

# 3.

## Obligations and Tenure of Faculty Members

(Note: As used in this chapter, the term “faculty” shall be interpreted to refer only to such professors, associate professors, and assistant professors as are on full-time appointment. This definition of faculty, commonly referred to as “tenure-track” faculty, is more restrictive than the general definition of “Member of the faculty” given in the Faculty Bylaws, Article III.)

All appointments of faculty members of the Institute are approved either by the Board of Trustees or by the President under powers delegated by the Board. The President of the Institute acts as an agent for the Board in carrying out its policies and administering faculty matters. The following policies governing obligations and tenure of the members of the faculty were approved by the faculty on March 9, 1981, and adopted by the Board of Trustees on January 11, 1982.

It is evident that all aspects of the relations between the Institute and its faculty cannot be reduced to written rules. The duties and reciprocal obligations involved are inherent in the common desire to serve the public interest and to promote the welfare of the Institute. In attaining these ends, certain guiding principles of procedure are desirable, and this statement outlines these principles.

### *Obligations*

The Institute is prepared to defend freedom of speech, of teaching, and of research. Faculty members, in accepting appointments, undertake to uphold and promote the aims of the Institute. If they are on full-time appointments, their professional efforts should be directed primarily to teaching, research, and administrative work. As teachers, they should be effective in transmitting a knowledge of and interest in their disciplines and should keep abreast of current professional developments. Research should be of such caliber as to contribute to the advancement of their particular field. Faculty members should expect to carry their share of administrative and committee work. They should recognize that promotion will be based upon the extent to which these obligations are fulfilled, and that failure to meet these obligations may result in termination of appointment.

Faculty Members have special responsibilities as representatives of the Institute, especially when serving on Academic Tenure evaluation committees. These obligations include, but are not limited to, fairness and integrity, lack of bias or prejudice, respect for the opinions of others, support for academic freedom, and concern for the welfare and reputation of the Institute as a whole.

College or university teachers are citizens, members of learned professions, and officers of an educational institution. When they speak or write as citizens, they should be free from institutional censorship or discipline, but their special position in the community imposes special obligations. As men and women of learning and educational officers, they should remember that the public may judge their professions and institutions by their utterances. Hence, they should be accurate at all times, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate they are not institutional spokesmen.

### *Academic Tenure*

Academic freedom and economic security are vital to the success of the faculty of the California Institute of Technology in fulfilling its obligations to its students and to society.

A faculty member having “academic tenure” will have a continuous appointment that may be terminated only for adequate cause, or through voluntary retirement, or because of financial exigencies.

The Institute accepts in general the statement of principles on tenure as endorsed by the Association of American Colleges and the American Association of University Professors as described in the AAUP 1990 Edition, *Policy Documents and Reports*, pages 3-10. The following statement has been formulated to apply these basic principles and to provide a basis for mutual understanding when appointments are made to the faculty of the Institute. It should be noted that the Institute’s policy differs from that of the statement of principles referred to

above with respect to definition of appointments that may lead to tenure after an initial probationary period. Furthermore, the Institute's policy as stated herein may differ in important details from recommendations (subsequent to 1941) by the American Association of University Professors in regard to academic tenure.

### ***Statement on Tenure***

Approved by the Faculty Board on November 13, 1989

#### *Introduction*

This policy outlines the standards and procedures used by the Institute to decide on the granting of academic tenure. Some further elaboration is necessary to describe particular additional details of the procedures followed in individual Divisions, but all Divisions adhere to the principles laid out below.

#### *Purpose*

The purpose of academic tenure is to foster: (1) Freedom of teaching and research and of extramural activities, and (2) a sufficient degree of economic security to make the profession attractive to men and women of ability. The Institute's goal in making the tenure decision in each individual case is to secure for the Institute the best possible permanent faculty. To serve that goal, tenure decisions are based on the candidate's excellence in research, scholarship, and teaching. Excellence in the candidate's contributions to other Institute activities may also be taken into consideration. Characteristics unrelated to professional achievement, such as sex, race, color, age, national origin, disability, religion or sexual orientation are to be rigorously excluded.

#### *Standards*

The decision to grant academic tenure at Caltech should represent a confident judgment that the candidate will spend an entire professional lifetime of outstanding research and national leadership in significant areas of scholarly study, and will contribute substantially to the education of Caltech students. A decision not to grant tenure may be based on a judgment that this high standard is not met, or it may be a consequence of a decision not to emphasize further the candidate's field of study at Caltech, or it may be a consequence of financial exigency.

#### *Procedures*

The decision to award academic tenure must be made, and the candidate must be informed, no less than one year before the end of the tenure probationary period, normally seven years.

During the probationary period, the Division Chair (DC) is responsible for keeping the candidate informed as to whether satisfactory progress toward tenure is being made. Tenured members of the faculty of the Division are responsible for keeping the DC well informed of the candidate's progress, either informally, or through the mechanism of a committee assigned to the purpose.

Approximately two years before the end of the tenure probationary period of each candidate, the DC appoints an *ad hoc* tenure review committee comprised of tenured faculty members, not including the DC. (In place of an *ad hoc* committee, a standing committee for professional staffing may be used.) The committee should include members with sufficient expertise to evaluate the candidate's work, but it should also be representative of the broad scope of the Division.

