

EHRA Employees

Policy 601.8

NOTE: For purposes of all Appalachian State University policies, references to SPA (subject to the State Personnel Act [former terminology]) shall be interchangeable with SHRA (subject to the State Human Resources Act [current terminology]); and references to EPA (exempt from the State Personnel Act [former terminology]) shall be interchangeable with EHRA (exempt from the State Human Resources Act [current terminology]).

1 Introduction

1.1 Appalachian State University (the “university”) is an affirmative action and equal employment opportunity employer. The university does not discriminate in access to its educational programs and activities, or with respect to hiring or the terms and conditions of employment, on the basis of race, color, national origin, religion, sex, gender identity and expression, political affiliation, age, disability, veteran status, genetic information or sexual orientation. The university actively promotes diversity among students and employees. The university is committed to its affirmative action plans and seeks to deepen its applicant pools by attracting interest from diverse, qualified individuals.

1.2 The Recruitment and Selection Procedures for Faculty and Non-faculty EHRA Positions contain university policies and procedures to guide search committees as they prepare for and conduct successful searches for EHRA positions. The document also contains suggestions and recommendations for recruiting and hiring individuals from groups that are underrepresented at Appalachian.

1.3 The Office of Equity, Diversity and Compliance (“EDC”) is responsible for ensuring that the university is in compliance with federal and state laws, executive orders, and institutional policies and procedures pertaining to affirmative action (“AA”) and equal employment opportunity (“EEO”) matters. The director of EDC and AA/EEO compliance (the “director of compliance”) or a designee is available to advise and assist university community members on all matters related to AA/EEO programs and compliance guidelines, including searches for EHRA employees.

2 Scope

2.1 This policy applies to recruitment and hiring for all EHRA positions tenure-track and fixed-term faculty, non-teaching faculty and professionals, research associates, and administrators that involve at least seventy-five percent (75%) time.

3 Definitions

4 Policy and Procedure Statements

4.1 General Search Requirements

4.1.1 Equal opportunity and affirmative action principles dictate that university searches must be expansive and open. Generally, EHRA positions must be advertised nationally for a minimum of 30 calendar days. Upon approval from the director of compliance or a designee, searches may be limited to regional or local advertising and or advertised for less than 30 calendar days (minimum 14 days) depending on the circumstances. Positions in Athletics for coaching staff must be posted for a minimum of 14 days. In addition, internal searches may be approved by the director of compliance or a designee and the appropriate hiring administrator in limited circumstances.

4.1.2 No search is required under the following circumstances:

1. when filling an EHRA position that is less than seventy-five percent (75%) time;
2. when extending a fixed-term appointment for a limited duration;
3. where a Principal Investigator or Co- Principal Investigator has been named in a grant or contract and the award is contingent upon the individual(s) named serving in that capacity;
4. a promotion or upgrade in administrative title where the employee's qualifications, skills, and/or additional duties justify an upgrade and the person promoted or upgraded in title is more qualified than the other employees in the unit or department (e.g., assistant director to associate director, coordinator to director);
5. when an employee is reassigned duties or transferred to another department or division for purposes of reorganization or

- to meet other institutional needs;
6. when the chancellor employs immediate staff whose duties include management of matters that are confidential in nature and/or acting as the chancellor's personal representative to constituencies on or off-campus (e.g., executive or special administrative assistant, chief of staff, assistant to the chancellor for university relations, etc.); or
 7. faculty promotions (e.g., assistant professor to associate professor, associate professor to full professor), although such promotions must follow the procedures specified in the Faculty Handbook.

