

Provisions for non tenure-track positions of junior professors and junior lecturers (§§ 51, 51a Landeshochschulgesetz LHG (state law on higher education)) at the University of Konstanz

(as per the Senate's decision from 30 January 2019)

The German version of this document is the only *legally binding version*. This English translation is for your convenience only.

The following provisions apply both to junior lecturers and junior professors without a tenure track.

I. The procedure from announcement to final evaluation

1. Announcement of the junior professor position

Junior professor positions usually have to be announced internationally. The employment is fixed-term, usually divided into two terms. Along with the request for establishing the position and the job description for the junior professor, the department submits a subject-specific specification containing a clear and transparent description of the subject-specific requirements (see the evaluation criteria in II.) that will be assessed in the final evaluation. After the job description and the subject-specific specification have been approved, the position will be announced. The junior professor will be informed in writing about the specific procedure as well as about the evaluation criteria and subject-specific requirements at the time he/she is offered the professorship, but no later than when the professorial appointment agreement is concluded.

2. Timeline of the junior professor position

If the candidate meets the legal pre-requisites for civil servants, the position will be a temporary civil servant position for six years, divided into two terms.

Option 1: four years with two-year extension after a positive interim evaluation

Option 2: three years with three-year extension after a positive interim evaluation.

The procedures for both the interim and the final evaluations will each start nine months before the temporary civil servant position ends. Please keep that in mind when choosing an option.

3. Advisory commission

At the request of and in agreement with the junior professor, the corresponding faculty sets up an advisory commission to support him/her. This commission consists of three persons of trust (professors), of whom usually two are connected to the academic subject (one university-internal, one external) and one is not connected to the subject. The commission supports the junior professor with setting career goals and successfully developing a personal profile.

The advisory commission advises the junior professor on work goals that, based on the evaluation criteria, will contribute to a successful interim and final evaluation. Family obligations, if applicable, are taken into consideration in this respect. The advisory commission is an offer from the university that the junior professor can decide not to accept.

4. Interim evaluation

If the employment period consists of two terms of office, the interim evaluation will start nine months before the first term as junior professor ends. Based on a suggestion of the Departmental Council, the Faculty Council will appoint the interim evaluation commission and a corresponding chairperson. The commission consists of a minimum of three professors, the Equal Opportunity Representative (for academic staff) and a student who contributes his/her perspective to the commission's assessments in the area of studies and teaching. If possible, at least one of the commission members should be a woman with expertise in the subject area. An external expert will be appointed by the Faculty Council, based on a suggestion from the Departmental Council. As a rule, members of the advisory commission cannot be members of the interim evaluation commission.

The commission evaluates how the junior professor has fulfilled his/her tasks and issues an assessment on the person's suitability for appointment after he/she has completed the sixth year of the junior professorship. The commission will issue a recommendation about extending the position of the junior professor based on:

- a pre-structured self-evaluation report (personal statement and documentation of the achievements completed during the junior professorship)

as well as, as a rule,

- an expert opinion assessing the performance of the junior professor during his/her first term of office and outlining the future development that might be expected during the second term of office.

The aim of the interim evaluation is to recognize the junior professor's strengths and weaknesses early on to make it possible to work at improving potential deficits that might prevent a successful appointment later on, or to opt for another career path in research at a time when alternatives are more easily available. The interim evaluation includes recommendations on the junior professor's further personal and academic development. The junior professor will receive the commission's assessment.

Based on the recommendation of the commission as well as the self-evaluation report (including documentation), the external expert opinion and the commission's assessment, the Faculty Council decides on the interim evaluation. If the commission's assessment is positive, the Faculty Council will suggest an extension of the junior professorship to a total of six years, which will be granted by the rector. If the assessment is negative, the junior professor position may be extended by one year.

5. Final evaluation

The final evaluation will be completed in the sixth year of the junior professorship. Based on a suggestion of the Departmental Council, the Faculty Council will appoint the final evaluation commission and a corresponding chairperson. This commission consists of a minimum of three professors, the Equal Opportunity Representative (for academic staff) and a student

who contributes his/her perspective to the commission's assessments in the area of studies and teaching. If possible, at least one of the commission members should be a woman with expertise in the subject area. Professors must be in the majority as per § 48 para. 3 sentence 2 clause 1 LHG. The external experts will be appointed by the Faculty Council, based on a suggestion from the Departmental Council. As a rule, members of the advisory commission cannot be members of the final evaluation commission.

The commission assesses the skills and qualification of the junior professor for a professorial position based on the criteria job announcement, evaluation criteria and subject-specific specifications, thereby taking into account the self-evaluation report of the junior professor (personal statement and documentation of achievements) and at least one external expert opinion on the achievements as well as the skills and qualification of the candidate for a professorial position. External experts receive at least the self-evaluation report (including documentation), the job announcement as well as the subject-specific requirements for the interim and final evaluation as per I.1. With a positive final evaluation, the final evaluation commission confirms the junior professor has the additional academic achievements in research and teaching that are required for employment as a professor as per § 47 para. 2 LHG.

