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Regulations established by the Executive Board of Technische Hochschule Köln – University of Applied Sciences to meet the challenges posed by the coronavirus SARS-CoV-2 pandemic for the university’s teaching operations and academic affairs in the winter semester 2020/21

of October 20, 2020

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Information:

Please note that in accordance with sect. 12 (5) of the North Rhine-Westphalia Higher Education Act (Hochschulgesetz – HG NRW) a violation of the formal and procedural requirements of the university's rules and self-governing laws cannot be asserted after one year has elapsed since this announcement, unless

the rules and regulations were not properly announced,

the executive board had previously objected to the decision of the body adopting the rules and regulations,

a complaint regarding the violation of the formal or procedural requirement had previously been made and in this complaint, the legal regulation violated was mentioned and the violating circumstances were described, or

at the time of publication of the rules and regulations, the legal consequences of the preclusion of complaint were not indicated.

Regulations established by the Executive Board of Technische Hochschule Köln – University of Applied Sciences to meet the challenges posed by the coronavirus SARS-CoV-2 pandemic for the university’s teaching operations and academic affairs in the winter semester 2020/21

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By virtue of sections 2 (4) and 82a of the North Rhine-Westphalia Higher Education Act (*Gesetz über die Hochschulen des Landes Nordrhein-Westfalen - HG*) of September 16, 2014 (GV. NRW p. 547) as amended on July 12, 2019 (GV. NRW. p. 425), last amended by Article 2 of the act of September 1, 2020 (GV. NRW p. 889) in conjunction with the Regulation for Higher Education Institutions during the Corona Pandemic (*Corona-Epidemie-Hochschulverordnung*) of April 15, 2020 (GV. NRW p. 297) as amended on May 15, 2020 (GV. NRW. p 339d) the Executive of Board of Technische Hochschule Köln - University of Applied Sciences has adopted the following regulations concerning teaching operations, academic affairs and examinations:

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§ 1 Objective and applicability of the regulations

- (1) The objective of these regulations is to enable faculties and students to meet the challenges that are or have been caused by the coronavirus SARS-CoV-2 pandemic (pandemic) and to ensure that teaching operations are as functional and disadvantage-free as possible.
- (2) In light of the conditions caused by the pandemic, teaching operations are to be re-organized and quickly moved to remote teaching formats. These regulations amend the enrollment regulations as well as all examination regulations currently in force at TH Köln – University of Applied Sciences (hereinafter referred to as TH Köln) to adjust them to the current exceptional situation and to provide a legal framework for teaching and study activities at TH Köln. The provisions of these regulations take precedence over conflicting provisions in TH Köln's enrollment and examination regulations.

§ 2 Enrollment

If, in addition to the higher education entrance qualification, an internship is required for the enrollment at TH Köln, the deadline for submitting supporting documents is extended to at least the end of the winter semester 2021/2022. Deviating from this, the responsible examination boards may decide that proof of no more than 50% of the required internship duration is to be presented at the time of enrollment.

§ 3 Examinations, assessments, examination board

- (1) Examinations can take place as electronic examinations or through electronic communication (online exams) using the software and e-learning platforms provided by TH Köln. The principle of equal treatment is to be respected with regard to the conditions during the pandemic.
- (2) Online exams may be conducted on TH Köln's premises as well as off the university's premises (remote exams).
- (3) A technical solution for a legally certain authentication of the examinee over the entire duration of remote exams which also adequately respects the fundamental rights of the individuals involved (e.g. proctoring, screen casting) is currently not available. Until such a system is in place, a declaration in which the examinee declares that he/she is the person to be examined, will not or has not used any non-permissible means and is aware that any cheating or attempt thereof will be punished as specified in the respective program's examination regulations is sufficient. Non-permissible means are all documents, electronic resources, electronic devices or other resources that are not explicitly allowed to be used during the respective examination, exam-related communication with third parties or artificial intelligence agents etc. Additionally, it is recommended to design remote exams in such a way that it addresses higher taxonomy levels (e.g. term papers, study portfolios, projects, open book exams etc.) to offset the effects of the alleged use of non-permissible means.
- (4) The examination board may decide to replace exam types defined in the examination regulations or the module catalog by other types of exams, including types not yet defined in the examination regulations or module catalog. Students are to receive information on which exam type will be used at least four weeks prior to the exam. In good time before the respective exam, students are to be made familiar with the new exam type and, if applicable, the necessary electronic applications.

- (5) On-site examinations may only take place if hygiene measures and regulations on physical distancing (the Crisis Management Board will publish details at th-koeln.de/coronavirus_en) are observed or must be re-scheduled to take place after the lecture period of the winter semester 2020/2021 (sect. 4 (2)).
- (6) Semesters abroad, internships or practical phases of a program required according to the curriculum which can currently not be completed, or only in part, may be replaced or complemented by alternative coursework and/or examinations. Details will be determined by the respective examination boards.
- (7) Passing lab courses or practical courses will not be considered a prerequisite to participate in courses or lectures if, for compelling reasons, they cannot be replaced in the winter semester 2020/21 by alternative (including digital) teaching formats.
- (8) Examinations that are taken in the examination period terminating on March 31, 2021 and not passed are considered not taken. Examinations that were graded “not passed” due to (attempted) cheating are exempt from this rule (sect. 15 (3) to (6) of the General Examination Regulations (*Rahmenprüfungsordnung, Amtliche Mitteilung 10/2018*)). Examinations that were taken (and current regulations were respected, i.e. no cheating) but not passed do neither count towards the maximum number of examination attempts as defined in sect. 14 (1) of the General Examination Regulations nor towards the additional examination attempts as defined in sect. 14 (2-7) of the General Examination Regulations for Bachelor’s programs. Sentences 1 to 2 do not apply to Bachelor’s or Master’s theses and the corresponding final oral examination (*Kolloquium*).
- (9) Students on leave of absence have the right to submit coursework and take exams irrespective of the reason for being on leave. This regulation is subject to change in case nation-wide regulations will be adopted which require an adaption of these regulations.
- (10) Meetings of the examination board may take place using means of electronic communication. To pass resolutions, a circular can be sent around to all members for their written approval (*Umlaufverfahren*). Approval may also be giving by means of electronic communication. The respective chairperson of the examination board is to decide on the appropriate method.
- (11) Students may withdraw from an examination until its start.

§ 4 Classes

- (1) The lecture period of the winter semester 2020/21 for all programs starts on November 2, 2020 and will end on February 12, 2021.
- (2) Classes or parts of classes (e.g. practical lab courses) which cannot take place (entirely or in part) during the lecture period of the winter semester 2020/21 may be completed until usually March 31, 2021. This requires the approval of the Dean’s office. Additionally, classes or parts of classes for students of higher semesters may start early, i.e. before the official start of the lecture period. This requires the approval of the Dean’s office. If this is the case (sentence 1 and 2), students are to be notified without delay.

§ 5 Entry into force and termination

- (1) These regulations enter into force on November 1, 2020 and are published in Technische Hochschule Köln’s *Amtliche Mitteilungen*.

- (2) These regulations will expire at the end of the exam period which is part of the winter semester 2020/21.
- (3) These regulations are issued based on the decisions by TH Köln's Executive Board of October 14, 2020, in consultation with TH Köln's faculties.

Cologne, October 20, 2020

President
of Technische Hochschule Köln

Prof. Dr. Stefan Herzig