4.1.3 Search requirements may be waived, in whole or in part, in special circumstances, including, but not limited to, the following:

1. There is insufficient time to conduct a full, competitive search, and the hiring administrator can identify a pool of one or more qualified candidates.
2. The hiring administrator wishes to make an interim academic or administrative appointment for a finite period while a full search is conducted.
3. Hiring is needed to fill unanticipated openings or vacancies, including, but not limited to, grant positions, post-doctoral positions, and those resulting from leaves of absence, medical emergencies, deaths or resignations.
4. Administrators seek to hire faculty or EHRA administrators to fill part-time, temporary or time-limited positions including, but not limited to, assistant deans, associate deans, and directors of administrative units.
5. The hiring administrator wishes to make an exceptional hire where the university has the opportunity to hire someone with outstanding skills and experience along with the following factors: 1) experience working with diverse populations; 2) academic scholarship; 3) teaching; 4) exceptional achievements; 5) outstanding leadership and service; or 6) other special talents so as to confer a distinct benefit to the institution's mission.

4.1.4 Departments and units wishing to conduct an internal search, limited external search, or no search must review the Policy for Requesting a Waiver of EHRA Recruitment Procedures and submit a Request for Waiver of EHRA Recruitment Procedures to the appropriate university officials. See Attachment A.

4.2 Organizing the Search Committee

4.2.1 Prior to beginning a search, the hiring authority will appoint the search committee (generally, at least three persons). For faculty searches, chair searches, and searches for Category 1 and Category 2 Administrative/Academic Personnel, the search committee will be established or constituted in accordance with the Faculty Handbook. See Section 4.1, Faculty Handbook. In academic departments where search committees are not utilized, the departmental personnel committee ("DPC") shall serve as the search committee. The hiring authority or the search committee or the department will appoint or elect a chair who develops a timeline for the committee's work, represents the committee to all constituents, and delivers final recommendations to the hiring official, or, in the case of faculty search committees or DPCs, to the DPC or the departmental chair, depending on the reporting chain determined by the department.

4.2.2 To the extent feasible and consistent with the criteria for membership in a search committee, departments or units should endeavor to include on the search committee women and individuals from underrepresented groups, as well as individuals who are committed to and/or have experience with enhancing diversity in the university community. In order to ensure consistent and accurate compliance with AA/EEO requirements during EHRA searches, all members of the search committee should attend an information session with the director of compliance or an appropriate designee to review the EHRA search procedures. Information sessions will be scheduled on a regular basis through EDC. In addition, upon request, the director of compliance or an appropriate designee will meet with any EHRA search committee at any point in the search process. The director of compliance or a designee is a non-voting, ex officio member of all EHRA search committees.

4.2.3 Search committees must conduct their meetings in accordance with the rules outlined in the most current edition of Robert's Rules of Order, unless exceptions to these rules are noted in this document or the latest edition of the Faculty Handbook.

4.2.4 A checklist is provided to assist search committee members with the steps involved in the EHRA search process. See Attachment B.

4.3 Creating the Job Advertisement and Recruitment Plan

4.3.1 The search committee must prepare and/or review a detailed job announcement containing minimum and preferred qualifications. The committee should develop objective selection criteria based on the position requirements. The search committee should discuss timelines for the search, including the initial review date, interview schedules, and target dates for submitting hiring recommendations.

4.3.2 All position descriptions must include the following statements:

1. Appalachian State University is an Affirmative Action/Equal Opportunity Employer. The University does not discriminate in access to its educational programs and activities, or with respect to hiring or the terms and conditions of employment, on

the basis of race, color, national origin, religion, sex, gender identity and expression, political affiliation, age, disability, veteran status, genetic information or sexual orientation.

2. Individuals with disabilities desiring accommodations in the application process should contact [insert name of search committee chair and email/telephone contact information].
3. Proper documentation of identity and employability will be required before the hiring process can be finalized.
4. Any offer of employment to a successful candidate will be conditioned upon the University's receipt of a satisfactory criminal background report.

4.3.3 Job advertisements should also include a statement regarding the date that review of complete applications will begin: "Review of complete applications will begin on [insert date] and will continue until the position is filled."

4.3.4 For assistance with preparing faculty job announcements, please refer to the memorandum and template from the Provost and Executive Vice Chancellor. See Attachment C.