The junior professor receives the commission's final assessment.

Based on the commission's decision as well as the self-evaluation report (including documentation), the external expert opinions and the commission's assessment, the Faculty Council decides on the final evaluation.

If the candidate has successfully completed his/her habilitation (postdoctoral qualification), the final evaluation procedure may be appropriately simplified.

II. Evaluation criteria

The evaluation criteria relate to research, teaching and additional achievements in areas such as academic self-administration or academic continuing education, and are drawn from the respective job announcement as well as the subject-specific specifications.

III. Self-evaluation report by the junior professor:

The junior professor's self-evaluation report consists of two parts: a personal statement and the corresponding documentation. The personal statement describes the activities of the past years as a junior professor in the areas of research, teaching and further achievements. In the statement, the junior professor presents his/her research priorities. As part of a critical self-evaluation, the junior professor should report not only on successes, but also on problems, and suggest potential solutions. The statement should not exceed ten pages.

The fact-based documentation the junior professor has to submit should cover research and teaching as well as additional achievements, if applicable:

Research, e.g.:

- List and brief description of the most important research topics
- Publications in the period under review

- Applications for external funding and acquisition of external funding in the period under review
- Awards and prizes in the period under review

Teaching, e.g.:

- Short description of involvement in study programmes
- List of courses held, with a short description of the course content
- Description of teaching methods, applied didactics and methodology
- Teaching evaluation by students as well as statement by the student representation
- Advising and supervision of students (e.g. involvement in examinations, supervision of final theses)
- Internationality (e.g. supervision of international students and doctoral researchers, courses offered in English or another foreign language)

A teaching portfolio may be used to provide the teaching documentation.

Additional achievements, e.g.:

- Description of collaboration with other research teams (within the university)
- Research collaborations and interdisciplinary collaboration (regional, national and international)
- Membership in academic bodies
- Supervision of doctoral researchers and activities to promote early career researchers
- Short description of leadership experience (e.g. as head of a research team, supervision and instruction of staff members, documentation of training in leadership skills)
- Transfer activities (in the fields of economy, administration, society or politics) or collaboration in practical areas
- Short description of engagement in academic self-administration (e.g. university working groups, bodies and committees)
- If applicable, list of continuing education programmes completed (e.g. University Didactics).

IV. Applicability of the provisions

These provisions apply to all persons who began their service in or after the winter semester 2018/19.

V. Legal basis

§ 51 Landeshochschulgesetz LHG (state law on higher education) Junior professorships

(1) Junior professors should aim at qualifying themselves for an appointment as a professor at a university or equivalent institution of higher education by independently completing the tasks in research and science, the arts, teaching, studies and continuing education required at their respective universities. This must be reflected in the way the employment is structured and in the job description.

(2) Pre-requisites for employment are, in addition to the general pre-requisites under employment law:

1. Successfully completed university degree

2. Teaching skills, usually documented by experience in teaching or professional training

3. Particular aptitude for academic work, usually documented by the fact that his/her doctorate was completed with exceptionally good grades, or a particular aptitude for artistic work.

Only those who can document three years of teaching experience at a school shall be appointed to a position that involves tasks in teacher education such as educational science or subject-specific didactics.

(3) If the candidate worked as an academic staff member before or after his/her doctorate, the entire period of doctoral research plus employment should not exceed six years, in the field of medicine not more than nine years. Extensions as per § 2 para. 5 sentence 1 numbers 1 and 3 to 5 Wissenschaftszeitvertragsgesetz (WissZeitVG) (academic fixed-term contract law) will not be taken into account in this context. § 2 para. 3 sentence 1 WissZeitVG applies accordingly.

(4) Junior professor positions usually have to be announced internationally. The announcement has to correspond to the type and scope of the tasks to be performed. § 46 para. 3 applies accordingly.

(5) Based on the suggestion of the selection committee, junior professors will be appointed by the Rectorate after hearing the Faculty Council. For an appointment as a junior professor, members of the corresponding university may only be considered in justified exceptional cases, or only if they changed university after their first university degree, or carried out research activities outside the university for at least two years, unless the requirement to select the best applicant as per Article 33 para. 2 German Basic Law calls for the appointment of the university member. If the person to be appointed will complete tasks in a university hospital, the appointment can only take place if the university hospital has consented.

(6) To prepare proposals for an appointment, the Rectorate sets up a selection committee after consultation with the respective faculty, which will be headed by a member of the Rectorate or one of the Deans of the corresponding faculty; the corresponding faculty has the right to nominate members for the selection committee. The professors have the majority of votes in the selection committee. The committee must include at least one expert from outside the university, two women with expertise in the subject, the Equal Opportunity Representative (for academic staff) and a student. In addition to this, § 48 para. 3 applies.

