

Regulations to Ensure a Tenured Professorship at Technische Universität Braunschweig in the Tenure-Track Process (Tenure-Track Regulations)

The Senate passed the following Regulations to Ensure a Tenured Professorship in the Tenure-Track Process according to § 41(1) sentence 1 of the Lower Saxony Higher Education Act (Niedersächsisches Hochschulgesetz, NHG) upon the recommendation of the Executive Committee on August 15, 2018, based on § 26(1) sentence 4 of the NHG in the version from February 26, 2007 (Lower Saxony Law Gazette p. 69), last amended by Article 14 of the Act from June 15, 2017 (Lower Saxony Law Gazette n 172).

Preamble

By ensuring a professorship for life in the tenure-track process, excellent early career researchers are to be offered early and attractive career prospects as well as the ability to plan their academic career path at TU Braunschweig. Researchers with great potential are to be recruited and committed to TU Braunschweig in the long-term at an early stage of their career. In particular, the principles of transparency and equal opportunities are to be considered in this process.

§ 1 Principles and Framework Conditions

- (1) These Regulations apply to assistant professors as described in § 30 NHG who are offered a prospect of a civil service relationship for life as a professor (W2 or W3) after going through a tenure-track process.
- (2) These Regulations also apply to professorships in the W2 pay group that are set up for a fixed time period and who are offered a prospect of a civil service relationship for life as a professor (W3) after going through a tenure-track process.
- (3) Decisions on appointments for a tenured professorship after the tenure-track process are taken according to these Regulations.
- (4) According to § 26(5) sentence 5 NHG, applicants from the same university can typically only be appointed to an assistant professorship or W2 professorship if they have changed universities at least once after completing their doctorate or worked in an academic position for at least two years outside of TU Braunschweig.
- (5) § 30(3) NHG applies to the procedure for appointments to an assistant professorship as described in § 1(1) of these Regulations. This NHG provision states that the position is filled after an international call for applications in a process that includes quality assurance with the participation of internationally recognised external reviewers or three internationally recognised external members of the selection committee.
§ 26(2) to (8) NHG applies to the procedure for appointments to a W2 professorship that has been set up for a fixed period of time as described in § 1(2) of these Regulations. This NHG provision states that the position is filled after an international call for applications in a proper appointment process with the participation of internationally recognised external reviewers or three internationally recognised external members of the appointment committee.
- (6) According to § 30(1) NHG, assistant professors independently carry out their tasks in science and art, research and teaching, and continuing education and service and receive appropriate resources for this purpose. According to § 24(1) NHG, W2 professors whose positions have been set up for a fixed period of time also independently carry out their tasks in science and art, research and teaching, supporting early career researchers, and continuing education and service and receive appropriate resources for this purpose.
- (7) If a child is born or adopted during the time of an assistant professorship as described in §

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1(1) or the W2 professorship as described in § 1(2), upon request the professorship can be extended by one year per child (up to a maximum of two years) regardless of times of leave as decided in individual cases in order to take into account the additional strain associated with caring for a child or children. The Executive Committee takes this decision upon the suggestion of the faculty and in consultation with the Equal Opportunities Officer. In these cases, the time of the interim and final evaluation are postponed accordingly. The application of this provision is done conditionally upon the necessary change being made to the NHG.

§ 2 Tenure-Track Evaluation

- (1) Granting a tenured professorship in a tenure-track process requires a positive final tenure-track evaluation.
- (2) The criteria to be met for granting a tenured professorship in a tenure-track process includes fulfilling the respective outcome agreement. The agreement includes in particular the following achievements:
 - in research: publications, including monographs and articles in peer-reviewed journals, lecturing and procuring third-party funding in competitive processes (e.g. DFG, ERC)
 - in teaching: Proof of teaching with overall positive evaluations as well as supervision of students and doctoral candidates, evaluating final examinations
 - work in academic self-governance.In addition, the following are considered: Prizes, contributions to internationalisation and transfer, contributions to general university development and the German scientific system, and the development of innovative teaching formats.
- (3) The outcome agreement described in § 2(2) (tenure-track outcome agreement) is typically made before or at the latest when starting employment and is to be signed by the President, the Dean of the respective faculty, and the person appointed. All outcome agreements are oriented on a common model and can include elements that are specific to the subject area or are optional. In the context of the tenure-track process, all voting members of the Tenure Committee receive the outcome agreement for informational purposes.
- (4) Tenure, that is, appointment to a professorship for life, is granted after a positive tenure-track evaluation (§ 9).

