

## **Statutes for the Cluster of Excellence NeuroCure**

**At Charité - Universitätsmedizin Berlin,  
Joint Medical Faculty of the Freie Universität  
and the Humboldt-Universität zu  
Berlin**

Charité – Universitätsmedizin Berlin (Charité) adopts the following Statutes in cooperation with the management of the Cluster of Excellence after prior agreement with the German Research Foundation (DFG) and with the authorisation of the management of the Freie Universität Berlin (FU) and Humboldt-Universität zu Berlin (HU), the Max Delbrück Center for Molecular Medicine Berlin-Buch (MDC) in the Helmholtz Association, the Leibniz Institute for Molecular Pharmacology (FMP) in the Forschungsverbund Berlin e. V. and the German Rheumatism Research Centre (Deutsches Rheuma-Forschungszentrum, DRFZ) of the Leibniz Association:

### **§1**

#### **Position of NeuroCure within Charité - Universitätsmedizin Berlin**

The Cluster of Excellence is a legally non-independent interdisciplinary research association of Charité under the name of "NeuroCure". On the basis of the application dated 13 April 2007, the Humboldt-Universität zu Berlin, the Freie Universität Berlin, the Max Delbrück Center for Molecular Medicine, the Leibniz Institute for Molecular Pharmacology and the German Rheumatism Research Centre participate in it alongside Charité.

### **§ 2**

#### **Goals and Duties**

(1) NeuroCure has the scientific goal of improving the treatment of diseases of the nervous system, bringing together basic science, disease-related basic research, and clinical research, with an initial focus on cerebrovascular diseases, neuro-immunological diseases and development disturbances of the central nervous system. Other neurological and psychiatric fields of disease may also be integrated into NeuroCure activities.

(2) Through NeuroCure, already established and successful measures for education (e.g. Master-MD/PhD programme "Medical Neurosciences") will be integrated into the Cluster, particularly through granting scholarships, international exchanges and developing an educational pathway to Medical Neuroscientist.

(3) Through NeuroCure, young researchers will be promoted through providing space for junior scientists, establishing junior groups,

as well as the possibility of tenure track positions. Moreover, seminars will be offered on special topics. Access to excellent platforms in the area of cellular and systemic imaging procedures, as well as access to proteomics, genomics and genetics, and to flow cytometry procedures complete the support for young researchers.

(4) NeuroCure promotes the equality of women and men. NeuroCure participates in the options created by Charité for improved family support. NeuroCure respects issues of gender and diversity. When selecting junior scientists, filling positions, and providing support and teaching, the principles of equal opportunity are applied. NeuroCure is committed to facilitating a balance of family and career through dedicated financial means within the framework of legal and practical possibilities.

(5) Within the framework of NeuroCure, the NeuroCure Clinical Research Center will be established at Charité for conducting in-house clinical studies as well as studies in cooperation with industry.

(6) NeuroCure has a management office that coordinates scientific and clinical activities as well as intensive public relations work, and organizes informative events particularly for young people and children, such as Open House, Children's University, among others.

(7) Within the framework of NeuroCure, an *Animal Outcome Unit* will be set up for the improvement of pre-clinical research.

(8) Within the framework of NeuroCure, Charité aims to integrate Berlin neuroscience research from both university and non-university research establishments, including Charité's own research focus on neuroscience.

(9) At the recommendation of the advisory board, the NeuroCure board of directors, or the members assembly, additional scientific tasks and goals can be recommended and agreed upon by the board of NeuroCure.

### **§ 3**

#### **NeuroCure Research Space and Research Buildings**

For the scientific activities of NeuroCure, Charité will provide research space on the Mitte Campus for basic research in the Neuroscientific Research Centre (NWFZ) building on Dorotheenstrasse and in new the research building, as well as

space for the NeuroCure Clinical Research Center.

#### **§ 4 Structure**

(1) NeuroCure is organised into the following areas:

- Six research areas: mechanisms of damage, endogenous brain protection, regeneration, crosstalk between nervous and immune system, developmental disturbances in the nervous system, plasticity
- Technology platforms
- Education platforms
- Animal Outcome Unit
- NeuroCure Clinical Research Center
- NeuroCure management office

(2) Charité can create additional organisational units within the framework of NeuroCure in the context of the university statutory regulations and funding guidelines. The members of NeuroCure are entitled to make proposals.

