

RESOURCES

- ❑ Accreditation Standard IIIA
- ❑ Summary of laws and regulations
- ❑ Definitions
- ❑ AP7120
- ❑ Do's and Don'ts of Interview Questions

Click on link below to access resources listed above.

<https://www.deltacollege.edu/dept/hr/EmployeeResources.html>

Standard III: Resources

The institution effectively uses its human, physical, technology, and financial resources to achieve its mission and to improve academic quality and institutional effectiveness. Accredited colleges in multi-college systems may be organized so that responsibility for resources, allocation of resources, and planning rests with the district/system. In such cases, the district/system is responsible for meeting the Standards, and an evaluation of its performance is reflected in the accredited status of the institution(s).

A. Human Resources

1. The institution assures the integrity and quality of its programs and services by employing administrators, faculty and staff who are qualified by appropriate education, training, and experience to provide and support these programs and services. Criteria, qualifications, and procedures for selection of personnel are clearly and publicly stated and address the needs of the institution in serving its student population. Job descriptions are directly related to institutional mission and goals and accurately reflect position duties, responsibilities, and authority.
2. Faculty qualifications include knowledge of the subject matter and requisite skills for the service to be performed. Factors of qualification include appropriate degrees, professional experience, discipline expertise, level of assignment, teaching skills, scholarly activities, and potential to contribute to the mission of the institution. Faculty job descriptions include development and review of curriculum as well as assessment of learning. (ER 14)
3. Administrators and other employees responsible for educational programs and services possess qualifications necessary to perform duties required to sustain institutional effectiveness and academic quality.
4. Required degrees held by faculty, administrators and other employees are from institutions accredited by recognized U.S. accrediting agencies. Degrees from non-U.S. institutions are recognized only if equivalence has been established.
5. The institution assures the effectiveness of its human resources by evaluating all personnel systematically and at stated intervals. The institution establishes written criteria for evaluating all personnel, including performance of assigned duties and participation in institutional responsibilities and other activities appropriate to their expertise. Evaluation processes seek to assess effectiveness of personnel and encourage improvement. Actions taken following evaluations are formal, timely, and documented.
6. The evaluation of faculty, academic administrators, and other personnel directly responsible for student learning includes, as a component of that evaluation, consideration of how these employees use the results of the assessment of learning outcomes to improve teaching and learning.

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7. The institution maintains a sufficient number of qualified faculty, which includes full time faculty and may include part time and adjunct faculty, to assure the fulfillment of faculty responsibilities essential to the quality of educational programs and services to achieve institutional mission and purposes. (ER 14)
 8. An institution with part time and adjunct faculty has employment policies and practices which provide for their orientation, oversight, evaluation, and professional development. The institution provides opportunities for integration of part time and adjunct faculty into the life of the institution.
 9. The institution has a sufficient number of staff with appropriate qualifications to support the effective educational, technological, physical, and administrative operations of the institution. (ER 8)
 10. The institution maintains a sufficient number of administrators with appropriate preparation and expertise to provide continuity and effective administrative leadership and services that support the institution's mission and purposes. (ER 8)
 11. The institution establishes, publishes, and adheres to written personnel policies and procedures that are available for information and review. Such policies and procedures are fair and equitably and consistently administered.
 12. Through its policies and practices, the institution creates and maintains appropriate programs, practices, and services that support its diverse personnel. The institution regularly assesses its record in employment equity and diversity consistent with its mission.
 13. The institution upholds a written code of professional ethics for all of its personnel, including consequences for violation.
 14. The institution plans for and provides all personnel with appropriate opportunities for continued professional development, consistent with the institutional mission and based on evolving pedagogy, technology, and learning needs. The institution systematically evaluates professional development programs and uses the results of these evaluations as the basis for improvement.
 15. The institution makes provision for the security and confidentiality of personnel records. Each employee has access to his/her personnel records in accordance with law.

The hiring process in legal terms

The hiring process is regulated by several federal and state laws. Some of which are:

- ▶ Title VII of the Civil Rights Act of 1964 – prohibits discrimination based on race, color, religion, sex, pregnancy, and national origin.
- ▶ The Americans with Disabilities Act of 1990 – prohibits discrimination against disabled persons in employment and public services.
- ▶ Age Discrimination in Employment Act of 1975 – prohibits discrimination based on age (40+).
- ▶ Various California government sections and the California Fair Employment Housing Act – expand Title VII to prohibit discrimination based on ethnic group identification, gender, religious creed, physical handicap, mental disability, marital status, pregnancy, or sexual orientation (FEHA, Unruh Civil Rights Act, Title 5, and Education Code)

Legal Definitions in Hiring

- ▶ **Disparate Treatment** – when individuals are treated differently on the basis of race, color, religion, sex, sexual orientation, nation origin, age, disability. Job descriptions, job announcements, and selection and hiring process protect against disparate treatment.
- ▶ **Disparate Impact** - Facially neutral employment practice that adversely affects one protected group more than another.
- ▶ **Discrimination** – Unfair treatment based upon prejudice of a person or group.
- ▶ **Prejudice** – To pre-judge; being biased or having a belief or an opinion formed beforehand.
- ▶ **Protected classes** – Characteristics of groups of people who are protected from discrimination and harassment by federal and state laws.