§ Status Meetings

- (1) In preparation for the status meetings, assistant professors and W2 professors go through regular student evaluations of their teaching. If the results are below average, the Dean can request additional teaching evaluations by the subject representatives.
- (2) At least once each year, the Dean holds a status meeting on the assistant professor's progress and the likelihood of reaching the tenure-track evaluation goals (§ 2 and § 9). The content and result of the meeting are to be documented appropriately. The Dean can delegate these tasks to the Associate Dean. Upon the assistant professor's or W2 professor's request, the appointment mentor can participate in the meeting.

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- (3) If there are significant changes to the framework conditions, the criteria set in the outcome agreement (§ 2(2)) can be changed as necessary with the consent of the assistant professor or W2 professor and the Dean and the agreement of the President.

§ 4 Mentoring

- (1) The university enables participation in a mentoring programme, but participation is voluntary. The mentor can be from the same or a different faculty.
- (2) In agreement with the Senate, the Executive Committee appoints professors who are available to act as mentors. As part of the appointment negotiations, the mentoring programme is introduced. If the person being appointed wants to participate, in this context the assistant professor or W2 professor choose a person from among the group of mentors. If no suitable person can be found from among the group of mentors, the person being appointed can suggest another professor according to their wishes and expectations.
- (3) The mentor assists the assistant professor or W2 professor until the conclusion of the tenure-track process. If a mentor leaves TU Braunschweig, the mentoring relationship can be continued by mutual consent and with the agreement of the President. Alternatively, a new mentor can be chosen.
- (4) The mentor receives the outcome agreement (§ 2(2)) for informational purposes.

§ 5 Tenure Committee

- (1) TU Braunschweig's Tenure Committee is composed of the Vice President in the area with responsibility for the junior researcher, six additional professors, whereby each faculty should be represented by one person, two research associates, two students (each with voting rights) and one staff member from technology and administration (without voting rights) as well as the Equal Opportunities Officer (without voting rights). The Executive Committee chooses the members in consultation with the Senate for three years; the students are chosen for one year. If a status group only has one member on the Tenure Committee, in addition, a substitute is appointed. Besides these members, two additional professors from the affected faculty take part in the discussions on the case as advising members (without voting rights).
The Vice President in area with responsibility for the junior researcher is the chair of the Tenure Committee and is responsible for coordinating the tenure process. If there is a tie, the chair casts the deciding vote.
- (2) The Tenure Committee generally meets promptly on pending cases, also taking into consideration the deadlines for the next possible Senate session.
- (3) If there is the appearance that a member of the Tenure Committee has a conflict of interest, then the member shall not take part in the decision-making process or the vote on whether a conflict of interest exists according to § 5(4) and (5). The faculties ensure that there is no appearance of a conflict of interest for the professors they appoint in the advisory roles.
- (4) For the following reasons, a person must be excluded from the process, that is, the affected person may play neither a decision-making nor an advisory role:
 - Family relationship or close personal relationship;
 - Professional dependency or supervisory relationship (e.g. teacher-student relationship, mentor group) within the previous six years.
- (5) For the following reasons, a person can be excluded after the Tenure Committee discusses the possible conflict of interest on a case-by-case basis:
 - Assistance with the assistant professor's doctorate or habilitation;
 - Close scientific cooperation, e.g. carrying out joint projects or joint publications within

the previous six years (multi-authorships or co-authorships), joint patents or patent applications, creating networks;

- Direct scientific competition with the person's own projects or plans;
- The person's economic interest in the results of the evaluation.

