

DRAFT

**SECTION II
FULL-TIME FACULTY
EMPLOYMENT POLICY
AND
HIRING PROCEDURES**

~~03/07/18~~

**05/02/18 additional changes to align to
Administrative Policies & Procedures**

5/11/18 DAS review

05/17/18 DDEAC/HRAC Review

FOOTHILL – DE ANZA COMMUNITY COLLEGE DISTRICT

FULL-TIME FACULTY

EMPLOYMENT POLICY AND HIRING PROCEDURES

The Foothill-De Anza Community College District seeks a qualified and diverse faculty and staff dedicated to student success. The District is committed to an open and inclusive hiring process that supports the goals of diversity and equal opportunity providing equal consideration and opportunities for all qualified candidates.

The faculty, staff, and administration recognize the importance of an effective hiring process that reflects mutual professional responsibility and interest in achieving the common goal of hiring outstanding faculty who best meet the needs of students.

Hiring faculty, classified staff, and administrators is accomplished through search and selection committees which produce a recommendation from the President or appropriate administrator to forward a final candidate to the Chancellor to recommend to the Board for employment.

Hiring Qualifications

The Foothill – De Anza Community College District has established the following minimum hiring qualifications for all faculty positions:

- ~~1. Demonstrated sensitivity to, understanding of, and respect for the diverse academic, socioeconomic, cultural, religious, sexual orientation, disability, and ethnic backgrounds of community college students.~~ **Understanding of, sensitivity to, and respect for the diverse academic, socio-economic, ethnic, religious, military, and cultural backgrounds, as well as disability (mental or physical), age, gender, and sexual orientation of community college students, faculty and staff.**
2. Minimum qualifications or the equivalent as established by the Statewide Academic Senate and adopted by the Board of Governors of the California Community Colleges which are used by department/program faculty to establish the minimum qualifications for each faculty position. Qualifications beyond minimum qualifications are reviewed by the Vice Chancellor of Human Resources and Equal Opportunity jointly with the District Academic Senate President ~~or designee or his/her~~ **their** designee for job relatedness and potential adverse impact on the applicant pool.

PROCEDURES

The goal of every hiring process is to select the qualified candidate who best meets the needs of our diverse student population and the needs of the division department/program, and the college.

Establishing the Position

1. Faculty positions are identified by a process established by each College.
2. Receipt of the Staffing Requisition by Employment Services signals approval to begin the search process.

Position Announcement

1. This position announcement draft, including minimum and preferred qualifications, is developed through a collaborative process involving the department/program faculty and an Equal Opportunity representative, **Dean Director** of Equity Programs, the appropriate administrators, and Employment Services. The hiring committee reviews and finalizes the position announcement and **simultaneously** develops the screening criteria.
2. The position announcement must include the following:
 - a. A statement in accordance with Education Code Section 87360 that requires that all applicants be sensitive to, ~~understanding of, and have respect for the diverse academic, socioeconomic, religious, cultural, disability, sexual orientation, and ethnic backgrounds of community college students.~~ **Understanding of, sensitivity to, and respect for the diverse academic, socio-economic, ethnic, religious, military, and cultural backgrounds, as well as disability (mental or physical), age, gender, and sexual orientation of community college students, faculty and staff.**
 - b. Departments/programs require applicants to explain their commitment to diversity, equity and inclusion.
 - c. Educational requirements as determined by the department/program in accordance with Education Code Section 87356 **and California Title 5 CCR 53410**. Additional desirable educational qualifications that are job related and support the responsibilities of the position may be included. Such qualifications will be monitored by the Vice Chancellor of Human Resources and Equal Opportunity jointly with the District Academic Senate President or designee for adverse impact.
 - d. Provision for presentation of qualifications that are equivalent to the minimum qualifications as established by the Academic Senate for California Community Colleges and adopted by the Board of Governors.

