

RECOMMENDATIONS ON PARTNER ACCOMMODATION AND DUAL-CAREER APPOINTMENTS

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The report that follows was prepared by a subcommittee of the Committee on Women in the Academic Profession and approved for publication by the parent committee.

I. Introduction

In 1971, the AAUP issued a statement on *Faculty Appointment and Family Relationship* to address the problem of nepotism rules at many institutions that prevented immediate family members from serving in the same department or school. The statement, prepared by Committee W on the Status of Women in the Academic Profession (now the Committee on Women in the Academic Profession), called for the elimination of those rules because they were “wholly unrelated to academic qualifications” and limited opportunities for qualified candidates “on the basis of an inappropriate criterion.”¹ The committee took issue with nepotism rules because of their disparate impact on women entering the profession, who found their path to full-time positions barred by institutional policies based on outdated assumptions regarding faculty couples. In the decades since that statement was issued, the demographics of the academic profession have changed markedly. What might have been a rare occurrence in the 1970s, an academic couple seeking appointments in the same university, or even in the same department, has become much more common. Research has shown that faculty members are increasingly likely to have academic partners, particularly in the case of women academics.² In addition, the recognition of domestic partnerships, civil unions, and, in some

states, gay marriage has broadened the definition of the couple beyond the traditional notion of the 1970s.

As a result of this increase in the number of women seeking academic employment, hiring practices have changed markedly, while studies since the 1990s have noted expanding concern over the issue of accommodating the partners of those under consideration for faculty appointments.³ As a University of Oregon report on dual careers states, “increasingly, university professionals are part of dual-career couples, and this phenomenon has emerged as a critical recruitment and retention issue in higher education,” particularly for research universities.⁴ Research universities have appointed women as faculty members at significantly lower rates than have other sectors of higher education and may view dual-career accommodation as a key strategy to increase diversity or retain qualified women faculty. Research suggests that faculty members may choose a position based on the availability of assistance for an academic partner or leave a position out of dissatisfaction at the lack of such accommodation. As suggested by a report from the Clayman Institute for Gender Research, which studied faculty appointments at thirteen research universities, “couples more and more vote with their feet, leaving or not considering universities

1. *Faculty Appointment and Family Relationship*, in AAUP, *Policy Documents and Reports*, 10th ed. (Washington, DC, 2006), 227.

2. See, for example, Londa Schiebinger, Andrea Davies Henderson, and Shannon K. Gilmartin, *Dual-Career Academic Couples: What Universities Need to Know* (Michelle R. Clayman Institute for Gender Research, Stanford University, 2008), 4; and Lisa Wolf-Wendel et al., “Dual-Career Couples: Keeping Them Together,” *Journal of Higher Education* 71, no. 3 (2000): 291–321.

3. See, for example, the report of the American Historical Association’s Committee on Women Historians in the *AHA Perspectives* for May 1998. The committee noted that “departments are engaging in heated debates over this issue; they are improvising and regularly express the need for guidance from the AHA” about partner-accommodation policies. The best introduction to this issue is Lisa Wolf-Wendel et al., *The Two-Body Problem: Dual-Career Couple Hiring Practices in Higher Education* (Baltimore: Johns Hopkins University Press, 2003).

4. University of Oregon, “Dual Career Guidelines,” <http://appointments.uoregon.edu/dualcareer.htm>.

that do not support them.”⁵ In addition, partner accommodation may be particularly important in “attracting more women to underrepresented fields.”⁶ As a result, many colleges and universities are wrestling with the issue of whether to provide partner accommodation and, if so, how.

The AAUP has a long-standing interest in this issue based on its concern for faculty governance, gender equity, and work-family balance. Policies on partner accommodation touch on issues raised in the 2001 *Statement of Principles on Family Responsibilities and Academic Work* regarding healthy work-family integration and the special challenges raised by academic culture.⁷ The provision of support for partners has a direct impact on the ability of dual-career academic couples to integrate successful careers with family responsibilities.⁸ Thus, assistance for academic partners can be an important part of any initiatives addressing the balance between work and life. In the absence of such accommodations, academic couples may find themselves faced with long-distance relationships or the subordination of one career to that of the partner who succeeds in securing a position. Evidence, such as the high proportion of women in part-time and contingent positions and the relative lack of women in tenure-track positions in research universities, suggests that the absence of such arrangements may be having an adverse impact on the careers of academic women.