4.3.5 For assistance with preparing job announcements for other EHRA positions, please contact the director of compliance or a designee.

4.3.6 In order to comply with our AA/EEO recruitment and hiring goals and obligations, it is imperative that search committees create recruitment plans designed to broaden the applicant pools of qualified individuals and attract individuals from groups that are underrepresented at Appalachian. And it is critical that we have accurate records that document these efforts. Search committees should devote some meeting time to brainstorming about possible outlets for recruitment " national publications, regional publications, professional journals and newsletters, e-mail lists, contacts at Historically Black Colleges and Universities and other institutions that serve groups who are underrepresented at Appalachian, institutions that enroll significant numbers of doctoral and terminal degree students from underrepresented groups, and contacts at other institutions in the USA and abroad. For information on possible recruitment outlets, please review the recruitment resource list on the compliance web site (<http://edc.appstate.edu/recruitment-resources>).

4.3.7 After the search committee formulates the position announcement and the recruitment plan, the chair must complete and sign the "EHRA Job Announcement Form and Recruitment Plan" (Form 1). See Attachment D. Please complete fully the Recruitment Plan Section of Form 1, and attach additional pages as needed. Form 1 must be reviewed and signed by the department chair/director, the dean (if applicable), the director of compliance, and finally the vice chancellor or designee. The director of human resource services also must approve all Research and Instructional positions, as well as positions for Senior Academic and Administrative Officers ("SAAOs"). After all signatures have been obtained, the vice chancellor's office forwards a signed copy to the search committee chair and EDC.

4.3.8 This form must be completed, signed, and returned to the search committee chair prior to advertising the position.

4.4 Advertising the Position

4.4.1 Upon receiving an approved copy of Form 1, the search committee may post the job advertisement. EDC automatically posts all EHRA job announcements in three (3) online locations: Appalachian HRS site, The Chronicle of Higher Education, and the North Carolina Employment Security Commission. The university pays for these advertisements; all other advertising costs must be covered by the unit, department or college that is conducting the search. After the search committee obtains all approvals for a job announcement on Form 1, please send an electronic copy of the job announcement to EDC (edc@appstate.edu) for posting. Generally the position will be posted within two (2) days of receipt of the job announcement.

4.4.2 Print ads for faculty positions are no longer required when seeking labor certification applications for university professors. However, if the search committee would like a print advertisement placed in the Chronicle, please forward the advertisement to EDC and EDC will place the ad. A template for faculty print advertisements is available on the forms page of the compliance web site: <http://edc.appstate.edu/epa-recruitment-and-selection-forms>.

4.4.3 Hiring departments should keep one copy of all advertisements for each position filled. Retain these documents in an easily accessible location; copies of these advertisements are required when processing employment documents for international hires.

4.5 Reviewing Applications and Communicating with Applicants

4.5.1 It is required that the search committee discusses and agrees upon a list of criteria for the position. All members must review all applications, and document their assessment using the criteria. All members will submit their documentation to the search chair upon completion of the search, along with all other written materials related to the search. Most search committees find it useful to use an excel spreadsheet or rubric.

4.5.2 Applicants generally are instructed to send applications directly to the search committee chair or a search committee designee. Upon receiving a complete application, the search committee chair is responsible for sending the applicant an acknowledgment letter along with a request that the applicant complete an "Affirmative Action Data Request Form" ("AA Form")

located on the EDC web site at: <http://edc.appstate.edu/epa-hiring/epa-hiring-policies-and-procedures/forms/affirmative-action-data-request-form>. See Attachment E. The letter should 1) include a reference to the position number of the position to be filled and 2) advise applicants that submission of the AA Form to EDC is voluntary and that the information will be kept separate from their applications.