- e. Legal qualifiers established by Human Resources to comply with federal, state, and District regulations.
3. The position announcement may also include preferred qualifications that reflect experience, and expertise that would enhance an applicant's ability to meet the unique requirements and responsibilities of the position and the needs of a diverse student population. Preferred qualifications must be reviewed by the Vice Chancellor of Human Resources and Equal Opportunity or his/her designee to insure that they will not adversely affect the applicant pool.
4. The finalized position announcement must be approved by the hiring committee 1) the Division Dean or appropriate administrator, 2) the appropriate Vice President, ~~3) the college diversity officer,~~ and 4) ~~3) the Vice Chancellor of Human Resources and Equal Opportunity or his/her~~ **their** designee prior to publication.

SEARCH COMMITTEE

Membership

The Committee shall be established by the department/program faculty in consultation with the Dean. **All members of the search committee will be Foothill, De Anza faculty, classified staff, and/or administrators with the majority being faculty.** ~~Search Committees will normally include a majority of Foothill De Anza faculty,~~ **To serve on the Search committee, faculty must be** ~~who are~~ either tenured or in their Phase 3 probationary period in the discipline or a related discipline. When clear and compelling academic and/or professional circumstances warrant, other faculty may be included on the Search Committee after consultation between the President of the Academic Senate and the college President. Special circumstances may include but are not limited to the addition of discipline expertise and enhancing the diversity of the committee. The Search Committee may also include other members from outside the department/program as deemed appropriate by the Committee. The appropriate academic senate representative shall forward a list of faculty designated to serve on the Search Committee to the Academic Senate. All faculty appointments to Search Committees must be confirmed by the Academic Senate before the search committee begins its work.

An Equal Opportunity Representative from outside of the division shall be appointed to the Committee by the District Human Resources office.

Every effort must be made to incorporate diverse representation on every Search Committee to bring a variety of perspectives to the assessment of applicant qualifications. The Academic Senate shall consider diversity, equity, and discipline/program

recommendations when confirming faculty appointments to search committees.

The Division Dean normally serves as chair of the committee.

Training

~~All faculty, staff, and administrators involved in faculty hiring must receive training on equal opportunity, diversity, and the employment process for each Search Committee on which they serve. Such training will be provided by the Vice Chancellor of Human Resources and Equal Opportunity or his/her designee at the first meeting of the Committee. It is the responsibility of all committee members to ensure that each Committee member receives the required training.~~

Training will include:

- ~~* Review of District Diversity Vision Statement~~
- ~~* Discussion of District commitment to equal opportunity, diversity, and student success~~
- ~~* Mitigating implicit bias~~
- ~~* The search and selection process~~
- ~~* Role of the Search Committee~~
- ~~* Role of the Selection Committee~~
- ~~* Development of screening criteria (including equivalency process)~~
- ~~* Ethical recruitment strategies~~
- ~~* Writing effective interview questions and what is an allowable follow-up question~~
- ~~* Cultural diversity, social justice, and equity in the hiring process~~
- ~~* Role of the Equal Opportunity Representative~~
- ~~* Reference checking~~
- ~~* Process for reporting perceived procedural issues (e.g rule bending, favoritism, etc.)~~
- Confidentiality

Responsibilities

The Search Committee has the following responsibilities:

1. Finalize the position announcement **and develop the selection screening criteria based on the minimum and preferred qualifications of the position in light of the expected duties and responsibilities of the position.**
2. Identify recruiting sources in consultation with Human Resources.
3. ~~Develop the screening criteria based on the minimum and preferred qualifications of the position in light of the expected duties and responsibilities of the position.~~

