

Regulations Governing the Tenure Track Process at RWTH Aachen University

Dated May 18, 2017,

in the Second Revised Version of the

Regulations Governing the Tenure Track Process

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Please note: This publication is an English translation. Only the German original of these regulations as published in the Official Announcements of RWTH Aachen University (“Amtliche Bekanntmachungen”) is legally binding.

Based on § 2 (4) in connection with §§ 37 a, 38a of the Higher Education Act of the State of North Rhine-Westphalia (Hochschulgesetz; HG) dated September 16, 2014 (Law and Official Gazette of the State of North Rhine-Westphalia; GV. NRW p. 547), most recently amended by Art. 1 of the Act Concerning Further Measures to Address the COVID-19 Pandemic in Higher Education dated December 1, 2020 (GV. NRW p. 1110), RWTH Aachen University (Rheinisch-Westfälische Technische Hochschule; RWTH) has issued the following regulations:

Preamble

RWTH has set itself the goal of establishing a tenure-track process that provides a reliable basis for the decision on whether to grant tenure if the candidate meets the evaluation criteria that are carefully defined to ensure clarity, predictability, and certainty in the process.

To this end, the faculty tenure committee, which is established based on members who have the appropriate expertise, designates the evaluation criteria. For quality assurance purposes, the Rectorate decides on the evaluation criteria with the participation of the RWTH tenure committee in the professorial allocation process.

With members from the Rectorate and the deans from the other faculties, the RWTH tenure committee ensures that the evaluation criteria are applied to equal standards across the University in terms of level and feasibility and that they correspond to the University's strategic orientation.

The dean will announce and explain the criteria to the candidates before they start their tenure-track professorship. Regular performance reviews ensure that the appointee receives appropriate feedback as well as assistance in evaluating their own progress.

The decision on granting tenure is solely based on the question of whether the candidate's performance can be considered to fulfill the criteria defined in the appointment process. The tenure evaluation committee, which is formed of the members of the faculty tenure committee and the RWTH tenure committee, makes this decision. The Rectorate shall review the legality of the process before the rector grants tenure.

In the case of joint appointments with non-university research institutions, the interests of said institutions shall be adequately taken into account when defining and reviewing the evaluation criteria.

§ 1 Objectives

The tenure-track process regulates university professors' transference from a fixed-term contract to a permanent employment contract following a successful evaluation period.

The regulations on the tenure-track process create the necessary transparency and procedural security to offer excellent scholars appealing career prospects at RWTH and to tie them to the University and, if applicable, to non-university research institutions in the long-term.

§ 2 Scope

These regulations apply to all junior professorships and professorships advertised with a tenure-track pathway (tenure-track professorships) at RWTH.

Decisions on permanent appointments in the tenure-track process may only be made in accordance with the process outlined in these regulations.

These regulations do not apply to the interim evaluation of junior professors, as the currently valid version of the Regulations Governing the Interim Evaluation of Junior Professors regulate this.

§ 3 Tenure-Track Professorships

- (1) Tenure-track professorships can be advertised and awarded at RWTH as follows:
 - a) a W1 tenure-track junior professorship (junior professorship) to be limited to two three-year periods with the confirmation of a transfer to a permanent W2 professorship or to a permanent W3 professorship;
 - b) a W2 tenure-track professorship limited to five years with the confirmation of a transfer to a permanent W2 professorship or to a permanent W3 professorship.
- (2) Tenure-track professors conduct their research and teaching activities independently. The faculties promote independence in academic activities, among other things, by providing adequate equipment.
- (3) The establishment of a tenure-track professorship requires the approval of the Rectorate. Calls for applications are usually published in Germany and abroad and include some information on the tenure-track professorship. Granting of tenure is neither dependent on funding nor on structural aspects that may have changed.
- (4) Tenure-track professorships are filled via an ordinary appointment process in accordance with the currently valid version of the regulations governing professorial appointments at RWTH.

