

Tenure Track Search Procedures and Guidelines

Prepared by the Governance Committee for approval by
the Department of Social Science Council (December 7, 2017)

Amended from "Guidelines Prepared for Hiring Sub-Committees in the Division of Social Science" Prepared by M-L Craven on behalf of Executive Committee (approved Dec 4, 2003) and the Tenure Track Search Procedures and Guidelines Prepared by K. White on behalf of the Executive Committee (Sept Oct 2012).

Any changes made between the "Guidelines Prepared for Hiring Sub-Committees in the Division of Social Science (approved Dec 4, 2003) and this Tenure Track Search Procedures and Guidelines document (revised Sept 2012 and December 2017), where required by the Dean's Office or otherwise, are made without prejudice to our rights under the YUFA Collective Agreement.

Documents to be consulted by the Chair and reviewed by all members of the Search Committee prior to the beginning of the search:

Article 12 in current YUFA Collective Agreement:

<http://www.yufa.ca/wp-content/uploads/2017/01/YUFA-Collective-Agreement-2015-18.pdf>

York Website: Academic Appointment Process at:

<http://acadjobs.info.yorku.ca/files/2015/11/The-Search.pdf>

Department's AAE Procedures (approved Sept. 2000; amended Nov. 2003 and December 2017) – Appendix A

Article 23.08 of the CUPE 3903 Unit 2 Collective agreement

Preamble

According to the Office of the Vice-President Academic and Provost (November 2015): "The purpose of the search is to identify the best possible candidate, and the process must support that objective. Overlaying that objective are federal law requirements related to citizenship or immigrant status if hiring via Employment and Social Development Canada's (ESDC) Temporary Foreign Worker Program and to our commitment embodied in the YUFA Collective Agreement to employment equity and increasing the proportion of women, racial/visible minorities, persons with disabilities and aboriginal peoples in faculty positions. If the candidate recommended is to receive speedy approval, the search must be demonstrably thorough, proactive and affirmative."

In defining its hiring priorities and planning future curriculum and positions the Department will carefully consider the likelihood of attracting excellent scholars from priority groups. In keeping with Article 12.20 of the collective agreement, the Department of Social Science declares that "discrimination should not exist or arise for women, members of visible minorities (racialized groups), Aboriginal (Indigenous) people, persons with disabilities, LGBTQ2 persons."

1. Advertising

- a. The Chair of the Department will obtain the Dean's permission to advertise appointments.
- b. Wording in the advertisement must be approved by the relevant program, the Department Executive Committee and the Dean.
- c. Once approved, the advertisement - including such adjustments as the Dean may require- will be published in University Affairs, CAUT Bulletin, and any other journals or publications decided by the program or Department or by the Dean. The Office of the Associate Vice-President, Academic is responsible for making arrangements for all academic display ads to be published in CAUT Bulletin, University Affairs and other major media. Arrangements for advertising small print/line/classified ads in all publications will continue to be made by the individual unit/Faculty. However, it is the responsibility of unit/Faculty to request and receive approval for advertisements prior to submitting for publication. (Academic Appointments Process, 2015)
- d. The Department will use the language approved by the parties to the Collective Agreement for the statement on Affirmative Action. Thus, in drafting the advertisements the Department shall encourage applications from women, members of visible/racial minorities, Aboriginal (Indigenous) peoples and persons with disabilities.
- e. The Academic Appointment Process (2015) notes that "Advertising is only one element in the search process. A proactive search will also attempt to seek out other candidates by a variety of personal contacts." To that end, the Chair of the Search Committee shall also contact leading scholars in the relevant fields in Canada and elsewhere to ask for their assistance in identifying prospective candidates who are women, members of visible/racial minorities, aboriginal people, and/or persons with disabilities. Any candidates identified by this process should be urged to apply and self-identify.
- f. The Search Committee Chair must document all strategic placements of the advertisement. The Chair's Assistant will keep a record of publications/listservs used in each search for future reference.
- g. According to the Office of the VP Academic and Provost, units may opt to use short form ads for their academic job advertisements. In composing the short form ads, the following must be included: reference to the AEO website www.yorku.ca/acadjobs, the statement that "York University is an affirmative action employer. The Affirmative Action Program can be found on York's website at www.yorku.ca/acadjobs or a copy can be obtained by calling the affirmative action office at 416-736-5713", and the ESDC statement that "All qualified candidates are encouraged to apply; however, Canadian citizens and Permanent Residents will be given priority".
- h. Advertisements (Samples of previous ads- Appendix B)

2. Search Procedures

Throughout the search process, correspondence between the hiring unit (Department) and the Dean's Office will be addressed to the Associate Dean, Faculty Affairs.