4.5.3 Confidentiality must be maintained throughout the search process, including, but not limited to, the identity of applicants, submitted application materials, reference checks, interviews, committee discussions and deliberations, short list determinations, and final offers. Information gathered during the search process may not be shared with others in the department or unit who do not serve on the search committee without written permission from the applicants. Search committee members should not engage in discussions about the applicants or the submitted application materials outside the confines of a search committee meeting “the only legally-privileged setting for discussion of confidential information related to a search.

4.5.4 While interviewing applicants at professional conferences, members of a search committee may not engage in evaluative conversations with one another about the applicants. Rather, search committee members should record their impressions, observations, and assessments about the applicants, and share this information at the next search committee meeting. As the Faculty Handbook requires all search committee meetings to take place on campus, professional conferences may not serve as a meeting place for search committees.

4.5.5 Should a search committee wish to share application materials with others who are not on the search committee, e.g., faculty in a department, the search committee chair must obtain written permission from the applicants before the materials can be shared.

4.6 Reference Checks and Telephone Interviews

4.6.1 After the search committee narrows the field of viable candidates who may be considered for on-campus interviews, the search committee chair should contact each candidate concerning the following items: 1) inform the candidate that he/she remains under consideration and ascertain whether the candidate is still interested in the position; and 2) inform the candidate that the committee will be calling both the indicated references and non-indicated references which may include the candidate’s immediate supervisor. The chair must receive written permission from the candidate to call indicated references, non-indicated references, and the candidate’s immediate supervisor. This may be accomplished via e-mail or fax. On occasion, individuals may refuse to give a reference without a written release from the applicant. In situations where a reference requires a written release before providing information, the chair of the search committee may contact the applicant and request a written release. A sample release is attached for your use. See Attachment F.

4.6.2 The committee should identify members who will conduct the reference checks and create a list of questions to ensure equity and consistency. Questions must be related to the qualifications and responsibilities advertised in the position vacancy announcement. A list of permissible and impermissible topics is attached. See Attachment G. Each member of the committee should call approximately one-half of the indicated and non-indicated references for one or two candidates. All answers should be recorded in writing and archived with the search committee materials at the end of the search.

4.6.3 Reference information is confidential and should not be shared with anyone other than the members of the search committee. A summary of reference information may be provided to others, e.g., faculty in a department, but the summary should not attribute any comments to a particular referee.

4.6.4 Prior to or after conducting reference checks, search committees may choose to conduct phone interviews or video conferences. Adding this step may provide the search committee with valuable information that will assist the committee in narrowing its final pool of candidates for on-campus interviews.

4.7 Creating the Interview List

4.7.1 When the field of candidates has been narrowed to the number of candidates who will be invited for an interview, the search committee chair must complete an “Interim EHRA Recruitment Report” (Form 2a) before scheduling interviews. See Attachment H. The form must be completed fully and approved by the director of compliance or a designee. The purpose of this form is to provide information regarding which applicants have been eliminated from consideration and the reasons behind the decisions. The information will help us determine the degree to which we are attracting a diverse applicant pool, and ensure that we are eliminating applicants from further consideration based on objective, nondiscriminatory factors. The information from the AA Forms will be used by EDC to complete Form 2b and the Applicant Flow Form, and to evaluate the effectiveness of the recruitment process. The information from the AA Forms regarding individual applicants cannot be shared with the search committee. However, a summary of the data from the AA Forms will be available to the search committee. Candidates should not be invited for interviews until the search committee chair receives a copy of the approved Form 2 from EDC.

4.8 On-Campus Interviewing

4.8.1 Develop an interview schedule that follows a consistent format for each candidate and ensures an equitable process. Identify all individuals and groups who will be involved in the on-campus interviews. Schedule the campus visit and provide all

interested campus individuals and groups with a copy of the interview schedule and background information about the candidate. The search committee may seek feedback from non-committee members who participate in the on-campus interviews, and it is recommended that the committee provide a feedback sheet for this purpose. The written comments should be considered at the next search committee meeting and be added to the search committee file.