AP 7120 Recruitment and Selection Procedures

Reference: Education Code Section 87100 et seq.; 87400, 88003, 88194; Title V Section 53000 et seq.; Accreditation Standard III.A

I. GENERAL INFORMATION

The following procedures address the District’s recruitment and selection process for all job categories and classifications except the Superintendent/President, which is established by the Board of Trustees.

The District is committed to providing full and fair opportunity for all qualified individuals to compete for hiring and promotion and to enjoy the benefits of employment with the District. Through cooperative participation, the Board of Trustees shares responsibility with the District’s administration, employees and students to ensure equal employment opportunity procedures are an integral part of all recruitment and hiring processes and result in the hiring of the most qualified candidate.

It is the policy of the District to ensure equal employment opportunity and to make employment decisions that are not discriminatory based on race, religion, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation of any person, or status as a veteran, or because he/she is perceived to have one or more of the foregoing characteristics, or based on association with a person or group with one or more of these actual or perceived characteristics or other factors which cannot lawfully be the basis for an employment decision.

Title VII of the Civil Rights Act of 1964, as amended, prohibits discrimination in hiring, promotion, discharge, compensation, terms, conditions, or privileges of employment on the basis of race, color, religion, sex, or national origin, or to limit, segregate, or classify employees or applicants for employment in any way which would deprive or tend to deprive any individual of employment opportunities or otherwise adversely affect his status as an employee, because of such individual’s race, color, religion, sex, or national origin.

In addition to Title VII protections, the Equal Pay Act of 1963, as amended, prohibits sex discrimination in payment of wages to women and men performing equal work in the same establishment. The Age Discrimination Act of 1967, as amended, prohibits age discrimination and protects applicants and employees 40 years of age or older from discrimination because of age in hiring, promotion, discharge, compensation, terms, conditions or privileges of employment.

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Equal Employment Opportunity applies to all policies and procedures relating to recruitment and selection, compensation, benefits, termination and all other terms and conditions of employment.

The District will reasonably accommodate employees and applicants with disabilities and/or with religious requirements necessitating accommodation. The Human Resources Department has overall responsibility for this procedure and maintains reporting and monitoring procedures.

The District shall actively recruit from both within and outside of its workforce to attract qualified applicants for all openings. This shall include outreach designed to ensure that all persons, including those from protected groups, are provided the opportunity to seek employment with the District. The requirement of open recruitment shall apply to all new full-time and part-time openings in all job categories and classifications. The recruitment for full-time faculty and educational administrator positions shall be conducted on a national level and advertised in prominent national publications, and registered with the California Community Colleges Equal Employment Opportunity Registry for posting.

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Reference: Education Code Section 87100 et seq.; 87400, 88003, 88194; Title V Section 53000 et seq.; Accreditation Standard III.A

Definitions

Acting is defined as a District employee appointed to take on the duties of an open management position for a period not to exceed one year, in order to allow for full and open recruitment for the vacant position. In extraordinary circumstances, as determined by the District, an employee's appointment in an acting position may be extended for an additional period not to exceed six months.

Advanced Candidate is an Eligible Candidate from the Hiring Pool recommended for employment by the Superintendent/President to the Board of Trustees.

Adverse Impact Analysis means that a statistical measure is applied to the effects of a selection procedure in order to ensure that any lack of a diverse applicant pool did not result from discriminatory recruitment procedures. The Human Resources Department is responsible for performing adverse impact analysis on the recruitment process for all permanent and/or probationary positions (pursuant to *California Code of Regulations, Title V, §53023*). This process is further addressed in the District's Equal Employment Opportunity Plan and Administrative Procedure 3421, Nondiscrimination.

Applicant is an individual who submitted a complete application for a particular vacant position.

Applicant Pool means all of the individuals who submitted complete applications in seeking a particular vacant position.

Candidate is an applicant who meets the minimum qualifications for a particular vacant position and is further screened by a Selection Committee.

Community Member is a person from the community served by San Joaquin Delta College but otherwise not affiliated with the college such as faculty, classified employees, trustee, or administrator.

Eligible Candidate is an Interviewee placed in a Hiring Pool.

Equal Employment Opportunity (EEO) Representative is a voting member of every Selection Committee, designated by the Human Resources Department, who acts as a participating committee member, observer, and advisor. The EEO is charged with ensuring that the Selection Committee follows fair employment practices and adheres to the requirements of

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Title V, the Education Code, and the District's policies and procedures in screening, interviewing, discussing, and selecting candidates for employment.

Ethnic Minorities are identified as Native Americans, Asians, Pacific Islanders, Blacks/African-Americans, and Hispanics/Latinos (pursuant to *California Code of Regulations, Title V, § 53001*).

Familial Relationship is defined as the mother, father, grandmother, grandfather or grandchild of the employee or of the spouse of the employee, and the spouse, son, son-in-law, daughter, daughter-in-law, brother or sister of the employee or spouse, stepmother, stepfather, step children, foster children, nieces and nephews of the employee or spouse or any relative living in the immediate household of the employee.

