



**FLORIDA INTERNATIONAL UNIVERSITY
SEARCH AND SCREEN PROCEDURE
HANDBOOK**

**FLORIDA INTERNATIONAL
UNIVERSITY**

Division of Human Resources

Office of Equal Opportunity Programs

**Faculty Search and Screen
Procedure Handbook**

Revised: December 2008



FLORIDA INTERNATIONAL UNIVERSITY SEARCH AND SCREEN PROCEDURE HANDBOOK

Florida International University

Office of the President

Our University has special opportunities and responsibilities in the affirmative action field. These opportunities stem from our location in a lively multi-ethnic, multi-cultural urban center. The responsibilities reflect our commitment to our culturally diverse student body.

While the final responsibility for enforcing equal opportunity and accomplishing planned goals in affirmative action ultimately rests with me, our successes will depend on how well and with what determination each and every one of us incorporates the guidelines and the goals in our search process.

This handbook is one component of the University's efforts to provide equal employment opportunity to all applicants and to eliminate discrimination against any group or individual due to race, religion, sex, national origin, disability, sexual orientation, age, and/or marital status. It is designed to help you fulfill our common need to operate a search and screen process that meets our goals in the equal employment field and renders to all applicants a selection procedure that is exemplary. The material is organized to provide technical background and support for the procedures required to fill all positions, which depend upon the search and screen process. It is also intended to provide guidelines on how the process is to be implemented in accord with the University's Affirmative Action Plan and the State Equity Accountability Plan.

We depend on all participants in the search process to exercise this trust diligently and to demonstrate clear progress as we meet the affirmative action and equal employment opportunity goals of the University. I invite all members of the University to join me in implementing the policies and procedures set forth in this Handbook. In so doing, we will succeed in our efforts to reach out to all segments of the community and encourage them to be part of our diverse and thriving institution.

Modesto A. Maidique

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INTRODUCTION

As stated in the University's strategic plan, *Reaching for the Top*, we have a commitment to "develop programs that explore and engender an appreciation of the differences among men and women of different ages, economic backgrounds, ethnic groups, creeds, philosophies, cultures, preferences, as well as those with varying mental and physical abilities." As a part of this commitment, we have a responsibility to make our employment processes as open and as equitable as possible. Equal employment opportunity is assured to candidates when the search, screen and selection processes are uniform and nondiscriminatory. Affirmative action requires that we make every possible effort to identify and attract qualified minority, female and disabled applicants for consideration for every position opening. The University's Affirmative Action Plan charges search and screen committees with ensuring equal access in employment.

This Handbook has been prepared to provide search and screen committee members as well as other interested individuals with information useful in implementing the search and screen process. A summary of equal employment/affirmative action laws and regulations is also provided.

As a member of a search and screen committee, it is important that you be aware of relevant policies and procedures which are intended to ensure equality in employment opportunity at the University. The staff in the Office of Equal Opportunity Programs is available to respond to any questions (Charles Perry Building [PC] Room 215, 348-2785).

PURPOSE AND SCOPE

The inclusion of minorities and women in the recruitment and selection process increases the likelihood of broad representation in the candidates selected for interview and employment. It is for this purpose that search and screen committees which include minorities and women in their membership are used in the recruitment and selection process. The search and screen committee helps the University ensure that it is complying with Federal and State equal employment opportunity laws and regulations, State University System regulations, and the University's commitment to affirmative action and equal employment opportunity. Announcement of vacancies must conform to Florida Statute 1012.95 (Appendix I). Appendix IV, Summary of Employment Laws, provides additional information regarding anti-discrimination requirements.

Search and screen committees are to be used to fill all permanent full-time faculty and librarian positions (regardless of rank or tenure-earning status). Interim appointments have no assurance of conversion to permanent or tenure-track lines. Advertising efforts to fill positions which are currently filled as "interim" on a permanent basis will be reviewed using the same standard for the sufficiency of the search effort as for any other vacancy; the existence of an internal potential applicant shall not result in a decreased search effort. It is, therefore, strongly recommended that a search be conducted at the outset for any interim positions where there is a potential of a future permanent appointment.

