

retary shall prescribe, confer the degree of bachelor of science upon all graduates of the Academy and may, in addition, confer the degree of bachelor of science upon such other living graduates of the Academy as shall have met the requirements of the Academy for such degree.

(Aug. 4, 1949, ch. 393, 63 Stat. 508.)

#### HISTORICAL AND REVISION NOTES

Based on title 14, U.S.C., 1946 ed., §15a (May 25, 1933, ch. 37, 48 Stat. 73; July 8, 1937, ch. 447, 50 Stat. 477; Aug. 9, 1946, ch. 928, 60 Stat. 961).

Changes in phraseology were made inasmuch as the Academy is now accredited by the Association of American Universities. It was not so accredited when the section was enacted.

Inasmuch as the acts cited above apply equally to the Military Academy and the Naval Academy, as well as the Coast Guard Academy, they are not scheduled for repeal but are being amended by section 13 of this act to eliminate reference to the Coast Guard. 81st Congress, House Report No. 557.

### § 185. Cadets; appointment as ensign

The President may, by and with the advice and consent of the Senate, appoint as ensigns in the Coast Guard all cadets who shall graduate from the Academy. Ensigns so commissioned on the same date shall take rank according to their proficiency as shown by the order of their merit at date of graduation.

(Aug. 4, 1949, ch. 393, 63 Stat. 508.)

#### HISTORICAL AND REVISION NOTES

Based on title 14, U.S.C., 1946 ed., §15a-1 (May 25, 1943, ch. 99, 57 Stat. 84).

Said section has been divided. The proviso is incorporated in section 182 of this title. The other part is incorporated in this section.

The last sentence of this section is new as a statute; it makes statutory what has been the practice of years, and is similar to the third sentence of title 34, U.S.C., 1946 ed., §1057, applicable to graduates of the Naval Academy. 81st Congress, House Report No. 557.

### § 186. Civilian teaching staff

(a) The Secretary may appoint in the Coast Guard such number of civilian faculty members at the Academy as the needs of the Service may require. They shall have such titles and perform duties as prescribed by the Secretary. Leaves of absence and hours of work for civilian faculty members shall be governed by regulations promulgated by the Secretary, without regard to the provisions of title 5.

(b) The compensation of persons employed under this section is as prescribed by the Secretary.

(Aug. 4, 1949, ch. 393, 63 Stat. 509; Sept. 3, 1954, ch. 1263, §32, 68 Stat. 1238; Pub. L. 86-474, §1(9), May 14, 1960, 74 Stat. 145; Pub. L. 89-444, §1(9), June 9, 1966, 80 Stat. 195; Pub. L. 94-546, §1(14), Oct. 18, 1976, 90 Stat. 2520.)

#### HISTORICAL AND REVISION NOTES

Based on title 14, U.S.C., 1946 ed., §15d (Apr. 16, 1937, ch. 107, §3, 50 Stat. 67; May 2, 1942, ch. 273, 56 Stat. 265).

The last sentence is new and is inserted to permit adjustment of the work load and leave schedule of Academy faculty members due to the peculiarity of the academic schedule.

The last sentence of this section is new, being included in order to allow for adjusting the working time

and leave of civilian instructors in conformity with the academic terms at the Academy. The work load of an instructor varies greatly, and flexibility in administration of a faculty is therefore essential. The leave provided for civil service employees does not fit the needs of an instruction staff, and this has been a source of difficulty in the past. This new provision would permit leave during the summer and between academic terms without deduction from pay, and, it is contemplated, at no other time.

Changes were made in phraseology. 81st Congress, House Report No. 557.

#### AMENDMENTS

1976—Subsec. (a). Pub. L. 94-546 substituted "Leaves of absence and hours of work for civilian faculty members shall be governed by regulations promulgated by the Secretary, without regard to the provisions of title 5." for "Leaves of absence and hours of work for such personnel shall be governed by regulations issued by the Secretary of the Treasury, without regard to section 84, chapter 18, subchapter IV of chapter 21, sections 1112, 1113, and 1121-1125, and chapter 23, of title 5."