A) Constitution of the Search Committee

The Department Executive Committee appoints the Chair of the Search Committee who will normally be the Coordinator of the Hiring Program and will be consulted on the constitution of the committee. The Chair of the Search Committee will normally be tenured. There should be an odd number of voting members on the search committee (typically five to seven for a tenure track search and three for a CLA

search) and in general, the search committee should strive to be inclusive in terms of diversity (for example, committees should include both women and men), areas of expertise and career stage. According to the Academic Appointments Process, faculty members on the search committee will normally have tenure/continuing appointments.

Where the Dean's Representative is required by the Dean's Office, as opposed to requested by the Department, the search committee will normally be constituted according to the following guidelines (we make the following statement about composition without prejudice to our rights under the YUFA Collective Agreement):

- Chair of Search Committee (voting)¹
- Dean's Representative (ex officio, non-voting)
- Department Chair (ex officio, non-voting)
- AAE Representative (voting)²
- Program Members (normally one to three) (voting)
- Out of Program/Department Member (minimum of one) (voting); may include a graduate student representative where appropriate.

Where there is not a Dean's Representative appointed to the search committee, the committee will normally be constituted according to the following guidelines:

Chair of Search Committee (voting)

Department Chair (ex officio, non-voting) (see footnote 1)

AAE Representative (voting) (see footnote 2)

Program Members (normally one to three) (voting)

Out of Program/Department Member (minimum of one); may include a graduate student representative where appropriate (voting)

Deans and Associate Deans (or a person holding an administrative position above the departmental level) shall not normally be a member of a search committee due to the inherent conflict of being on 'both sides' of the reporting relationship between the department and the administration (e.g. the Dean's office).

All who accept membership to the Search Committee agree to make whatever arrangements are required to attend all scheduled committee meetings, examine the work of all the candidates, participate in the interview process, and participate in the deliberations of the committee. Except under exceptional circumstances committee members who do not fulfill these requirements may not participate in the discussions on the candidates or vote on the candidate to be recommended for appointment. In such cases, the Chair of the Department, in consultation with the Department Executive Committee, will determine whether 'exceptional circumstances' have been met.

¹ In the case of a tied vote, the Department Chair will cast the deciding vote.

² The AAE Representative has a report role to the Department Executive Committee and the Dean. AAE procedures are outlined in Appendix A. The AAE Representative must be a tenured faculty member and unless there are exceptional circumstances, the Chair of the Search Committee, the Department Chair, and the AAE Representative should be different people. The AAE Representative may be from outside the Department, if necessary.

B) Conflict of Interest Guidelines and Principles Pertaining to Hiring

Guidelines involving the following cases:

- a) A member of the Search Committee has a pecuniary³ interest in a candidate. Resolution: recuse from Search Committee.
- b) A member of the Search Committee has a close personal relationship with the candidate, or has served for any time as an academic advisor or supervisor of a candidate's M.A. or Ph.D. committee. Resolution: recuse from Search Committee.
- c) A member of the Search Committee has provided a letter of reference for a candidate for the position in question. Resolution: recuse from Search Committee.

Guidelines b) and c) normally prevail unless it is the Search Committee's view that there is compelling justification for the member not to recuse himself/herself from the Search Committee. This reason must be fully documented and, before the Search Committee can proceed, it must be reviewed by the Executive Committee. (See Appendix M for VP Academic standards on "Conflict of Interest in the Search Process.")

Principles:

- a) All those serving on a Search Committee must make full disclosure of any potential conflict of interest at the beginning of the Search Committee's deliberations of candidates. A "test" for deciding if there is a conflict is to ask: "Would a reasonable person observing the situation from the outside, who is apprised of the details, think that your judgment would be filtered through the relationship in question?" If the conflict cannot be eliminated, then the person should recuse himself/herself from the situation. In case of doubt, the Tri Council Policy Rules on Conflict of Interest can be used as an external reference. (See appendix M)
- b) A person should have one opportunity to give input into deliberations; it would follow from this principle then that normally if he/she writes a letter for a candidate (for the search under consideration) he/she should not be on the Search Committee.
- c) It is recognized that it is often extremely difficult to constitute a Search Committee that has not had any contact with any of the applicants. Search Committee members might know applicants because the applicant has worked with the committee member as a teaching assistant or research assistant, or because the committee member was part of the applicant's Ph.D. or M.A. examining committee. In some cases, fields of scholarship in Canada are so small that it is impossible not to know at least one or more of the applicants. But Search Committees do not have to be so highly specialized that we are unable to eliminate members who might have a conflict of interest (as outlined above). In an interdisciplinary unit like the Department of Social Science, colleagues not in a specific field may be able to assess effectively applicants' qualifications.
- d) When a member of the Search Committee declares a potential conflict of interest and has declared his/her own position on the conflict, the member is excused from the ensuing