Hiring Pool means, in regard to any recruitment process of a classified, confidential, or adjunct position, all Eligible Candidates recommended for employment by the Interview Selection Committee. In all other cases the Hiring Pool contains all Eligible Candidates, who were interviewed by both the first and second level interview committees and were recommended for employment by both committees.

Interviewee is a Candidate selected by a Selection Committee to interview for a particular vacant position.

Interim Employee is defined as an administrative employee filling a vacant position through either an internal or external recruitment process for the minimum time necessary to allow for full and open recruitment. If an employee is temporarily reassigned to another position, his/her current position may be filled by another interim employee until the return of the incumbent, consistent with Title V requirements.

New Position is any position which does not fall into the following categories: 1) is a result of a reorganization where there is not a net increase in the number of employees; 2) one or more lateral transfers are made and there is no net increase in the number of employees; 3) a position that is currently upgraded, reclassified, or renamed without significantly altering the duties performed by the individual; 4) the faculty in a division or department elect one faculty member to serve as a chairperson for a prescribed limited term; 5) the position is filled by a temporary, short-term or substitute employee appointed pursuant to the Education Code; 6) a part-time faculty member is assigned to teach the same or fewer hours than he or she has previously taught

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in the same discipline with a substantial break in service; or, 7) an individual not currently employed by the District, who is specially trained, experienced, and competent to serve as an administrator, and who satisfies the minimum qualifications applicable to the position and is engaged to serve as an administrator through a professional services contract.

Open Recruitment is one that is conducted both internally and externally. (Pursuant to *California Code of Regulations, Title V § 53021c*)

Permanent/Probationary Positions, as used in this procedure, includes employees in the following groups:

- Academic management administrators
- Classified bargaining unit
- Classified management administrators (managers, supervisors and directors)
- Confidential
- Regular and contract faculty, instructional and non-instructional

Permanent Intermittent is a status of employment, rather than an employee classification of. Permanent intermittent employees are regular classified employees who are not guaranteed any set number of hours, are not assigned a regular schedule, and who may work on an on-call basis. Hereafter, in this procedure, the recruitment and selection process for permanent intermittent employees will be included in the recruitment and selection procedures for classified employees.

Protected Groups are persons who are specifically protected from discrimination by Title V, based on the following actual or perceived characteristics: age, ancestry, color, ethnic group, mental disability, national origin, physical disability, race, religion, gender, and/or sexual orientation.

Working days are any days San Joaquin Delta College is open for instruction or business requiring the presence of classified and contract employees and administrators.

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II. GENERAL RECRUITMENT AND SELECTION PROCEDURES FOR ALL POSITIONS

Recruitment and selection for all new and/or vacant positions except the Superintendent/President shall consist of the components listed below, each of which is fully detailed within this procedure.

- Job descriptions and minimum qualifications;
- Job announcements for vacant positions
- Receipt of applications;
- Formation of a Selection Committee (See II F, Selection Committees through VI)
- Required and optional hiring procedures
- Candidate selection (See II G, Selection Procedures – Required and Optional Steps for Selection Committees through VII)
- Notifications and final approval

A. New Positions

New positions must be approved by the Board of Trustees before recruitment for the position may begin. Once the position is approved, the hiring manager contacts Human Resources to initiate the recruitment.

B. Vacant Positions –Process to Initiate Hiring for a Vacant Position

1. The hiring manager shall complete a Personnel Requisition form and forward it to the Fiscal Services Office for verification of the budget for the position.
2. Once the budget for the position is verified by the Fiscal Services Office, the requisition will be forwarded to Human Resources. When the requisition has been approved and submitted to Human Resources the recruitment process for the position can begin.

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Reference: Education Code Section 87100 et seq.; 87400, 88003, 88194; Title V Section 53000 et seq.; Accreditation Standard III.A

C. Job Descriptions and Minimum Qualifications

Clear and complete job descriptions, including all job-related skills requirements and any additional bona fide occupational qualifications, will be prepared for each position.

The Chancellor’s Office establishes minimum qualifications for faculty positions. The qualifications of the District may be higher, but may not fall below the state’s minimum qualifications. Job qualifications beyond the state minimum qualifications, which the District wishes to utilize, shall be reviewed by the Human Resources Department in consultation with the appropriate area managers and shared governance committee(s) before the position is announced to ensure conformity with the requirements of Title V and other state and federal nondiscrimination laws.

Minimum qualifications for management, classified and confidential positions are determined through the job description development process and are stated in the job description for each classification. The term “experience” in job descriptions refers to full-time paid relevant experience. The term “education” in those job descriptions that specify a college degree or college level work must be earned from an accredited college.

The Human Resources Department will develop job descriptions in consultation with the area Vice President, Division Dean, area manager, and appropriate faculty and/or staff. The Chief Human Resources Officer or his/her designee will approve job descriptions to ensure compliance with the law and equal employment opportunity requirements. In the event a job description is not approved by the Chief Human Resources Officer, he/she or his/her designee will work with all parties to resolve the issue.

