

III. EMPLOYMENT AND APPOINTMENTS OF RESEARCH SCIENTIFIC STAFF

A. POLICY

AURA is an equal opportunity/affirmative action employer. AURA seeks to create and maintain a diverse workforce which includes women, under-represented minorities, qualified veterans and individuals with handicaps in all position classifications. Scientific progress requires a good working environment, involving mutual respect among all participants. Every effort will be made to ensure that all committees and other groups noted in this section reflect the diversity of the astronomical community, including seeking outside advice and members as appropriate.

All members of the scientific staff are expected to be persons of scholarly ability with significant research accomplishments, a demonstrated commitment to leadership in community research, and a strong component of service to the Center. Scientific staff members will be evaluated on the quality of their published work, the range and variety of their scientific intellectual interests, their participation and leadership in community research, their scientific reputation in the national and international astronomical community, and their support of the Center mission.

The scope of activities of AURA makes it appropriate for members of the scientific staff to engage in professional activities outside the area of research and visitor support. These may include committee work, administrative tasks, special programs, and service to professional organizations.

Except as defined herein regarding terms and conditions of employment, this policy incorporates, by reference, the provisions of the Employment and Reassignment Policy regarding recruitment, hiring, work assignment, etc.

Each AURA Center will adopt such procedures and processes necessary to execute this policy.

B. APPOINTMENT CATEGORIES

Appointment categories as described below designate ranks of scientific staff that achieve the designation by virtue of satisfying the qualifications, conditions and approval process set forth below. Individual Centers, to the extent that they do not diminish the minimum requirements for the rank, may designate position titles with corresponding grades and ranges, within the rank. Final authority for all appointments rests with the President of AURA and the Board of Directors, but for cases other than tenure this authority is delegated to the Center Director (who may further delegate it to Associate Directors of sub-units)¹.

With the exception of special appointments clearly limited to a brief association with the Center and re-appointments of retired scientific staff members on special conditions, all full-time permanent scientific appointments are of three kinds:

- probationary tenure track appointments
- appointments with tenure
- term or no-term, with no tenure

Appointments as Research Associate or Post Doctorate Fellow are considered of finite term and temporary in nature.

The terms and conditions of every appointment to a Center scientific staff (to include reference to benefit entitlement) will be stated or confirmed in writing, a copy of the appointment document will be supplied to the scientific staff member, and a copy will be retained in the Center's Human Resources Office. Any subsequent extensions or modifications of an appointment, any special understandings, or any notices incumbent upon either party to provide, will be stated or confirmed in writing, a copy will be given to the scientific staff member, and a copy will be retained in the Center's Human Resources Office.

1. Probationary tenure track appointments

a. General Regulations:

- i) Probationary appointments may be for one, two or three years, subject to renewal. The total period of continuous, full-time service without tenure will not exceed eight years' total service in the tenure-track ranks of Assistant Astronomer, Associate Astronomer and Astronomer at whichever AURA-managed center tenure is sought. Under exceptional circumstance, this period may be extended by the Board of Directors on recommendation of the AURA committee, which is responsible for recommending tenure.
- ii) The scientific staff member will be advised by the Director at the meeting of his/her initial appointment of the standards and procedures employed in decisions affecting renewal and tenure. Any special standards adopted by the Center or its sub-units also will be brought to his/her attention. The scientific staff member will be advised of the time when decisions affecting renewal or tenure are ordinarily made, and will be encouraged to submit material which he/she believes will be helpful to an adequate consideration of the case.
- iii) Regardless of the stated term or other provisions of any appointments, written notice that a probationary appointment is not to be renewed will be given to the scientific staff member in advance of the expiration of his/her appointment, as follows:
 - if a one-year appointment, at least three months in advance of its termination;

- if a two-year appointment, at least six months in advance of its termination;
 - if more than a two-year appointment, at least twelve months before the expiration of the appointment.
- iv) Notification of non-renewal and reasons for non-renewal of an appointment will be given in writing to the staff member.
- v) If the scientific staff member alleges the recommendation against renewal by the appropriate scientific staff body was based on inadequate consideration, a review committee appointed by the Director to hear and investigate the scientific staff member's allegation will determine whether the decision was the result of adequate consideration in terms of the relevant standards of the Center. The review committee will not substitute its judgment on the merits for that of the scientific staff body. If the review committee believes adequate consideration was not given to the scientific staff member's qualifications, it will request reconsideration by the scientific staff body, indicating the respects in which it believes the consideration may have been inadequate. It will provide copies of its findings to the scientific staff member, the scientific staff body, and the Director or other appropriate administrative officer.