The development of sound partner-accommodation policies can benefit significantly from attention to AAUP faculty governance policies, especially those pertaining to faculty appointments. According to the Association’s *Statement on Government of Colleges and Universities*, “Faculty status and related matters are primarily a faculty responsibility,” including appointments and reappointments.⁹ Because procedures

permitting dual-career appointments may circumvent usual university practices, issues related to faculty responsibility for personnel decisions become paramount. Care should therefore be taken to consult adequately with appropriate faculty bodies. Respect for faculty governance, however, must be balanced against the competing demands of gender equity and work-family balance, which require sensitivity to the needs of dual-career couples. Creating a reasonable compromise between the demands of academic work and family responsibilities can be complicated if one member of a couple either has limited employment options or must seek a job at a distance. These recommendations, therefore, are designed to assist colleges and universities in understanding the complex issues raised by dual-career academic appointments and in developing equitable policies responsive to changes in academic demographics.

Any institution considering the development of partner-accommodation policies must also consider the potential impact of these policies on collective bargaining agreements. Collective bargaining agreements may, for example, mandate specific search procedures or set strict policies for adding department lines that would limit the options for dual-career appointments. In addition, some institutions may find extensive partner accommodation, especially arrangements involving positions for partners of new appointees, to be difficult given their size, geographic location, or institutional type. A large research university, for example, may have greater ability to find positions for partners than a smaller institution with fewer potential faculty positions or fewer departments and programs.

II. Types of Partner Accommodation

Many institutions already offer dual-career couples varying types of assistance, including:

- *Membership in a Higher Education Recruitment Consortium (HERC) or other network:* HERCs are formal organizations of area colleges already established in some regions and states, such as Southern California, New England, Missouri, and New Jersey.¹⁰ HERCs

5. Schiebinger, Henderson, and Gilmartin, *Dual-Career Academic Couples*, 2.

6. *Ibid.*, 74.

7. *Statement of Principles on Family Responsibilities and Academic Work* (2001), in AAUP, *Policy Documents and Reports*, 10th ed. (Washington, DC, 2006), 3–11.

8. For results of one study suggesting this, see Elizabeth M. O’Laughlin and Lisa G. Bischoff, “Balancing Parenthood and Academia: Work/Family Stress as Influenced by Gender and Tenure Status,” *Journal of Family Issues* 26, no. 1 (2005): 101–2.

9. *Statement on Government of Colleges and Universities* (1966), in AAUP, *Policy Documents and Reports*, 10th ed. (Washington, DC, 2006), 135–44.

10. For information on HERC New Jersey, for example, see <http://www.njepadeherc.org/home>; for the New England HERC, see <http://www.newenglandherc.org/home>. The national HERC site can be found at <http://www.hercjobs.org/home>. HERC websites also have links to additional resources and research material on dual-career issues.

provide a variety of services for listing and sharing open positions that can be invaluable in assisting academic partners. HERC membership costs vary by the size of the institution, making this option, where available, particularly useful for smaller institutions without the resources to establish partner-accommodation programs. Institutions may also establish less formal networks for sharing information about openings at nearby colleges and universities or in local businesses and nonprofit organizations. Such arrangements represent the least controversial option for offering accommodation to academic partners and may be particularly useful for those colleges and universities that are unable to offer extensive assistance because of limited resources. In some regions, however, the lack of urban concentrations or the absence of nearby universities may make these options less workable.

- *Assistance for relocating partners:* Human resource offices or specialized partner-assistance offices can also provide help with résumés and interview preparation. In addition, they can offer relocating partners other assistance, such as identifying child-care facilities or potential housing. Such help can ease the transition to a new region.
- *Bridging Positions:* Some institutions offer the possibility of a “bridging” position or a temporary fellowship to allow the institution time to identify a full-time line or to provide short-term support while a partner searches for a position.¹¹ Bridging positions can be particularly useful for academic partners because of the timetable of faculty searches. Such positions should be clearly described as temporary so as not to raise expectations about the provision of permanent employment.
- *Provision of a permanent position for a faculty partner:* An institutional offer of a new tenure-track (or equivalent position) line for a partner has been called the “holy grail of dual-career accommodation.”¹² In other cases, an

institution may offer full- or part-time contingent positions to the partners of newly appointed faculty. At least one study has shown that faculty members with positions at the same institution may experience greater satisfaction and find it easier to balance work and family responsibilities, making this option attractive from the candidate’s perspective.¹³ Such positions, however, while providing the most direct assistance for dual-career couples, can also present problems for both the institution and the newly appointed faculty member. Of particular concern is any policy that would increase the number of contingent faculty for the sake of partner accommodation or that would limit the benefits or the opportunities for promotion for those partners appointed under such arrangements.