(3) The institutions involved in NeuroCure alongside Charité can allocate resources to NeuroCure from their institutions provided they continue to fulfil their current research and teaching duties. This requires the agreement of the managing committees of the sending institution (at Charité, the faculty management) and Charité as the receiving institution. Upon request, newly appointed professors at the participating institutions can become members of NeuroCure following approval by the board.

#### **§ 5 Committees**

The committees of NeuroCure are:

- The Members' Assembly
- The Board of Directors
- The Spokesperson of NeuroCure
- The Scientific Advisory Board

#### **§ 6 Members (Principal Investigators - PI)**

(1) Members of NeuroCure are:

- The scientists involved in preparing the application (Principal Investigators – PI) if they are employed at a participating institution as scientists.
- The university professors appointed in the framework of NeuroCure

- The junior group leaders hired in the framework of NeuroCure
- Outstanding scientists in the area of neurosciences, who were accepted as members on application or on proposal by members following the agreement of the board of NeuroCure

(2) Membership in NeuroCure shall end:

- Through termination of funding of NeuroCure
- Through written declaration of withdrawal to the board of NeuroCure and if a member does not fulfil his/her obligations under § 7 Paragraph 3, 4 and 5 of these statutes. The waiving of these conditions shall be decided by the board of NeuroCure.
- Through termination of employment or active work with one of the institutions participating in NeuroCure

(3) NeuroCure aims for a female proportion of at least 15-20 percent within the members' assembly.

#### **§ 7 Rights and Obligations of Members**

(1) Members of NeuroCure can make proposals to the board at any time for activities that are intended to be conducted within the Cluster of Excellence and supported by NeuroCure.

(2) Members can participate in funding available to NeuroCure within the framework of the procedures determined under § 16, in particular through scholarships for students and post-doctoral scientists and doctoral students as well as visiting professors, and through application for seed funding for the establishment of new projects and for required equipment.

(3) Members are obliged to cooperate with the tasks and goals of NeuroCure according to § 2, as well as with the NeuroCure administration as set out in the Statutes, and to actively support them.

(4) Members are obliged to report regularly to the board of NeuroCure, Charité and the German Research Association. They should also participate in the required applications. In case of departure or withdrawal of a member, a final report regarding the scientific work conducted at NeuroCure must be submitted to the NeuroCure board within two months.

(5) Members are required to observe the DFG usage guidelines for excellence establishments, in particular rules for publications, financial use, and reporting obligations, as well as for good scientific practice.

(6) If a member leaves NeuroCure due to relocation, the funds provided to that member from the Cluster of Excellence can normally continue to be used for a maximum duration of six months as completion funding. Equipment provided through NeuroCure funds cannot in principle be moved to the new location. Other solutions require the agreement of the NeuroCure board and the management committees of the institutions involved in NeuroCure in each instance.

(7) Members are subject to the operational provisions and rules, the statutory regulations regarding occupational, accident and radiation protection, the implementation provisions, and the statutes of Charité. Relevant instructions must be followed by the members. The right to give instructions to the members of staff shall continue to be held by the institution with which the employment contract was concluded, if the members of staff carry out their actual activity on the premises of Charité or they become active in joint working groups.

#### **§ 8 Members' Assembly**

(1) The members' assembly consists of the Principal Investigators (PI). Their meeting shall take place at least once per year. It is called in writing with advance notice of at least 14 days by the board of NeuroCure; the agenda will be sent to all members at least eight days before the date of the meeting.

(2) A members' meeting can be called within 14 days at the request of at least 25 percent of the members of NeuroCure. The request must contain a proposal for an agenda.

(3) The spokesperson of NeuroCure or a deputy shall be the chair and preside over the meetings.

(4) The members' assembly is responsible for the:

- Resolution regarding the working reports and the overall funding application of NeuroCure to the DFG, which must be authorised in advance by Charité and by the institutions involved.
- Election and dismissal of the board and spokesperson

- Acceptance of the report by the spokesperson
- Decision regarding the awarding procedure for centrally allocated funds (see § 16)
- Confirmation of usage rules within the platforms and for large devices after prior agreement with Charité and the institutions participating in NeuroCure
- Proposal to dissolve NeuroCure

(5) The members' assembly will elect the board and spokesperson of NeuroCure with a simple majority of the members present. A proposal to dissolve NeuroCure will be decided by the members' assembly with an absolute majority of all members of NeuroCure. If the absolute majority have voted for dissolution, the board of NeuroCure shall forward this resolution to the management committees of the institutions involved for a decision.