2. Appointment with Tenure:

- a. Appointments with tenure shall be made in the ranks of Associate Astronomer (or Physicist, hereafter understood), Full Astronomer, or Senior Astronomer (or other title reflecting a similar designation of advanced and distinguished level of scientific contribution). These appointments may be made following a probationary period as defined above under (1)(A)(1) at the rank of Assistant or Associate Astronomer. Initial appointments as Astronomer or Senior Astronomer normally carry tenure, except for appointments discussed in paragraph (3)(A)(1).
- b. Tenure appointments are specific to the AURA-managed Center at which employment is granted (i.e., the organizational entity not necessarily the physical location), but not with AURA or any of its member universities.
- c. When an AURA-managed Center is made up of clearly defined sub-units, such as individual observatories or well-defined programs, the Director can further restrict the location of tenure to the specific sub-unit in which the individual is employed. In addition, however, the transfer of a tenure appointment from one AURA-managed sub-unit to another may be carried out by the Director in consultation with the relevant Associate Directors and staff member concerned.

3. Appointment without Tenure:
 - a. Term Appointments (tenure track):
 - i) Full Astronomer appointments without tenure may be made for periods of up to two years and are renewable for a second two-year term in exceptional cases upon Board approval.
 - ii) Assistant and Associate Astronomers:
 - 1) Initial appointments of Assistant and Associate Astronomers may be made for terms of one, two, or three years.
 - 2) Appointments of Astronomers and Visiting Scientists at this rank may be made for a period of up to two years by Center Directors without specific Board approval.
 - 3) Normally, an individual shall serve for no more than a total of eight years on term appointments with Assistant and/or Associate Astronomer titles. All members of the scientific staff on the tenure track must be reviewed for tenure no later than their seventh year of appointment in accordance with AURA policy.
 - 4) Assistant or Associate Astronomers with three-year appointments will receive written notice of reappointment or non-reappointment at least 12 months before the end of the term. If such notice is not given, a one- year extension shall be automatic. Re-appointments at these levels for terms of less than three years normally are to be considered terminal appointments; however, such appointments do not preclude the requirement for notice of non-renewal.
 - 5) Assistant and Associate Astronomers normally will be eligible for consideration for tenure after a minimum of three years of service. Exceptional cases may be considered earlier. Such consideration will be carried out pursuant to the procedures and policies herein.

b. Term Appointments (Scientist Track)

i) Senior Scientist:

Appointments to the rank of Senior Scientist may be made by the Center Director for scientists uniquely qualified by contributions of equivalent intellectual stature to those expected for tenure, differing in that the focus of these contributions is in outstanding technical support of the Center's program and not in outstanding independent scientific research. Appointments to this rank shall be for no set term. Appointments and terminations to this rank will be made with the approval of the Center's Oversight Committee (e.g., STIC, OC). These scientists neither compete nor qualify for tenure.

ii) Observatory Scientist:

Appointments to the rank of Observatory Scientists may be made by the Center Director for scientists who have made substantial, widely recognized scientific contributions to the Center and/or its missions comparable to those expected for tenured staff, but differing in that the focus of these contributions is in outstanding scientific and technical support of the Center's program and not in outstanding independent scientific research. Appointments to this rank shall be for no set term. Appointments to this rank will be made with the acknowledgement of the Center's Oversight Committee (e.g., STIC, OC). Notice of pending dismissal, at the Director's discretion, will be given one (1) year in advance of termination. These scientists neither compete nor qualify for tenure.

iii) Scientist:

Appointments to the rank of Scientist may be made by the Center Director for scientists uniquely qualified to develop instruments and software, and to interface between the user community and the engineering and Center support staff or to develop programs and provide expert support for education and public outreach activity. Appointment to this rank will be for a term of three (3) years, renewable at the discretion of the Center Director. Notice of pending dismissal at the Director's discretion will be given one (1) year in advance of termination. These scientists neither compete nor qualify for tenure.

iv) Assistant Scientist and Associate Scientist.

Appointments of Assistant Scientist and Associate Scientist are normally made for terms of one, two, or three years and may be renewed. Initial appointments and renewals are at the discretion of the Center Director. Decisions to renew beyond a fourth term or a total of ten years combined within these two ranks (whichever is less) must be approved by the Board of Directors. These scientists neither compete nor qualify for tenure.

v) Research Associates and Post Doctorate Fellows (non-tenure track):

Appointments of Research Associates and Post Doctorate Fellows are normally terms of one, two or three years, and may be renewed annually, in exceptional cases, to a maximum of five years of service in this rank.