Job Description Approval

All new job descriptions and changes to existing job descriptions are subject to the following approvals:

- The Superintendent/President or his/her designee has final approval of job descriptions for all management positions.
- The Assistant Superintendent/Vice President of Instruction and Planning has final approval of all regular and contract faculty job descriptions.

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- Job descriptions for classified and faculty positions will be made available within 14 calendar days, from date of completed revision or inception for review by the Classified Classification and Reclassification Committee and the Academic Senate and approval by the bargaining units. Job descriptions for management positions shall be reviewed by the Administrative Review and Entitlement Committee and scored for salary placement recommendation using the point factor system.

D. Job Announcements and Recruitment Plans

The Human Resources Department will develop a Recruitment Plan in consultation with the hiring manager and/or Selection Committee Chair. The positions will be advertised, as appropriate, utilizing a wide array of venues that will promote and generate a qualified and diverse Applicant Pool, and meet requirements of Title V. Notice of the position will be published and distributed throughout the campus via email and the following methods:

- Transfer notices for vacant classified positions shall be distributed to all incumbents in the classification for a minimum of seven (7) calendar days.
- Transfer notices for all vacant faculty positions shall be distributed campus-wide.
- All vacant positions shall be posted on the District’s website.
- Job announcements for all management positions shall be advertised for a minimum of fourteen (14) calendar days.
- Job Announcements shall remain posted for a minimum period of seven (7) calendar days for external recruitments

Notices and/or advertisement shall include an accurate description of the position duties and a statement of minimum and desirable qualifications. Job requirements shall include sensitivity to and understanding of the diverse academic, socioeconomic, cultural, disability, and ethnic backgrounds of community college students. If a position has a bilingual designation, the specific language must be stated in the job announcements and advertisements.

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E. Receipt and Duration of Applications

The Human Resources Department will receive and collect all applications and verify the completeness of all materials. All applications and materials of Candidates (Applicants with minimum qualifications for the position) will be provided to the Selection Committee for consideration. If a need to hire for the same position and job classification arises within a six (6) month period from the original recruitment, the area manager may request Human Resources send to the Superintendent/President an Eligible Candidate from the original recruitment Hiring Pool, as determined by the Second Level Interview Committee, or, in the case of a classified, confidential, send to the Superintendent/President applicants from the original recruitment Hiring Pool as determined by the first level interview. In either case the Superintendent/President may select from the recruitment Hiring Pool the eligible candidate to be sent to the Board of Trustees, if the Advanced Candidate is no longer available and the hiring pool is exhausted, a new recruitment shall begin. After six (6) months, the vacancy will be treated as a new vacancy and shall be re-advertised. Applicants must resubmit applications to reapply. Once submitted, applications and accompanying information become the property of the District and are not returned to the applicant.

The Chief Human Resources Officer or his/her designee has the responsibility to take appropriate action to ensure that the applicant pool for all positions is broadly inclusive and affords all groups equal opportunity to obtain information about District openings, pursuant to District Policy 3410 and Procedure 3410, Nondiscrimination, as well as the District's Equal Employment Opportunity Plan. Appropriate action may include but not be limited to extending the application period, halting the process and re-advertising the position, or providing written rationale as to why the hiring process should continue.

The District reserves the right to re-advertise the position or to delay indefinitely the employment of a person for a position if it is deemed that the applicants for the position do not constitute an adequate applicant pool, if budgetary limitations arise, or for reasons of business necessity.

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F. Selection Committees

The goal of the Selection Committees is to equitably, responsibly, ethically and legally recommend for hire the Candidate who will provide the greatest asset to the District’s diverse student population and the greater campus community.

1. General Procedures Applicable to All Selection Committees

- a. Upon the authorization to proceed with the recruitment for a new or vacant position, a Selection Committee will be established through the procedures fully described herein. All voting members of the Selection Committee must be District employees, except, students, and a non-District representative as identified in Appendix A whose participation is specifically provided for in this procedure. The Chief Human Resources Officer will review the diversity composition of the committee and may make any necessary changes by adding members prior to the initial orientation of the Selection Committee. The Chief Human Resources Officer will inform the hiring manager and the applicable shared governance group of any changes to the composition of the committee.
- b. The Chief Human Resources Officer or his/her designee will designate an Equal Employment Opportunity (EEO) representative to work with every Selection Committee. The EEO representative will serve as a voting Selection Committee member and technical advisor throughout the selection process.
- c. Confidentiality regarding Applicants and all selection materials must be maintained throughout the recruitment and selection process. Each member of the Selection Committee must sign a Confidentiality and Conflict of Interest Statement for Selection Committee Members form. Any breach of confidentiality will result in the removal of the committee member and may result in the abeyance of the recruitment process. There are limited circumstances under which disclosure of confidential information is authorized such as to a District-hired investigator, under subpoena, etc.

No discussions regarding the selection process shall take place outside the Selection Committee meetings. Under no circumstance shall a member of the selection committee provide applicants with information concerning other applicants.