The following circumstances do not represent bona fide position vacancies and no announcement is required:

- a. Academic rank promotions.

- b. Position rotation, e.g. faculty member is elected or designated to serve as chairperson & associate chairperson consistent with the department's rotation policies.
- c. The reassignment or demotion of an employee to a different position.
- d. The reclassification of a filled Faculty position if no actual vacancy exists.
- e. A change of funding to/from a contract, grant, auxiliary, or local fund from/to a general revenue funded position with no change in duties, responsibilities, or classification if the incumbent was hired according to the university vacancy announcement procedures.

The following circumstances represent vacancies which may be exempt from posting requirement. Please check one of the following:

- a. Positions funded from contracts or grants:
When the principal investigator and other key personnel who are specifically identified by name in the contract or grant. Identify grant agency, project ID, and project period.
- b. Positions to be filled by persons who have been laid-off and who have recall rights as specified under the collective bargaining agreements and in the University's policies.
- c. Part-time positions of up to 50 FTE. A part-time position may not be changed from 50 FTE or less to greater than 50 FTE without conducting a search.
- d. Positions to be filled as interim appointments provided the appointment does not extend beyond one year for faculty positions, visiting appointments may or be for up to a 4 year term, with a 1 year extension if approved by the Provost.
- e. Positions to be filled on an interim, or temporary basis.
- f. Postdoctoral Fellow appointments for no more than 3 years.
- g. Research Associate for no more than 1 year.
- h. Positions to be filled in settlement of litigation, grievance or arbitration.
- i. Change in the title and/or responsibilities of a current member of the faculty where the change involves expanding or restructuring an existing situation without establishing a new position or creating a vacancy that must be filled. Explanation of the change must be provided in the additional documentation section of the Posting Exemption form.
- j. Appointment to a faculty rank, regardless of the length of term, without compensation or with pay that is nominal compared to the regular compensation of a similar position, e.g., honorific titles.
- k. Unique qualifications that make a search counterproductive. Documentation of the qualifications must be provided in the additional documentation section of the EOP Exemption form. Endorsement by the President is required after Human Resources approval.

FORMATION OF THE COMMITTEE

Appointments to the search and screen committee should be made at the time that a decision is made to fill a position. The appropriate administrator or hiring official determines the size and selection of the committee. Committee members should be familiar with the discipline for faculty searches. The search committee should be composed of individuals from diverse backgrounds in order to provide a variety of perspectives, as well as sensitivity to affirmative action issues. Therefore, the committee will reflect the diversity of the University community through inclusion of minority (African descent and/or Hispanic) and female representation on each search and screen committee. If there are not enough minority group members and/or women within the hiring unit who are able to serve on the committee, then persons from outside the unit or external to the University who have the appropriate expertise may be invited to serve. Most frequently, a search and screen committee will include five members, although the size of the committee may vary depending on the scope of the search. No member of the committee may be a candidate for the position, be related to a candidate for the position, or have any other conflict of interest in the work of the committee. Neither the hiring official nor the immediate supervisor of the position to be filled will serve as a member of the committee.

The appointing administrator is defined by the level of the position to be filled. The President will appoint the committee for all vice president searches. The Provost will appoint the committee for all searches for deans. For faculty positions, the appropriate dean will be responsible for the appointment of the search and screen committee.

Immediately upon making the committee appointments, the appointing administrator should forward a list of the committee membership, including identified race/ethnicity, gender, and position title, to the Office of Equal Opportunity Programs for review in accordance with University procedures.

ORGANIZING FOR SELECTION TASKS

The search and screen committee should hold its first meeting prior to the posting and advertising of the position. This ensures that committee members will have input in both the wording and the placement of advertisements for the position, and will be made aware of any affirmative action goals impacting the vacant position, and in the development of the recruitment plan. The search process is possibly the single-most important task of the search and screen committee. Recruitment of a strong and diverse applicant pool provides choices for the committee's selection. By contrast, a weak applicant pool may require re-advertising of a position, which can be costly both in advertising funds and time lost prior to filling the position.