At the option of the Center Director, terms of appointment may have an anniversary date on the actual date of initial appointment or on September 1 regardless of the date of initial appointment. If the Center Director chooses to use September 1 as the anniversary date, staff appointed between September 1 and March 1 of a given academic year will have initial appointments of one, two or three years minus the number of days beyond September 1 that they were hired; staff appointed between March 1 and September 1 of a given academic year will have initial appointments of one, two, or three years plus the number of days prior to September 1 that they were hired.

c. No-Term Appointments:

EFFECTIVE OCTOBER 6, 1992, THIS SECTION IS RESCINDED AS TO NEW NO-TERM APPOINTMENTS. THIS SECTION REMAINS IN EFFECT FOR EXISTING NO-TERM APPOINTEES PRIOR TO THIS DATE.

No-term scientific appointments may be made by the Director to scientists uniquely qualified to provide assistance to visitors and other members of the scientific staff and to interface between visiting scientists and the complexities of current astronomical instrumentation. These scientists neither compete nor qualify for tenure. Their appointments and termination are at the discretion of the Director, or the Associate Director if the Director has delegated such authority, but notice of pending dismissal should be given as stated in Section (1)(a)(iii).

4. Distinguished Research Scholar:

The AURA-managed Centers were created, in part, to provide research opportunities to a wide sector of the astronomical community and to play a leadership role in the advancement of astronomy. Outstanding scientists are required in the planning and development of the kinds of facilities the Centers must have in order to achieve their missions. It is therefore vital to the Centers to have the services of individuals widely recognized for their scientific achievements. Experience has shown that users of the Centers profit from contacts with prominent scientists at the Center and that this goes hand in hand with the formulation of meritorious research efforts.

In keeping with these goals, the AURA Board of Directors has approved the creation of the position of Distinguished Research Scholar on the staff of any Center. The rank is equivalent to that of Distinguished University Professor at many universities. The rank and position has been created so that when a senior person of outstanding scientific ability is available, a very special appointment can be made, usually for a limited period of time, generally five (5) years. Selection and/or appointment to the position of Distinguished Research Scholar is by the full AURA Board of Directors.

5. Non-Resident Scientific Staff:

Such appointments are made to scientists from other institutions for specified periods. They are appointed to interact with the resident scientific staff and visiting scientists' in particular areas of expertise.

They may be paid directly by the Center as members of the temporary staff, as consultants, or indirectly through Center reimbursement to their home institution. These and other details concerning benefits and relocation expenses will be covered in the instrument of appointment.

6. Guest Investigators, General Observers, and Archival Researchers:

These are professional scientists or graduate students who use AURA-managed Center telescopes and/or other facilities to pursue their research objectives. Generally, such investigators have qualified to use such facilities by following procedures set forth in the Center's Facilities Manual or appropriate Announcement of Opportunity.

7. Emeritus Status Appointment

The Center Director may appoint retired scientific staff to emeritus status with the title of Emeritus Astronomer. An application for emeritus status shall be reviewed by the tenured scientific staff of the Center or, in the case of NOAO, by the tenured scientific staff of the division within which the appointment was held prior to retirement. The individual's anticipated future contribution to astronomy will be considered. The recommendation of the tenured staff and, in the case of NOAO, of the divisional director,

shall be forwarded to the Center Director, who will determine whether or not emeritus status is to be granted. Non-appointment may be appealed by following the process described in paragraph (1)(A)(5).

The appointment to emeritus status shall be permanent.

At NOAO, emeritus status is held in one of the scientific divisions, and emeritus staff will have the opportunity of transferring status and privileges to a different NOAO site with the approval of the NOAO Director and consent of the division directors at both sites.

a. Privileges

- i. The review process described above will also be used for granting emeritus privileges. Such privileges shall be for an initial period of three years, and are renewable by the Center Director annually thereafter. Suspension of privileges requires AURA approval. Privileges will be contingent on Center priorities, availability of funds to support the scientist and satisfaction of contractual requirements.
- ii. The privileges associated with emeritus status will be extended to emeritus staff on the same basis as salaried staff. These privileges are as follows:
 - the opportunity to apply for observing time, with observing expenses paid by the division within which emeritus status is held.
 - the ability to apply for grants or contracts from other than the primary funding agency. Any such grant or contract to the emeritus astronomer must recover overhead expenses for the Center, if appropriate.
 - the opportunities to apply for reimbursement of travel expenses. Reimbursements, however, shall be made from the emeritus staff member's grant or contract, if possible.
 - the payment by the Center of page charges and, as customary and appropriate, reprints.
 - access to libraries, computers, measuring equipment, photographic services, and secretarial help.
 - retention of building keys, parking permits, and university staff privileges.
 - office space as may be allocated by the Center Director.

b. Reporting

The Center Director shall report the privilege status and research activity of each Emeritus Astronomer annually to the Board of Directors.

C. Delay of Tenure/Science Clock Procedures

The provisions contained in Section VI, of the AURA Tenure Policy with respect to delay of clock procedures, are incorporated by reference herein, in total, and apply to term scientific appointments in the Associate and Assistant Scientist designations as well as tenure-track astronomer appointments.