1966—Subsec. (a). Pub. L. 89-444, §1(9)(A), (B), substituted "faculty members" for "members of the teaching staff" and struck out provision that compensation of faculty members be fixed in accordance with the Classification Act of 1949, as amended, and designated existing provisions as so amended as subsec. (a).

Subsec. (b). Pub. L. 89-444, §1(9)(C), added subsec. (b).

1960—Pub. L. 86-474 substituted "Coast Guard such number of civilian members of the teaching staff at the Academy as the needs of the Service may require" for "Coast Guard, subject to the competitive provisions of the civil-service laws and regulations, such number of civilian instructors as the needs of the Service require, not to exceed eight", and inserted provisions relating to titles and duties of the civilian members of the teaching staff.

1954—Act Sept. 3, 1954, substituted "Classification Act of 1949" for "Classification Act of 1923" and "section 84, chapter 18, subchapter IV of chapter 21, sections 1112, 1113, and 1121-1125, and chapter 23, of title 5" for "sections 29a, 30b-30m, 84, 663, 667, 672a-673, and chapter 18 of title 5".

### § 187. Permanent commissioned teaching staff; composition

The permanent commissioned teaching staff at the Academy shall consist of professors, associate professors, assistant professors and instructors, in such numbers as the needs of the Service require. They shall perform duties as prescribed by the Commandant, and exercise command only in the academic department of the Academy.

(Aug. 4, 1949, ch. 393, 63 Stat. 509; Pub. L. 86-474, §1(10), May 14, 1960, 74 Stat. 145.)

#### HISTORICAL AND REVISION NOTES

Based on title 14, U.S.C., 1946 ed., §§15b, 15c (Apr. 16, 1937, ch. 107, §§1, 2, 50 Stat. 66; May 2, 1942, ch. 273, 56 Stat. 265).

Section 15b of title 14, U.S.C., 1946 ed., has been divided. Part of the provisions of the first sentence is placed in this section, while other provisions are placed in section 188 of this title.

Section 15c of title 14, U.S.C., 1946 ed., has been divided. The last sentence is incorporated in this section, while the other provisions are placed in section 189 of this title.

The composition of the teaching staff at the Academy is changed materially on the recommendation of the Academic Board and the Advisory Committee. The scope of duty of members of the staff is enlarged to include whatever the Commandant prescribes.

Title 14, U.S.C., 1946 ed., §15b provides for five professors as heads or assistant heads of departments at the

Academy. The Academic Board of the Academy and the Advisory Committee, after extensive study have recommended the change, as provided in this section, to three professors and twelve others on the permanent teaching staff, with designations to conform generally with the designations and grades of faculty members at other universities. The librarian is given faculty status because of the role of the library as the center of the modern university; this is in conformity with the practice of other higher educational institutions. It is believed that the increased number of permanent commissioned instructors is justified and desirable in view of the expansion of the Cadet Corps as the full effect of the return to a four-year course is felt. It is probable that, in the next few years, the number of cadets will approximate 450. The average number in the past two years has been about 300. This new set-up for the permanent commissioned teaching staff will permit desirable exchanges of professors with leading universities, and occasional sabbatical leaves in order to better the faculty generally. It is pointed out that this increase in permanent instructors does not increase the authorized number of officers in the Coast Guard, as they are all included in the limitation provided in section 42 of this title. If a teaching position at the Academy is not provided for permanently it will require the assignment of an additional regular officer, so it is apparent that the changes proposed in this section do not increase the size of the Service, or the expense, but represent a long-range plan to better the Academy as a leading educational institution within the present, recognized, standards for a proper university faculty. The last sentence retains the command status of the professors as provided in existing law but enlarges the field in which they may perform duty, in order to make it possible to give them interim assignments other than at the Academy, thus broadening their knowledge of the Service while still advantageously utilizing their services. 81st Congress, House Report No. 557.