Shortly after the appointment of the search and screen committee, the first organizational meeting should be held. At this time, a committee chair will be elected if the appointing official has not already named one. The purpose of the meeting will be to set guidelines and a timetable for the search and screen process. In addition to the committee members, the hiring official and a member of the staff of the Office of Equal Opportunity Programs should be present. To request staff from EOP at the initial meeting, complete Appendix G (Meeting Request).

The role at this meeting of the hiring official will be to provide the committee with its charge:

- provide the job description to the committee and respond to any questions regarding it;
- provide the committee with a description of the required and preferred job-related knowledge, experience and skills; inform the committee about budget availability for both the recruitment process and inviting applicants for interview;
- provide the date by which the administrator prefers the committee's recommendations;
- clarify, to the chair of the committee, who will process the required posting forms and advertisements, who will receive applications, who will provide the clerical support to the committee, and related information;
- clarify the manner in which the committee will make its recommendations, i.e. how many candidates would he/she prefer to have recommended; should the candidates be listed in prioritized or unranked order, will the committee interview candidates or make its recommendations based on a review of applicants' papers; will the committee or the administrator be responsible for checking references, and other related issues.

The role at this meeting of the representative from the Office of Equal Opportunity Programs will include the following:

- review with the committee the meaning of equal employment opportunity and affirmative action, and the implications for the committee's work - i.e. development of a recruitment strategy, advertising, definition of required and preferred qualifications, interview questions, and record keeping;
- discuss the implications for the search process of underutilization of minority group members and/or women in the unit for which the search is being conducted, if such underutilization has been identified;
- review the requirement that the committee ensure that all applicants are treated fairly and equitably, regardless of race, national origin, gender, disability, age, sexual orientation, marital status, religion or veteran status.
- inform the committee of the requirements of federal and state laws regarding affirmative action and equal opportunity for minority group members, women, and persons with disabilities;
- review the type of assistance the office can provide to the committee, i.e. help in identifying recruitment sources to increase the possibility of identifying minority and/or female job applicants (see Appendix II);
- clarify the role of the Office of Equal Opportunity Programs throughout the search and screen process, including the need for certification of the applicant pool prior to recommending the short list of candidates for interview;

Based upon the information described above, the committee will make the following organizational decisions:

- develop a recruitment strategy which includes efforts above and beyond traditional advertising; develop a time line which will include the date(s) of advertisements;
- the closing date for the position, meeting dates when the committee will review and select candidates for interview (if applicable); and the date committee recommendations will be presented to the hiring official;
- develop or review draft language for the position advertisements (see section on The Search Process, below);
- select specific newspapers, journals and other media for the placement of the advertisement(s).

The reader is referred to Appendix VI, for a list of what to do to ensure a successful and effective faculty search.

THE SEARCH PROCESS

The search, or advertisement of a position, occurs on two levels, one internal to the University and the other outside of the University. The following forms must be completed, with approval by the appropriate vice president. This process will usually be completed by the hiring official.

Proposal for Academic Recruitment (PAR)

To be completed for faculty and library positions; describes how the position is to be advertised, a description of the position, and, if the position has been identified as having under representation of minority group members or women, what special efforts will be made to attract targeted applicants. (see Appendices C & F)

NO ADVERTISING OR OTHER TYPE OF FORMAL RECRUITING ACTION MAY BE TAKEN UNTIL THE APPROPRIATE FORMS ARE APPROVED BY THE UNIT'S ADMINISTRATOR

The PAR must be approved by the Office of the Provost or his designee who then forwards to EOP. Once this approval has been received, the advertising process may proceed.

All advertisements for a particular position, including the Proposal for Academic Recruitment and any flyers developed for distribution, must identify the same quantitative and qualitative objective criteria for the position (i.e. educational level, prior work experience, special skills). "Preferred qualifications" or academic specialties may also be indicated, as may specific skills or demonstrated competencies. All criteria should be qualities which can be judged from review of a resume (i.e. "interpersonal skills" is inappropriate, but "documented ability to work as part of a team" is acceptable). The committee should consider the wording of the advertisement carefully. Any candidate who is to receive serious consideration must meet all the criteria *required* in the advertisement; no advertisement should be worded with such specificity that qualified and/or potentially attractive candidates are excluded from consideration. Positions should be defined as broadly as possible, to be more rather than less inclusive in who will potentially meet minimum position qualifications. This increases the likelihood of attracting nontraditional applicants who meet the qualifications, including minority and female applicants.

