Changes in & Clarifications of the Search Process for Tenure-System Faculty
Februray 2015

Principles
1. The search process should be more democratic than it has been in recent years, including faculty members’ greater access to application materials and greater participation in the final selection of candidates.
2. Our collective responsibility for vetting candidates requires that we go beyond application materials and submitted references to assess the candidates’ qualifications. While doing so, we must continue to adhere to federal and state laws and university policies.
3. A rigorous interview process requires going beyond scripted questions—provided the treatment of candidates is equitable and does not venture into prohibited areas of consideration.
4. Actual or perceived conflicts of interest between search committee members and applicants must be disclosed and managed, mitigated, or eliminated.

Changes & Clarifications

The changes and process clarifications intended to fulfill these principles are described in “Changes in & Clarifications of the Search Process for Tenure-System Faculty,” revised February 6, 2015.

Frequently Asked Questions

Access to Short-Listed Applicant Materials

Q: Which faculty may have access to all of the confidential applicant materials of the short-listed candidates, included reference letters?
A: All faculty, regardless title or rank, may have access to the confidential materials or short-listed candidates, provided each faculty member must sign the confidentiality declaration.

Q: Just to be clear, should lecturers in the department have access to the confidential materials of short-listed candidates?
A: Yes, lecturers—whether part-time or full-time—are faculty and may have access.

Q: Are either undergraduate or graduate students permitted access to the confidential applicant materials?
A: No, students may receive the non-confidential materials (such as cover letters, CVs, and teaching/research statements) but not confidential materials, such as reference letters and transcripts.

Q: May the search committee determine which applicant materials will and will not be available to other faculty?
A: No, all such applicant materials for all candidates must be made available.

Q: When should the confidential materials become available to faculty outside the search committee?
A: The materials should become available once the shortlist has been approved by the Provost’s Office and once the committee has notified the short-listed candidates that they will be invited to campus interviews.

Q: What about the confidential materials of other applicants not on the short list? Are those also available to faculty who are not on the search committee?
A: No.

Participation in Final Candidate Selection

Q: Which faculty may participate in deliberations over the ranking of finalists?
A: All faculty in a department—including part-time and full-time NTT faculty—may participate. Faculty in other departments or programs in which the new faculty member will have duties or affiliations may also participate in such deliberations.

Q: May undergraduate or graduate students participate in such deliberations?
A: No. The search committee should solicit the views of students who attended job talks or other sessions with candidates and the committee should convey such views as part of the faculty deliberation, but students should not join the deliberations themselves.

Q: What faculty may vote regarding the ranking of finalists?
A: Only the faculty at a rank equal to or higher than that of the new position may vote. Only such faculty in the department that will be the tenure home of the new faculty member may vote.

Q: What is the role of the search committee once the short list has been approved?
A: The search committee’s primary responsibility is the screening of applicants against the published selection criteria until a short list has been identified and approved. Once the list has been approved, the committee’s role shifts to coordination and synthesis, primarily by arranging and coordinating on-campus interviews, working with the department chair/head to arrange meetings of faculty to deliberate and vote on the candidates, and writing a summary of those deliberations (including the candidates’ strengths and weaknesses) and faculty votes. The committee may not overrule the vote of the faculty. The February 6 guidelines discuss this role more thoroughly.

Q: What is the role of the department chair/head in the interview and final selection stage?
A: The chair/head interviews the candidates and writes on behalf of the department faculty; however, the chair/head may also express an independent perspective on the candidates and their ranking.

Q: Must the voting faculty rank the finalists?
A: The voting faculty should rank the finalists unless the hiring authority (normally the dean) has asked for an unranked list, in which case the search committee’s letter should describe each candidate’s strengths and weaknesses without ranking them.

Q: If a department’s bylaws (or other governing policy) differ from these guidelines, must the new guidelines be adopted?
A: No, a department that has formally established its own protocols may continue to use them, provided they don’t conflict with federal or state laws, university policies, or collective bargaining agreements. However, the Provost urges you
to consider these guidelines for faculty participation because of their promotion of more democratic processes.

Off-List Reference Checks

Q: **What is an “off-list reference check”?**
A: We ask applicants to identify and provide contact information for professional references. Those are “on-list” references. “Off-list” references are those not volunteered by the applicant, people who may have information useful in assessing the applicant against the published evaluation criteria. Such off-list references may be a current or past thesis advisor, a department chair, a colleague, a collaborator, a supervisor.

Q: **How are such off-list checks conducted?**
A: In general, such checks are made by telephone using—as a starting point—a set of scripted questions that are essentially the same for all of the checks in that search. The questioner should maintain notes of the conversation. Follow-up questions and conversation are permissible but the person conducting the check must be scrupulous in avoiding prohibited topics. If the reference raises a prohibited topic (such as the applicant’s race, gender, disability, or family status), the questioner should avoid responding to that topic, should make no note of it, and should steer the conversation to permissible topics. For information regarding permissible and prohibited topics, see the EO&D search procedures manual.

