UC DAVIS: Office of the Provost and Executive Vice Chancellor

Revised: July 20, 2018

#### Advisory to Deans #AA2018-01 - REVISED

## 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 <a href="here">here</a>). 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)

ISSUED JULY 1, 2018 Appendix A

#### **AUTHORIZATION TO RELEASE INFORMATION**

University), I am required to furnish informat authorize the release of information (describ misconduct related to teaching, research and	with the <b>University of California</b> , <b>Davis</b> (the tion for use in determining my qualifications. For this purpose, I sed below) requested by the University concerning any diservice (and clinical care if applicable). I understand the prized by this release unless I am a finalist for an academic doyment.
including policies prohibiting sexual harassmo	rent or previous institution's policies governing faculty conduct, in ent, sexual assault, and/or other forms of harassment or urrent or prior institution(s) to share that information.
trainees to be related to teaching; with staff patients to be related to clinical care. This au privileged nature, or any data or materials where agreement or court proceeding involving the prior agreement or court proceeding involving the proceeding the procedure the proceeding the proceeding the proceeding the proceeding the procedure the proceeding the proceeding the procedure the proceeding the procedure the procedure	and other forms of harassment or discrimination <sup>1</sup> with students or colleagues to be related to service; and (if applicable) with athorization includes release of information of a confidential or hich have been sealed or agreed to be withheld pursuant to any ang disciplinary matters. Should an institution provide information d and allowed to provide information in response.
furnishing information to the University, fro	the University, its agents and representatives and any person om any and all liability of every nature and kind arising out of the ss, records and other information. This release shall be binding
This authorization is valid for 365 days from t considered as valid as an original.	the date of signature. A photocopy of this release is to be
Print Name	_
Signature	 Date

<sup>&</sup>lt;sup>1</sup> Sexual Misconduct includes conduct prohibited by the <u>University of California Sexual Violence and Sexual Harassment</u> Policy including sexual assault, domestic violence, dating violence, stalking and sexual harassment. In addition, the <u>UC Faculty Code of Conduct</u> 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:

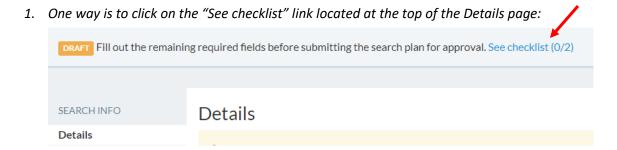
• <u>Description</u> – this field is located under the "Basic Information" section right below the "Recruitment name" field. Generally, this field is used to provide as much information about the position and the University. The wording should be the same or similar to that used in all advertisements. 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 <u>Advisory to Deans #AA2018-01</u> for the required language.**		
Basic Information		
* Recruitment name:		
Description:		
	Displayed to applicants when viewing the details of this recruitment	

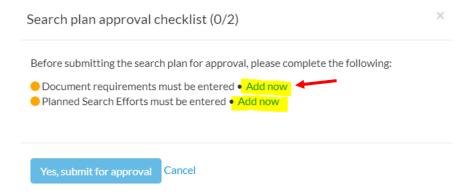
 <u>Documents</u> – this section changed recently. Staff must complete the recruitment setup process in order to access the "Document requirements" field:



There are <u>two</u> ways to access the "Document requirements" section:

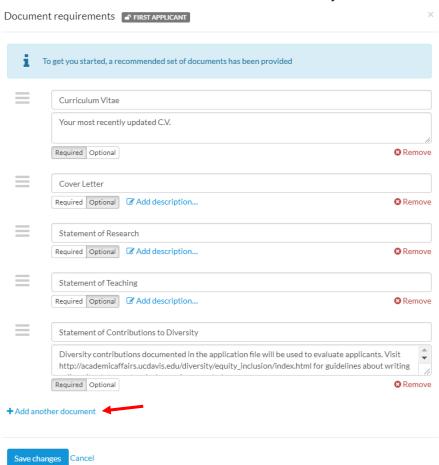


a. Click on the "See checklist" link and a window opens identifying outstanding items that need to be addressed. Click on an "Add now" link:

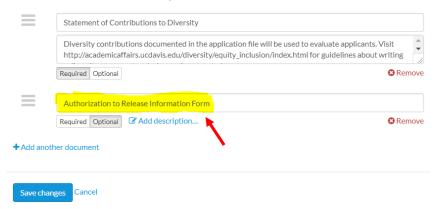


b. A window opens for the item (we are illustrating the "Document requirements" item for these instructions). This is where staff are able to adjust the default list of document requirements for a recruitment.

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

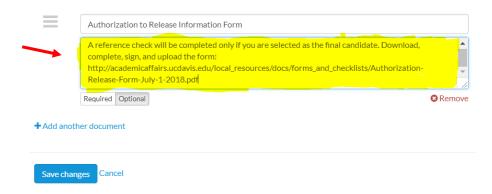


- c. A blank, editable text box is added to the bottom of the list. Proceed with the following:
  - Enter the file name "Authorization Release Form" in the text box
  - Click on the "Add description" link under the text box:

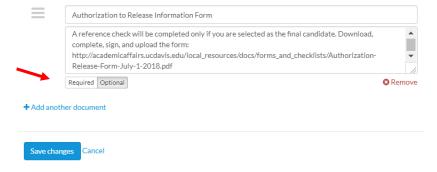


d. Enter the description "A reference check will be completed only if you are selected as the final candidate. Download, complete, sign, and upload the form:
<a href="http://academicaffairs.ucdavis.edu/local\_resources/docs/forms\_and\_checklists/Authorization-Release-Form-July-1-2018.pdf">http://academicaffairs.ucdavis.edu/local\_resources/docs/forms\_and\_checklists/Authorization-Release-Form-July-1-2018.pdf</a>"

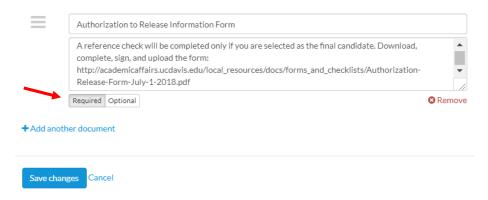
When the applicant is completing their application, the link to the website in the description field will appear as an active hyperlink so they can quickly/easily download the form.



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



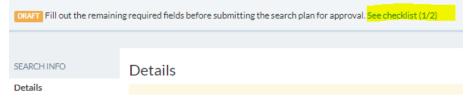
The "Required" button is now grayed out, and reflects that this document will be "Required":



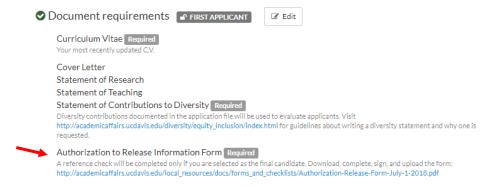
f. Once all "Document requirements" have been set, make sure to click the "Save changes" button at the bottom of the window:



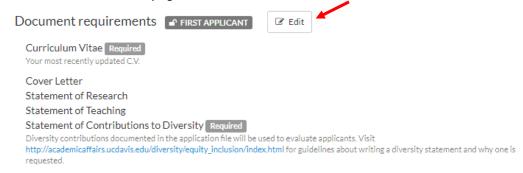
g. The "Details" page will now reflect the changes made in both the "See checklist" area:



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:



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