The closing date specified for consideration must be the same in all advertisements; if, in error, different dates are printed in different sources, either the position should be re-advertised or applications postmarked on or prior to the latest closing date should be accepted. Any changes in deadline date, salary, minimum requirements, etc. may be implemented by completing a Change Request Form (see Appendix D) processing it through the Office of Equal Opportunity Programs.

A position advertisement may include an invitation of nominations for the position. If so, the committee should consider the impact of the receipt of nominations on the position closing date. Receipt of nominations can be requested by a date prior to the closing date, to allow time for contacting the nominee for submission of an application. Alternately, if the deadline for

nominations is listed as the same date as for applications, all nominations received by that date are to be given full consideration by the committee.

Advertisements must include the language, "An Equal Opportunity/Equal Access/Affirmative Action Employer." You may choose to announce Florida's "Sunshine Law," to notify potential applicants that all applications are subject to Florida's Public Documents law. Under the Immigration Reform and Control Act (IRCA), all persons selected for employment at the University must be citizens or have authorization to work. IRCA also prohibits discrimination in employment based upon national origin or citizenship. Some University departments hire non-resident aliens who obtain a visa based upon the University's job offer. Employment decisions should not be made on the basis of citizenship or alien status. However, all hires will be contingent upon compliance with IRCA.

All advertisements should be placed through Workforce Recruitment by the hiring department. An ID Transfer form which states the journal or newspaper in which the advertisement is to be placed, its address, and the desired date of publication, with a copy of the text of the advertisement attached, should be processed for each advertisement which is to be placed.

Advertising media should be selected by the committee as appropriate to the discipline of the position. Tenure-earning faculty positions and A&P positions at the executive level are expected to be advertised in national professional journals. Instructor/Lecturer faculty positions may be advertised either on a national basis, or locally in tri-ethnic media. Committee members will most likely be familiar with the major national professional journals in the relevant fields. Placement of advertisements which are likely to reach potential minority and female applicants indicate the committee's good-faith efforts to inform and attract significant numbers of potential applicants, including men and women of varied races and ethnic backgrounds. Therefore, advertisements may also be placed in newspapers, professional newsletters, and other media sources, which are published by and/or for minority group members and women. Flyers mailed to graduate programs in a particular discipline are also a very effective recruitment tool. (Information regarding the placement of advertisements may be found in Appendix II).

In the case of positions where there is underutilization of minority group members and/or women, the committee should make additional efforts to reach qualified minority and/or female applicants. These efforts may include contact with the placement offices of institutions of higher education, including institutions which predominantly serve minorities and/or women and/or are in urban areas, and offer doctoral degrees; contact with professional colleagues who teach at doctoral-granting institutions; personal contact with minority and female individuals and groups, including professional caucuses, agencies and associations established to address the concerns of minorities and women; active recruitment at professional conferences; and, utilization of current minority and/or female employees to assist in the identification of additional recruitment sources.

SCREENING AND SELECTING FOR INTERVIEW

The committee should have a second organizational meeting prior to the closing date or review-by date of the posting period. The major agenda of this meeting will be to design a procedure for ensuring equitable evaluation of information regarding qualified applicants.

The criteria listed in the advertisement as either required or preferred should be the basis for screening of candidates. All criteria must be job related. The critical consideration must be the relationship between the specific knowledge, skills or abilities described in the applicant's resume and the specific knowledge, skills or abilities required for each job task. The more

objective the selection criteria, the more defensible the committee's ultimate decision. The criteria must also reflect judgments which can be based upon a review of an applicant's vita and other written materials, and should not include those which can be judged only through interviewer "gut feelings." In addition to those criteria which are specific to an academic discipline or a specific professional position, a candidate's ability to provide cultural diversity to a department, to serve as a role model for students, and to offer a range of perspectives and interests should be elements in the application evaluation and selection process.