(7) Junior professors are appointed as temporary civil servants ("Beamte auf Zeit") for a period of up to six years. At the end of that term, the performance of the junior professor will be assessed to determine his/her skills and suitability as a university teacher. If the initial employment period is limited to up to four years, an interim evaluation will take place at the end of that period. If the result of the interim evaluation is positive, the faculty will suggest, with the approval of the junior professor, an extension of his/her civil servant position to a total of six years, which will be granted by the rector; otherwise the

civil servant position may be extended by up to one year if the junior professor agrees. Further extensions, except in the cases mentioned in § 45 para. 6, are not permitted. This also applies to re-hiring the junior professor. Going into retirement upon expiry of the period of service is excluded. Evaluations within the meaning of this paragraph are not evaluations within the meaning of § 5.

(8) An employment relationship under private law may also be established for junior professors; paragraph 7 applies accordingly. During their employment under private law, they will have the title "junior professor".

(9) After the complete period of the fixed-term civil servant position or employment under private law has ended and upon suggestion of the faculty, the Senate may confer the title of "außerplanmäßiger Professor" (extraordinary professor) if the junior professor has continued to prove himself/herself as per paragraph 7 and fulfils teaching duties amounting to a minimum of two weekly teaching hours; these teaching duties are not required to be compensated. The authorization to use this title may be revoked if the former junior professor proves unworthy of it.

§ 51 a Lecturers

(1) Irrespective of further tasks as per § 46, lecturers mainly have teaching duties.

(2) In addition to the general pre-requisites under employment law, the hiring requirements for lecturers are:

1. Successfully completed university degree
2. Special teaching skills, usually documented by experience in teaching or professional training
3. Particular aptitude for academic work, usually documented by the fact that his/her doctorate was completed with good grades.

Only those who can provide evidence of three years of teaching experience at a school shall be appointed to a position that involves tasks in teacher education such as educational science or subject-specific didactics. § 51 paras. 4 to 6 apply accordingly.

(3) The initial appointment, subject to the provisions of sentence 8, will be to the position of "junior lecturer". The employment period of the junior lecturer is limited to a maximum of six years. At the end of that term, the performance of the junior lecturer, especially with regard to his/her teaching, will be assessed to determine his/her skills and suitability as a university teacher. If the initial employment period is limited to up to four years, an interim evaluation will take place at the end of that period. If the result of the interim evaluation is positive, the faculty will suggest, with the approval of the junior lecturer, an extension of his/her employment contract to a total of six years, which will be granted by the rector; otherwise the employment contract may be extended by up to one year if the junior lecturer agrees. Further extensions, except in the cases mentioned in § 45 para. 6, are not permitted. This also applies to re-hiring the junior lecturer. If the junior lecturer has proven himself/herself as per sentence 3, he/she can be granted a permanent position as a university lecturer. In this case, paragraph 2 sentence 3 does not apply. Persons may also be appointed as university lecturers if they have, in addition to meeting the requirements as per paragraph 2, completed a habilitation (postdoctoral qualification), successfully completed the period as a junior professor, or have fulfilled the pre-requisites as per § 47 para. 1 no. 4 letter c and also can document further experience in and suitability for teaching that go beyond the criteria in para. 2 sentence 1 no. 2. University lecturers are called "Professorin mit Schwerpunkt Lehre" or "Professor mit Schwerpunkt Lehre" (professor with a focus on teaching); junior lecturers are called "Juniorprofessorin mit Schwerpunkt Lehre" or "Juniorprofessor mit Schwerpunkt Lehre" (junior professor with a focus on teaching). § 51 para. 7 sentence 7 applies accordingly.

(4) The position of junior lecturers can be a temporary civil servant position or a temporary employment relationship under private law. Employment as a university lecturer can be a permanent civil servant position or a permanent employment relationship under private law; exceptions as per § 50 para. 1 and para. 2 sentences 1 and 2 as well as 4 to 8 are permitted. Going into retirement upon expiry of the period of service as a junior lecturer is excluded. § 49 paras. 5 to 8 apply to university lecturers accordingly. Lecturers in an employment relationship under private law are called "Juniordozentin"/"Juniordozent" (junior lecturer), or "Hochschuldozentin"/"Hochschuldozent" (university lecturer). Paragraph 3 sentence 9 applies to university lecturers in an employment relationship under private law accordingly. § 51 para. 9 applies to junior lecturers accordingly.

Notes:

The German Version of these provisions was published in the *Amtliche Bekanntmachungen* (official announcements) of the University of Konstanz No. 2/2019 on 4 February 2019.