3. Develop job related interview questions designed to distinguish candidates who will best meet the needs of our diverse student population, the department/division, and the College.
4. Determine the subject matter and format of the demonstration of teaching, **job duties**, counseling, or librarianship skills required of all faculty candidates. The demonstration should reflect the candidate's ability to meet the needs of a diverse student population.
5. Review the aggregate demographics of the applicant pool to ensure diversity.
6. Screen all complete applications to select candidates for interview. (All applicants requesting an equivalency shall be considered to have met minimum qualifications, pending verification from the Academic Senate Equivalency Committee.)
7. Establish an interview schedule that accommodates all committee members' schedules. ~~including the Equal Employment Opportunity Representative.~~
8. Interview all selected candidates using pre-approved questions. Follow-up questions may be used if they are based directly on a candidate's response to a question, if they do not seek information outside of the scope of the established hiring criteria and if they are not in violation of equal opportunity guidelines.
9. Document assessment of candidates' performance in the interview.
10. ~~Conduct reference checks on candidate(s) selected as finalist(s):~~
 - ~~a. Identify members of the committee to conduct the reference calls~~
 - ~~b. Formulate questions to ask references~~
 - ~~c. Identify references to be called to eliminate duplicate calls~~
 - ~~d. Determine how information is to be shared with full Search Committee and forwarded to Selection Committee~~
 - ~~e. When possible, reference checks will occur before the final interview.~~

Note: Based on current legal guidance, references should be checked on only the individual(s) recommended for hire.
11. ~~Recommend finalist(s) for consideration by the President. Recommended finalist(s) must be acceptable to the Search Committee since only a candidate recommended by the Search Committee will be hired. An unranked list of final candidate(s) is forwarded to the President.~~

11. Recommend the final candidate(s) (preferably more than one) for consideration by the Selection Committee. Recommended finalists must be acceptable to the majority of

the Search Committee members since only a candidate recommended by the Search Committee may be hired. The President, Vice Chancellor, and Chancellor are the only individuals who can make an exception to this recommendation process.

12. Each member of the Search Committee is responsible for maintaining ongoing confidentiality of the entire process. Process information may be shared only with members of the Search Committee and the administrators involved. Confidentiality must be maintained permanently. Each member of the committee will receive and must agree to abide by a statement of Guiding Principles and Confidentiality Agreement as noted in Appendix A as a condition of participation.

13. Each member of the Search Committee has the responsibility to contact Human Resources if any part of the process or procedure has been violated.

SELECTION COMMITTEE

Membership

The Selection Committee is composed of the College President, or their designee, the Search Committee Chair, the Equal Opportunity Representative from the Search Committee, and as many faculty from the Search Committee as possible but at least one faculty member from the Search Committee. The College President (or designee) may invite other persons to serve, as he/she they deems appropriate (e.g. Vice Presidents, Administrators, Faculty, and Staff). This committee should be balanced in its diversity and will be chaired by the President (or designee).

Role

~~The Selection Committee evaluates and validates the candidate's qualifications in meeting the needs of our diverse student population and the needs of the division, department/program, and the College.~~

Responsibilities

The Selection Committee has the following responsibilities:

1. Provide input to the College President regarding the questions to be used in the Selection Committee interview process.
2. Participate at the College President's direction in the finalists' interviews to evaluate ~~and validate~~ the academic and professional qualifications of each candidate and their qualifications in meeting the needs of our diverse students.

3. Evaluate the finalists in an open and collaborative discussion. Before a final decision is reached the Equal Employment Opportunity Representative will review the process to determine that all candidates were treated fairly and equally and that the process yielded candidates able to meet the needs of our diverse student population.
4. In the event that a hiring process results in more than one candidate who meets the present or expected needs in the same discipline, the **College** President may determine to increase the number of available positions. In this event, the members of both the Search and Selection committees shall be consulted before any additional candidate is selected. **In the event the candidates/s recommended is/are not selected by the College President, a response explaining their reasoning for not selecting the recommended candidate/s must be provided to the Selection Committee.**
- ~~5. In the event that the selection process is unsuccessful, the selection committee will consider one or more of the following options:~~
 - ~~• Re-interview of finalists~~
 - ~~• Review the applicant pool to ensure that qualified applicants have not been overlooked;~~
 - ~~• If applicable, request to have any additional complete applications that have been submitted since the first review date forwarded for screening;~~
 - ~~• Request that Employment Services contact applicants with incomplete applications to request the missing application materials;~~
 - ~~• Extend the search by posting a new submission deadline~~
 - ~~• Begin a new search~~

5. Each member of the Selection Committee is responsible for maintaining the confidentiality of the interviews as well as evaluative comments made during the selection process. Such information may be shared only with members of the Selection Committee and the administrators involved. Confidentiality must be maintained permanently. Each member of the committee agrees to accept and abide by the statement of guiding principles as noted in Appendix A.

