FACULTY RECRUITMENT PROCESS & DIVERSITY

It is a University goal to identify, recruit, and retain highly qualified, talented, and diverse faculty for positions in all academic fields. VPAFS is responsible for developing and overseeing the faculty recruitment process. EOS functions as the equal opportunity office responsible for ensuring that the faculty recruitment process is in compliance with search procedures, university policies, and federal Affirmative Action requirements.

Deans, Department Chairs, and Search Committees are responsible for ensuring that equal opportunity is afforded to all candidates to further the University’s goal of identifying and recruiting diverse, qualified, and talented faculty.

Role of the Diversity Access and Equity Advocate

The Diversity Access and Equity Advocate (Diversity Advocate) helps ensure that UTSA’s dual goal of recruiting a faculty that reflects quality and diversity is advanced through the work of faculty search committees. Identifying, recruiting, and retaining highly qualified, talented and diverse faculty for all academic fields is a primary university goal.

The Department Chair should contact the Dean to appoint a Diversity Advocate to each Search Committee from a list of active Diversity Advocates. The list of Diversity Advocates from each college should be updated by the Dean and provided to EOS at the start of each fiscal year. Deans should make every effort to recruit individuals who want to serve as Diversity Advocates and who have a strong commitment to increasing quality and diversity among faculty. Diversity Advocates must be tenured faculty and do not count as one of the three (3) voting search committee members. Normally, Diversity Advocates should serve terms no longer than two (2) consecutive years.

The Diversity Advocate assigned to a Department’s Search Committee must be a faculty member from outside that department. Diversity Advocates are normally faculty members within the college, unless otherwise determined by the Dean. Diversity Advocates are required to attend Faculty Recruitment Training if they have not attended training within the previous two years.

Diversity Access and Equity Advocates perform the following:

- Attend all Search Committee meetings, candidate interviews, and sessions involving official committee deliberations regarding candidates. Advocates are not voting members of the Search Committee, but they can review and participate in all committee functions.

- Provide oversight of process as outlined in this manual.

- Ensure fair and equal treatment for all candidates throughout the search process.

- Identify problems and discuss concerns with EOS or VPAFS.
• Discuss with the Search Committee Chair goals for faculty appointments identified by the Dean or the Department Chair. The focus of this discussion should include the college’s and department’s diversity goals.

• Recommend halting a search if it is determined the guidelines have not been followed or the process has not been followed.

• Provide a summary to VPAFS demonstrating that the search process has provided the opportunity for highly qualified and diverse faculty to be considered for appointment at UTSA. This summary is included in the Hiring Package.

Search Committee Chairs must assume responsibilities as the Diversity Advocate in the event the Advocate fails to attend a scheduled meeting or interview or is otherwise unavailable to fulfill their responsibilities. Search Committee Chairs should immediately contact VPAFS and EOS if questions or concerns arise regarding the Advocate’s commitment or ability to meet their duties in the search process.

A search is subject to cancellation for failure to include a Diversity Advocate in the process.

Diversity Check

Deans, Department Chairs, Search Committee Chairs, and Diversity Equity and Access Advocates should review and be aware of diversity issues within the college and respective hiring department before the recruitment process begins. This should inform the recruitment and outreach process and ensure that candidates considered for the short list reflect the University’s goal for faculty appointments.

The latest data on faculty ethnicity and gender by college and department can be found on the Office of Institutional Research website: http://www.utsa.edu/ir/content/profiles.html

Another resource is the Faculty interactive dashboard: http://www.utsa.edu/ir/content/faculty.html
Identifying, recruiting, and retaining highly qualified, talented and diverse faculty for all academic fields is a primary university goal. The following best practices are provided to assist you as you carry out your duties as a search committee member to recruit faculty that are diverse and of high quality.

**Before the Search**

- Create a diverse search committee consisting of men, women and members from underrepresented groups who can bring multiple perspectives to the committee; and who are fully committed to the institution’s goal of recruiting highly qualified, diverse faculty members.

- Be sure that a Diversity Access and Equity Advocate (formerly called Affirmative Action Advocate) has been designated and is serving on your search committee.

- Has the Dean or Department Chair shared previous department level annual hiring data on gender and race/ethnicity for tenure/tenure track faculty? It is important to know year to year how your department is doing.

- Create a recruitment plan that ensures a comprehensive search emphasizing diversity and high quality throughout to include language of the ad and placement of ads in locations where underrepresented candidates will have more access to them.

- It is important to have ongoing relationships with local and national underrepresented organizations and special interest groups as well as institutions that produce graduate students of color. These relationships can pay huge dividends when recruiting underrepresented scholars as personalization is key in achieving successful hires.

**During the Search**

- Ensure that the position description is written in an inclusive manner so as to not exclude anyone from the onset.

- Encourage all search committee members to reach out to high potential diverse candidates to encourage them to apply for open positions. Networking and hands on recruiting efforts can be very effective.

- Cast a wide net to advertise; underrepresented groups and organizations, listservs, bulletin boards, professional networks, contacts, conferences, visiting diverse scholars who may have presented on campus, visit institutions that produce large numbers of underrepresented PhDs.
Emphasize creating a welcoming and inclusive environment for all faculty. Provide the opportunity for diverse candidates to meet with key groups and other diverse faculty on campus.