#### **§ 9 Board**

(1) The board of NeuroCure (hereafter "board") comprises nine members:

- a) The Spokesperson
- b) The Managing Director
- c) Seven additional members who will select a deputy spokesperson from their number.

(2) The members of the board are elected by the members' assembly from among the members of NeuroCure. The members' assembly can deselect the members of the board with a two-thirds majority if an important reason is present, such as scientific misconduct or loss of trust, provided it simultaneously determines a successor.

(3) The time in office of the board shall be three years. Re-election is possible.

(4) The board shall meet once every month.

(5) At the meetings of the board, members of the committees appointed by NeuroCure have the right to speak and propose motions.

(6) The board shall decide by simple majority.

(7) The board manages the business of NeuroCure. It is responsible for all NeuroCure tasks, if the statutes do not determine otherwise. In particular, it is responsible for the following tasks:

- Development of the scientific programme as well as the realisation of the goals of NeuroCure
- Preparation of the working report as well as the overall funding application by NeuroCure to the German Research Foundation
- Decision regarding the acceptance and exclusion of members
- Advising the spokesperson in budget matters
- Establishing and staffing of advisory commissions and committees
- Quality assurance of the procedures for internal communications (see § 16)
- Decision regarding the acceptance and termination of research projects of NeuroCure
- Quality assurance of measures for:
  - Support for young researchers

(see § 15)

- Gender equality for men and women
- Cooperation with users
- Public relations work

- Designing measures for quality assurance within NeuroCure in the form of internal evaluation
- Scientific supervision of the NeuroCure Clinical Research Center

(8) The board can create its own business agenda.

(9) The board can determine agents and committees for special tasks.

(10) The board proposes the members of a scientific advisory board.

### **§ 10 Spokesperson**

(1) The spokesperson shall direct NeuroCure and represent its interests within and outside of Charité and the other participating institutions. He or she is the chairperson of the board and members' assembly.

(2) The spokesperson of NeuroCure will be elected from among the members of NeuroCure for the duration of three years. Re-election is possible.

(3) The tasks of the spokesperson include in particular:

- Responsibility for the correct distribution of funds and the compliance with the overall budget of NeuroCure.
- Convocation and management of board meetings and members' assembly meetings.
- Report regarding his or her decisions to the board of NeuroCure
- Provide information to members
- Report to the management of the institutions within NeuroCure

(4) The spokesperson will be supported by the managing director as well as the management office of NeuroCure.

(5) The board can determine a procedure for urgent cases in which the board cannot be called together in time, and in which the spokesperson, in place of the board, must make only those decisions which are absolutely necessary within the given time.

(6) If the spokesperson resigns or if the spokesperson can no longer exercise his/her duties, the board shall immediately call a members' meeting within one week, in order to appoint a new spokesperson.

Until the election, the deputy spokesperson shall continue to hold the office on a provisional basis. If this is not possible, then the board will appoint a board member who will take over the spokesperson's role on a provisional basis.

(7) The members' assembly can deselect the spokesperson if an important reason is present, such as scientific misconduct or lack of confidence, with a two-thirds majority, provided it simultaneously appoints a successor.

### **§ 11 Coordination of the Research Areas**

(1) Each research area is initially managed by the coordinators named in the DFG application, until the relevant appointments have been completed. Subsequently, the coordination of the research areas and other activities will be decided again by the board of NeuroCure.

(2) Tasks of the coordinators are:

- Coordination of the relevant research area
- Report to the board and the members' association assembly

- Cooperation as well as interdisciplinary collaboration within and between the research areas

## **§ 12 Management Office**

(1) The management office of NeuroCure is led by the managing director.

(2) The management office is responsible for:

- Organisational implementation of the tasks of NeuroCure
- Support of the spokesperson and board of directors of NeuroCure as well as of the scientific advisory board
- Tasks in the area of staffing and finance
- Public relations work in coordination with the press offices of the relevant institutions (at Charité, with corporate communications)
- Correspondence
- Organisation of colloquia and retreats
- Preparation of the meetings of the members' assembly, board and committees of NeuroCure, scientific advisory board and other committees as well as conferences, workshops etc. as needed
- Preparation and support of procurement measures authorised by the relevant institution, in the event the relevant purchasing department/contracting department is not responsible.
- Preparation and support of building planning measures authorised by the relevant establishment.