§ 4 Tenure Committees

- (1) For the determination of the evaluation criteria, tenure committees are formed at RWTH. One is overarching: the RWTH tenure committee, while the other is formed in each faculty: the faculty tenure committee. The tasks and composition of the committees are governed by the present regulations.
- (2) A tenure evaluation committee will be formed to review compliance with the evaluation criteria. The tasks and composition of the committee are governed by the present regulations.
- (3) For each tenure process, a tenure dossier shall be created in which all documents relating to the respective tenure process shall be filed.

§ 5 RWTH Tenure Committee

- (1) The RWTH tenure committee's task is to make a recommendation to the Rectorate regarding the specific evaluation criteria of a given professorship, taking into account the respective subject and faculty culture.
- (2) The committee consists of six members with voting rights and is formed from members of the Rectorate and the Faculties Conference. Efforts should be made to attain an equal number of women and men in the committee. If gender parity is not achieved, the reasons shall be put on record. The Equal Opportunities Officer of RWTH Aachen University and the representative for staff with disabilities may participate in the committee meetings in an advisory capacity. They

shall be invited and informed in the same way as the other members. The committee may consult other individuals in an advisory capacity.

- (3) In the case of tenure processes with a non-university research institution, said institution has the right to delegate a member from their management board or a comparable management level to the RWTH tenure committee. Details are to be specified by the respective non-university research institution. They must ensure arrangements for substitutes are provided.
- (4) The committee has a quorum when at least two deans with voting rights and two members of the Rectorate with voting rights are present. In the case of processes with non-university research institutions, the representation of said institution must also be present if they make use of their right under paragraph 3. If the RWTH tenure committee cannot agree on a recommendation by majority vote, the different recommendations are to be communicated to the Rectorate. The same applies to processes with non-university research institutions when the non-university research institution vote does not correspond to the majority vote.
In exceptional cases, resolutions may also be passed by tacit consent if no member objects.
- (5) The following individuals represent the Rectorate in the RWTH tenure committee: the Vice-Rector for Human Resources Management and Development, the Vice-Rector for Research and Structure, and the Vice-Rector for Teaching and Learning. The Rectorate may decide on a different composition of the committee.
- (6) For the RWTH tenure committee, the Faculties Conference appoints two deans as permanent members of the committee and one dean as a deputy member for a period of two years. The dean of the respective faculty shall also be a member of the RWTH tenure committee. The deputy member shall be eligible to vote on appointments from the faculties of the permanent members. The vice-dean may substitute the dean of the faculty concerned.
- (7) The members elect a chairperson and a deputy chairperson.
- (8) The RWTH tenure committee meets on an ad hoc basis, with the chairperson responsible for convening the meeting.

§ 6

Faculty Tenure Committees

- (1) A faculty tenure committee shall be established as a permanent committee in each faculty. Further specifications are regulated by the Faculty Regulations.
- (2) The committees' task is to make a recommendation to the respective faculty regarding the specific evaluation criteria of a given professorship, taking into account the respective subject and faculty culture.
- (3) The committee includes members of RWTH from the groups of university professors, academic staff, and students at a ratio of 3:1:1.
At the request of the Faculty Council's representative of technical and administrative employees, at least one of the employees from this group must participate as an advisory member. Technical and administrative employees are non-voting members who have the right to speak and submit motions.
There must be gender parity in the committee. An unequally proportioned committee is only permissible in justifiable exceptional circumstances according to § 11b of the Higher Education Act

(HG). Efforts to ensure a gender balance on the committee as well as the reasons for any deviations from the provisions shall be recorded on an individual basis.

If an individual is excessively called upon to participate in several different committees due to this quota rule, the Faculty may reasonably relieve them of some of their duties.

- (4) The Equal Opportunities Officer, the relevant faculty representative, and the representative for staff with disabilities are entitled to participate in the meetings of the faculty tenure committee as non-voting members who have the right to speak and submit motions. They have to be invited and informed of proceedings like all other members.
- (5) The faculty tenure committee may consult with further individuals in an advisory capacity.
- (6) In the case of joint appointments with a non-university research institution, faculty tenure committees will be expanded to include up to three additional voting members from the non-university research institution.
It must be ensured that the majority of the voting members are university professors as defined in § 35 HG.
An individual with the corresponding voting right at RWTH may consistently be a member of the committee for one institution only.
The non-university research institution's involvement in the committee ensures the interests of said institution when the evaluation criteria are established.

