

Human Resources

AP 7120 EMPLOYMENT RECRUITMENT

References:

Education Code Sections 87100 et seq., 87360, 87400, 87408-87408.6, 88003, and 88021;
Title 5 Code Sections 53021-53024;
ACCJC Accreditation Standard III.A.1. (*formerly III.A.*)

I. General Provisions

The District's recruitment and hiring procedures shall demonstrate a commitment to diversity, equity, and inclusion in order to achieve the District's mission and support students in achieving their educational goals. The District's recruitment and hiring procedures allow the District to engage in diversity hiring that increases the representation of underrepresented communities in the District's workforce. Diversity hiring includes mitigating unconscious bias and eliminating irrational barriers to employment to allow the District to hire the best candidate regardless of the candidate's protected classes. Underrepresented communities consist of individuals holding identities broadly underrepresented in the District's workforce in comparison to their representation in the field or job category within the state of California or nationally in higher education.

A. Equal Employment Opportunity (EEO)

Commitment to Diversity: In all phases of recruitment and hiring, equal opportunity shall be afforded to all employees and applicants for employment without discrimination on the basis of national origin, immigration status, religion, age, family and medical care leave, gender, gender identity, gender expression, race or ethnicity, color, medical condition, genetic information, ancestry, sexual orientation, marital status, physical or mental disability, sex (which includes pregnancy, childbirth, breastfeeding and medical conditions related to pregnancy, childbirth), military and veteran status or because he/she/they 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.

The District's EEO plan will document the multiple measures that capture the broad array of strategies and actions the District uses or will use to ensure equal employment opportunity. The Superintendent/President shall provide the Board of Trustees with an annual report regarding the District's EEO Plan.

Equal employment opportunity issues are further addressed in *BP/AP 3420 Equal Employment Opportunity* and the District's *EEO Plan*.

B. Permanent Academic, Management, and Classified Employees

Human Resources will have primary responsibility for implementing Administrative Procedures for the employment of permanent academic and classified employees. Such procedures for employment include provisions for assuring adequate candidate screening by a screening committee, including faculty, administration, and staff participation as appropriate; equal employment opportunity review; and necessary forms and guidelines. Applicants for all positions must demonstrate sensitivity to and understanding of the diverse academic, socioeconomic, cultural, disability, gender identity, sexual orientation, and ethnic backgrounds of community college students in a manner specific to the position.

II. Recruitment Methods for Management and Classified Positions

A. Position Authorization

Recommendations for the creation and/or filling of positions shall be made in accordance with District governance or administrative processes. Approval for the filling of an authorized position that is vacant will be made by the Superintendent/President.

B. Screening Committee Structure

1. The Superintendent/President or designee may appoint the manager(s) for the committee and committee members. Classified employees will be appointed by the Classified Senate through the Classified Professionals Liaison Committee. Academic employees will be appointed by the Academic Senate.
2. Every effort will be made to ensure the diversity of screening committees. If the Executive Director of Human Resources, or designee, does not approve of the Academic and Classified Senate appointments to screening committee due to lack of diversity, they will take necessary steps to remedy the representation.
3. The Superintendent/President's *Standards of Decorum* shall be read and distributed at each convening, which reminds committee members of the shared governance model under which we operate, highlights current needs in response to legislation and social issues, delineates processes for complaints and concerns, and creates an atmosphere of collegiality and collaboration so that members feel free to participate in the process and offer up opinions for debate.
4. Training: All members of the screening committee shall be trained in the relevant State and Federal provisions for equal employment opportunity, diversity and the search/screening process.
5. The committee will have District-wide representation, including a combination of administrators, faculty and classified staff, for the purpose of screening, interviewing, and recommending candidates to the Superintendent/President or designee (See Human Resources Screening Committee Composition Guidelines). Every effort will be made to fulfill the composition guidelines.
6. The Superintendent/President or designee may appoint other than District employees to participate in the recruitment process.
7. Members of the screening committee are acting as agents for the District and are participating in a confidential process. Committee members are prohibited from releasing any information which relates to the recruitment process. Committee members may be held personally responsible for any unauthorized disclosure of information.

C. Position Announcement

1. The position announcement will describe the duties and responsibilities of the position based upon the approved job description. The announcement shall be reviewed by the appropriate administrator.
2. The advertising/announcement phase shall be long enough to allow for a comprehensive search, typically four (4) weeks for management positions and three (3) weeks for classified positions, and shall be in conformance with the District's EEO Plan and state and federal regulations.
3. The District shall actively recruit from both within and outside the District work force to attract qualified applicants and shall include, as appropriate, regional and national outreach designed to ensure that all persons, including persons from protected groups, are provided the opportunity to seek employment with the District.
4. Recruitment for all open positions shall include, but not be limited to, placement of job vacancy announcements in diversity websites and publications.

D. Minimum Requirements

Applications and applicable materials shall be submitted using the District's website. Human Resources will conduct the initial review of the applications to ensure minimum requirements for the position are met.

