

Guide to appointment of permanent academic staff at the Faculty of Law

4 APRIL 2011

A. Introduction

1. This guide will go through important parts of the rules and general practice in connection with appointment of permanent academic staff. The guide is meant to inform applicants and members of the assessment committee. It does not aim to be an exhaustive commentary to existing rules or practice.
2. The guide concerns positions included in the job structure for permanent academic staff, including ordinary assistant professorships, associate professorships and professorships.
3. The description of rules and practice is not a codification to bind the committee and employment authorities other than by the results of general requirements to an equal and professional processing. As it is, concrete professional evaluations must be made, not just references to the mentioned rules or practice.

B. The rules

1. The job structure appears from circular no. 9427 of June 13 2007 on job structure for academic staff at universities (the Circular concerning the Job Structure) and 2007 Note on job structure for academic staff at universities (the Job Structure Note).
2. The processing of employment cases is regulated by executive order no. 170 of March 17 2005 on employment of academic staff at universities and the University of Copenhagen guide of August 1999 on preparation of evaluation in connection with employment of teachers and academic staff at the University of Copenhagen (the employment guide).
3. The assessment committee estimates whether the applicants possess the necessary qualifications within research, education and communication etc. stated in the job structure, and meet the aca-

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demographic criteria stated in the advertisement, cf. section 5 of the Appointment Order.

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4. The assessment committee makes a non-prioritised, substantiated and written assessment of the applicant's academic qualifications for the Dean, cf. section 5, subsection 2 of the Appointment Order. Differences of opinion between the members of the committee must appear from the assessment, cf. section 5, subsection 3.

C. The basis of the assessment committee

1. The advertisement sets the guidelines for the concrete evaluation case. First of all, this applies to the specification of the research field.
2. The starting point for the evaluation is the job category. In the existing rules there are general descriptions of the employment requirements and the tasks (research, education, communication and administration).
3. The committee's evaluations should contain the following:
A short introduction,
 - 1) in which the advertisement is reviewed,
 - 2) the committee is introduced,
 - 3) the number of applicants is mentioned (but without identifying information) and
 - 4) deadlines for the committee's work are mentioned.Afterwards, for every applicant and on independent pages (on grounds of the hearing):
 - 1) Name
 - 2) Academic degrees, locations, years.
 - 3) Present and former employer.
 - 4) Evaluation of the applicant's research qualifications.
 - 5) Evaluation of the applicant's qualifications as to handling of training activities.
 - 6) Evaluation of the applicant's qualifications in relation to communication.
 - 7) Other qualifications.
 - 8) The conclusion of the assessment committee (qualified/not qualified).

In the University of Copenhagen guide of August 1999 it is stated: "The committee's statement on whether an applicant is qualified must be unambiguous and unconditional. The qualification evaluation cannot be graded, however, expressions like "not yet qualified" or "not qualified on the existing grounds" are accepted.

D. Qualifications regarding research

1. The assessment committee must decisively emphasise the applicant's qualifications regarding research.
 - a) On appointment as assistant professor research qualifications as PhD or similar research qualifications are a prerequisite cf. the Job Structure Note item 1.1
The requirements for a PhD dissertation are: "that it is documented that

[the person concerned] ... is capable of undertaking an academic project by independently using the subject's academic methods and thereby has contributed to promoting research to a level corresponding to international standards for PhD degrees within the research field" cf. section 2 of the PhD executive order.

As it is recruitment positions the general academic qualifications of the person concerned are heavily weighted, whereas it is not necessarily crucial, whether the person concerned has achieved academic qualifications within the specific research area on which the appointment is based at the time of appointment.

The academic qualifications must be assessed starting from the research a PhD is reasonably able to carry out within a period of three years. Importance may therefore be ascribed to whether the concerned applicant has used more than three years obtaining the necessary qualifications.

- b) On appointment as associate professor it is crucial that the person concerned has achieved "academic qualifications on the level, which can be obtained on the grounds of a satisfactorily completed appointment period as assistant professor/researcher/postdoc, but also in another way", cf. the Job Structure Note item 3.1. Read more below under no. 3 on contents.

During evaluation it is considered that the period before an associate professorship must also be used for acquisition of skills within education and communication as well as other qualifications (for further information on contents see H below).

As to the research of the person concerned the Faculty will emphasise considerable innovation within the research field.

During evaluation it is crucial that the applicant has research qualifications on the level of an associate professor. The research qualifications should be assessed on the basis of the research, which an assistant professor/researcher/postdoc is reasonably able to carry out within a period of three years. Importance therefore be ascribed to whether the concerned applicant has used more than three years obtaining the necessary qualifications.