³ Relating to Financial gain or advantage.

discussion of the conflict, and a decision is made by the rest of the committee. That decision shall take into account the nature of the relationship as well as the range of possible resolutions (these are points that are intended to be consistent with the the university's guidance document on academic appointments here: <http://acadjobs.info.yorku.ca/files/2015/11/The-Search.pdf>)

- e) For example, a relationship such as a co-author or co-organizer of a conference can take many forms depending upon how close the collaboration or relationship is or whether that relationship falls within a recent time period. Finally, it is important to recognize that the resolution of the conflict may take many possible forms. In some cases it may be appropriate for the committee member to refrain from voting or speaking about the candidate with whom they have a conflict, while in other cases full recusal from the committee may be more appropriate.
- f) According to the University Academic Appointments Process (2015):
“The onus is then on the Chair of the Search Committee to ensure that any conflict(s) have been satisfactorily resolved and to report the outcome in the Search Committee’s report to the Dean/Principal/University Librarian. Simply identifying that there was a conflict of interest in the Search Committee’s report is not satisfactory; the conflict should be identified together with a description of how it was resolved. If the conflict(s) are not resolved satisfactorily and are not reported in the recommendation file coming forward to the Vice-President Academic & Provost, the file will be held up until it is done and in the extreme case could result in a recommendation not being approved.

Consideration must be given to the nature and time-frame of the relationship and whether the person(s) with the conflict should recuse from the Search Committee completely or not comment or vote on the candidate(s) with whom they have the conflict. In examples (a) – (d) below the nature and time-frame of the relationship should be taken into account; e.g., was the co-authorship or dissertation supervision within the last 2 years; 5 years; 7 years? If a relationship is current, the Committee could decide that the Search Committee member should recuse from the Committee or at a minimum abstain from commenting or voting on the candidate with whom they have the relationship with.”

Examples of situations, subject to the qualifications above, that may require recusal from the search committee or recusal from voting on a given candidate:

- a) A member of the Search Committee has co-authored with the candidate.
- b) A member of the Search Committee has worked in a professional relationship i.e., co- investigator with a candidate.
- c) A member of the Search Committee was the principal PhD dissertation supervisor of a candidate.
- d) A member of the Search Committee was a PhD supervisory committee member or principal Master’s thesis supervisor of the candidate.

- g) The resolution of the conflict is always reviewed by the Department Executive Committee, and when the Executive has assessed the determination of the Search Committee and the search continues, a detailed account of the resolution of the conflict of interest is included in both the memo sent to the Dean asking them to approve the short-list and in the document sent to the Vice-President (Academic) for final approval of the hiring decision.

C) Processing the Applications and Short-listing the Candidates

Pre-shortlist meeting:

Before reviewing the files, the Search Committee Chair calls the Search Committee together (including the AAE rep) and they agree on rating criteria to be used when reading the files based on the criteria specified in the advertisement. The Committee should clearly document what criteria are considered *requirements* for the position, and what are *preferences* for the position. At this meeting the Department Chair will review Department procedures and the AAE Representative will review AAE policies for the current search. A schedule for the shortlist meeting and possible interview dates should also be drawn up at this time.

Shortlist-meeting:

Members of the Search Committee (voting and non-voting) must declare any and all potential conflicts of interest prior to commencement of discussions about the files. Please see section B in this document outlining the *Conflict of Interest Guidelines and Principles Pertaining to Hiring*.

The Search Committee Chair will prepare a preliminary document outlining the search process to date and recommend the names of candidates to be interviewed. For each recommended candidate the Chair of the Search Committee will provide a brief summary of the candidate's accomplishments along with a complete copy of the candidate's application file. The shortlist recommendation report must be reviewed and approved by the Department Executive Committee prior to being sent to the Dean's Office for approval.

The Administrative Assistant to the Department Chair will assist in compiling the file to accompany the Search Committee's shortlist recommendation reports. (see Appendix C for a sample memo to the Dean and Appendix D for a sample memo from the AAE rep to the Dean.) The Chair of the Department will review each complete file before it is submitted to the Dean's Office.