The committee procedure for ranking candidates should be designed to ensure there is no adverse impact based on race, national origin, handicap or disability, age, sexual orientation and/or gender as a result of using the procedure. In other words, the only judgments to be made by the committee should be clearly valid and job related.

The committee needs to develop criteria which allow the members to select the best qualified candidates in a non-biased manner. The criteria developed should support this goal while allowing the committee the flexibility to select the candidates who possess the necessary education, skills and experience at the level required by the position. A first screening of the applicants should determine which candidates meet the minimum advertised requirements. An applicant who does not meet all advertised requirements may not be considered further. A second screening will identify those applicants who meet or exceed most or all of the advertised preferred characteristics for the position.

As applications are received, they should be date stamped to indicate timeliness of arrival. As each application is received, the form letter from the Office of Equal Opportunity Programs, an Applicant Data Sheet (ADS) (Appendix A), and the self-addressed return envelope should be immediately mailed to the applicant. Doing so will assist in obtaining **certification** at the end of the posting period from the Office of Equal Opportunity Programs that the applicant pool has sufficient representation of minority and female applicants. It will also inform applicants of the range of pre-employment information which will be required should they be selected for employment. The committee may choose to send its own letter, thanking the applicant for their interest, as a cover to the EOP form letter and ADS.

Applications are on time if they are postmarked up to and including the last day of the posting period. All applications received directly by the Office of Equal Opportunity Programs will be forwarded to the chair of the Search and Screen Committee within three days of receipt. For applications received after the closing date which are postmarked on time, the postmarked envelope should be kept with the application as a record of the application's timeliness. Applications postmarked after the closing date cannot be considered. A letter should be sent to those late applicants expressing regret that the application was mailed too late to be considered for the position (see Appendix III for sample letter). If there is expected to be a long period (one month or more) between receipt of applications and forwarding of recommendations to the hiring administrator, it would be helpful to mail a letter to all applicants indicating that their papers were received, and when they might expect a decision to be made (see Appendix III). This may be done at the same time as the mailing of the EOP Applicant Data Sheet.

If the position needs to be re-advertised (i.e. advertisements were not placed on time, applicant pool too limited, etc.), the posting period can be extended by completing a Change Request (Appendix D). When a posting period is extended, both the original and the additional applicants are included in the group to be considered by the committee. If the posting of a faculty

position is to be extended into a new academic year, the Change Request must be approved by the Office of the Provost. However, it is recommended in such cases that the original posting be canceled, and a new search initiated. Applicants from the original posting period should be notified, by letter, of the cancellation of the initial search and the initiation of a new search, and be invited to apply again if still interested in the position.

Once the committee has developed its selection criteria, committee members may, on an individual basis, begin screening resumes as they are received. However, the committee, or a subgroup of its members, should not discuss any candidates until after the deadline date has passed and the applicant pool certified by the Office of Equal Opportunity Programs. The committee should meet to consider the candidates at least five days after the closing date, to allow applications mailed on the last day an opportunity to arrive and receive full consideration. Using the criteria previously agreed upon, the committee then begins the selection process. Often, it is possible to immediately eliminate some applicants who do not meet the advertised minimum qualifications. The committee may choose to delegate this task to a subcommittee of its members, particularly in cases where the applicant pool is very large. Selection of applicants who should be interviewed (or recommended if the committee is not interviewing) is more difficult. If the applicant pool is very large, the process can be unwieldy. It may be helpful if each committee member selects the five or ten candidates who they feel are best suited for the position, and vote, candidate by candidate, to identify the ten or twenty applicants who are rated most highly by the total committee. The committee can then proceed to consider this group of candidates on an individual basis.

