Revised: July 20, 2018

<u>Advisory to Deans #AA2018-01 - REVISED</u>

DEANS, EXECUTIVE ASSOCIATE DEANS, ASSOCIATE DEANS, ASSISTANT DEANS, CHAIRS AND ACADEMIC PERSONNEL ANALYSTS

Re: Pilot Program - Reference Checks for Academic Senate Ladder Rank Faculty Hires with Tenure or Lecturer/Senior Lecturer with Security of Employment, **Effective July 1, 2018**

Dear Colleagues,

The University of California is committed to creating and maintaining a community dedicated to the advancement, application, and transmission of knowledge and creative endeavors through academic excellence, where all individuals who participate in University programs and activities can work and learn together in a safe and secure environment, free of violence, harassment, discrimination, exploitation, or intimidation. To support this commitment, UC Davis will conduct a pilot program for the 2018-19 hiring year to conduct reference checks on final candidates for academic appointments with tenure or security of employment. The current faculty hiring process solicits information regarding candidates' qualifications through outside letters. The pilot reference check program will enable UC Davis to obtain and review information about candidates' conduct in their previous appointments that may be important to the appointment decision. The reference checks do not involve any process for criminal background checks, which are covered by other University policies.

The pilot program will follow these steps to conduct reference checks for candidates who are the final choice for hiring into tenured or security of employment positions.

1. The campus shall include the following statement in the posting of Senate ladder rank faculty positions with tenure or lecturer/senior lecturer with security of employment providing notice to applicants that UCD will conduct reference checks on final candidates prior to hiring.

    The University of California is committed to creating and maintaining a community dedicated to the advancement, application, and transmission of knowledge and creative endeavors through academic excellence, where all individuals who participate in University programs and activities can work and learn together in a safe and secure environment, free of violence, harassment, discrimination, exploitation, or intimidation. With this commitment, UC Davis conducts a reference check on all finalists for tenured positions. The reference check involves contacting the administration of the applicant's previous institution(s) to ask whether there have been substantiated findings of misconduct that would violate the University's Faculty Code of Conduct. To implement this process, UC Davis requires all applicants for any open search for assistant/associate/full professor to complete, sign, and upload the form entitled "Authorization to Release Information" into RECRUIT as part of their application. If an applicant does not include the signed authorization with the application materials, the application will be considered incomplete, and as with any incomplete application, will not receive further consideration. Although all applicants for faculty recruitments must complete the entire application, only finalists considered for positions with tenure or security of employment will be subject to reference checks.

2. All applicants for these searches will be asked to sign and upload an "Authorization to Release Information" form into UC Recruit (see the attached document Appendix A or here). If the candidate does not include the signed authorization with the application materials in RECRUIT, the application will be incomplete and, as with any incomplete application, will not receive further consideration.

3. When the selection of the first choice candidate has been made, the Dean and/or Department Chair should contact Academic Affairs, specifically, Danny Gray – Director of Academic Employment and Labor Relations (dgray@ucdavis.edu), to initiate the Reference Check process. Academic Affairs shall contact the academic personnel office (or equivalent) in one or more of the previous institutions where the candidate has been employed. This may occur concurrently with the negotiation of the terms in the Temporary Offer Letter (TOL), or after the TOL has been issued. The candidate shall be notified before the contact is initiated. Academic Affairs will provide the signed release to the previous institution(s) and ask for information about misconduct related to teaching, research, service, and (if applicable) clinical care. Academic Affairs will not contact the candidate's department or search chair, unless there is no other office of record for faculty misconduct at the institution.

4. Academic Affairs will ask a consistent set of questions to each institution, and may ask follow up questions relevant to the information received. Academic Affairs will limit its inquiry to substantiated findings of misconduct and associated discipline related to teaching, research, service and (if applicable) clinical care. In accordance with the signed authorization, the campus is entitled this information, even if confidential, including any materials that have been sealed or agreed to be withheld pursuant to a prior agreement or court proceeding.

5. Academic Affairs, in consultation with the dean and department chair, will conduct an individualized assessment of any information received including the nature of the conduct, the length of time passed, any corrective action taken, and any explanation offered by the candidate. After reviewing the information, Academic Affairs, in consultation with the dean and department chair will determine whether the candidate is still eligible to be considered for the position. If it is determined that the candidate is not eligible, the candidate shall be notified and a second choice candidate may be considered, subject to the reference check process.