E. Screening Process

1. Screening criteria may be formulated by the committee for the purpose of identifying the best qualified applicants.
2. Screening criteria must include equity-minded, job-related qualifications that enhance equity, diversity, inclusion and reinforce the Knowledge, Skills and Abilities (KSAs) needed for the position. At least one screening criterion must be diversity/equity/inclusion related.
3. Applicant Screening: Human Resources will provide the screening committee with access to view the application and applicable materials for all candidates who meet the minimum requirements for the position. Committee members shall individually review each qualified applicant's application materials using the previously agreed upon screening criteria. Following the screening, the committee shall develop consensus regarding the pool of applicants to be invited to interview. Every effort should be made to screen in and interview as many candidates as possible for each position.
4. The hiring administrator/designee or Human Resources will schedule the selected candidates' interviews and make necessary arrangements.
5. Interview Process: The screening committee will formulate questions to be used during the interview process and may, at its discretion, require pre-screening activities and/or assessments of the candidate's effectiveness as appropriate to the position. Interviews will be conducted using the previously agreed upon interview questions. All interview questions should be equity-minded (per the adopted definition), and at least two diversity/equity/inclusion questions must be included when developing interview questions. Screening committee members shall individually evaluate each candidate based on their responses to the questions, the demonstration/presentation, and/or other type of performance indicator exercise(s), if applicable. Following the last

interview, the screening committee will deliberate the candidates' strengths and areas for growth and while consensus on finalist recommendations is desired, the purpose of a diverse screening committee is to bring different perspectives to the hiring process. As such, when consensus cannot be found, the screening committee may forward a summary of why consensus was not obtained to the next level interviewer(s) for consideration. The screening committee will prepare written documentation of these conclusions to Human Resources. If the committee cannot reach a consensus on a finalist(s), the position may be reposted and the screening process restarted. At the conclusion of the interview process, all application and interview materials used and completed by the screening committee shall be returned to and retained by Human Resources.

6. Notification of Candidates: Human Resources will notify applicants who will not move forward to interview or will not move forward as finalists of their status.

7. Recommendations and Finalization of Selection

a. Management Positions

- i. Finalists will be recommended to the Superintendent/President or designee. The committee may send comments or a statement of reservation about the candidates along with their recommendation.
- ii. At the discretion of the Superintendent/President or designee, the finalists will be invited for an interview with the Superintendent/President and/or designees.
- iii. If the Superintendent/President or designee does not agree with the committee's recommendations, they will request that the search be extended or suspended.
- iv. The name(s) of the finalist(s) will be forwarded to the appropriate administrator or Human Resources for reference checking.
- iv. The Superintendent/President or designee will extend a conditional, verbal offer of employment. Upon the finalist's verbal acceptance, Human Resources will submit a conditional, written offer of employment and employment agreement.
- v. If there is not an acceptable candidate, the Superintendent/President or designee may request that the search be extended or suspended.
- vi. Upon written acceptance of the offer of employment and employment agreement, the finalist's name will be submitted to the Board of Trustees for approval. If for any reason the selected finalist refuses the offer, the matter may be referred back to the screening committee by Human Resources.
- vii. Notification of Candidates: The Superintendent/President or designee or Human Resources will notify the finalists not selected for the position of their status.

b. Classified Positions

- i. The screening committee will recommend a finalist(s). Second interviews are appropriate in the event the supervisor or manager is unable to participate in the initial interview.
- ii. The names of the finalists will be forwarded to the appropriate administrator or Human Resources for reference checking.
- iii. The appropriate administrator or Human Resources will extend a conditional, verbal offer of employment. Upon the finalist's verbal acceptance, Human Resources will submit a conditional, written offer of employment.
- iv. If there is not an acceptable candidate, the supervisor or manager may request that the search be extended or suspended.

- v. Upon written acceptance of the offer of employment, the finalist's name will be submitted to the Board of Trustees for approval. If for any reason the selected finalist refuses the offer, the matter may be referred back to the screening committee by Human Resources.
8. The action of the Board of Trustees will be communicated to the candidates.

F. Reference Checks

1. Reference checks must be conducted prior to an offer's being made on all finalists, including internal and external candidates, for all recruited and interim positions.
2. Before contacting the references, permission should be obtained from the candidate so they may properly inform current employers/managers as indicated on the application.
3. At least one (1) diversity/equity/inclusion question must be included when checking references (template provided by Human Resources).
4. Every effort should be made to complete reference checks with at least three (3) of the candidate's provided references.

G. Pre-employment Health Examinations

1. Certificated employees who have not previously been employed in an academic position in California will be required upon hire to provide a medical certificate from a licensed physician showing that the candidate is free from any communicable disease unfitting the candidate to instruct or associate with students. The medical exam shall have been conducted not more than six months before submission of the certificate and shall be at the expense of the candidate.
2. For positions for which a pre-employment medical examination has been deemed appropriate (e.g., Police Officer), said examinations may only be required after a conditional job offer has been made, and no candidate shall be required to participate in such an examination solely on the basis of the candidate's age or disability. Such medical examinations shall be at the District's expense and shall be conducted by a physician chosen by the District.
3. District procedures for pre-employment examinations may require any employee to undergo a physical or mental examination where such a fitness for duty exam is job related and consistent with business necessity. Such medical examinations shall be at the District's expense and shall be conducted by a physician chosen by the District.