At this point, the committee should review the applicants remaining in the pool and determine, to the extent possible whether there are minority and female candidate in the final pool (see section on the Certification of the Applicant Pool). If no identifiable minority or female candidates remain on the "short list," the committee may want to review the full applicant pool again to determine whether any qualified minority or female applicants should be reconsidered and added to the list. The committee should be ready, at this point, to identify the candidates to be invited for interview (or selected for recommendation, if interviews are not going to be conducted by the committee).

Prior to scheduling interviews, candidates' employment and personal references should be obtained and academic credentials should be verified. A core list of specific, job-related questions should be developed if telephone reference checks are being used, so that parallel information is obtained for all applicants. Notes should be maintained on the job-related information, which is obtained from the telephone reference checks, so that the committee will fully benefit from information received on each candidate.

Applicants who have not been selected for interview should be sent a letter so informing them and thanking them for their application (see Appendix III). These letters may be sent at this point in the process or, if there is a possibility that the committee will add to the interview pool after the first group of interviews, they may be delayed until the committee is ready to make its final recommendations to the hiring official.

The committee may choose to use telephone pre-interviews to further refine the list of candidates selected for interview. If this process is used, the committee should agree on the general range of questions to be asked of each candidate prior to placing the calls. This will ensure that similar

information is elicited from each candidate, and that the committee has the information needed to make its next set of decisions.

Interview schedules should be arranged, and travel arrangements should be completed as necessary. The number of applicants to be interviewed will vary depending upon the level of the position and the degree of competitiveness of the credentials of the final applicants.

CERTIFICATION OF THE APPLICANT POOL

The applicant pool must be certified by the Office of Equal Opportunity Programs prior to the committee's discussion of the candidates.

The purpose of the review is to identify whether the applicant pool, as reported in the completed Applicant Data Sheets, reflects representation of minorities and women at a level equal to or exceeding the availability data in the University Affirmative Action Plan. Applicant pools which include such representation shall routinely be certified. For positions for which the applicant pool does not reflect representation of minorities and women equal to the availability data in the Plan, the recruitment effort shall be carefully reviewed. If there is no evidence of active recruitment efforts beyond the placement of advertisements, it will be recommended that the search period be extended to allow for additional recruitment.

For departments which have no representation of Blacks, Hispanics, and/or women, or which have identified affirmative action goals for members of any of these groups, the pool certification shall include the identification, by name, of minority and/or female applicants who complete and return the Applicant Data Sheet. This will allow the Search and Screen Committee to affirmatively re-review these applicants' credentials, to ensure that qualified minority and female candidates are not overlooked in departments where these groups either are inadequately or not represented at all.

REASONABLE ACCOMMODATION OF APPLICANTS WITH DISABILITIES

Under the Title I (employment) regulations of the Americans with Disabilities Act, as well as Section 504 of the Rehabilitation Act, the University cannot refuse to hire qualified persons with disabilities simply on the basis of the disability. Under the law, an individual with a disability is a person who has:

- a physical or mental impairment that substantially limits one or more major life activities;
- a record of such an impairment; or,
- is regarded as having such an impairment.

An applicant or employee who meets this definition of disability must be provided reasonable accommodation in the application and employee process. Accommodations must be requested by the applicant or employee; a search committee should not assume that an applicant who appears to have a disability will require accommodation if it is not requested.

If an applicant requests an accommodation in the application or employment process, the committee chair should contact the Director, Equal Opportunity Programs. The applicant should

have input into the type of accommodation provided, but the University has the ultimate decision in the specific of how the disability will be accommodated.

The University has centralized budget, housed in the Office of Equal Opportunity Programs, created for the purpose of funding the cost(s) or reasonable accommodations. The purpose of the centralized funds is intended to ensure the concerns about the cost of reasonable questions regarding the accommodation of applicants with disabilities, should be addressed to the Office of Equal Opportunity Programs.

THE INTERVIEW PROCESS

The purpose of the interview is to determine whether a candidate has the ability to perform a job. The criteria used to make this decision should reflect the criteria used throughout the search and screen process. Generally, a minimum of three candidates should be interviewed.