Q: **I thought off-list reference checks were prohibited. Why the change?**
A: Despite the common perception that they were prohibited, they were not. The EO&D search guidelines refer to them and offer some guidelines for conducting them.

Q: **Must searches make off-list reference checks?**
A: As a matter of due diligence, we strongly urge you to conduct such checks.

Q: **When should off-list reference checks occur?**
A: We recommend conducting these checks once a tentative short list has been approved but before those on that list have been invited to campus. Information gained through such checks can then be used to confirm or revise the short list. Alternatively, the checks could be made after campus interviews but before the ranking of the finalists.

Q: **Can the search committee or chair/head choose to make off-list checks for only some of the candidates on the tentative short list?**
A: No. All candidates still under consideration must be treated equitably.

Q: **Should candidates be told that such off-list checks will be made?**
A: Yes, each candidate must be told that such checks will be made. If checks will be made at the candidate’s current employer, the candidate’s permission must be secured in writing (an e-mail confirmation will suffice). If the candidate declines to give such permission, the committee may decide on that basis not to consider the candidate further. The candidate need not be told whom the committee intends to contact except where the candidate’s permission is required as described above.

Q: **Who should conduct the off-list checks?**
A: Only a person thoroughly familiar with the guidelines on permissible and prohibited topics should conduct the off-list checks. For that reason, we believe
that the search committee chair or the department chair/head are usually the best suited. *Only people authorized by the search committee* should conduct such checks.

**Q:** Sometimes a colleague at another university is uncomfortable speaking to a stranger and would be more candid if speaking to a known UMass colleague. **In that case, can the UMass colleague make the call?**

**A:** In such a situation, the UMass colleague may arrange and join the conversation after signing a confidentiality declaration but should leave the questioning to the person authorized by the search committee.

### Interview Questions

**Q:** Must search committees continue to use scripted questions when interviewing candidates?

**A:** To promote the similar and equitable treatment of all candidates being interviewed, UMass search committees and administrators should have a standard set of questions they will use for all candidates.

**Q:** How on earth can a committee script a two-day interview period?

**A:** You can’t, and you shouldn’t try to. The script is intended to touch on the broad range of published evaluation criteria for the position, but questioners should feel free to use follow-up questions, to seek clarifications, to understand nuances. And, of course, at this stage, we are also trying to sell UMass, our community, and the region, and so much conversation is likely to stray far from the evaluation criteria. This going beyond the script is essential to understanding the character and intellect of a candidate who may spend the next 35 years at UMass.

**Q:** But…?

**A:** Going beyond the script increases the risk of straying into prohibited areas. Every employee involved in candidate interactions should be very familiar with the list of permissible and prohibited topics and must scrupulously avoid the latter.

**Q:** What if a candidate “opens the door” to a prohibited topic, such as saying, “I have young children. What can you tell me about the local schools?” Does that open the door for a university representative to ask about the candidate’s family status?

**A:** No, don’t walk through that door—even if the candidate appears to have opened it. In the example, the university representative may answer the question posed but should not probe for any further information about the candidate’s family.

### Faculty Disclosures & Recusals

**Q:** What constitutes a conflict of interest between a search committee member and an applicant?

**A:** Faculty who have mentored or been mentored by, published with, written grants with, or had a personal relationship with an applicant has an apparent conflict of interest in objectively evaluating the applicant for a faculty position. Whether that conflict of interest is real or only perceived as possible depends on factors such as the frequency, closeness, and recentness of those contacts.

**Q:** If the conflict of interest is more perceived than real, what’s the problem?
A: The perception of a conflict of interest may damage the perception of the search’s legitimacy, may undercut the hired candidate’s credibility in the position, and could lead to legal challenges of the search.

Q: Must a search committee member with a conflict of interest disclose the conflict in all cases?
A: Yes. The search committee member must disclose to the other members of the committee and to the department chair/head any such conflict as soon as the faculty member recognizes the conflict.

Q: Must a search committee member with a conflict recuse her/himself from the search?
A: Not usually. The February 6 guidelines offer the following:

• Search committee members engaged in a personal relationship with an applicant must disclose the relationship to others involved in the evaluation of the candidate and must recuse him/herself from any deliberations involving that particular applicant. In most cases, a search committee member with a personal relationship with an applicant who has reached the shortlist should recuse him/herself from the committee’s work, including deliberations over other applicants.

• Search committee members engaged in a professional relationship with an applicant must disclose the relationship to others involved in the evaluation of the candidate and must recuse him/herself from any deliberations involving the applicant. A search committee member with a close professional relationship with an applicant who has reached the shortlist need not recuse him/herself from the committee’s work but should remove him/herself from all discussions of that applicant but may vote along with other department faculty on all applicants.

• A search committee member with a distant professional relationship (few collaborations or collaborations older than five years) with an applicant who has reached the shortlist need not recuse him/herself from the committee’s work and may participate in all discussions of that applicant and need not abstain from voting on any applicant.