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- d. The Chief Human Resources Officer or his/her designee is responsible for the orientation of the Selection Committee and the collection and distribution of application documents reviewed by the Selection Committee. Orientation will take place at the Selection Committee’s initial meeting. Each committee member will be required to participate in a recruitment orientation conducted by the Human Resources Department each time he/she is appointed to a Selection Committee.
- e. When a Candidate has a familial relationship with a Selection Committee member or any other potential conflict of interest exists, the Selection Committee member must disclose this information on the Confidentiality and Conflict of Interest Statement form to the Screening Committee Chair and the Chief Human Resources Officer.
- f. Any prospective Candidate who attempts to exert undue influence and circumvent orderly process through the regular selection channels shall be disqualified from consideration.
- g. The membership of the Selection Committee will not change during the process, except in the event of an emergency, or as determined necessary by the Chief Human Resources Officer and the Chair of the Selection Committee.

2. Responsibilities Applicable to All Selection Committees

- a. At the Selection Committee initial orientation meeting the hiring manager or designee will be the acting Selection Committee Chair. If the recruitment process is for a classified or confidential position, the hiring manager or designee becomes the permanent Selection Committee Chair. In all other cases the Selection Committee may elect anyone of its members as the permanent Selection Committee Chair.
- b. Prior to reviewing Candidates' application materials, the Selection Committee will meet to review the job description and job announcement and establish a list of mutually acceptable criteria and priorities to evaluate the qualifications of Candidates for the position.

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- c. The Selection Committee Chair in consultation with the committee is responsible for establishing operating procedures, including agreed upon ground rules, meeting dates and times, and moving the selection process forward in a timely manner.
- d. The entire Selection Committee shall reach consensus on the appropriate interview questions and on any optional selection steps that will be utilized in the screening process of all Candidates prior to personal interviews.
- e. Each member of the Selection Committee shall individually review the application forms and accompanying documents of all Candidates. The entire Selection Committee shall meet to reach consensus on the selection of Interviewees.
- f. The entire Selection Committee shall participate in the personal interview process and in consultation with the Human Resources Department, determine a recommended minimum number of Eligible Candidates that the interview process should place in the Hiring Pool to be recommended to the Superintendent/President for employment.
- g. For each interview, each Selection Committee member shall complete the forms provided by the Human Resources Department. The forms must be fully completed, including all ratings and responses to all questions for each Interviewee. These forms will be included in the hiring report for documentation purposes at the conclusion of the interviewing process.
- h. All written materials and forms regarding the selection and interview process, including separate notes taken by individual Selection Committee members, must be turned in to the Human Resources Department at the completion of the selection process to become part of the permanent recruitment file.
- i. If a selection committee member believes that a failure to follow general procedures applicable to all selection committees or other serious compromise to the hiring process has occurred, the committee member may relay such concerns to the Chief Human Resources Officer, the appropriate Vice President, or

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immediate supervisor. In all cases involving bargaining unit members serving on the selection committee, the committee member is entitled to representation.

3. Appointment of Committee Members – All Selection Committees

Appointments for Selection Committee members will be conducted as follows:

- Faculty will be appointed by the Academic Senate President.
- Managers will be appointed by the Management Senate President.
- Community members will be appointed by the Selection Committee Chair and/or the Superintendent/President.
- Classified and confidential staff members will be appointed by the Classified Senate and/or California School Employees Association President
- Students will be appointed by the President of the Associated Students of Delta College.
- The Equal Employment Opportunity (EEO) Representative will be appointed by the Chief Human Resources Officer or his/her designee.

See Appendix A for the composition of required and optional members of the Selection Committees.

G. Selection Procedures – Required and Optional Steps for Selection Committees

The selection procedures for all positions shall include the following steps.

1. Required Steps

- a. **Preliminary Documents Review:** Review applications and supporting documents (transcripts, letters of recommendation, etc.) submitted by all Candidates within prescribed timelines.

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- b. **Reference Verification:** Reference checks will be conducted and verification of transcripts and other application documents will be made at any step of the selection process deemed appropriate by the Selection Committee. The Selection Committee Chair or designee will conduct such reference checks. The designee must be an academic manager, classified manager or confidential employee. At least two (2) references will be obtained and documented on a prescribed form provided by the Human Resources Office. Selection Committees are restricted to contacting only those persons who are listed in the application packet. If there is a need for additional reference sources, applicants shall be contacted by Human Resources. Note: No member of the Selection Committee may provide reference verification as described in this section.
- c. **First Level Interviews - Personal Interviews:** An individual, personal interview by the entire Selection Committee will be conducted for those applicants who submitted a completed application packet by the filing deadline and passed the preliminary document review, were determined to be Candidates, and whom the Selection Committee mutually agreed to select as Interviewees. Interviewees are required to present teaching demonstrations in faculty and adjunct interviews. Candidates for full time faculty positions who meet the criteria described in Section II G.3.a., Video Conference Interview, may choose to be interviewed and present the teaching demonstration by video conference.
- d. After personal interviews are complete, the Selection Committee shall recommend through Human Resources the best qualified Interviewees to fulfill the requirements of the position to the Chief Human Resources Officer and to the Superintendent/President for second level interviews. The Interviewees whose names are forwarded shall be the best qualified to fulfill the requirements of the position. If the hiring process does not call for a Second Level Interview, the recommended Interviewees are deemed Eligible Candidates and placed into the Hiring Pool. If the Selection Committee cannot recommend any of the Interviewees; the result is the abeyance of the hiring process and the Chief Human Resources Officer will initiate a new hiring process.
- e. **Second Level Interviews:** This is a required step for all positions except classified, confidential, and adjunct positions, but may be optional if necessary as described in Section II G, Selection Procedures - Required and Optional Steps for