Prior to holding the interview, the committee should plan/make decisions on the following questions:

- What specific core job-related questions will be asked of all interviewees?
- Who will lead the discussion/questioning?
- Will the candidate be asked to give a presentation or colloquium in his/her area of expertise?
- Will discussion of each candidate follow the conclusion of the interview or will discussion be held until the last interview is completed?
- Who, in addition to the committee members and hiring official, will interview the candidate? Is there specific information that the committee seeks from specific audiences (i.e. student reactions to teaching style at a symposium, assessment of an applicant's research records from a dean)?

If possible, candidates should be provided with an interview schedule prior to arrival on campus. At a minimum, they should be informed who (by name and position) will interview them and whether a presentation is expected. Since specific job descriptions do not exist for faculty positions, as much information as possible should be provided, i.e. courses and course levels to be taught and other anticipated responsibilities (program development, advising, etc.).

It is important to remember that all candidates should be treated similarly throughout the interview process, regardless of whether they are local or out of town applicants, or from within or outside of the University. Samples of interview questions, which do and do not conform to equal employment guidelines are presented in Appendix V.

No offer of employment will be tendered during the interview. The posted salary range may be discussed, but no commitments may be made. The final salary approval process is discussed below, in the section on Hiring. If possible, candidates should be given a time frame in which they can anticipate hearing that a final selection has been made.

It is highly desirable that candidates be immediately reimbursed for their expenses without undue delays. The Search and Screen Committee should seek to arrange as much of the travel as possible through the University travel agent.

RECOMMENDING CANDIDATES

After the interviews have been completed and discussed, agreement should be reached regarding the final recommendation. It will be helpful if the final written recommendation to the hiring official reflects the rationale upon which the committee based its decision. The memorandum containing the recommendations should have the resumes and other supporting documentation attached for each recommended candidate. If interviews included persons not on the committee, input from these interviewers should be considered as the committee makes its decision.

The committee should recommend a minimum of three and a maximum of five candidates to the hiring official. Preferably, these should be unranked, to allow the hiring official some flexibility in deciding among the final list of candidates. The hiring official should not make a final hiring decision, nor recommend an applicant for employment, until after receipt of the post-interview recommendations of the members of the search committee. The committee's recommendations should be strongly considered by the hiring official. If an applicant is selected by the hiring official who has not been recommended by the committee, a written explanation of why the non-recommended candidate was selected should be provided to the division's vice president, with copies provided to the chair and members of the search and screen committee, prior to extending an offer to the candidate.

Letters should be sent to all candidates who were interviewed and not hired (see Appendix III for sample letter).

The work of the committee is now completed. Final selection, offer, etc., will be done by the hiring administrator.

“WINDOW OF OPPORTUNITY” LINES

To enhance the University's efforts to increase the diversity of the faculty, the Provost created the “Window of Opportunity” program. Using a centralized pool of positions, the Provost has been able to enhance the opportunities for the hiring of women and minorities. The program is applicable in those disciplines where national representation is low and/or where strong female and/or minority applicants would not otherwise be the top choice of a search committee (either because the area of specialization is not the most preferred, or the academic rank is not the most preferred), or in areas where there is no recruitment being implemented. Requests for a “Window of Opportunity” position are made through the academic dean to the Provost and are considered in light of the unit's total vacant positions. Such lines must be returned to the Academic Affairs pool if the original occupant vacates the position. Consultation with the Office of Equal Opportunity Programs is necessary regarding approval of the filling of two or more positions from one PVA or of a waiver of the posting of the position.

HIRING

For faculty positions, the following procedure should be followed. Once the final candidate has been selected, a letter of offer, a copy of the applicant's resume, and letters of reference should be forwarded by the Dean to the Provost and Vice Provost for Budget and Personnel Administration for approval. It is the responsibility of the academic unit to confirm the applicant's terminal degree through submission of an official transcript. If this has not been received at the time the letter of offer is submitted for approval, the letter should include the language, "Your appointment is contingent upon the receipt of an official transcript from the institution from which you received your terminal degree."

All faculty hires are contingent upon the candidate's compliance with the requirements of the Immigration Reform Control Act of 1986. Letters extending job offers should contain the following language:

Since the University is a covered employer under the Immigration Reform Control Act of 1986, this offer of employment and your hiring are contingent upon your providing proof which meets the standards of the Act, of U.S. residency and authorization to work.

