

Approved Substantive Changes to the University

Search and Selection Guidelines

Effective February 1, 2014

In 2012-13, a task force of the University Equity Council, led by Chief Diversity Officer Kumea Shorter-Gooden and including representation from University Human Resources, undertook the work of revising the campus Procedures and Guidelines on Search and Selection. The Task Force solicited feedback from the campus community, reviewed the practices of peer institutions, and considered national “best practices” in faculty and staff search and selection. The changes take into account contemporary social, technological and workforce realities and aim to create a more nimble and flexible process, while safeguarding and promoting the University’s commitment to equity and diversity.

In December 2013, President Loh approved changes in the following areas:

- Diversity of Search Committees and Applicant/Semi-Finalist/Finalist Pools
- Filling Positions in Pay Bands 1 and 2
- Interactions between the Hiring Official and the Search Committee
- Use of Social Media
- Use of Search Firms
- Responsibility and Authority Structure

These changes go into effect on February 1, 2014. Note that the 2007 *Procedures and Guidelines for Conducting Searches at the University of Maryland* remain in effect, except where superseded by the changes in this document. A revised set of Guidelines that incorporates these substantive changes and provides updates on the entire process of search and selection (thus, creating one reference document) will be completed and approved in the spring.

Diversity of Search Committees and Applicant/Semi-Finalist/Finalist Pools

As a campus committed to the goal of recruiting and maintaining an outstanding faculty and staff, the University recognizes that this can only be achieved by making diversity a cornerstone value within the search and selection process. Fundamentally, there is recognition that having a diverse set of employees is a key ingredient in developing a high-performing, engaged, and excellent workforce.

Specifically, the University of Maryland reaffirms the importance of diversity, particularly racial/ethnic and gender diversity, in Search Committees, applicant pools and finalist lists.

To ensure success, diversity should be considered during each phase of the search process, to the extent possible, including in the formation of the Search Committee and the selection of the applicant semi-finalist and finalist pools.

Search Committee Composition

Hiring Officials are expected to convene Search Committees that are diverse, particularly with respect to race/ethnicity and gender. In appointing members, Hiring Officials may also consider other forms of diversity. The objective is to assemble a team of individuals reflecting a broad range of individual backgrounds, skills, experiences and attributes relevant to the search and the nature of the position.

Search Committee diversity is important in order to foster the inclusion of people with varied experiences and ideas as well as the engagement of an array of applicants. Search Committees with a diverse composition have the benefit of a rich set of perspectives as well as access to more varied and diverse networks for outreach and recruitment of candidates. Moreover, diverse Search Committees send important, positive signals to interviewees about the University's commitment to diversity and inclusion, often enhancing the interest of candidates from diverse groups as well as the interest of candidates for whom diversity and inclusion are core values.

In completing the Search and Selection Plan, Hiring Officials will be asked to note the race/ethnicity and gender of Search Committee members. In addition, Hiring Officials may provide a brief statement to the Equity Administrator as to why the individuals selected for the Search Committee contribute to the diversity objective of the specific search. As part of their approval of the Search and Selection Plan, Equity Administrators approve the composition of the Search Committee.

A diverse Search Committee is very important; however, it is also important that the Search Chair and all Search Committee members collectively take responsibility for developing a proactive strategy to recruit a diverse candidate pool and for assuring an equitable and fair process for all candidates.

Applicant Pool Composition

Search Committees are expected to forward to the Hiring Official a finalist list that is diverse with respect to race/ethnicity and gender. To achieve this, diversity should be considered at all stages in the process (from the initial applicant pool, to the semi-finalist list, and then to the finalist list). The Search Committee should periodically consider the presence of racial/ethnic and gender diversity in the pool. Moreover, the Search Committee should pay careful attention to how diverse populations fare through the winnowing process. Search Committees should be mindful of the following in each stage of the process:

- Due Diligence – It is important that the Search Committee engage in and document genuine and deliberate attempts to ensure the presence of racial/ethnic and gender diversity from the applicant pool to the final list of candidates.
- Equitable Treatment – Part of maintaining a fair and impartial process is the Search Committee's commitment to make sure that all candidates receive reasonably similar treatment in all stages of the process, including interactions outside of formal interviews. Carefully maintaining procedural equity helps to ensure that diverse populations have the opportunity to be considered fairly and justly.
- Availability in the Workforce – Certain jobs and fields have disproportionately fewer people of particular races/ethnicities and/or genders who are available as potential job applicants. In these circumstances, the Search Committee should demonstrate that it has

genuinely attempted “due diligence” and “equitable treatment” (as described above) to maximize the potential of reaching diverse populations.

When the semi-finalist pool is not diverse with respect to race/ethnicity and gender (and prior to finalizing the semi-finalist interviews), Search Committee Chairs are expected to consult with the Equity Administrator to consider strategies to diversify the pool. Moreover, prior to finalists being forwarded to the Hiring Official, Equity Administrators must review the finalist pool for diversity.

