



## EMERITUS DESIGNATIONS

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Appendix A: Template, Request for Emeritus Designation

Appendix B: Template, Letter of Designation as Emerita/us

### 1. PURPOSE

The purpose of the emerita/us designation at the Smithsonian Institution (SI) is similar to its usage in academic institutions to recognize excellence of professionals who retire from SI in accordance with the criteria set forth in this policy. It is not a status conferred lightly, and those on whom the title is conferred have an obligation to uphold the professional standards of the Institution and to comply with applicable SI policies and procedures, as set forth below.

If desired and agreed upon by the SI unit and the emerita/us candidate, this designation can be used to facilitate continuing valuable work under the terms described below. Persons who have been designated “emerita” or “emeritus” are not employees of SI, and neither this policy nor any related documents or statements shall create any contractual obligations between SI and the person holding the emerita/us designation.

In addition to, or in lieu of the emerita/us designation, SI staff may be recognized for exceptional service to the Institution through other distinguished honors and awards captured by [Appendix A, Distinguished Honors and Awards of the Smithsonian Institution](#), to Chapter 451 in Smithsonian Directives 212 and [213](#), the *Federal* and *Trust Personnel Handbooks*.

### 2. SCOPE

This directive applies to all SI units. Only individuals appointed “Emerita” or “Emeritus” by designation letters signed by the Secretary of the Smithsonian are emeriti of SI.

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For all emeriti, the scope and nature of continued research at SI after receiving an emerita/us designation is determined by the unit director. (See “Continuing Research at the Smithsonian” on page 3.)

### 3. TITLING

The person designated as emerita/us shall retain the title of the most significant position held prior to leaving the Institution, such as “Director,” “Curator,” “Education Scholar,” or “Scientist,” followed by the honorary title of “Emerita” or “Emeritus.”

### 4. PROCESS FOR DESIGNATION

A unit director nominates a retiring employee for emerita/us designation in writing through the unit director’s supervisor (e.g., an Under or Assistant Secretary) by submitting an [“Exceptional Service Recognition Request”](#) in the Service Portal with required documentation attached. Under and Assistant Secretaries may also submit nominations for unit employees in consultation with unit directors. Nominations for director-level emeriti must be submitted by the appropriate Under or Assistant Secretary. (Appendix A provides a template that may be used for the written recommendation that must be attached to each nomination.)

All nominations are reviewed by the Emeritus Review Committee (“Emeritus Review Committee” or “Committee”). The Committee shall consist of one representative each from the Office of the Under Secretary for Science and Research (OUSSR), the Office of the Under Secretary for Museums and Culture (OUSMC), the Office of the Under Secretary of Education (OUSE), and the Office of Human Resources (OHR). The Committee shall meet quarterly if nominations are available to be reviewed. The Committee will make recommendations to the Secretary, after review by the Deputy Secretary.

Such designations are granted in recognition of exceptional scholarly contributions to SI and/or the individual’s field of study. Nominations may be submitted up to six months prior to or within six months after an employee’s retirement. To be considered for emerita/us status, a retiring SI employee must meet the following eligibility criteria:

- Served in a senior, professional position at SI for at least 10 years;
- Demonstrated significant scholarly contributions in fields such as history, art, culture, education, science, or research during one’s SI career;
- Be recognized as a leader in one’s field;
- Have maintained a record of sustained, distinguished, and honorable contributions while carrying out assigned duties at SI, including the distinction that the individual is retiring voluntarily and not in lieu of discipline; and
- Demonstrated collegial interactions in professional endeavors.

In addition, all emeriti candidates must undergo a review to ensure there are no outstanding complaints, investigations, or previous disciplinary issues that should be considered. The review shall be directed by the Emeritus Review Committee and conducted by at least the following offices: the Office of Protection Services, the Office of Human Resources, the Office of the Inspector General, the Office of General Counsel (OGC), and the Office of Equal Employment and Supplier Diversity. The review will be initiated after the Committee's review. If the Committee recommends the nomination, results will be provided to the Deputy Secretary prior to the recommendation moving to the Secretary for approval.

The Secretary makes all final decisions on emerita/us designations. Emerita/us designations are documented in letters signed by the Secretary, using the template in Appendix B. A copy of each designation letter will be sent to the Office of the Secretary and to the unit director or other senior official who initially nominated the person for the honorary designation.

Individuals granted emerita/us designations carry the title of "Emerita" or "Emeritus" indefinitely in accordance with this directive, unless said designation is revoked in writing by the Secretary. To the extent emerita/us have privileges that extend beyond a use of title, units will review those privileges approximately every two (2) years.