All new employees are also to comply with 775.16(1), F.S., a state law requiring reporting of any felony conviction involving the selling or trafficking of a controlled substance, as defined in Chapter 893, F.S. The letter of offer should include a Pre-employment Requirements form. If the applicant reports such a conviction since October 1, 1990, then the applicant must also complete a Pre-employment Verification Requirement to report completion of legal requirements regarding the conviction.

Request for approval to pay moving expenses, or any other special needs for both faculty and A&P positions, must be discussed with Human Resources prior to making any commitment to the job applicant.

Once the applicant has accepted the position, Part B of the Position Vacancy Announcement providing the name and other information regarding the person hired should be completed and returned within thirty days to the Office of Equal Opportunity Programs.

UNFILLED POSITIONS

On occasion, despite the best efforts of a search and screen committee, a decision is made not to fill a position. When this occurs, a Change Request should be completed to cancel the posting.

Alternately, a decision may be made to delay filling a position until an extended date. In such cases, it is recommended that the original posting be canceled, and the search re-initiated. Applicants from the original posting may be contacted and invited to reapply.

RECORD KEEPING

All records of the work of the Search and Screen Committee, including applications, letters of reference, meeting minutes, and other correspondence are subject to the State of Florida Public Records Law. These records must be maintained after the selected candidate has signed an employment contract. It is the responsibility of the committee chair to provide these records to

the office of the hiring official for storage. State policy requires that search committee records (minutes, reports, vitae, reference letters and internal University correspondence) be maintained for two years after the position is filled, provided there is no pending complaint or litigation.

THE SUNSHINE LAW

Section 286.11, Florida Statutes, provides:

All meetings of any board or commission of any state agency or authority at which official acts are to be taken, are declared to be public meetings open to the public at all times, and no formal action shall be considered binding except as taken or made at such meeting.

Florida law holds that a search and screen committee at a state university is a "public meeting" and that the committee can meet and vote by phone as long as phone lines are provided for the public to call-in. Notice of the committee's search and screen meetings should be given seven (7) days in advance and the public invited to attend and observe. Notice may consist of posting the committee meeting notice in appropriate places in the university. The statute does not turn a meeting into a "hearing," and persons in attendance do not have the right to comment unless the committee deems it in the best interest of the process. An official record of the meeting must be kept. This may be done by tape recording. Minutes must be written based upon the tapes, or upon notes from the meeting, and should list any decisions made by the committee.

Occasionally, because of conflicting schedules, committee members are unable to attend search and screen meetings. In these instances, they may vote by telephone. Also, votes may not be taken by secret ballot. Committee members are prohibited from discussing matters to be decided by them at the search and screen meetings among themselves. If any questions arise during the course of meetings as to the requirements of the Sunshine Law, the Director for Equal Opportunity Programs should be contacted. Questions will be forwarded to University General Counsel, as necessary.

THE PUBLIC DOCUMENTS LAW

Under Florida law, all documents of the search and screen process, including letters of application, resumes, letters of reference, search committee minutes, etc., are subject to the State of Florida Public Documents Law at all points of the process. This means that all records are subject to review by any member of the public (including applicants) upon written request, and that requests for copies must be honored. The requester may be asked to pay for duplicating costs.

THE COMMITTEE AS REPRESENTATIVE OF THE UNIVERSITY

The University generally receives a range of fifty to one hundred applications for a nationally advertised position, although in some academic disciplines it is not unusual to receive four or five hundred applications for a faculty position. The search and screen committee may be the only contact which many of these applicants have with the University, and therefore places the committee in a unique position to enhance the reputation and image of the University. While a committee is evaluating a candidate, the candidate is also evaluating the committee, the department it represents, and the institution. Therefore, the impression that a candidate receives

of the University will influence not only the applicant, but colleagues and students with whom the applicant works in the years to come. Therefore, the committee can have a significant impact on the reputation of the University not only with those applicants who accept employment at the University, but with all candidates.