## **§ 13 Scientific Advisory Board**

(1) For NeuroCure, the chair of the board of Charité shall appoint an advisory board upon the recommendation of the board of NeuroCure. It shall have at least five and a maximum of ten members. Members of the scientific advisory board can only be persons from Germany or abroad who enjoy international recognition in the research area of NeuroCure, but who are not members of one of the participating institutions. NeuroCure aims for a female proportion of 30 percent when making appointments. The DFG criteria regarding conflicts of interest will be observed.

(2) The scientific advisory board has the following specific tasks:

- Advisory role to the board of NeuroCure for strategic decisions
- Recommendations and positions on the scientific and/or structural development of NeuroCure
- Contribution to the internal evaluation of NeuroCure using the research reports and the annual meetings of NeuroCure
- Advice on larger investments.

(3) The scientific advisory board elects a chairperson from among its members, whose tasks shall include the transmission of the proposals and resolutions of the advisory board to the board of NeuroCure. Meetings of the scientific advisory board shall take place annually.

(4) The scientific board can create its own agenda.

(5) The members of the scientific board are appointed for the duration of a funding period. Renewed appointment is possible.

## **§ 14 Passing Resolutions, Elections, Minutes**

(1) The committees of NeuroCure are able to pass resolutions if, according to correct convocation, 50 percent of all voting members are present. Voting members are all members according to § 6 paragraph 1; a transfer of voting rights is not possible. If at any one meeting the quorum to pass a resolution cannot be achieved, then the next meeting called shall have a quorum regardless of the number of persons present, if this is specified in the meeting invitation.

(2) If nothing to the contrary is provided for in these statutes, resolutions in the committees of NeuroCure are passed with the majority of the votes cast for *no* or *yes* (simple majority). Withheld votes shall be counted as abstentions. In the event of hung votes, an application shall be rejected. Upon the application by a member, voting must be conducted by secret ballot.

(3) The members of the board of NeuroCure can put forward resolutions in a circulation procedure. Elections are excluded from this.

(4) A results protocol for meetings of committees of NeuroCure will be drawn up and made available to all members of the committee shortly after the meeting. The protocol will be deemed accepted if it is not objected to in writing within 14 days after receipt.

## **§ 15 Junior Scientists**

(1) Junior scientists are defined as all those taking doctorates in the framework of NeuroCure as well as all postdoctoral scientists.

(2) For junior scientific staff, the following provisions apply in addition to the rules of the respective institutions:

- Doctoral students can be accepted into one of the existing structured doctorate programmes of the Berlin universities, as long as they fulfil the admission criteria.
- Announcements for and appointment to doctoral and post-doctoral positions shall be made according to the rules of the respective institutions
- The participation of staff council representatives and equal opportunity representatives shall take place according to the rules in force in each instance.
- Study and qualification programmes shall take place according to the rules of the participating graduate schools Medical Neurosciences, Computational Neurosciences, Mind&Brain and similar programmes and institutions.

## **§ 16 Internal Distribution of Funds**

(1) The amount of funds available for a given year is usually presented to the members' assembly at the end of the previous year, and the areas for which applications can be submitted will be determined. In particular, the following may be specified:

- *Funds for masters and doctoral students as well as for post-doctoral scientists*
- *Funds for visiting scientists including post-doctoral scientists and visiting professors*
- *Funds for equipment*
- *Funds for the implementation and support of projects*
- *Funds for public relations work*

- *Funds for seed financing for the preparation of research applications.*

(2) All members are entitled to apply. The board of NeuroCure will decide on the admissibility of applications from outside of this circle.

(3) Decisions about applications up to EUR 30,000 can be made by the spokesperson. Beyond this, the allocation of funds will be made by a majority decision of the board of NeuroCure. For applications involving the spokesperson, the board will decide. In special cases, expert reviewers may be consulted.

(4) The awarding of scholarships for masters and PhD students is made through the admissions committee for the Medical Neurosciences programme.

(5) Doctoral scholarships must fulfil the admission prerequisites for a doctoral programme.

(6) The decision regarding the awarding of additionally advertised positions for postdocs and visiting professorships will be made by the board of NeuroCure.

(7) Large instruments should be put into service according to rules for use confirmed by the board, which have been authorised by the participating institutions. The provision of funds for the continuous operating costs must be settled with the respective institutions.