Filling Positions in Pay Bands 1 and 2

To expedite the search process and streamline the amount of time it takes to fill many positions, exempt positions in Pay Bands 1 and 2 should generally be filled without the use of a Search Committee, unless circumstances warrant the dedication of the time and resources that a standard search committee process requires. Exempt positions are classified by University Human Resources (UHR) using criteria such as institutional responsibility/span of control, organizational reporting levels, essential duties, minimum qualifications and other factors. The Pay Band associated with each exempt position is listed on the position description form.

Even though there is no Search Committee, Hiring Officials should consider the inclusion of other colleagues (and where appropriate, students) in the search process, so that the Hiring Official gets the benefit of the feedback and opinions of knowledgeable others and so that prospective candidates have the opportunity to learn about the unit/department from the vantage points of different people.

Though there is no Search Committee, fairness and equitable treatment continue to be core values that should guide the search and selection process.

Exempt positions in Pay Bands 1 and 2 should be filled using the following procedure:

- *Plan Submission:* The Hiring Official submits a Search and Selection Plan to the Equity Administrator indicating the criteria and process by which applicants will be selected. The Search and Selection Plan should include all of the elements of a traditional search (advertising efforts, selection criteria, etc.). The Hiring Official should address which colleagues will be included in the process and in what ways, for example, to provide feedback on candidates’ applications and/or to interview candidates.
- *Solicitation of Applications:* At a minimum, all positions are posted on the University’s employment website. All candidates must apply online through UHR.
- *Approval for Interviews:* Prior to the interviews, the Equity Administrator reviews a list of proposed interviewees in order to assure an equitable process and a diverse pool. If the proposed interview pool is not diverse with respect to race/ethnicity and gender, the Hiring Official must document his/her due diligence in recruiting and advancing diverse candidates.

Hiring Officials who are hiring exempt staff in Pay Bands 1 and 2 will be expected to complete Search and Selection Training in order to assure their understanding of the process of hiring without a Search Committee, particularly the equity and diversity considerations.

Search procedures using Search Committees are required for exempt positions in Pay Bands 3, 4 and 5.

Interactions between the Hiring Official and the Search Committee during the Search and Selection Process

The Hiring Official plays a central role in the search and selection process, specifically, in 1) developing the job description, 2) selecting the Search Committee members, 3) developing the Search and Selection Plan (often in concert with the Search Committee), 4) actively networking and recruiting prospective candidates, 5) interviewing the recommended finalists, and 6) making an offer. In this section, we address when and how the Hiring Official should interface with the Search Committee and with active candidates during the period when the Search Committee is screening, interviewing, and vetting candidates.

The aim of UMD's search and selection process is to attract and hire a diverse, qualified workforce. Both the Hiring Official and the Search Committee play important roles in this process. The Hiring Official typically has substantial and in-depth knowledge about the responsibilities of the position and the qualifications and qualities that are necessary in a candidate to serve effectively. The Search Committee brings a broader and more diverse set of perspectives and insights to the process, and contributes to the fairness and equity of the search process by applying uniform and consistent practices to all candidates throughout the process under the guidance of the Equity Administrator. For some positions, particularly at higher levels of the University, the Hiring Official can serve a valuable "marketing" role, helping to sustain and deepen candidates' interests. Thus, in some cases, it may be useful for the Hiring Official to interact with candidates prior to the Search Committee's recommendation of a list of finalists.

A foremost consideration is fairness and equity—that all candidates be given a fair chance to demonstrate their capacity and that no candidates be treated in a way that differentially favors one over another.

Given the above, at times it may be appropriate, in a carefully crafted manner, for the Hiring Official to be actively involved with the Search Committee and, in some exceptional instances, directly with candidates. Specifically, in consultation with the Equity Administrator, Hiring Officials may:

- Review candidates' applications;
- Recommend applicants that the Search Committee consider;
- Interact in a structured, consistent manner with candidates who have been deemed semi-finalists by the Search Committee, for the purpose of providing information about their vision of the unit/department and responding to the candidates' questions;
- Meet with the Search Committee to address questions from the Search Committee or to get updates on the search process; and,
- Request that the Search Committee reconsider specific candidate(s) for the semi-finalist and/or finalist lists.

Hiring Officials may NOT:

- Serve as a member of the Search Committee;

- Meet with candidates or semi-finalists for the purpose of screening and interviewing them (in lieu of the Search Committee’s screening/interviewing process);
- Vote as a member of the Search Committee on whether candidates should be moved forward in the process;
- Be privy to how individual Search Committee members vote on various candidates;
- Unilaterally add candidates to the semi-finalist or finalist list; and,
- Decide unilaterally how they will interface with the Search Committee and/or with candidates. (Instead, they should do so with the knowledge of and in consultation with the Equity Administrator.).

Specific Procedures

If the Hiring Official or the Search Committee would like the Hiring Official to interface with the Search Committee and/or with active candidates during the period when the Search Committee is screening, interviewing, and vetting candidates, they should consult with the Equity Administrator as early in the process as possible. The following should be documented: 1) rationale for the access; 2) procedure(s) to be utilized; and, 3) a description of how equity and fairness will be upheld. When the Hiring Official initiates this involvement, she/he should also consult and coordinate with the Search Committee.