- c) On appointment as professor it is crucial that the person concerned can document "a high level of academic production at an international level. It must be documented, that the applicant has developed the subject area." cf. the Job Structure Note item 4.1.

A concrete evaluation must always be made, and production of a certain kind or size cannot be demanded, e.g. a certain amount of monographs or articles.

During evaluation it must be emphasised whether the concerned applicant has documented an ability to work up new legal problem fields in connection with the work presented, make thorough analyses of a complex legal material and affect the boundaries and assumptions so far of the subject area.

As an all-important principal rule a PhD degree cannot constitute a sufficient basis, but on the basis of a thorough evaluation a PhD thesis may be a crucial part of an academic production on an international level.

In practice, a PhD thesis is often supplemented with monographs and/or a series of in-depth articles in relevant academic journals. Furthermore, an assessment of the applicant's ability to handle research management and any other management functions e.g. academic management functions and management tasks in relation to the university's external co-operation must be emphasised.

2. The evaluation of the research qualifications are conducted with a view to the advertisement specification of the research field. Publications etc. within other research fields – legal or adjoining subject areas – can be ascribed importance during evaluation.
3. As a result of internationalisation, Europeanization and globalisation of the legal system the Faculty aims at a high international level and an internationalisation of the research where this may be relevant. During evaluation importance must be independently ascribed to whether the research effort of the concerned applicant has relevant international dimensions.
The international element of the research may e.g. be in the nature of publishing via recognized international journals or anthologies, membership of relevant international research networks. Importance may also be ascribed to longer stays at foreign research institutions, participation and presentation of papers at international conferences and membership of editorial boards for international journals.
4. When evaluating the level of research it is reviewed whether any cultivation of new areas has been undertaken, uncovering of previous non-processed problems, clarity of the problem formulation, the development of terminology, the depth of the analysis, thoroughness, the subject size (narrow or wide), the material size (the applicant's ability to deal with a large and complicated material, content size and ability to analyse independently. Pure descriptive work is not sufficient to qualify, but together with other work showing analytical skills, importance is ascribed. Purely descriptive works cannot result in credits in terms of research qualifications, but can be weighted when assessing the educational and communicative skills. Purely descriptive works are works, which have a purely descriptive character without independent analyses and reflections.
5. Joint work is ascribed the same importance as individual work, provided that a satisfactory statement from the co-writer on the division of labour is produced.
In cases where the division of labour has been arranged in such a way that it is not possible to credit the individual writer on defined parts of the work, the work may be ascribed importance as individual work respecting the shared work load – and with that the academic source.
It may be of special value that joint work is a result of a research co-operation e.g. where it has provided the work with an interdisciplinary dimension.
6. The assessment of the research qualifications should be based on the publications, etc., the applicant may present. However, where

appropriate, other academic activities of immediate relevance to the subject area in which the position is advertised, may be important. This is particularly true for academic activities with a certain research character such as active participation in international expert groups.

7. If it is obvious that a person does not meet one or more of the requirements, the assessment committee can note this in a summary; cf. the employment guide item 3 re 6. However, it must be substantiated to such an extent that the employing authority can assess, whether the evaluation can be used with justice as basis for the decision of appointment.
8. From the standard advertisement it appears that the committee can involve other publications than the ones selected and sent in by the applicant.
The assessment committee may refer to citation indexes like e.g. the Social Science Citation Index, but crucial importance cannot be ascribed to these.

E. Qualifications regarding Training Programmes

1. The assessment committee must emphasise the applicant's qualifications regarding teaching and other training programmes.
According to the rules, the qualifications regarding research and training programmes must be given equal status. This means, that the assessment committee must account for both set of qualifications. A sufficiently high level in both areas is important. Considerable weaknesses in one area cannot be remedied by strength in another.
Qualifications regarding training programmes may include lectern training, (lectures, coaching), student counselling, preparation of textbooks and other printed or electronic training material, preparation of curriculum, course administration etc., participation in exam work including preparation of exam assignments, oral examinations, evaluation of written assignments etc.
It is important to establish whether – and if so, how – the training of the person concerned has been significantly evaluated, and whether the person concerned has developed new training programmes etc. or has taken other initiatives. See also the Faculty's guide for applicants regarding information on educational qualifications.
 - a) On appointment as assistant professor no special qualifications are needed regarding experience with teaching or organisation of training programmes. Special teaching qualifications are not assumed acquired during a PhD, but during an associate professorship.
 - b) Appointment as associate professor requires "that applicants have received supervision and educational upgrading and have received a positive written estimation of their educational qualifications", cf. the Job Structure Note item 3.1. The rules open up the possibility of trial appointment for up to 1.5 years in preparation for obtaining the necessary educational qualifications. The assessment committee can recom-

mend that this possibility is used, when the necessary educational qualifications are not present.