4.9 Selecting the Final Candidate

4.9.1 After all candidates have been interviewed, the search committee must meet to deliberate and vote on the candidates who will be recommended for hire. The voting must be done in accordance with Robert's Rules of Order and all votes recorded in writing. The following suggestions are offered to assist with the voting process:

1. The name of only one candidate may be moved in a single motion.
2. The chair of the search committee or the EOA counts the votes and reports the results to the committee.
3. A simple majority vote (or a seventy-five percent (75%) vote by DPCs as required by the Faculty Handbook) will send a candidate's name to the hiring administrator.
4. A non-binding straw vote by secret ballot may be helpful when seeking focus or consensus prior to any official vote.
5. Official votes are final and binding.
6. All written ballots must be retained by the chair and placed in sealed envelopes "one envelope for each candidate vote."

4.9.2 When the search committee has concluded its deliberations and is ready to make its recommendation(s), the chair must complete a separate "EHRA Compliance Report" (Form 3) for each person recommended, along with supporting documentation, and send the reports to the applicable administrators. See Attachment I. The recommendations of the committee may be listed in priority order, but neither the individual recommendations nor the order in which they are listed is binding on the hiring administrator.

4.9.3 When a search committee recommends the hiring of an international candidate who is not a citizen or permanent resident, the chair of the committee must complete additional paperwork and submit a report to the Office of International Education and Development (OIED). This report must be delivered to OIED prior to the preparation of an offer to an international candidate. For more information, please contact the Director of International Student and Scholar Services in OIED. Information on the requisite additional paperwork and report is available on the compliance web site at (<http://edc.appstate.edu/international-hires>).

4.9.4 When hiring is approved, it is the responsibility of the chancellor, the provost, or the appropriate vice chancellor to issue the offer and to receive the signed contract.

4.9.5 After the offer has been accepted, the search committee chair notifies all other applicants that the position has been filled. EDC should be notified by e-mail (edc@appstate.edu) that the position has been filled or the search has failed.

4.10 Documenting the Search

4.10.1 The search committee file must be retained for three (3) years after the search has ended. After a search has been concluded, the chair of the search committee must gather all materials related to the search and forward the materials to University Archives and Records for storage. Applicable forms are found on the university's electronic forms page under "University Archives and Records" as well as on the compliance web site (<http://edc.appstate.edu/epa-hiring-policies-and-procedures/archiving-search-materials>).

4.10.2 The search committee file should include, but not be limited to, the following documents: a list of members of the search committee, the job announcement, a list of applicants, all applications and supporting materials, correspondence, notes of committee members, lists of interview questions, rating sheets and/or lists of criteria, reference checks, records of votes, and the list of candidates recommended for hire.

4.10.3 Thank you for taking the time to review this material. Please do not hesitate to contact EDC if you have questions or need further information.

5 Additional References

For above mentioned Attachments go to: (<http://edc.appstate.edu/epa-recruitment-and-selection-forms>)

6 Authority

[Americans with Disabilities Act of 1990, as amended \(42 U.S.C. 12101, et seq.\)](#)
[Title II, Civil Rights Act of 1964, as amended \(42 U.S.C. 2000a, et seq.\)](#)
[Title VI, Civil Rights Act of 1964, as amended \(42 U.S.C. 2000d, et seq.\)](#)
[Title VII, Civil Rights Act of 1964, as amended \(42 U.S.C. 2000e, et seq.\)](#)
[Rehabilitation Act of 1973, as amended \(29 U.S.C. 701 et seq.\)](#)

[Uniformed Services Employment and Reemployment Rights Act \(38 U.S.C. 4301, et seq.\)](#)
[Title II, Genetic Information Nondiscrimination Act of 2008 \(PL 110-233\)](#)
[Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended \(38 U.S.C. 4212 et seq.\)](#)
[41 CFR Part 60](#)

7 Contact Information

Office of Equity, Diversity and Compliance - 828.262.2144

8 Original Effective Date

December 16, 2009

9 Revision Dates

June 9, 2014
August 23, 2012
February 27, 2010