§ 6 Interim Evaluation

- (1) For assistant professors, upon the request of the affected person a comprehensive interim evaluation with the participation of the Tenure Committee takes place by the end of the third year.
- (2) The interim evaluation is started by the assistant professor submitting a self-assessment (§ 8) at the earliest during the second year and at the latest two-and-a-half years after starting the tenure-track position.
- (3) The self-assessment is first submitted to the faculty, which writes a statement and sends the self-assessment and the statement to the Dean or the chair of the Tenure Committee together with four suggestions for reviewers including two international reviewers.
- (4) The chair of the Tenure Committee obtains at least two reviews, one of which is an international review, that take a clear position on whether the assistant professor:
 - a) can in general be appointed as a professor and
 - b) how the assistant professor has developed in regard to the outcome agreement and the prospects for a successful tenure process.
- (5) Upon the assistant professor's request, the selected member of the mentor group (§ 4) has the right to submit a written or an oral statement to the chair of the Tenure Committee.
- (6) The chair of the Tenure Committee presents the reviews (according to § 6(2) and (3)) and the Dean's statement as well as the mentor's statement, if applicable, to the Executive Committee together with the self-assessment and teaching evaluations and makes a written recommendation. The Executive Committee reviews these documents and the milestones in the outcome agreement that have already been achieved. The President then informs the assistant professor in writing of the results of this review. In critical cases, the Dean and the Executive Committee hold a meeting with the assistant professor, and the results of this meeting are documented in writing. If the interim evaluation is not successful, then according to § 30(4) sentence 3 NHG, the employment relationship (civil service) can be extended by up to one year.
- (7) If the assistant professor is appointed to a W2 or a W3 professorship at another university or an equivalent professorship at a foreign university during the first three years of the employment relationship (civil service), that is, before the interim evaluation has been carried out, then upon the assistant professor's request, this appointment can be considered a positive interim evaluation. The request is to be submitted to the Dean of the respective faculty. The employment relationship (civil service) is not automatically extended, however. Upon the faculty's suggestion, the President can decide to extend the employment relationship (civil service) to a total of six years.

§ 7 Starting the Tenure-Track Evaluation Process

- (1) The tenure-track evaluation process is started
 - a) in the third year after the start of the assistant professor's three-year contract extension given after the successful interim evaluation
 - or
 - b) in the fifth year of the fixed-term service or employment relationship as a W2 professor or W2 professor for a fixed period of time

upon the request of the affected person. The request is first submitted to the faculty, which sends the request to the chair of the Tenure Committee together with four suggestions for

reviewers including two international reviewers.

- (2) The request must include a self-assessment (§ 8) and the results of the teaching evaluations. The Tenure Committee is responsible for carrying out the process. The results of the evaluation should be complete at the latest three months before the end of the respective contract.
- (3) An appointment to another university after the interim evaluation or during the fixed-term civil service or employment relationship as a W2 professor for a fixed period of time is not to be considered a replacement for the final tenure-track evaluation. If the assistant professor is appointed to a W2 or a W3 professorship at another university or an equivalent professorship at a foreign university after the interim evaluation has been carried out, then upon the assistant professor's request, the process for the final tenure-track evaluation can be started early; the appointment is to be taken into consideration in the evaluation criteria.
- (4) If a W2 professor is appointed to a permanent W2 or a W3 professorship at another university or an equivalent professorship at a foreign university, then upon the W2 professor's request, the process for the final tenure-track evaluation can be started early; the appointment is to be taken into consideration in the evaluation criteria.