6. Each member of the ~~Search~~ **Selection** Committee has the responsibility to contact Human Resources if any part of the process or procedure has been violated.

PROCESS

Recruitment and Advertising

Faculty positions are advertised for a minimum of six (6) weeks from the date posted to

the District HR website. In unusual or extenuating circumstances, the time frame may be reduced to not less than four (4) weeks with the approval of the President and the Vice Chancellor of Human Resources and Equal Opportunity.

The hiring search committee in conjunction with Employment Services will review existing division employee data and college student demographics. In order to create a diverse candidate pool, appropriate recruitment and advertising strategies must be implemented. To that end, position announcements are provided to colleges, universities, and organizations committed to providing equal employment opportunities to a wide range of applicants and to organizations committed to serving underrepresented populations.

In addition, position announcements are posted to online recruitment sites identified as part of “core advertising” strategies, and in alignment with the District’s Employment and Opportunity Plan, and are advertised locally and in professional journals and related publications, in The Chronicle of Higher Education, and on internet sites as recommended by the Search Committee, department faculty and the College President. Department/program faculty and administrators are also encouraged to contact appropriate organizations to assist in identifying qualified candidates and to disseminate information regarding the position.

Recruitment and advertising strategies are intended to result in a strong pool of candidates that are both diverse and qualified. To that end, position announcements are posted to sites that will best serve these goals and may include colleges, universities, and other organizations committed to serving underrepresented candidates.

Applications

Employment Services accepts online applications and supplemental materials until 11:59 PM on the closing date, unless otherwise specified on the job announcement. The application period may be extended at any time by approval of the Search Committee and either the College President or the Vice Chancellor of Human Resources/Equal Opportunity.

Employment Services and the district Diversity Coordinator will review the composition of the applicant pool to ensure that any failure to obtain a diverse applicant pool in accordance with the district’s Equal Employment Opportunity Plan is not due to discriminatory practices or procedures. If necessary, the application closing date shall be extended and additional recruitment shall be conducted.

At the close of the application deadline, Human Resources will notify Academic Senate of any candidates requesting equivalency.

Required Training for All Hiring Committee Members

All faculty, classified staff, and administrators involved in faculty hiring must have received hiring process ~~complete~~ training within the previous two years on equal opportunity, diversity, and the employment process for each Search Committee on which they serve. Such training will be provided by the Vice Chancellor of Human Resources and Equal Opportunity or his/her designee at the first meeting of the Committee. It is the responsibility of all committee members to ensure that each Committee member receives the required training.

Training will include:

- Review of District Diversity Vision Statement
- Discussion of District commitment to equal opportunity, diversity, and student success
- Mitigating implicit bias
- The search and selection process
- Role of the Search Committee
- Role of the Selection Committee
- Development of screening criteria (including equivalency process)
- Ethical recruitment strategies
- Writing effective interview questions and what is an allowable follow-up question
- Cultural diversity, social justice, and equity in the hiring process
- Role of the Equal Opportunity Representative
- Reference checking
- Process for reporting perceived procedural issues (e.g rule bending, favoritism, etc.)
- Confidentiality

Screening

~~Interview questions must be completed and approved by the Hiring Committee before the Search Committee can access the applications.~~

All screening criteria and interview questions must be completed and reviewed by the Search Committee including the Equal Opportunity Representative to ensure that they are without bias then submitted to the District Office of Human Resources. The District Office of Human Resources will conduct a final review of the screening criteria prior to posting the position announcement and interview questions prior to allowing the Search Committee access to the online applications to ensure consistency with the position announcement.