§ 7

Tenure Evaluation Committee

- (1) The tenure evaluation committee consists of the members of the RWTH tenure committee and the members of the respective faculty tenure committee. Meetings are convened on an ad hoc basis, with the chairperson of the RWTH tenure committee coordinating the process.
- (2) The tenure evaluation committee is responsible for making the final decision of whether the evaluation criteria have been met and whether to transfer the individual to a permanent employment contract.
- (3) The Equal Opportunities Officer, the relevant faculty representative, and the representative for staff with disabilities are entitled to participate in the meetings of the tenure evaluation committee as non-voting members who have the right to speak and submit motions. They have to be invited and informed of proceedings like all other members.

§ 8

Evaluation Criteria

- (1) Evaluation criteria shall be defined for the professorship in question, including at least for the areas of research and development as well as teaching and learning, whereby the respective subject culture is to be taken into account. Furthermore, criteria from the area of academic responsibilities and commitment may also be provided. The evaluation criteria must be adequately defined or definable and should be based on typical international evaluation standards.
In the evaluation criteria defined in individual cases, a distinction is made between criteria evaluated by the tenure evaluation committee itself (quantifiable characteristics) and the qualitative characteristics that shall be additionally evaluated by reviewers.
- (2) Potential evaluation criteria in the area of research and development are, in particular:

- New conceptual developments or originality of the research results achieved in international comparison,
- Main author or substantial contribution to publications in peer-reviewed journals and conference proceedings,
- Invitations to speak at international conferences (key note/plenary lectures),
Promotion of early-career researchers through successful supervision of doctoral theses, academic (inter-)national collaborations with other universities and non-university research institutions, co-organization of symposia,
- Academic development potential in international comparison,
- Prizes/awards, research professorships, fellowships, scholarships (e.g. AvH),
- External funding acquired in competitive procedures (EU, DFG, BMBF, AiF, foundations, etc.)
- Interdisciplinary collaborative research: Participation in coordinated research projects (e.g. CRCs, Research Training Groups, EU, BMBF, or AiF joint projects), Jülich Aachen Research Alliance (JARA), and RWTH interdisciplinary research,
- Technical innovation capability such as the registering and awarding of patents, initiating technology transfer, or company spin-offs,
- Significant co-organization of international conferences,
- Success in research programs (in joint appointments with non-university research institutions of the Helmholtz Association).

(3) Potential evaluation criteria in the area of teaching and learning are, in particular:

- Designing and implementing courses (e.g. lectures, seminars, lab courses) for different qualification levels,
- Quality of teaching (evidenced by student evaluation reports each semester, expert pedagogical evaluation),
- Conducting courses in English or teaching international target groups,
- Successful supervision of bachelor's and master's theses,
- Developing or introducing new teaching content, didactic teaching concepts, or teaching formats (e-learning concepts),
- Prizes or awards for outstanding teaching,
- Participating in further training measures in teaching or transferable skills courses (Teaching Certificate)

(4) Potential evaluation criteria in the area of academic responsibilities and commitment include, but are not limited to:

- Chairing or participating on RWTH commissions or committees,
- Performing the service of the Faculty's equal opportunities officer or ombudsperson,
- Providing subject-specific and academic input for the faculties' development strategy,
- Actively supporting RWTH's internationalization policy (e.g. stints as a visiting professor, DAAD),
- Actively expanding RWTH's network of regional business partners,
- Activities to promote gender & diversity measures,