- c) On appointment as professor no further specific educational qualifications are needed as opposed to appointment as associate professor. However, with reference to the Job Structure Note item 4.1 the professorship is a position, in which one of the main projects is "research based training (with appertaining examination duties)." Therefore, the requirements to a professor's training qualifications cannot be lesser than for an associate professor. It must appear from the evaluation that this condition has been met.

2. The applicant is expected to account for his qualifications in relation to handling of training programmes in the application and to enclose the necessary relevant documentation, in order for the assessment committee to make an estimation from this. It is not sufficient that the applicant refers to some teaching experience without documentation with this being an expression of acquisition of qualifications for handling of training programmes.

F. Qualifications regarding communication

1. The assessment committee must emphasise the applicant's communication qualifications.
According to the rules "duty of publication/academic communication" is considered part of the main project "research", cf. the Job Structure Note item 2.1.A. concerning assistant professorships, item 3.1.A. concerning associate professorships and item 4.1 concerning professorships.
 - a) On appointment as assistant professor no special qualifications regarding communication are needed other than what is required as part of the research (publication/academic communication). However, item 2.1.A of the Job Structure Note states, that the position may "contain knowledge exchange with society". Documented qualifications regarding this kind of communication can therefore be ascribed importance.
 - b) On appointment as associate professor or professor qualifications regarding "transfer of knowledge technology" are required according to the Job Structure Note items 3.1 and 4.1. In agreement with the Job Structure Note items 3.1.A. and 4.1 the Faculty's associate professorships and professorships also include "knowledge exchange with society – including participation in the public debate" besides research and education. An applicant for a position as associate professor or professor must therefore partly document the communication required as part of the research (publication/academic communication) and partly account for his qualifications regarding knowledge exchange with society.
2. Dissemination of research results to a wider public and participation in the public debate is an essential aspect of knowledge exchange with society and should be ascribed independent importance.

3. During evaluation of the qualifications the applicants' use of the communication possibilities must be emphasised, both publication/academic communication and knowledge exchange with the surrounding society. Therefore, it is crucial that the applicant can document that the possibilities of communication are used. It must be taken into account that the possibilities for knowledge exchange with society in particular may vary from research field to research field and change over time.
4. The applicant is expected to give an account of his communicative qualifications in the application and where necessary enclose relevant documentation, in order for the assessment committee to evaluate these. It is not sufficient for the applicant to express knowledge of communication.

G. Other qualifications

1. On appointment of associate professors and professors "other qualification requirements" can be made. cf. The Job Structure Note items 3.1 and 4.1.

During evaluation of the applicants the assessment authority can therefore include other qualifications than the ones mentioned above. Therefore, the applicant should account for the conditions stated below:

- a) Experience with applying for and obtaining external funding for research, education and/or communication.
- b) Management experience including experience with research management.
- c) Experience with entering into co-operation agreements with external parties
- d) Active participation in international research networks.
- e) Study visit abroad as visiting teacher or visiting researcher.
- f) Visions and drawn up plans for the future of the research field as to research, education and communication including external funding and co-operation with external parties.
- g) Work as editor for academic journals, year books, etc. and as organiser of academic conferences, seminars etc.
- h) Participation in expert assessment committees.
- i) Experience with research and study administration.
- j) Academically relevant work outside the university. E.g. it is important if an applicant for Procedural Law has been a judge. Generally, written work, e.g. working as a secretary of an expert committee cannot be included in the evaluation of the research qualifications, but it may be important as another qualification.

Therefore, it is a usual part of the assessment committee's recommendation to outline the applicants' career.

Work experience as such does not constitute as an independent qualification in itself, but can be considered, cf. the above.

2. The basis of University of Copenhagen's language policy is the principle of the use of parallel language.

H. The procedure following the assessment

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1. After the assessment committee's evaluation, the Dean's legality control and hearing of the applicants, the appointment authority (the Dean) decides upon appointment if an applicant of the assessment committee has been found qualified.
As a part of the Dean's processing of the case an interview with the qualified person(s) is arranged. The Dean participates in the interview; furthermore, the Head of Studies, the assessment committee's chairman, a management representative from the research environment in question, and a student representative are invited. The applicant may bring his academic representative or another assessor.
2. In connection with the application an overall evaluation is made. The Dean can decide not to occupy the advertised position. Within 6 months, the Dean can occupy the position with another applicant, if the position should become vacant within this period.

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and the Academic Council 29 March 2011.*

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