- *Assistance to graduate students:* When the partner is completing graduate studies, an institution can provide teaching opportunities, library privileges, or other assistance toward completing the degree. This is temporary assistance, however, and may not satisfy the long-term needs of a dual-career couple.
- *Shared positions:* In this type of arrangement, partners share a tenure-track position with defined responsibilities for teaching, research, and service. The shared position may be 100 percent or more of a full-time position with, for example, each partner appointed at 50 percent of a full-time position, or it may be an arrangement in which one partner is appointed at 60 percent and the other at 50 percent for a slightly more than full-time position. This form of accommodation, however, is usually limited in its applicability to faculty members in the same or closely related disciplines and to those who do not require two full-time salaries. Because the tendency among academics to form couples based on similar or related areas of specialization appears to be on the rise, shared positions may become even more desirable in the near future.

11. See, for example, the Partner Opportunities Program begun at UC Davis in the mid-1990s (<http://popprogram.ucdavis.edu>), and the Faculty Fellowship Program at the University of Oregon (<http://appointments.uoregon.edu/dualcareer.htm>).

12. Wolf-Wendel et al., *Two-Body Problem*, 103.

13. Robin Wilson, “Academic Couples Said to Be Happier Working at Same University,” *Chronicle of Higher Education*, August 2, 2002, A12; the study conducted by Cornell University’s Careers Institute was titled “Intimate Academics: Co-working Couples in Two American Universities.”

Both shared positions and dual-career appointments can present problems. The most important considerations when devising shared-position arrangements involve treating the faculty members as individuals who are equally eligible for benefits and for tenure and promotion opportunities. With respect to shared tenure-track positions, institutions must carefully define responsibilities and standards for evaluation so that individuals are not treated differently from other faculty because they are in a less than full-time position. Potential problems with shared positions must also be considered carefully, including the possibilities of a split tenure decision denying tenure to one partner while granting it to the other, of the departure of one member of the couple to assume a position at a different institution, or of the couple's separation or divorce. Clearly, different accommodation policies offer potential benefits but also present potential problems. We recognize that careful study and due consideration are required to develop policies regarding shared positions and dual-career appointments. Most institutions, however, could provide partner accommodation through assistance with the job search or access to university resources for graduate study, both of which involve fewer resources and less potential controversy.

III. Developing Policies for Dual-Career Appointments

The offer of a tenure-track position to the partner of a job candidate is often the most satisfactory solution from the candidate's point of view. Such positions may also present benefits to the institution. Some universities have identified dual-career accommodation as an opportunity to enhance their programs. According to Professor Joan Girgus, special assistant to the dean of faculty at Princeton University, her institution "recruits families, not individuals," giving the accommodation of faculty couples a central place in the university's faculty recruitment program.¹⁴ The web page for the University of Northern Arizona's Partner Assistance Program notes that "implementation of a dual-career program is crucial to successful recruitment and retention of employees."¹⁵ Institutions have also argued that such policies

14. Joan Girgus, presentation at Stanford University Conference on Dual-Career Academic Couples: Strategies and Opportunities, Clayman Institute for Gender Research, June 16, 2006.

15. University of Northern Arizona, "Partner Assistance Program," <http://hr.nau.edu/node/2277>.

are important to ensure competitiveness in hiring the best talent or to ensure gender and ethnic diversity. The Harvard Task Forces on Women, for example, recommended establishment of a "Dual-Career Program" as one way to increase progress toward gender equity and diversity.¹⁶ A 2008 report by the University Committee on Women Faculty and Students at the University of Notre Dame noted that exit interviews with female faculty members leaving the institution often cited "spousal hiring issues" as important in their decisions.¹⁷ In the sciences, where gender equity has been particularly difficult to achieve, partner appointments may prove a useful tool.¹⁸

Such offers, however, need to be made carefully, since the method of proceeding with a dual-career appointment is crucial to its success, and the time frame for such offers is often limited. Universities will thus benefit from carefully considered policies that can serve as applicable guidelines for dual-career faculty appointments, rather than ones that attempt to make arrangements on a case-by-case basis. Also, institutions with collective bargaining agreements will have to reconcile any procedures with contractual language on searches or modify those agreements.