- Active involvement at the interface of school/university (e.g., summer schools, Girls Days, promoting students for STEM subjects),
 - Participation with responsibility in science-promoting foundations (especially AvH, DAAD) and in research funding institutions (especially DFG, Science Council, EU),
 - Leadership or participation in (inter-) national commissions or committees,
 - Reviewer activities,
 - Editor or member of an editorial/advisory board for peer-reviewed academic journals,
 - Membership in scientific academies or committees for science advisory and funding bodies,
 - Participation with responsibility in important subject-specific commissions (e.g. standards commission) or in relevant professional associations and representations.
- (5) RWTH expects faculty with leadership roles, including university professors, to successfully fulfill their management responsibilities. Leadership and the further development of leadership skills are therefore relevant criteria. Candidates are expected to acquire additional qualifications for leadership activities, in particular the RWTH Leadership Certificate for University Professors, or pursue comparable continuing education endeavors in the area of leadership. Likewise, university professors are expected to develop further in their leadership role in terms of their innovative contributions to teaching and learning, shaping the University as a whole, deepening their ability to self-reflect, and strengthening their role in shaping collaborations in a work context.
In the case of joint appointments with a non-university research institution, the requirements resulting from the activities at the non-university research institution associated with the professorship shall also be taken into account when determining the evaluation criteria.
- (6) The evaluation criteria can specify that winning outstanding academic prizes and acquiring highly competitive research funds (e.g. ERC grants) can lead to the evaluation criteria in the area of research being considered fulfilled.
- (7) In the case of professorships in recognized funding programs such as the Heisenberg Program or the Lichtenberg Professorship, the evaluation criteria in research and development, teaching and learning, academic responsibilities and commitment, and leadership skills can be considered met following a positive evaluation in a quality-assurance evaluation process by the funding program for the respective area.
- (8) If infrastructural conditions were not available as planned, this must be appropriately taken into account in the evaluation.

§ 9

Process for Determining the Evaluation Criteria

- (1) The evaluation criteria shall be determined in the professorial allocation process prior to the call for applications for the professorship. For this purpose, the faculty makes a recommendation to the RWTH tenure committee, which makes a recommendation to the Rectorate based on the aforementioned recommendation. The Rectorate makes the final decision. In the case of joint appointment processes with non-university research institutions, where the tenure post is set to

be established, the call for applications for the professorship is only published if the non-university research institution agrees with the final evaluation criteria.

- (2) In open-topic calls for applications, differentiations can be made according to different subject areas.
- (3) The evaluation criteria should be made known to the candidates invited to the lecture.
- (4) The binding evaluation criteria will be communicated to the appointee in writing.

§ 10 Mentoring

- (1) At the beginning, a professor from the faculty is to be appointed as a mentor for each candidate. The candidate has the right to nominate a specific individual for this role. The dean of the faculty appoints the mentor in consultation with the candidate. If the candidate is working in a non-university research institution, a mentor at said institution can be additionally appointed, whereby the appointment must be agreed upon with the faculty. If the candidate does not wish to have a mentor, this must be put on record.
- (2) The mentor should provide critical feedback to the candidate from an experienced colleague's perspective, be available for in an advisory capacity, and offer advice on the preparation of the self-report for the evaluation. The mentor will not be involved in the evaluation.

§ 11 Interim Evaluation and Performance Reviews

- (1) The valid version of the Regulations Governing the Interim Evaluation of Junior Professors regulates the process for the interim evaluation of junior professors.
- (2) A performance review is held with each candidate once a year in accordance with paragraph 3. In the year of the junior professor's interim evaluation, this may be waived at their own request.
- (3) The dean or a vice-dean or a spokesperson from the department conducts the review. To prepare for the performance reviews, the candidate must provide appropriate documents at least four weeks before the review. Their performance and progress are evaluated based on these documents.
In the meeting, the current situation regarding the arranged evaluation criteria is to be discussed. A brief record of the meeting is to be prepared and signed by all participants, recording the agreed objectives. This record is part of the tenure dossier.
If candidates work at a non-university research institution, the performance review must be conducted with the participation of said institution.

§ 12 Evaluation Process

- (1) The evaluation criteria review process commences when the candidate submits their self-report to the faculty. Junior professors must submit their self-report one year before the end of the fixed-term appointment at the very latest. The evaluation process must be completed no later than six months prior to the end of the fixed-term appointment. Extension possibilities due to childbirth,

parental leave, or other leaves of absence, must be taken into account in the deadline in accordance with the legal regulations.