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Section Committees. The Second Level Interview Committee shall consist of at least five members: the Superintendent/President or his/her designee, the Chief Human Resources Officer, the Selection Committee Chair, the area manager, the Equal Employment Opportunity (EEO) Representative from the first level interviews, and the area Vice President or his/her designee. All second level interview candidates shall be required to present a teaching demonstration with students present and interested faculty members from the First Level Selection Committee who shall be invited to attend the second level interview. The committee will be provided the results of the reference checks and the original interview materials. After personal interviews are complete, the Second Level Interview Committee shall determine which Interviewees shall become Eligible Candidates and placed into the Hiring Pool, which shall be delivered by Human Resources to the Superintendent/President.

2. **Final Advanced Candidate Selection:** The selection of the Advanced Candidate to be recommended to the Board of Trustees shall be made by the Superintendent/President who will consult with the area manager, the Chief Human Resources Officer, and the appropriate area Vice President. Notice of the selection shall be conveyed in a timely manner to the Human Resources Department. If no recommended Eligible Candidate from the Hiring Pool is deemed satisfactory, the Superintendent/President may request that the Selection Committee Chair have the committee recommend one or more additional Eligible Candidates. The Chief Human Resources Officer shall be notified of any such request.

3. **Selection Procedures - Optional Steps**

In addition to the required steps in the selection process, the Selection Committee, may, by mutual consent, agree to use one or more of the following optional steps in the hiring process. The committee must agree on any of the optional steps when the committee develops selection criteria for the Interviewees. If one or more optional steps are agreed upon, they must apply to all Interviewees. Human Resources must determine that any optional procedure will not have a disparate impact on any protected group.

- a. **Video Conference Interview:** With the approval of the Human Resources Department and the area Vice President when requested by a Candidate for a full

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time faculty position for the first level interview and teaching demonstration, a video conference may be arranged in lieu of a personal interview due to extenuating circumstances and/or distance within 150 miles from the College's main campus (Stockton, California). The cost of video conferencing is borne by the hiring department.

- b. **Written Activity:** A written activity or written test may be designed by the Selection Committee, to demonstrate the Interviewee's expertise and/or skills in areas related to the position for which he/she is applying.
- c. **Live/Video/Audio or Other Presentation:** The Interviewee may be requested to provide a presentation to demonstrate his/her skills, instructional styles or professional proficiency related to the position for which he/she is applying. This is an optional step for all positions except faculty positions. Faculty and adjunct positions require a teaching demonstration.
- d. **Second Level Interview:** For classified and confidential positions, second level interviews are an optional step. In this instance, second level interviews will be conducted in the event two Interviewees scored equally or the Selection Committee cannot agree on the selection of the Interviewees. The committee shall consist of a minimum of two and a maximum of three members. Members shall be the appropriate area Vice President, directors or managers as applicable, and at least one classified/confidential/faculty member, as appropriate. The committee will be provided the results of the reference checks and original interview materials.

H. Notifications and Final Approval

Offers of employment shall be made by the area manager in consultation with the area Vice President or his/her designee. The Human Resources Department shall follow up with the Advanced Candidate regarding salary.

In all cases, the Human Resources Department is responsible for formally notifying those Applicants who are not offered the position (written letter).

The final approval of employment for all positions is made by the Board of Trustees.

AP 7120 Recruitment and Selection Procedures

Reference: Education Code Section 87100 et seq.; 87400, 88003, 88194; Title V Section 53000 et seq.; Accreditation Standard III.A

III. RECRUITMENT AND SELECTION PROCEDURES FOR ADJUNCT FACULTY

For the purposes of this procedure, the term “adjunct faculty” shall be interpreted to include both adjunct and temporary faculty.

A. General Information

1. Division Deans initiate the hiring process for adjunct faculty with the Human Resources Department. There is no position process as outlined in Section II A.
2. As needed, the Human Resources Department will advertise and recruit in order to develop applicant pools for adjunct faculty positions. Applications for adjunct faculty positions remain on file one (1) year from the initial date the application was received. After one (1) year, applications will be purged and applicants must reapply.
3. Job descriptions for full-time positions except the required administrative duties are used as job descriptions for adjunct faculty.
4. The selection process for adjunct faculty, whenever reasonably possible, shall be conducted during the regular academic year and results promptly communicated to Candidates by the Human Resources Department.
5. Once recommended/approved, adjuncts are eligible for employment for 39 months from the date of approval or the last date of employment with the District.
6. Adjunct employment is no guarantee for consideration for contract or regular employment.
7. Whenever a Selection Committee is convened on non-duty days and/or evenings, the faculty members of the committee shall be paid on an hourly basis for their time.
8. The qualifications of the District may be higher, but may not fall below the state’s minimum qualifications.