Individuals may be designated emerita/us by only one SI unit, and that unit must administer the designation, including reviewing any privileges granted.

Individuals who are designated Emerita/us should not also be appointed as Research Associates, because the terms and conditions for Research Associate appointments may differ from this directive.

Individuals may not be nominated posthumously.

## **5. CONTINUING RESEARCH AT THE SMITHSONIAN**

There are no special privileges or specific obligations associated with designations except as described in this policy or specifically enumerated in the designation letter. All emeriti are granted the use of the emeritus title and are authorized to use that title in resumes, scholarly publications, and for purposes of professional identification. Emeriti who wish to use their titles in connection with interviews, news publications, or other media engagements must seek permission from the Smithsonian Office of Communications and External Affairs.

Other privileges may also be extended to emeriti by SI, but these privileges are not to be considered rights inherent in the status. As is sometimes the case, SI might determine that it is beneficial for an emerita/us to continue to engage in research at the Institution. Unit directors who wish to grant research privileges to an emerita/us shall do so in an Emerita/us Research Privileges memorandum.

Such privileges may be granted for no more than two years at a time. Privileges may be renewed for additional two-year periods at the discretion of the unit director and must be in writing.

Emeritus staff members may not supervise SI employees or other [affiliated persons](#) (e.g., interns, Fellows, or volunteers).

## 6. SMITHSONIAN FUNDS, GIFTS, AND GRANTS AND CONTRACTS

Emeriti may not control expenditure of any SI federal or trust funds, except as described herein.

An emerita/us may control funding only if the individual applied for and was awarded the funding through a grant or contract and if grantee control of those funds is required in the terms of the grant or contract. The Emerita/us Research Privileges memorandum must describe these circumstances.

If approved in advance by the unit director, emeriti may solicit gifts on behalf of SI, consistent with all requirements in [SD 809, \*Philanthropic Financial Support\*](#).

## 7. STANDARDS OF CONDUCT

Emeriti are expected to maintain a level of conduct that reflects well on the Institution. The Institution retains the right to revoke an emeritus designation, at the discretion of the Secretary, in any case in which the individual's conduct compromises the reputation or the integrity of SI. The recommendation to revoke can be made by the unit director, an Under Secretary, or other senior SI leadership. Unit directors retain the right to rescind or modify research privileges.

If there is any doubt that an activity or planned activity is in compliance with this SD or the terms of an individual's emerita/us status, the emerita/us should immediately seek the advice of the host unit director or that director's designee.

As applicable, Emeriti must:

- follow standards for conducting research in one's discipline, such as those for collecting, import permits, and using live animals or human subjects (see [SD 604, \*Misconduct in Research\*](#); [SD 605, \*Animal Care and Use\*](#); [SD 606, \*Research Involving Human Subjects\*](#); [SD 607, \*Responsible and Ethical Conduct of Research Training\*](#); [SD 608, \*Financial Conflict of Interest for NSF- and PHS-Sponsored Projects\*](#); and [SD 611, \*Export Compliance and Trade Sanctions Related to Research, Export, and Museum Activities\*](#));
- adhere to applicable SI policy and/or written agreements between the Emeritus and SI regarding ownership and use of intellectual property generated as a result of the research being conducted using the Institution's facilities and/or collections and

provisions, and processes set forth in all applicable directives, such as [SD 102, \*Disclosing, Protecting, and Commercializing Inventions\*](#), and [SD 609, \*Digital Asset Access and Use\*](#);

- adhere to [SD 118, \*Privacy Policy\*](#), to ensure the protection of personally identifiable information (PII) and [SD 119, \*Privacy Breach Policy\*](#), when reporting any suspected or confirmed breaches of PII;
- adhere to [SD 103, \*Smithsonian Institution Standards of Conduct\*](#), Section 13(c), and provide an annual report and any ongoing disclosures required by the SI Form 1085 if the Emeritus/a is a Principal Investigator (PI) or co-PI on an SI grant;
- adhere to the rules set by the Smithsonian Libraries and Archives (SLA) and unit libraries when using their resources and facilities;
- be aware of and guided by the generally accepted professional standards and codes of ethics applicable in one's professional field(s); and
- exhibit appropriate professional conduct and behavior, respect others, and cooperate in the enforcement of the prevention of workplace harassment in compliance with Smithsonian policy.