## **§ 17 Projects and Project Management**

(1) Proposals for scientific projects to be conducted in NeuroCure are to be addressed by NeuroCure members in written form following a tender process via the spokesperson to the board of NeuroCure.

(2) The board of NeuroCure shall decide on these proposals. In special cases, subject-matter experts can be consulted.

For the assessment, the following criteria shall be observed:

- Scientific quality of the proposal
- Expertise of the proposing scientists
- Support for a research area as well as contribution to the overarching goal of NeuroCure according to § 2 paragraph 1.
- Required support from project funds.

(3) In the event of the unexpected departure of a member, the board of NeuroCure will assume temporary responsibility for the project involved and will make the decision regarding further steps.

### **§ 18 Inventions**

The work products produced in the framework of NeuroCure (both those subject to property rights and those not subject to property rights) are the property of the institution where its member or employee produced the work product. Work products created by a group are the joint property of the institutions involved and this in proportion to the shares to be allocated to each institution.

In individual cases, separate agreements to this principle may be concluded.

### **§ 19 Usage Rights**

(1) The members of NeuroCure have access to the NeuroCure platforms subject to observation of the usage statutes of the relevant platform.

(2) The members have access to and a cooperation right in the Animal Outcome Unit for behavioural studies within the framework of actual capacities.

(3) The members have the opportunity within the framework of actual capacities to conduct clinical studies in the NeuroCure Clinical Research Center (NCRC). The equipment necessary for the studies will be provided by NeuroCure and by the participating institutions within the framework of statutory and actual possibilities. The board, upon proposal by an NCRC Board to be set up, will decide on the execution of clinical studies that are financed within the framework of NeuroCure.

### **§ 20 Publications**

(1) The results obtained by members of NeuroCure through scientific research should be published in an appropriate format.

(2) Shared work results will be published only by mutual agreement of all contributors.

(3) For all publications, it must be ensured that the registration of property rights is not adversely affected.

(4) For all publications by NeuroCure members or by scientists supported by NeuroCure, it should be ensured that reference is made to NeuroCure when listing the institutional address.

### **§ 21 Liability**

(1) Any mutual liability of the institutions participating in NeuroCure is excluded, except in case of intent and gross negligence. Where the liability is excluded or limited, this also applies for the employees, legal representatives, and implementation and fulfilment agents of the respective contracting partner.

The liability of the institutions due to an injury to life, limb or health, however, remains unaffected by the above liability restrictions.

(2) For damage that is incurred in the framework of NeuroCure, the establishment is liable, to which the causer or cause of the damage is attributed. To this extent, the institutions indemnify themselves against reimbursement claims by third parties.

### **§ 22 Arbitration Clause**

(1) For complaints or similar by a member or a committee against a decision by a NeuroCure committee, an arbitration board will be set up at the Excellence Cluster NeuroCure. The arbitration board consists of two members of the scientific advisory board as well as the ombudsman for good scientific practice of Charité. Active and former members of NeuroCure cannot be members of the arbitration board. The members of the arbitration board are appointed upon the recommendation of the spokesperson by the Dean of Charité for the duration of five years.

(2) The arbitration board can be appealed to by all scientific members of staff of NeuroCure, if they feel themselves curtailed in their rights as scientists or in the rules for good scientific practice in the framework of NeuroCure, and a solution for the conflict was not able to be achieved by the board of NeuroCure.

(3) The negotiations by the arbitration board will be conducted with the goal of achieving a reconciliation of the parties.

### **§ 23 Final Provisions and Entry into Force**

(1) Addenda or amendments to these statutes shall be agreed upon with the German Research Foundation as well as with the participating institutions and require the agreement of the faculty council of Charité. They must be forwarded without delay to the management of the participating institutions for acknowledgement. Addenda or amendments to the provisions of §§ 14, 18, 19 require the agreement of the management of all institutions involved.

(2) The termination of the participation of an institution in NeuroCure can be proposed in writing to the board of NeuroCure. The membership shall end following a one-month notice period, observing the rights and obligations of the members of NeuroCure established in § 7.

(3) These statutes shall enter into force the day after their publication in the *Ämtliches Mitteilungsblatt* [Official Communications Gazette] of Charité.

Berlin, 8 July 2016

The Dean  
Dr. Axel Radlach Pries