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Reference: Education Code Section 87100 et seq.; 87400, 88003, 88194; Title V Section 53000 et seq.; Accreditation Standard III.A

B. Pre-Interview Process

1. The Human Resources Department is responsible for promptly screening applications for minimum qualifications. In the event a determination needs to be made regarding equivalency, the application will be forwarded to an appropriate equivalency committee (See Board Policy 7211, Minimum Qualifications, Equivalencies, and Faculty Service Areas).
2. All relevant academic information shall be submitted to the Selection Committee

C. Eligible Candidate Selection

The responsibilities of the Selection Committee (see section II.F) and the process by which Candidates are determined to be Eligible Candidates for an adjunct position are the same as for full time faculty, except that the Second Level Interview is not required-

D. Final Candidate Selection

The area Vice President and the area manager will approve the recommendations of the Selection Committee, and recommend Eligible Candidates to the Superintendent/President and Board of Trustees for final approval.

E. Emergency Hire

In the event of an actual emergency or to prevent the actual stoppage of District business, an “emergency hire” procedure may be used. An "actual emergency" is defined as a situation whereby the absence of an instructor will jeopardize a class and/or program. The Division Dean may elect to hire an adjunct faculty as an emergency hire without conducting an interview. The emergency hire must be fingerprinted and tested for tuberculosis as required by the District prior to starting work. The emergency hire adjunct faculty may work for a maximum of 20 working days, excluding weekends, without Board of Trustee approval. In order for an emergency hire adjunct faculty to continue working beyond these 20 working days, the emergency hire adjunct faculty must be interviewed and approved for hiring as regular adjunct faculty-by a facilitated but otherwise usual adjunct selection process

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Reference: Education Code Section 87100 et seq.; 87400, 88003, 88194; Title V Section 53000 et seq.; Accreditation Standard III.A

including a scheduled Board of Trustee approval. The Assistant Superintendent/Vice President of Instruction approves all emergency hires.

F. Type-Five Instructors

Type-five instructors are agency-provided instructors assigned to teach students enrolled in District approved courses and/or programs. The agency, not the District, compensates type-five instructors.

All type-five instructors recommended by an agency to serve in an instructional capacity shall follow the same hiring procedures as for adjunct faculty. Type-five instructors must meet the same minimum qualifications as required of adjunct faculty. If the meeting of minimum qualifications is an issue of equivalency, the same equivalency process is used for type-five instructors as for adjunct instructors. Type-five instructors must be Board of Trustee approved.

IV. INTERNAL RECRUITMENTS AND CONTRACTORS
(California Code of Regulations, Title V, §53021, 53022)

A. Internal Recruitments

Internal recruitment may be conducted only when the position will be interim or when the opening is not new and created within the guidelines of Title V, Section 53209 (c).

- The Human Resources Specialist and the hiring manager shall decide upon the recruitment plan which will be approved by the Chief Human Resources Officer. The minimum recruitment would be an “internal applicants only” announcement via campus email and posted to the District’s website, and will be open a minimum of seven (7) calendar days. The job announcement shall clearly state job specifications regarding the skills, knowledge and abilities required for the position as well as the minimum qualifications for the position.
- The Selection Committee shall be established as outlined in Section II, Subsection F, Selection Committees. The Selection Committee will be responsible to screen applications, conduct interviews, and recommend the most qualified applicant for hire as outlined in Section II.

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Reference: Education Code Section 87100 et seq.; 87400, 88003, 88194; Title V Section 53000 et seq.; Accreditation Standard III.A

- The Board of Trustees must approve the Superintendent/President’s recommendation for hire.

B. Contractors

An administrative position may be filled on an interim basis by an individual not currently employed by the District, who is specially trained, experienced, and competent to serve as an administrator, and who satisfies the minimum qualifications applicable to the position. Such temporary administrators must be engaged to serve the District through a professional services contract (independent contractor agreement). Through the Human Resources Department, independent contractors must be fingerprinted and tested for tuberculosis as required by the District. No appointment or series of appointments pursuant to this provision may exceed a period of one year. Independent contractors are not employees but are subject to Education Code restrictions. The District’s Purchasing Department is responsible for special services contracts.

V. TRAVEL REIMBURSEMENT

Travel expenses related to second level interviews for managers and faculty, and classified professionals and adjunct faculty as deemed necessary, (See G. Selection Procedures – Required and Optional Steps for Selection Committees) will be paid by the District. Payments or reimbursements will be made following the guidelines described in Administrative Procedure 6755, Travel and Mileage.