Fairness and equity should be central considerations in the proposed plan. If the Hiring Official is proposing to review candidate applications and provide feedback to the Search Committee, he/she should do this in a systematic way. For example, the Hiring Official might read all of the applications OR all of the applications whom the Search Committee deems meet certain threshold criteria OR all of the semi-finalists’ applications. Similarly, if the Hiring Official is proposing to meet with semi-finalists to share his or her vision of the position, then the Hiring Official should meet with all of the semi-finalists.

If there is disagreement between the Equity Administrator and the Hiring Official as to the appropriateness of the specific action or role proposed by the Hiring Official, the Major Unit Head has ultimate decision-making authority.

Use of the Internet and Social Media

Conducting internet research on applicants for employment by entering their names in search engines (such as Google or Bing) and on blogs, social networks and websites (such as Facebook, Twitter and YouTube) can lead to the discovery of information about applicants not otherwise available in the search and selection process. However, some of that information may be unverifiable, anonymous and/or untrue. In addition, such information may not accurately predict how well an applicant may perform in the job. Finally, information such as race, age, disability status, religious affiliation, or political affiliation may be protected from use under the University’s nondiscrimination policies. Based on these concerns, the following is proposed to govern the use of internet searches by Search Committees and Hiring Officials.

- The internet and social media may be used to post positions and recruit applicants.
- Internet searches and/or social media sites should not be used as the only or primary source for information or reference checks.

- Search Committees should not use information found through internet searches and/or social media unless the information is verified and related to the essential functions of the specific job.
- Information pertaining to personal characteristics or traits that are not job-related, such as race, color, religious affiliation, sex, gender identity or expression, sexual orientation, marital status, personal appearance, age, national origin, political affiliation, physical or mental disability, should not be considered in the hiring process; reliance on non-job related personal characteristics that are protected under federal and state law may give rise to a potential hiring discrimination claim.
- If the internet and/or social media are used during the search and selection process, Search Committees and Hiring Officials should exercise good faith efforts to treat all applicants consistently and fairly. The use of the internet and/or social media to verify information is an exercise best utilized later, rather than earlier, in the search and selection process, at least after applicant pools have been narrowed to persons to be interviewed.
- Applicants should be informed when Search Committees and/or hiring officials have found information on the internet and/or social media about which they have concerns, and provided with an opportunity to respond. Search Committees and/or Hiring Officials should consider the information found, as well as any response from the applicant, in the context of the essential job functions of the position and the individual's ability to perform the job. For most job positions, personal conduct is not a valid basis for an adverse hiring determination.
- These rules do not prohibit the verification of an applicant's employment history by accessing official employment websites or verifying academic or other websites listing publications.

Use of Search Firms

Departments must obtain the approval of the Major Unit Head (President, Provost, Vice President or Dean) and the Director or Associate Director of University Human Resources in order to use a search firm. Search firms must agree by contract to adhere to the University Search and Selection Guidelines. A web link to these Guidelines will be provided to the contracted firm. The search firm must also comply with the University's standards of diversity, equity and confidentiality.

A representative of the search firm must be present for the Hiring Official and Equity Administrator charges (in-person, by telephone, or on-line virtual connection) and must comply with the expectations set forth in those charges. If any concerns arise, the Equity Administrator should review the University Search and Selection Guidelines with the search firm. Terms and conditions of the search firm contract may be viewed by the Equity Administrator in conjunction with staff in the Office of Procurement.

The search firm may be hired to do any or all of the following: applicant recruitment; applicant screening; and/or interviewing applicants in advance of submitting candidate names to the Search Committee for review. The Search Committee must be provided access to all applicant materials. The Search Committee may review all applicant materials, decide which applicants to interview, and conduct formal interviews in conjunction with the search firm. Search firms must

have the approval of the Search Committee Chair before releasing any applicants from the search process.

Search firms will be required to provide the Search Committee with copies of all reports prepared by the search firm in connection with the search, and the Search Committee will be entitled to retain such reports as part of its record of the search.

Responsibility and Authority Structure

Each Major Unit Head (President, Provost, Vice President or Dean) is responsible for their Division, College or School's adherence to the Search and Selection Guidelines. Major Unit Heads empower Equity Administrators to act on their behalf to assure equity and diversity in the search and selection process. If situations arise where the Hiring Official, Search Committee or Search Chair believe that there are grounds for an exception to any of the approved Search and Selection Guidelines, the Equity Administrator must be consulted for approval. The Equity Administrator may consult with the University Equity Administrator. If there is disagreement on how to proceed, the Major Unit Head or their designee has ultimate decision-making authority.

If the Equity Administrator has concerns about how the Search and Selection Guidelines are being implemented (for example, how equity issues are being handled or the diversity of the applicant, semi-finalist or finalist pools), their responsibility is to discuss these concerns with the Search Chair, Search Committee or Hiring Official. The Equity Administrator may also consult with the University Equity Administrator. Resolution of such problems may include the recommendation to the Hiring Official or the Major Unit Head of the suspension or closing of a search. The Major Unit Head or their designee has ultimate decision-making authority.