Emeriti must not:

- misrepresent one's relationship to the Institution, particularly in any way representing oneself as an employee of SI;
  - directly or indirectly profit from, or permit others to profit from, information obtained through one's SI designation, which is or would be unavailable to external scholars or the general public;
  - solicit or accept any gift that is or appears to be offered because the emeritus may have influence within SI;
  - use official SI letterhead and similar materials, mailing privileges, or equipment, or supplies for anything not related to official SI business;
  - solicit or promote the sale of any goods or services through the use of SI resources or facilities, including email;
  - reproduce copyrighted material without being licensed by the rights holder(s) to do so and guided by applicable law, which may include fair use; and
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- receive, spend, or commit funds, such as grants or contracts to the Institution or internal SI funding, without the approval of one's unit.

An individual with access to collections should be aware of the issues addressed in the respective unit's collections management policy and [SD 600, Collections Management](#). Access to and use of collections must be approved in advance by the appropriate unit staff member in accordance with established policy and procedures. An emeritus working directly with SI collections must disclose to the appropriate curator or collecting unit director any personal activity that may create or seem to create conflicts of interest, such as collecting or dealing in similar objects, materials, or specimens.

In addition, emeriti using SI resources are expected to adhere to [SD 931, Use of Computers, Telecommunications Devices and Networks](#), and to sign and file with their host unit the users' agreement for access to SI computer network. This agreement requires emeriti to complete annual computer security awareness training and ensure that any personal computers and/or electronic devices used for SI work are protected with the appropriate anti-virus software approved by the Office of the Chief Information Officer.

## 8. INTELLECTUAL PROPERTY

Emeriti may pursue research and other projects that result in manuscripts for articles, books, and other types of publications based in whole or in part on work performed as part of their official SI duties. Such publications may consist of a combination of SI research and/or content ("Underlying Smithsonian Content") and original work conducted by the emeritus post-employment. The resulting work is likely to be eligible for copyright protection as a compilation, in which the emeritus owns copyright in the compilation subject to SI's retention of copyright ownership in Underlying Smithsonian Content that is included in the publication.<sup>1</sup> These rights include SI's ability to use, reproduce, disseminate, license, and otherwise freely use such Underlying Smithsonian Content.

If the manuscript results in a deliverable that will or is likely to generate royalties, the SI may be entitled to an equal share of royalties or other financial compensation, based upon a number of factors, including but not limited to, how much of the research and/or preparation was done as part of the official duties as an SI employee, how much of the manuscript includes Underlying Smithsonian Content, and how extensively the emerita/us is using SI resources (e.g., library, archives, office space, SI computers, and other administrative or technical support) to prepare the manuscript. If the manuscript results in a deliverable that is intended to generate royalties or other financial compensation, the emerita/us must obtain the Emeritus Questionnaire from [OGCEthics](#) and submit it to OGC for review. Upon review and in consultation with the unit

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<sup>1</sup> Work completed by SI federal employees as part of their official duties is not eligible for copyright protection under U.S. copyright law, but original work completed after retirement by an emeritus may be eligible for protection.

director and the OGC, the emerita/us may be required to enter into an Emeritus Intellectual Property Agreement to share royalties or other financial compensation with the SI on an equal basis, unless special circumstances warrant another arrangement negotiated with the unit director and the Office of General Counsel.<sup>2</sup>

The Emeritus Questionnaire is not required for deliverables that do not typically result in royalties or other financial compensation, such as journal articles, book reviews, and blogs and other similar informal writings. However, in connection with such publications, emerita/us must still adhere to the requirements of this directive in connection with use of the SI name, emeritus title, and other guidelines.

Rights to inventions or discoveries, which may be patentable or commercially licensable, shall be governed by [SD 102, \*Disclosing, Protecting, and Commercializing Inventions\*](#).

## 9. DISPUTE RESOLUTION

It is expected that any disputes between an emerita/us and SI will be resolved quickly and in a spirit of cooperation between the two parties. The Secretary or the Secretary's designee has the authority to make the final determination with regard to any disputes that may arise and reserves the right to revoke an emerita/us designation.

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| <b>SUPERSEDES:</b> | SD 206 issued on February 4, 2016.                                       |
| <b>INQUIRIES:</b>  | Office of the Under Secretary for Science and Research (OUSSR).          |
| <b>RETENTION:</b>  | Indefinite. Subject to review for currency 36 months from date of issue. |

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<sup>2</sup> If the book is intended for a general public audience (as opposed to a scholarly/academic audience consisting of peers, researchers, and students), the emerita/us may be asked to offer the right of first publication to Smithsonian Books, subject to negotiation of a mutually acceptable publishing agreement.