AP 7120 Recruitment and Selection Procedures

Reference: Education Code Section 87100 et seq.; 87400, 88003, 88194; Title V Section 53000 et seq.; Accreditation Standard III.A

VI. APPENDIX A

		RECRUITMENT TYPE				
		Academic Management positions	Classified Management positions	Full Time/ Temporary Contract Faculty positions	Adjunct Faculty positions	Classified/ Confidential positions
SELECTION COMMITTEE MEMBERS	Area Manager	Serves as Chairperson	Serves as Chairperson	One required	One required	Serves as Chairperson
	Faculty	Three-2 from division/1 at large	One required	Three required from discipline/division	Three - at least one from appropriate discipline	One optional
	Chief Human Resources Officer or designee who must be a manager	Required	Required			
	Manager		Two required			
	EEO Representative	Must be a manager	Must be Chief HR Officer or designee	Must be faculty	May be faculty, classified or management	Must be classified or confidential*
	Dean	One required				
	Classified	One required One optional	One required One optional	One optional	One optional	Three required with one as Subject Matter Expert
	Student	One, if appointed	One, if appointed	One, if appointed		One, if appointed
	Optional	One community member	One community member	One community member/ One faculty from another institution		One community member or Subject Matter Expert or classified or confidential from another institution or faculty

*Depending on the type of **vacant position**.

Office of Primary Responsibility: Human Resources

Dos and Don'ts of Interview Questions

	You may ask....	Questions and statements to avoid...
Age	<ul style="list-style-type: none"> • Are you 18 years of age or older? 	<ul style="list-style-type: none"> • How old are you? • When did you graduate from high school? • How do you feel about working for a person younger than you? • You must be getting close to retirement age....
Gender	<ul style="list-style-type: none"> • Do you have responsibilities other than work that will prevent you from performing specific job requirements such as traveling or working flexible hours? • What hours and days can you work? • Have you ever worked under a different name? 	<ul style="list-style-type: none"> • Do you have plans to have children? • Childcare is so hard to get. Do you have babysitting problems? • What is your maiden name? • How would feel working for a man/woman? • Our clients sometimes prefer to be served by men. I hope you don't have a problem with that. • Do you think your women's intuition would come in handy on this job? • Tell me...how did a man come to be interested in this kind of work?
Disability	<ul style="list-style-type: none"> • Are you able to perform the duties of this job with or without accommodation? <i>If the applicant indicates that she/he can perform the tasks with an accommodation, you may ask: What accommodation would you need in order to perform the tasks? (Refer to HR for further guidance)</i> • Now that you have heard about the requirements of the position, do you feel you will be able to meet these requirements? 	<ul style="list-style-type: none"> • Do you have any disabilities? • Are you in good health? • Do you have any physical defects that prevent you from performing certain kinds of work? • That's a noticeable limp...Those are very thick glasses...How sever is your disability? • What is the prognosis for your condition? • Will you require a special leave because of your disability or its treatment? • Please list any conditions or disease you were treated for in the last three years? • How many days were absent last year because of illness? • Have you ever been treated by psychiatrist or counselor? • You mentioned your daughter has multiple sclerosis. Will that have any effect on your attendance? • Do you have any family members or relatives who are disabled?
Race	<p><i>There are no acceptable interview questions to discuss race.</i></p>	<ul style="list-style-type: none"> • There aren't very many minorities in our department. Will that be a problem for you? • You look like you have an interesting family history. How would you define your race?

Dos and Don'ts of Interview Questions

Sexual Orientation	<i>There are no acceptable interview questions to discuss sexual orientation.</i>	<ul style="list-style-type: none"> • Are you married? • You people are so creative. You'd be just perfect for this job. • This is a real family-oriented department. Is that OK with you?
National Origin	<ul style="list-style-type: none"> • Are you legally eligible to work in the United States? <i>After making a conditional offer, an employer may inform the applicant that he/she will have to produce documents for work eligibility.</i> • Inquiry into languages applicants speak fluently, if is a pre-determined requirement of the job. 	<ul style="list-style-type: none"> • Where were you born? • Of what country are you a citizen? • Yablonski, what kind of name is that? • I see you speak Spanish. Did you learn that in your native country or in school?
Religion	<ul style="list-style-type: none"> • Will you be available to work the required work schedule? 	<ul style="list-style-type: none"> • What church do you attend? • Will you need to take time off from work to observe (name of particular religious holiday)?
Education	<ul style="list-style-type: none"> • Do you have a high school diploma or equivalent? • Do you have a college or university degree? 	<ul style="list-style-type: none"> • When did you graduate from high school?
Finances	<i>There are no acceptable interview questions to discuss finances.</i>	<ul style="list-style-type: none"> • Do you own your own home? • How long have you lived at your present address? • Have your wages ever been garnished?
Military	<ul style="list-style-type: none"> • What type of education, training, and experience did you receive in the military? 	<ul style="list-style-type: none"> • What type of discharge did you receive?
Unions	<i>There are no acceptable interview questions to discuss the applicant's membership in a union.</i>	<ul style="list-style-type: none"> • Are you a union member? • List all clubs, societies, and lodge you belong to.
Workers Comp	<i>There are no acceptable interview questions to discuss the applicant's Workers Compensation history.</i>	<ul style="list-style-type: none"> • Have you ever filed for Worker Compensation? • Have you had any prior work related injuries?
Arrests	<i>There are no acceptable interview questions to discuss an applicant's arrest and conviction history.</i>	<ul style="list-style-type: none"> • Have you ever been arrested?

Adapted from Society of Human Resource Management, 2012