6. This pilot reference check program applies to final candidates selected for appointment with no previous UC appointment as well as candidates with current or prior UC appointments.

7. In order to protect a candidate's privacy, all information received in connection with the reference check process will be treated as confidential and retained in accordance with UC policy. Should the candidate be offered and accept the position, any information received shall be securely maintained and held in the campus Academic Affairs Office.

Information about this pilot program is available at http://academicaffairs.ucdavis.edu/policies/reference-checks.html. Additionally, instructions for completing this process in the UC Davis Recruit system are outlined in the attached document, Appendix B, and available at http://academicaffairs.ucdavis.edu/local_resources/docs/Reference_Check_Information_UC_Recruit_Instructions.pdf.

Any questions regarding this pilot program may be directed to Binnie Singh, Assistant Vice Provost, Academic Affairs (binsingh@ucdavis.edu, 530-752-5726).

Sincerely,

Philip H. Kass
Vice Provost—Academic Affairs
Professor of Analytic Epidemiology,
Population Health and Reproduction (Veterinary Medicine),
and Public Health Sciences (Medicine)

AUTHORIZATION TO RELEASE INFORMATION

As an applicant for the position of _____ with the **University of California, Davis** (the University), I am required to furnish information for use in determining my qualifications. For this purpose, I authorize the release of information (described below) requested by the University concerning any misconduct related to teaching, research and service (and clinical care if applicable). I understand the University will not request information authorized by this release unless I am a finalist for an academic appointment with tenure or security of employment.

If I have been found to have violated my current or previous institution's policies governing faculty conduct, in including policies prohibiting sexual harassment, sexual assault, and/or other forms of harassment or discrimination, this signed form allows my current or prior institution(s) to share that information.

The University considers sexual misconduct and other forms of harassment or discrimination[1] with students or trainees to be related to teaching; with staff or colleagues to be related to service; and (if applicable) with patients to be related to clinical care. This authorization includes release of information of a confidential or privileged nature, or any data or materials which have been sealed or agreed to be withheld pursuant to any prior agreement or court proceeding involving disciplinary matters. Should an institution provide information on a finding of misconduct, I will be informed and allowed to provide information in response.

I hereby release, discharge, and exonerate the University, its agents and representatives and any person furnishing information to the University, from any and all liability of every nature and kind arising out of the furnishing and inspection of such documents, records and other information. This release shall be binding on my legal representatives and successors.

This authorization is valid for 365 days from the date of signature. A photocopy of this release is to be considered as valid as an original.

_____
Print Name

_____   _____
Signature   Date

_____

[1] Sexual Misconduct includes conduct prohibited by the University of California Sexual Violence and Sexual Harassment Policy including sexual assault, domestic violence, dating violence, stalking and sexual harassment. In addition, the UC Faculty Code of Conduct prohibits entering into a romantic or sexual relationship with any student for whom a faculty member has, or should reasonably expect to have in the future, academic responsibility (instructional, evaluative, or supervisory). The UC Faculty Code of Conduct also prohibits exercising academic responsibility (instructional, evaluative, or supervisory) for any student with whom a faculty member has a romantic or sexual relationship. The UC Faculty Code of Conduct outlines in further detail the types of conduct unacceptable of its faculty and other academic appointees.

Reference Check Information
UC Davis Recruit Instructions

These instructions are specific for recruitments in the following Senate series and ranks:

- Professorial series – ladder rank at the Associate and Full ranks
- Security of Employment series – at the Lecturer and Senior Lecturer ranks

When creating a recruitment in UC Davis Recruit for one of the above series at the above-mentioned ranks, information regarding the Reference Check process must be included in the following locations:

- **Description** – this field is located under the "Basic Information" section right below the "Recruitment name" field. Generally, this field is used to provide as much information about the position and the University. The wording should be the same or similar to that used in all advertisements. This field is locked once the Search Plan is approved. This field appears to applicants on the apply page once the posting is published.
  *****Refer to Academic Affairs Advisory to Deans #AA2018-01 for the required language.*****

  Basic Information

  * Recruitment name: [   ]

  Description: [   ]

  Displayed to applicants when viewing the details of this recruitment

- **Documents** – *this section changed recently. Staff must complete the recruitment setup process in order to access the "Document requirements" field*:

  Documents

  ⓘ Document requirements will be configured later, before submitting your plan for approval.