Once the Dean has approved the short list, a letter is sent to the candidates informing them of the interview process, asking them to notify the Department of any accommodations that are required during the visit (dietary, etc.), and include a copy of the Self-Identification Form (since candidates are permitted at any stage of the process to self-identify). (See Appendix E for the sample short-list letter to candidates and Appendix F for the self-identification form and the work declaration form.)

D) Interview Process

Prior to the interview process, the committee will agree on a non-exhaustive set of questions to be asked to all candidates. Once approval from the Dean has been received, and the dates of the candidates' interviews are set, the Search Committee Chair should make every effort to publicize the talks in order to encourage members of the Department to attend the talks and give feedback to the Search Committee. Normally the candidates are invited to give a short talk on their research, and then, after a short break, to present sample courses to the committee outlining their teaching philosophy and pedagogical approaches. Each candidate normally meets for a short interview with the Chair of the Department as well as with the AAE Representative before the interviewing process.

The Search Committee must be mindful of permissible questions to ask candidates based on the Ontario Human Rights Code (Appendix G). Evaluation forms (Appendix H) as well as c.v's, statements of teaching and research interests are made available for the members of the audience. Letter of reference are considered confidential and are not made available to members outside of the Search Committee. There are funds available from the Dean's Office during the interview process for hospitality; queries regarding allowable expenses should be addressed to the Department Administrative Assistant.

E) Evaluation of Interviewed Candidates

As soon after the last interview as possible, the members of the Search Committee meet and the Search Committee Chair leads the discussion to show how the application of the established hiring criteria leads to the evaluation of acceptable/non-acceptable candidates. Then within the acceptable group, the candidates need to be ranked with an explanation of the ranking—assuming there is more than one candidate who would be acceptable. Regulations pertaining to the evaluation of Canadian and non-Canadian candidates require that the Committee establish that all Canadian candidates are not suitable; then, and only then, can they undertake to evaluate the non-Canadian candidates.

Once agreement is reached, the Search Committee Chair writes a final report (see Appendix I), as does the AAE Rep (see Appendix J), and these are forwarded on to the Department Executive Committee for review and approval. The Executive then presents the recommendations to a full meeting of Council. These reports shall be made available electronically to all full-time members of the department on a password-protected basis in advance of such a meeting. (If hiring recommendations are made when Council is not meeting, or if Council wishes to delegate final oversight to the Executive Committee, then the latter body shall have the authority to approve the recommendation(s) on behalf of the Department.) Notwithstanding the above, where one or more full-time faculty members or group of full-time faculty members in the department indicates to the Executive within 48 hours of the posting of the recommendation that the recommendation should be reviewed by Council the Executive shall bring the recommendation to Council for final approval as soon as is practicable. Such a request shall be in writing and shall include procedural and/or substantive reasons for Council review.

The Department Chair's Assistant will assist the Search Committee with putting together the Recommendation File. The file will include the recommended candidate's file as well as abbreviated files of all short-listed candidates, a detailed rationale for the recommendation, a letter from any relevant Graduate Program Director, and the Affirmative Action Report. The Chair of the Department will review each complete file before it is submitted to the Dean's Office.

The file is then sent on to the Dean for his/her approval along with the Check-list (see Appendix K) required by the Associate Vice-President's (Academic) Office, with all documents indicated including signed copies of all recommended candidate's letters of reference (if initially sent as email, referees need to be contacted to email in a signed copied at the very least).

Appendices:

- Appendix A - AAE Report (amended Dec. 2017)
- Appendix B - Sample of Ads
- Appendix C - Sample memo to Dean re: short-list
- Appendix D - Sample memo to Dean from AAE Rep re: short-list
- Appendix E - Sample Short-list letter to candidates
- Appendix F - Self-Identification Form & Work Declaration Form

- Appendix G - Search Committee – Permissible Questions
- Appendix H - Search Committee – Evaluation Form
- Appendix H2 - Search Committee – Pre-Shortlisting Report
- Appendix I - Sample memo to Dean/Academic V-P justifying appt. choice
- Appendix J - Sample memo from AAE Rep re: hiring procedure
- Appendix K - Check-list (including letter from appropriate Graduate Program Director re: suitability of selected candidate to teach grad. courses.)
- Appendix L - Tri Council Policy on Conflicts of Interest
- Appendix M - VP Academic Standards on “Conflict of Interest in the Search Process”