do so.
- (2) The result is not binding and does not replace the ordinary vote (§ 22) or election (§§ 19 and 20) in the case of a motion or election (§§ 19, 20 and 22).

§ 30 Reports

- (1) The following reports may be placed on the agenda of the convention as items for negotiation:
 - (a) Reports from duty-holders
 - (b) Reports from committees
 - (c) Reports to inform the convention
- (2) Reports to inform the convention may be submitted by the voting members of the convention as well as guests.

§ 31 Committees

- (1) The convention may delegate individual matters to a committee. A committee represents the convention between its meetings in the matter of question with all rights and duties.
- (2) As far as the Statutes stipulate or permit the establishment of committees, the establishment is made in accordance with these Rules of Procedure.
- (3) The procedure of a committee is based on the procedure of the convention as described in these Rules of Procedure.
- (4) All members of the house community may become members of committees. The number of members must be at least three, but may not comprise more than one third of the members of the house community.
- (5) Committees determine their Chairperson and their Associate Chairperson by election (§ 16) or agreement.
- (6) The members appointed for the first time are determined at the convention. Subsequent changes are announced by the Chairperson of a committee.
- (7) Committees are to account and report to the convention.

§ 32 Deviations from these Rules of Procedure

- (1) Deviations from the regulations of these Rules of Procedure may in individual cases be adopted by two-thirds of the convention if not opposed to the Statutes.
- (2) The corresponding vote is requested by a procedural motion.

§ 33 Interpretation of these Rules of Procedure

- (1) Any doubt concerning the interpretation of these Rules of Procedure which arises during a convention is decided by the Chairperson on a case-by-case basis.
- (2) The Chairperson or one eighth of the house community may request that the decision on the interpretation of these Rules of Procedure is left to the convention.

§ 34 Period of Validity of these Rules of Procedure

- (1) These Rules of Procedure were adopted in their present form during the Semesteranfangskonvent in the summer semester 2020 on 07. May, 2020 and will be reviewed again for the summer semester 2022.

Bonn, 7th May, 2019