Partner-accommodation policies that involve additional faculty lines or replacement of existing contingent positions may present other difficulties that must be anticipated. Most commonly cited are problems within departments that are pressured to accept the appointment of a faculty partner. Individuals appointed under such difficult circumstance may feel marginalized by their new departments or face difficulties achieving tenure or promotion because of lingering resentment over the initial appointment procedures. This problem can be exacerbated if the position takes funding away from other departmental priorities or if the partner appointment replaces a long-serving contingent faculty

16. "Harvard Task Forces on Women Release Findings and Recommendations," *Harvard Gazette*, May 16, 2005, <http://news.harvard.edu/gazette/story/2005/05>.

17. University Committee on Women Faculty and Students, University of Notre Dame, "Enhancing the Recruitment and Retention of Female Faculty: A Comprehensive Report," Spring 2008.

18. For a discussion of this issue in one science field where gender equity is a problem, see Marc Sher, "Dual-Career Couples—Problem or Opportunity?," *CSWP Gazette: The Newsletter of the Committee on the Status of Women in Physics of the American Physical Society*, Fall 2006, 1.

member. A proposal from the ADVANCE (Increasing the Participation and Advancement of Women in Academic Science and Engineering Careers) Working Group of the Earth Institute at Columbia University points out that “attempts to accommodate partners can be futile if the partner does not feel wanted by the institution.”¹⁹

Additional problems may arise when the partner appointed is referred to as a “trailing spouse” or in other ways as a less-qualified adjunct to a faculty “star.” Much of the resistance to partner accommodation is based on a perceived threat to the “quality” of faculty appointments.²⁰ When the accommodated partner is a woman, the circumstances of appointment can exacerbate potential gender bias. The best safeguard against a proliferation of complaints regarding partner-accommodation arrangements is the observance of well-considered and consistently applied policies relevant to all qualified candidates without regard for faculty rank or status. Special emphasis should be placed on respecting the rights of long-serving contingent faculty members. Every effort should be made not to replace a contingent faculty position with a partner-accommodation appointment.

IV. Recommendations on Dual-Career Appointments

This document provides guidelines on developing policies on partner accommodation, but it is not necessarily an endorsement of a particular policy or of the practice of dual-career appointments as appropriate for all institutions. Such programs are becoming more common in research universities where women have been consistently underrepresented among the tenure-track and tenured faculty. At the same time, accommodating dual-career couples may be problematic for smaller institutions or those with collective bargaining agreements. It is important to note that many universities have search procedures or affirmative-action procedures that would prevent any modification of the formal

appointment process, thereby making a quick decision on a dual-career appointment impossible.²¹ In all cases, partner-accommodation policies must meet the strictest tests for transparency and good governance practices.

- Institutions that provide any form of partner accommodation should have a clearly worded policy that covers all full-time appointments rather than rely on ad hoc arrangements available only on select bases. Such policies should be available to all couples, not just those in heterosexual marriages.
- Such policies should be developed by appropriate faculty bodies or committees, not by the administration in the absence of meaningful faculty participation. The process for developing such procedures is arguably as important as the procedures themselves, and must take into account local conditions and institutional particularities.
- Policies should address important issues such as the process by which decisions on dual-career appointments are reached and the budgetary impact of those decisions. They should also include provision for maintaining open communication with the prospective faculty members, who should be kept informed of the process, and for adequate consultation on the arrangements with the department, if the latter is not directly responsible for employment negotiations.
- All appointment decisions should be made as part of a process driven by consideration of merit. Faculty members appointed under accommodation policies should be subject to

19. Columbia University, Earth Institute, ADVANCE Working Group on Science and Technology Recruiting and Increase Diversity, “A Proposal for Recruiting and Retaining Dual-Career Couples,” issued October 7, 2005.

20. For a discussion of some of these issues, see Robin Wilson, “The Backlash against Hiring Couples,” *Chronicle of Higher Education*, April 13, 2001, A16; and Joseph Kay (pseud.), “Too Many Couples,” *Chronicle Careers, Chronicle of Higher Education*, April 9, 2007, <http://chronicle.com/jobs/news/2007/04/2007040901c/careers.html>.