If the candidate has a disability that occurs or becomes known during the evaluation period, the evaluation criteria should be reviewed for possible (disability accommodations) "Nachteilsausgleich" in accordance with § 2 (2) Social Code (SGB) IX. The representative for staff with disabilities must be involved in this.

Provided that the agreed quantitative evaluation criteria are met, the tenure evaluation committee obtains two detailed expert opinions on the candidate's performance from external, internationally recognized reviewers, with one reviewer coming from outside Germany, if possible. The faculty tenure committee makes a justified recommendation on the selection of the reviewers. The reviewers must be unbiased according to RWTH's applicable guidelines on bias in the appointment process and, if applicable, those of the non-university research institution, and declare this when they submit their expert opinion. When assessing the evaluation criteria, the candidate's academic career progression and personal circumstances shall be appropriately taken into account.

The reviewers shall receive a written work assignment that specifies the evaluation criteria and the candidate's self-report. The assignment and expert opinions must be included in the tenure dossier.

- (3) Once they have been submitted, the expert opinions shall be assessed by the tenure evaluation committee and, based on this, the committee as a whole decides whether the candidate fulfills the agreed evaluation criteria and shall be transferred to a permanent employment contract.
- (4) If the committee does not recommend the candidate be transferred to a permanent employment contract, the candidate shall be given the opportunity to provide a statement. As a rule, a deadline of three weeks shall be set for the statement submission. Once the candidate has submitted their statement, the committee makes the final decision.
- (5) After the meeting, the committee prepares a written report justifying their decision. The report, if favorable, shall be considered a tenure recommendation in a closed process. The faculty's legally provided participation rights remain unaffected.

The Rectorate shall review the legality of the process and inform the Faculties Conference about the result in a joint meeting. If the committee decides to transfer the candidate to a permanent employment contract, the Rector subsequently grants tenure.

- (6) If an evaluation process is initiated earlier than scheduled in order to hold onto a professor at RWTH who is offered an appointment at another institution pursuant to §13, the tenure evaluation committee may accordingly adapt the aforementioned evaluation process with comparable quality assurance.

§ 13 Early Tenure Consideration

If a candidate is offered an appointment at another university that is at least equivalent to the professorship pursued at RWTH, the evaluation process can be initiated immediately. The Rectorate decides on this matter at the faculty's request.

Joint appointments with non-university research institutions require the consent of said institution.

In the case of an evaluation process according to sentence 1, the granting of tenure can also be agreed even if not all evaluation criteria at RWTH have been met at that point in time. Deviations from the evaluation process (see § 12) may be permitted in such cases.

§ 14 Rules of Procedure

The valid version of the Rules of Procedure for University Committees shall govern the evaluation process, unless otherwise specified in these regulations.

§ 15 Final Provisions

- (1) These regulations enter into force as an official announcement of RWTH on the day following their publication.
- (2) These regulations apply to all RWTH tenure-track appointments advertised after the effective date.
- (3) These regulations will be evaluated by July 1, 2025.
- (4) It is pointed out that, in accordance with § 12 (5) NRW Higher Education Act, any claims regarding a violation of procedural or formal requirements of the regulatory or other autonomous rights of the University may no longer be asserted after one year has elapsed since the official publication of this announcement unless:
 - 1) the announcement has not been properly published,
 - 2) the Rectorate has objected, prior to publication, to the decision of the committee adopting the regulations,
 - 3) the University has been previously notified about the defect of form or of procedure in a complaint, specifying the infringed legal provision and the fact which gives rise to the defect, or
 - 4) the legal consequence of the exclusion of complaints was not pointed out in the public announcement.

Issued based on the resolution of the Senate dated January 28, 2021

Rector
of RWTH
Aachen University

Aachen,
dated

February 3, 2021

sgd. Rüdiger

Univ.-Prof. Dr. rer. nat. Dr. h. c. mult. Rüdiger