§ 8 Self-Assessment

The self-assessment is to be written in English and should include the following information in particular:

- CV
- Description of teaching and research achievements compared to the goals documented in the outcome agreement
- List of publications (publications separated according to peer-reviewed original publications, book contributions, editorships, etc.)
- Overview of grants for funds procured in competitive processes and procured third-party funding (separated according to peer-review and other processes) with a list of the total funding amount
- Information on research cooperation projects and other academic activities
- Description of research goals for the next five years
- Overview of teaching programmes and number of approved tests including the results of the teaching evaluations
- Overview of ongoing and completed final theses and doctorates
- Work in academic self-governance
- Continuing education, especially on university didactics
- Description of transfer activities
- Description of work in the area of internationalisation.

It is possible to write the self-assessment in a language other than English in disciplines in which this is typical with a decision from the Tenure Committee.

§ 9 Carrying out the Tenure-Track Evaluation Process

- (1) The tenure-track evaluation process is typically oriented on the following steps:
 - The Tenure Committee writes a request to the reviewers, if applicable with a description of the situation of the subject in Germany, and obtains at least two external reviews, at least one of which must be from abroad. Usually one element of the request to the reviewers is the request to place the professor in a fictitious, subject-specific comparative group of researchers in a similar career phase.
The Tenure Committee hears the Dean and Dean of Studies of the faculty as well as other people relevant for the decision, especially the student representatives elected to the Faculty Council. The Equal Opportunities Officer has the right to submit a statement as does the Representative for the Severely Disabled if the candidate is severely disabled. Upon the assistant professor's or the W2 professor's request, the selected member of the mentor group (§ 4) has the right to submit a written or an oral statement. The Tenure

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Committee organises a tenure lecture open to university members in which the affected professor demonstrates her or his subject-related academic and didactic qualifications. Individual or all reviewers can be invited to the lecture in addition to their written reviews and can be heard by the Tenure Committee after the lecture.

- (2) After the reviews have been submitted and based on all submitted documents and hearings, the Tenure Committee evaluates the personal and subject aptitude of the affected professor including his or her potential for further development. The results of the interim evaluation and achievements made on the goals in the outcome agreement (§ 2) are also considered by the Tenure Committee when reaching its decision.
- (3) The Tenure Committee submits a justified decision paper to the Executive Committee based on these considerations. The decision paper includes the reviews, the faculty's statement, the respective assistant professor's or professor's self-assessment and, if they have been submitted, the statements from the Equal Opportunities Officer, the Representative for the Severely Disabled and the selected member of the mentor group.

§ 10 Evaluation Decision

- (1) The decision to appoint the assistant professor or W2 professor to a tenured professorship is made by the Executive Committee based on the decision paper from the Tenure Committee after receiving the opinion of the Senate and in agreement with the University Council.
- (2) The process to appoint the person to a tenured professorship that follows a positive tenure decision is shortened under consideration of the possibilities permitted in § 26(1) sentence 4 NHG based on a statement from the Faculty Council and under consideration of the Tenure Committee's decision paper.

§ 11 Provisions for Joint Appointments

- (1) If an assistant professor or W2 professor was appointed jointly with a non-university research facility, the Tenure Committee for that process can be expanded by up to two advisory members from the non-university research facility.
- (2) The already existing cooperation agreements between TU Braunschweig and the respective non-university research facility remain unaffected. If necessary in specific cases, they can be supplemented by ancillary agreements.

§ 12 Final Provisions

- (1) The Regulations enter into force on the day after they are made public to the university. At the same time, § 16 of the "Guidelines for Assistant Professors including on the Appointment and Interim Evaluation of Assistant Professors and the Implementation of the Tenure-Track Option" (Guidelines for Assistant Professors, HÖB no. 777 from July 21, 2011) is no longer in effect.
- (2) For assistant professors who were appointed at TU Braunschweig with the promise of a tenure-track option before these Regulations entered into force and who had already completed a successful interim evaluation based on the Guidelines for Assistant Professors by the time these Regulations went into effect, the provisions in § 16 of the Guidelines for Assistant Professors shall continue to apply until the end of the extended employment contract (civil service).