Revised: March 25, 2020

Advisory to Deans #AA2018-01 – REVISED

Re: Pilot Program - Reference Checks for Academic Senate Ladder Rank Faculty Hires with
Tenure or Lecturers/Senior Lecturers with Security of Employment, effective December 19, 2019

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 and 2019-20 hiring years 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 hiring 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 (associate rank and above) 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 lecturers/senior lecturers with security of employment positions providing notice to applicants that UC Davis 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 or security of employment 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 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, James DiCaprio – Associate Director of Academic Employment and Labor Relations (jjdicaprio@ucdavis.edu), to initiate the reference check process, through email with the attached completed/signed release from the candidate. Academic Affairs shall contact the academic personnel office (or equivalent) at 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.

   Departments proposing search waivers, in accordance with the "Guidelines Search Waivers and Search Exemptions for Academic Appointees at the University of California," must initiate the reference check process for any Senate position that includes tenure or security of employment (e.g., Spousal/Partner Hire or Target of Excellence [TOE]). The Dean and/or the Department Chair must follow the same steps to initiate the reference check process while the TOL is being drafted and wait for the reference check clearance before finalizing the TOL for a Spousal/Partner Hire or Target of Excellence hire.

   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 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 to 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. The dean and department chair, in consultation with Academic Affairs, 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 and in consultation with Academic Affairs, the dean and department chair will determine whether the candidate should still be 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 also applies to final candidates selected for hiring and appointment with no previous UC appointment as well as candidates with current or prior UC appointments. For those candidates with previous UC appointments, Academic Affairs may contact the current or previous UC campus(es) for any records related to disciplinary investigations or disciplinary action.

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 reference check program is available at https://academicaffairs.ucdavis.edu/reference-checks. Additionally, instructions for completing this process in the RECRUIT system are outlined in the attached document, Appendix B, and available at https://aadocs.ucdavis.edu/tools/recruit/reference-check-recruit-instructions.pdf

Any questions regarding this pilot program may be directed to Binnie Singh, Assistant Vice Provost for 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)