#### AMENDMENTS

1960—Pub. L. 86-474 substituted “shall consist of professors, associate professors, assistant professors and instructors, in such numbers as the needs of the Service require” for “shall consist of not more than three professors who may serve as heads of departments, and not more than twelve associate professors, assistant professors, and commissioned instructors, one of whom shall be the librarian”.

#### § 188. Appointment of permanent commissioned teaching staff

The President may appoint in the Coast Guard, by and with the advice and consent of the Senate, the professors, associate professors, assistant professors, and instructors who are to serve on the permanent commissioned teaching staff of the Academy. An original appointment to the permanent commissioned teaching staff, unless the appointee has served as a civilian member of the teaching staff, regular commissioned officer, temporary commissioned officer, or reserve commissioned officer in the Coast Guard, shall be a temporary appointment until the appointee has satisfactorily completed a probationary term of four years of service; thereafter he may be regularly appointed and his rank shall date from the date of his temporary appointment in the grade in which permanently appointed.

(Aug. 4, 1949, ch. 393, 63 Stat. 509; Pub. L. 86-474, §1(11), May 14, 1960, 74 Stat. 145; Pub. L. 94-546, §1(15), Oct. 18, 1976, 90 Stat. 2520.)

#### HISTORICAL AND REVISION NOTES

Based on title 14, U.S.C., 1946 ed., §15b (Apr. 16, 1937, ch. 107, §1, 50 Stat. 66; May 2, 1942, ch. 273, 56 Stat. 265).

Said section has been divided. That part of the first sentence which provides for the composition of the teaching staff is incorporated in section 187 of this title. The other provisions are incorporated in this section, except for the proviso which has been omitted as no longer needed.

This section incorporates the following changes because of the new plan for the permanent teaching staff: the President is authorized to appoint a candidate to any of the grades prescribed; and the probationary term, applicable unless the candidate has served in the Coast Guard as prescribed in this section, is increased from two to four years. Authorization for appointment in any grade is deemed desirable in order to permit the acquisition of outstanding instructors for the staff. It is believed that the former two-year period was too short to fully evaluate the capabilities of a temporary appointee. 81st Congress, House Report No. 557.

#### AMENDMENTS

1976—Pub. L. 94-546 substituted “grade in which permanently appointed” for “rank in which permanently appointed”.

1960—Pub. L. 86-474 substituted “and instructors who are to serve” for “and commissioned instructors who are to serve”, and “civilian member of the teaching staff” for “civilian instructor”.

#### § 189. Grade of permanent commissioned teaching staff

Professors shall be commissioned officers with grade not above captain, associate and assistant professors with grade not above commander, and instructors with grade not above lieutenant commander. All officers of the permanent commissioned teaching staff shall receive the pay and allowances of other commissioned officers of the same grade and length of service. When any such professor, associate professor, assistant professor, or instructor is appointed or commissioned with grade less than the highest grade permitted, he shall be promoted under regulations prescribed by the Secretary.

(Aug. 4, 1949, ch. 393, 63 Stat. 509; Pub. L. 86-474, §1(12), May 14, 1960, 74 Stat. 145.)

#### HISTORICAL AND REVISION NOTES

Based on title 14, U.S.C., 1946 ed., §15c (Apr. 16, 1937, ch. 107, §2, 50 Stat. 66).

Said section has been divided. The last sentence is incorporated in section 187 of this title. The other provisions are incorporated in this section.

The limitation on grade of professors is raised from Commander to Captain, and other limitations as to grades within the new permanent commissioned teaching staff are established.

This section prescribes the relative ranks for the various grades in the permanent commissioned teaching staff, establishes the pay as heretofore, and provides for promotion as the Secretary shall prescribe. 81st Congress, House Report No. 557.

#### AMENDMENTS

1960—Pub. L. 86-474 substituted “and instructors with grade not above” for “and commissioned instructors with grade not above”, and “assistant professor, or instructor” for “or assistant professor”.

#### § 190. Retirement of permanent commissioned teaching staff

Professors, associate professors, assistant professors, and instructors in the Coast Guard shall be subject to retirement or discharge from active service for any cause on the same basis as other commissioned officers of the Coast Guard,