Screening criteria are developed from the qualifications and requirements listed in the position announcement. Screening criteria help members to review each application objectively. The screening criteria must be listed on an appropriate screening form that must be used by each member of the Search Committee. Each committee member must participate in the screening process.

The Search Committee selects applicants to interview who will best meet the needs of our

diverse student body, the department/program, and the College. ~~Search committees will consider the particular needs of the division/department/program and the student population to be served in the selection of candidates.~~

The Equal Employment Opportunity Representative reviews the pool selected for interview to ensure that no screening or selection criteria has adversely affected any ~~monitored~~ group. The Equal Opportunity Representative ~~and the~~ may recommend that the search be suspended until steps are taken to remedy **any adverse impact** ~~the problem~~. Additional steps may include a discussion with the Vice Chancellor of Human Resources and Equal Employment Opportunity representative or his/her **their** designee regarding the overall composition of the applicant pool and the screening criteria or procedures that have failed to produce a diverse applicant pool. The Search Committee will consider the following options:

- Review the applicant pool to ensure that qualified applicants have not been overlooked;
- If applicable, request to have any additional complete applications that have been submitted since the first review date forwarded for screening;
- Request that Employment Services contact applicants with incomplete applications to request the missing application materials;
- Extend the search by posting a new submission deadline
- Begin a new search

Interviews

Interviews are scheduled by the Chair of the Search **and/or Selection** Committee. Each candidate must be provided the same interview information **about the interview process** and offered a choice of interview times whenever possible.

NOTE: All members of the Search Committee must be present for ~~all~~ **every** interviews. If a member misses an interview, that ~~committee~~ member is removed from the Search Committee. If an E/O rep misses an interview, their replacement must be approved by HR, and can only evaluate adherence to the hiring process rather than the candidate(s).

Each member of the Search **and Selection** Committee documents the interview in a format agreed upon by the Committee.

Follow-up questions directed to the candidate during the interview must only be done in order to clarify an answer given.

After interviews are completed, members of the Search **and/or Selection** Committee discuss and evaluate the qualifications of the candidates including how candidates will meet the needs of our diverse student population. ~~If the Search Committee is not satisfied with the interviewed candidates, the Committee may:~~

- ~~Review the applicant pool to ensure that qualified applicants have not~~

- ~~been overlooked;~~
- ~~If applicable, request to have any additional complete applications that have been submitted since the first review date forwarded for screening;~~
- ~~Request that Employment Services contact applicants with incomplete applications to request the missing application materials;~~
- ~~Extend the search by posting a new submission deadline~~
- ~~Begin a new~~

First-hand knowledge of a candidate may be shared by a committee member only if it pertains to the individual's ability to successfully perform the functions of the position. Any information that has the potential to negatively impact a candidate should be verified via additional sources. Committee members should approach the Equal Opportunity Representative if there is uncertainty regarding the pertinence of the information.

The Equal Opportunity Representative reviews the finalist pool to determine whether any criteria or procedures used in the interview phase may have had an adverse impact on any group. If the Equal Opportunity Representative believes that adverse impact exists, he/she shall report the concern to the Committee Chair and Vice Chancellor of Human Resources/Equal Opportunity, or the assigned designee to determine whether additional steps should be taken to ensure equal opportunity. Consultation may also include a diversity coordinator. At that time the decision will be made as to whether to proceed with the recommendation to the selection committee.

In the event that the search process is unsuccessful, the Search committee will consider one or more of the following options:

- Re-interview finalists
- Review the applicant pool to ensure that qualified applicants have not been overlooked;
- If applicable, request to have any additional complete applications that have been submitted since the first review date forwarded for screening;
- Request that Employment Services contact applicants with incomplete applications to request the missing application materials;
- Extend the search by posting a new submission deadline
- Begin a new search

In the event that the selection process is unsuccessful, the Selection Committee will consider one or more of the following options:

- Re-interview finalists
- Request the search committee review the applicant pool to ensure that qualified applicants have not been overlooked
- If applicable the President/Vice Chancellor/Chancellor may refer the process back to the Search Committee to request Employment Services:
 - refer additional complete applications that have been submitted since