  There are two ways to access the "Document requirements" section:

  1. *One way is to click on the "See checklist" link located at the top of the Details page:*

     DRAFT Fill out the remaining required fields before submitting the search plan for approval. See checklist (0/2)

     SEARCH INFO

     Details

     Details

a. *Click on the "See checklist" link and a window opens identifying outstanding items that need to be addressed. Click on an "Add now" link:*

Search plan approval checklist (0/2)   ×

Before submitting the search plan for approval, please complete the following:
- Document requirements must be entered • Add now ←
- Planned Search Efforts must be entered • Add now

[Yes, submit for approval]   Cancel

b. *A window opens for the item (we are illustrating the "Document requirements" item for these instructions). This is where staff are able to adjust the default list of document requirements for a recruitment.*

Click the "+Add another document" link at the bottom of the window:

Document requirements ⚑ FIRST APPLICANT   ×

i   To get you started, a recommended set of documents has been provided

≡   Curriculum Vitae
    Your most recently updated C.V.

    [Required] [Optional]   ❌ Remove

≡   Cover Letter
    [Required] [Optional]   ☑ Add description...   ❌ Remove

≡   Statement of Research
    [Required] [Optional]   ☑ Add description...   ❌ Remove

≡   Statement of Teaching
    [Required] [Optional]   ☑ Add description...   ❌ Remove

≡   Statement of Contributions to Diversity
    Diversity contributions documented in the application file will be used to evaluate applicants. Visit
    http://academicaffairs.ucdavis.edu/diversity/equity_inclusion/index.html for guidelines about writing

    [Required] [Optional]   ❌ Remove

+ Add another document ←

[Save changes] Cancel

c. *A blank, editable text box is added to the bottom of the list. Proceed with the following:*
   ▪ *Enter the file name "Authorization Release Form" in the text box*
   ▪ *Click on the "Add description" link under the text box:*

Statement of Contributions to Diversity
Diversity contributions documented in the application file will be used to evaluate applicants. Visit http://academicaffairs.ucdavis.edu/diversity/equity_inclusion/index.html for guidelines about writing

Required | Optional   ⊗ Remove

Authorization to Release Information Form

Required | Optional   ☑ Add description...   ⊗ Remove

➕ Add another document

Save changes Cancel

d. *Enter the description "A reference check will be completed only if you are selected as the final candidate. Download, complete, sign, and upload the form: http://academicaffairs.ucdavis.edu/local_resources/docs/forms_and_checklists/Authorization-Release-Form-July-1-2018.pdf"*

When the applicant is completing their application, the link to the website in the description field will appear as an active hyperlink so they can quickly/easily download the form.

Authorization to Release Information Form
A reference check will be completed only if you selected as the final candidate. Download, complete, sign, and upload the form: http://academicaffairs.ucdavis.edu/local_resources/docs/forms_and_checklists/Authorization-Release-Form-July-1-2018.pdf

Required | Optional   ⊗ Remove

➕ Add another document

Save changes Cancel

e. *Currently, the document is defaulted to "Optional" (grayed out text). Set the document as* <u>*required*</u> *by clicking on the "Required" button located under the description text box:*

Authorization to Release Information Form
A reference check will be completed only if you are selected as the final candidate. Download, complete, sign, and upload the form: http://academicaffairs.ucdavis.edu/local_resources/docs/forms_and_checklists/Authorization-Release-Form-July-1-2018.pdf

Required | Optional   ⊗ Remove

➕ Add another document

Save changes Cancel

The "Required" button is now grayed out, and reflects that this document will be "Required":

f. *Once all "Document requirements" have been set, make sure to click the "Save changes" button at the bottom of the window:*

g. *The "Details" page will now reflect the changes made in both the "See checklist" area:*

h. *Additionally, the Authorization to Release Information Form and description information will show in the "Document requirements" section located on the same page:*

2. The second way to is to click on the "Edit" button located next to the "Document requirements" section on the "Details" page:

Document requirements 🔓 FIRST APPLICANT ✎ Edit

Curriculum Vitae Required
Your most recently updated C.V.

Cover Letter
Statement of Research
Statement of Teaching
Statement of Contributions to Diversity Required
Diversity contributions documented in the application file will be used to evaluate applicants. Visit
http://academicaffairs.ucdavis.edu/diversity/equity_inclusion/index.html for guidelines about writing a diversity statement and why one is requested.

Once the "Edit" button is clicked, follow the same process outlined in number 1 items b-h listed above.