**After the Search**

- Evaluate the search process; what went well during the search? What, if anything, could have been done better to enhance a more diverse outcome?

- Follow up with the new hire to ensure successful onboarding and a smoother transition.

- To provide support and value recently hired underrepresented faculty, consider sponsoring on and off campus events to showcase their research, teaching and service.
Diversity Advocate - Dos and Don'ts

Members of a search committee are appointed from the program and department that is conducting the search. Diversity advocates are volunteer tenured faculty from other departments within the college appointed by the dean for that college.

The appropriate role (things to do)

• Attend Diversity Access & Equity Advocate Training if assigned to a Search Committee (Committee).
• Be able to articulate the difference between search committee member and diversity advocate roles.
• Monitor committee practices to insure that recruitment guidelines established by UTSA are followed.
• Attend all deliberative committee meetings to monitor practices. If required to be absent, remind search committee chair that she/he assumes the role of Diversity Advocate for that meeting.
• Point out when proposed committee actions are not congruent with search procedures, to prevent violations.
• Be aware of and point out individual or group committee actions that appear to reflect bias.
• Be able to demonstrate awareness of actions that unlawfully discriminate against applicants.
• Be able to suggest alternative actions for proposed activities that reflect bias or unlawfully discriminate against applicants.
• Monitor process and deliberations leading to creation of the short list to insure that they are unbiased and follow established recruitment guidelines and procedures.
• Participate with committee in hosting finalists for position, including on campus interviews.
• After campus visits, monitor deliberations leading to final recommendations to Chair and Dean.
• If merited, alert the Senior Vice Provost for Academic and Faculty Support or the EOS office of discriminatory or other committee actions that violate recruitment guidelines.
• If merited, recommend that the current search be vacated if it violates UTSA’s Non-Discrimination policy or recruitment guidelines or established procedures are not followed by the committee.

An inappropriate role (exceeds it; things not to do)

• Diversity Advocates should not vote on which applicants to advance to subsequent stages of consideration.
• Diversity Advocates should not evaluate applicants using rubrics since such ratings constitute inappropriate voting. Diversity Advocates can question qualifications based on information in submitted applications. Diversity Advocates should not assume the role of a
regular search committee member by advocating for certain candidates over others. Department and program faculty who best know the discipline and program do this.

- Diversity Advocates should not debate search committee members on which applicants best suit their program. Asking questions to elicit consideration of issues or to clarify reasons for certain views is acceptable.

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Various Employment Discrimination Laws

Below is a brief outline of various employment discrimination laws that may be applicable in the hiring, firing, demotion, pay increases, and any other employment action.

14th Amendment Equal Protection Clause. The 14th Amendment of the U.S. Constitution provides broad protection for all protected classes. A protected class is a group of people that are protected from discrimination because of their race, national origin, sex, age, disability, veteran status, immigration status, religion, and/or sexual orientation. The 14th Amendment applies to all public institutions and prohibits public institutions from discriminating against various protected classes as mentioned above.

Civil Rights Act of 1964.

- Title VI: Prohibits discrimination based on race, color, or national origin in programs or activities that receive Federal financial assistance, which includes most institutions of higher education. (https://www2.ed.gov/about/offices/list/ocr/docs/hq43e4.html).
- Title VII: Prohibits employers from discriminating against employees on the basis of sex, race, color, national origin, and religion.

Based on the Civil Rights Act, search committees may not discriminate against applicants based on the above listed protected classes or any characteristics originating therefrom. For example, discriminating against an applicant because of their spoken accent would be discriminating against their national origin. There may be bona fide occupational qualification (BFOQ) exceptions that may apply for discrimination against sex and religion.

Title IX of the Educational Amendments of 1972. Federal law that protects people from discrimination based on sex in education programs or activities that receive Federal financial assistance, which includes most institutions of higher education. Based on Title IX and interpretations from the Equal Employment Opportunity Commission, discrimination based on sex includes discrimination against sex stereotypes. For example, not hiring a female applicant because she does not confirm to female sex stereotypes is sex discrimination under Title IX.

The American Disabilities Act and Section 504 of the Rehabilitation Act of 1973. The ADA prohibits discrimination on the basis of disability in employment, State and local government, public accommodations, commercial facilities, transportation, and telecommunications. Section 504 prohibits discrimination based on disability in any program or activity operated by recipients of federal funds, which includes educational institutions.

Pregnancy Discrimination Act (PDA). The PDA amended Title VII of the Civil Rights Act of 1964 to "prohibit sex discrimination on the basis of pregnancy." The Act covers discrimination "on the basis of pregnancy, childbirth, or related medical conditions." Any discrimination as a result of an applicant’s pregnancy or related conditions is prohibited. Search committees should refrain from inquiring about an applicant’s fertility, pregnancy, or recent birth.

Age Discrimination in Employment Act (ADEA). The Age Discrimination in Employment Act of 1967 forbids employment discrimination against anyone at least 40 years of age in the United States. This law only protects applicants above the age of 40. Search committees should refrain from inquiring about an applicant’s age as long as it is not relevant to the position.

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