- the first review date forwarded for screening, and interview additional candidates;
- contact applicants with incomplete applications to request the missing application materials and refer new complete applications for screening, and interview additional candidates; or
- Extend, cancel or re-open the search.
- ~~Proceed with selection of a final candidate.~~

~~Absent extenuating circumstances described in writing to the president, the Search Committee identifies at least two candidates to meet with the Selection Committee for further assessment.~~

~~An unranked list of finalists is forwarded to the President who convenes the Selection Committee. The Search Committee Chair collects and returns all screening and interview materials, including electronic materials, to Employment Services. The Search Committee Chair instructs all committee members to permanently delete all applications materials, after submitting a copy to the Chair.~~

Reference Checking

References checks are performed for the purposes of affirming the selection of the final candidate. Should information discovered in reference checking serve to eliminate the candidate from consideration the President, Vice Chancellor or Chancellor has the option to perform reference checks on the secondary candidate.

Reference checks are normally performed by the Hiring Manager following the selection committee process. Under unusual circumstances and when requested by the hiring manager, reference checks may be conducted by one or more committee members. Reference checks must be completed in accordance with the policies and principles of equal opportunity. Reference information must be held in strict confidence by the hiring manager, and by the committee when the committee is requested to conduct the reference checks.

~~Reference checks must be completed in accordance with the steps outlined in the section titled Search Committee Responsibilities and policies and principles of equal opportunity. Reference information must be held in strict confidence within the committee.~~

Final Selection

The President will make the final decision on the candidate(s) and forward the selected candidate to the Chancellor for recommendation to the Board

The President or designee may extend a tentative offer of employment to the selected candidate pending approval by the Board of Trustees. Any offer prior to Board approval must be clearly stated as a tentative offer contingent on Board approval.

The Equal Opportunity representative will review the process to verify that all candidates were treated fairly and that the process yielded candidates able to meet the needs of a diverse population.

Commencement of Employment

The employee is not authorized to begin their assignment until cleared by Human Resources and approved by the Board.

Approved by the Board of Trustees ~~January 5, 1998~~

~~Revised August 23, 2004~~

Approved by the Board ...date Revised ... date

APPENDIX A

FULL-TIME FACULTY

EMPLOYMENT POLICY AND HIRING PROCEDURES

GUIDING PRINCIPLES SEARCH AND SELECTION COMMITTEE MEMBERS

Each committee member agrees to act in the best interest of our diverse student population, the division/department/program, and the college in selecting a candidate.

Each committee member understands that search and selection is a confidential process subject to laws and regulations on privacy and access (Title 5, California Code of Regulations, Section 53023(a); California Government Code, Section 6254).

Specifically, each member agrees not to discuss or in any way release information to any non-authorized person regarding:

1. Written materials turned in by the applicant and/or evaluations made by the committee members about applicants;
2. Oral discussions by or about applicants or committee members during or following the interview process; and
3. Any other information that relates to the search and selection process including the names of applicants.

Each committee member agrees if approached by any non-authorized person to discuss any of the above, the member is to refer the individual to Human Resources.

Each committee member understands that failure to maintain confidentiality will not only jeopardize the search and selection process but also could result in violation of Federal or State regulations and incur liability on behalf of the District. It is also understood that even the perception that confidentiality has been breached may jeopardize the hiring process. Therefore, each committee member agrees to call to the attention of the Vice Chancellor of Human Resources and Equal Opportunity, any action which might be interpreted as a breach of confidentiality.

Each committee member agrees to comply with Equal Opportunity policies and procedures assuring compliance with the hiring process as outlined in the District's hiring policy and procedures.

Each committee member agrees to operate in an objective and unbiased manner throughout the process and understands that any compromise in objectivity or demonstration of unlawful bias may threaten the process.

Each committee member understands that the process may be stopped at any time based on perceived discrimination against one or more candidates, or if deviation from District procedures has occurred.