21. Open search requirements were first mandated under federal affirmative-action programs beginning in the 1970s in order to open up the faculty hiring process so that white women and women and men of color had a better opportunity to compete for faculty positions. Under Federal Executive Order 11246, colleges and universities that receive federal funds are still required to maintain affirmative-action programs, and research universities continue to have numerous goals to appoint more women and minority faculty. Under these campus programs a search may be waived if appointing the potential candidate will meet an affirmative-action “goal.” Because women continue to be underrepresented on the faculties of research universities, search requirements are sometimes waived in order to accommodate dual-career couples.

the same evaluative procedures as all other faculty members.

- Departments asked to consider a dual-career appointment must be permitted to follow reasonable departmental hiring procedures and must be free to refuse the appointment. Decisions on potential accommodation appointments must take into account departmental hiring priorities and programmatic needs.
- Normal search procedures may have to be modified given the limited time frame for making an offer to a candidate's partner. Such modifications should not, however, infringe on good governance practices or limit faculty involvement in the search process, nor should they violate campus affirmative-action policies. Collective bargaining agreements may need to be modified to accommodate dual-career appointments, and the impact on those agreements should be considered carefully.
- Whenever possible, appointments should be made to tenure-track positions. Dual-career appointments should not be the occasion for increasing the number of contingent faculty members at an institution.
- Every effort should be made not to replace contingent faculty members with partner-accommodation appointees.
- Information on these policies should be made available to all candidates for faculty positions as a regular part of the recruitment process. Discrimination guidelines limit questioning candidates about their marital and family status, but candidates should be made aware of campus policies so they can raise the issue.
- Policies should leave the question of initiating discussions of dual-career appointments up to the candidate to avoid intrusive and possibly illegal inquiries about a candidate's family situation. Institutions can, however, make information about an institution's dual-career policies readily available on a website or in a brochure given to all candidates to encourage these discussions to occur in a timely manner. Once a candidate has inquired about the possibility of dual-career accommodation, however, that inquiry should not be used as an excuse to eliminate the candidate from consideration for the position.
- Universities may find it preferable to have a third party handle the negotiations for dual-

career appointments, rather than have the arrangements directly negotiated by department chairs (who may not be fully aware of the procedures and issues involved), in which case chairs should be kept fully informed of the progress of negotiations. Such a third party could be a designated individual within the administration or a specific office within the university.²²

- Funding for any dual-career appointment should be clearly accounted for and consonant with institutional conditions and budgetary requirements.
- Dual-career appointment procedures should be evaluated regularly, and data should be collected frequently to provide an objective basis for subsequent modifications to the policies and to prevent these evaluations from depending on anecdotal evidence.
- Institutions should take every care to ensure that faculty members appointed as part of a dual-career arrangement are treated as separate individuals valuable in their own right.

Underlying all of these recommendations are some basic principles that institutions should keep in mind. According to the AAUP's 1993 *Statement on the Ethics of Recruitment and Faculty Appointments*, the principle of "openness and shared responsibility" should inform all policies. Where partners are appointed to the same department, "reasonable restrictions" on the role of an immediate family member should apply, particularly in areas where conflicts of interest may arise, such as evaluation for tenure or promotion, setting of salaries, or, more generally, in situations where one partner is in a position to serve as "judge or advocate" of a family member.²³ Appropriate safeguards must also be put in place should one partner become chair of a department in which his or her partner holds an appointment. Universities establishing such positions should also be clear about state nepotism laws and cognizant of Association-recommended standards and procedures as set forth in the 1940 *Statement of Principles on*

22. Many institutions with dual-career hiring policies use the provost's office for coordinating such offers, but a few have separate dual-career offices that perform this service.

23. *The Ethics of Recruitment and Faculty Appointments* (1993), in AAUP, *Policy Documents and Reports*, 10th ed. (Washington, DC, 2006), 179–81.

Academic Freedom and Tenure and the applicable provisions of the *Recommended Institutional Regulations on Academic Freedom and Tenure*.

In sum, these recommendations call for policies that balance the needs of departments and institutions with the needs of faculty members. Individual faculty appointments, above all, should be based on the candidate's potential contribution to the position, the department, and the institution. Sensitivity to the balance between work and life must also be tempered by attention to good governance and the protections of tenure. ■

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