The tenure review committee is responsible for conducting and documenting a rigorous inquiry leading to a judgment of whether the candidate has met the Institute's standards for tenure. To help accomplish this task, letters of reference are sought from experts outside of Caltech. These experts are persons able to give a balanced and knowledgeable view of the candidate's accomplishments and stature. Additional information may be sought from the candidate and from members of the Caltech community.

The written report and recommendation of the committee, together with the letters of reference and other relevant information, are presented to the tenured faculty of the Division or a substantial subset of that faculty, including the DC. At one or more meetings of this body the recommendation is debated and, after careful consideration, a vote is taken.

The DC presents the written documentation and the vote or consensus of the divisional faculty, together with the DC's own conclusion and recommendation, to the Institute Academic Council (the IACC, consisting of the President, Provost, and six DC's). This group considers the case in light of the standards and interests of the entire Institute, and votes upon it. The vote constitutes a recommendation to the Provost and President, who make the final decision.

### *Additional Tenure Matters*

The terms and conditions of every appointment to the faculty shall be stated in writing, and copies of the letter of appointment shall be in the possession of both the Institute and the appointee. The appointment becomes effective when the appointee signs and returns to the Provost an acceptance copy of the letter of appointment.

New full-time faculty appointments at ranks of Assistant Professor, Associate Professor, or Professor are normally considered to be probationary and therefore without academic tenure, although initial appointments at the rank of Professor may carry immediate academic tenure. The maximum length of the probationary period shall not exceed seven years except in the case of child-bearing leave as described below. No more than three years service in full-time teaching and research in other institutions of higher education in teaching faculty status (at the ranks already listed), shall be deducted from the seven-year maximum probationary period. For each new teaching faculty appointment, the proposed duration of the probationary period shall be stated in the initial letter of appointment. Because titles and ranks used at other universities may differ from those at Caltech, the equivalence for purposes of allowing deductions from the seven-year probationary period will be negotiated and agreed upon at the time of the appointment. A faculty member continued in service with professorial rank after the expiration of the probationary period for tenure shall have academic tenure.

Time served by a member of the Institute staff of instruction and research other than a Professor, Associate Professor, or Assistant Professor on full-time appointment will not be considered as part of the probationary period, unless otherwise specified in the letter of appointment. Tenure granted through appointments in one Division or one discipline of a Division of the Institute is not to be regarded as valid in all other Divisions or disciplines thereof. Formal transfers of affiliation will only be made through recommendations of the Division(s) involved and with approval of the Provost and President.

A professorial faculty member will automatically be granted an extension of the probationary period of one year for the birth or adoption of a child, up to a maximum of two years for two children, unless he or she elects to forego the extension in writing. A one-year extension is granted for birth or adoption of twins, and for birth or adoption in the one year prior to the start of an initial Caltech faculty appointment. The extension can be, but is not required to be, associated with a leave of absence related to the birth or adoption (please see Chapter 5 for matters related to child-bearing and child-care leave). In most cases, the one-year extension of the probationary period does not delay the reappointment review that is conducted during the first four years of a tenure-track appointment. The Division Chair must be informed of the birth or adoption in time to avoid interference with the tenure review process.

Appointments to professorial ranks may occasionally be made on a full- or part-time basis for a fixed term of years without tenure or expectation of gaining it. Such appointments are available to faculty members who have lost eligibility for the early-retirement program and under other circumstances in which a non-tenured professorial appointment is of extraordinary value to the Institute.

### *The Standards for Notice*

Notice to a faculty member of nonreappointment or of intention not to recommend reappointment to the Board of Trustees is to be given in writing in accordance with the following standards:

1. Not later than March 1 of the first academic year (the academic year at Caltech is regarded as beginning on September 15) of service, if the appointment expires at the end of that academic year, or, if a one-year appointment terminates during an academic year, at least three months in advance of its termination.
2. Not later than December 14 of the second academic year of service, if the appointment expires at the end of that year, or, if an initial two-year appointment terminates during an academic year, at least six months in advance of its termination.
3. At least twelve months before the expiration of an appointment after two or more years at the Institute.

In cases involving termination of a continuous professorial appointment or a term appointment of a faculty member or postdoctoral scholar prior to its expiration date, the faculty member shall receive notice of such termination at least one year in advance of its effective date (for faculty members who have been employed by the Institute for at least two years), unless such termination is for reasons of moral turpitude. For faculty members or postdoctoral scholars who have been employed by the Institute for between one and two years, the advance notice shall be six months, and for those employed less than one year the advance notice shall be three months.

***Salary and Residence of Faculty Members***

The Board of Trustees of the Institute on April 7, 1947, approved a faculty salary plan effective on July 1, 1947, by which full-time appointments are normally made on a twelve-month basis. Those who accept twelve-month appointments agree to recognize the year-round nature of the Institute activities and to carry forward during the summer months such research, study, preparation of course material, teaching, supervision of students, revamping of student laboratories, or administrative activities as may be appropriate or requested in each individual case. The stated salary of an individual is intended to cover all services to the Institute and will only be affected by devoting time to special contract or project work under unusual circumstances (see Chapter 7).

Professorial faculty members who wish to undertake study or research away from the Institute campus should apply for a leave of absence, which may be granted with or without salary as appropriate to carry on such study.