III. Recruitment Methods for Full-Time Faculty Positions

A. Vacancy: Recruitment for a permanent faculty position will be conducted whenever the District determines that a permanent faculty position will meet the need of the District or the mandates of the State Chancellor's Office, or to comply with the MCCD-UPM/AFT Collective Bargaining Agreement.

B. Screening Committee Structure:

1. The Superintendent/President or designee may appoint the manager(s) for the committee and committee members. Classified employees will be appointed by the Classified Senate through the Classified Professionals Liaison Committee. Academic employees will be appointed by the Academic Senate.
2. Every effort will be made to ensure the diversity of screening committees. If the Executive Director of Human Resources, or designee, does not approve of the Academic and

Classified Senate appointments to screening committee due to lack of diversity, they will take necessary steps to remedy the representation.

3. The Superintendent/President's *Standards of Decorum* shall be read and distributed at each convening, which reminds committee members of the shared governance model under which we operate, highlights current needs in response to legislation and social issues, delineates processes for complaints and concerns, and creates an atmosphere of collegiality and collaboration so that members feel free to participate in the process and offer up opinions for debate.
4. Training: All members of the screening committee shall be trained in the relevant State and Federal provisions for equal employment opportunity, diversity, and the search/screening process.
5. To ensure all screening committee members' voices and opinions are heard during the deliberation process, a faculty member may volunteer to co-facilitate along with the hiring manager. The co-facilitator may ask specific questions to the screening committee members related to additional input they may have during the committee's discussions during the recruitment process. For the sake of uniformity across screening committees, the questions the co-facilitator will ask will be enumerated in the committee materials and documents.
6. The committee will have District-wide representation, including a combination of administrators, faculty, and classified staff, for the purpose of screening, interviewing, and recommending candidates to the Superintendent/President (see Human Resources Screening Committee Composition Guidelines). Every effort will be made to fulfill the composition guidelines.
7. The Superintendent/President or designee may appoint other than District employees to participate in the recruitment process.
8. Members of the screening committee are acting as agents for the District and are participating in a confidential process. Committee members are prohibited from releasing any information which relates, to the recruitment process. Committee members may be held personally responsible for any unauthorized disclosure of information.

C. Position Announcement:

1. In collaboration with the appropriate administrator and department chair, Human Resources will develop the position announcement to include:
 - a. a description of the teaching/counseling/librarian/nursing, or other non-teaching responsibilities;
 - b. representative courses to be taught, if applicable;
 - c. minimum qualifications that:
 - i. conform to the California Community College Chancellor's Office's Minimum Qualifications for Faculty and Administrators in California Community Colleges;
 - ii. include "Demonstrated sensitivity to and an understanding of the diverse academic, socioeconomic, cultural, disability, and ethnic backgrounds and learning styles of community college students and staff;
 - iii. include desirable "Knowledge, Skills and Abilities" which shall serve as the basis for the screening criteria, in conjunction with other required application materials.
2. The advertising/announcement phase shall be long enough to allow for a comprehensive search, typically four (4) weeks for management positions and three (3) weeks for

classified positions, and shall be in conformance with the District's EEO Plan and state and federal regulations.

3. The District shall actively recruit from both within and outside the District work force to attract qualified applicants and shall include, as appropriate, regional and national outreach designed to ensure that all persons, including persons from protected groups, are provided the opportunity to seek employment with the District.
4. Recruitment for all open positions shall include, but not be limited to, placement of job vacancy announcements in diversity websites and publications.

D. Minimum Qualifications:

Applications and applicable materials shall be submitted using the District's website. Human Resources will conduct the initial review of the applications to ensure minimum qualifications for the position are met. If the applicant has applied for a minimum qualification equivalency or Human Resources is unable to determine if a candidate meets the minimum qualifications for a position, the application materials will be sent to the Academic Senate's designee(s). An Equivalence Committee, made up of the Academic Senate president or designee(s) and one or two discipline faculty, will review applications to determine equivalency. (See AP 7211 Faculty Service Areas, Minimum Qualifications, and Equivalencies)

E. Screening Process:

1. Screening criteria may be formulated by the committee for the purpose of identifying the best qualified applicants.
2. Screening criteria must include equity-minded, job-related qualifications that enhance equity, diversity, inclusion and reinforce the Knowledge, Skills and Abilities (KSAs) needed for the position. At least one screening criterion must be diversity/equity/inclusion related.
3. Applicant Screening: Human Resources will provide the screening committee with access to view the application and applicable materials for all candidates who meet the minimum requirements for the position. Committee members shall individually review each qualified applicant's application materials using the previously agreed upon screening criteria. Following the screening, the committee shall develop consensus regarding the pool of applicants to be invited to interview. Every effort should be made to screen in and interview as many candidates as possible for each position.
4. The hiring administrator/designee or Human Resources will schedule the selected candidates' interviews and make necessary arrangements.
5. Interview Process: The screening committee will formulate questions to be used during the interview process and may, at its discretion, require pre-screening activities and/or assessments of the candidate's effectiveness as appropriate to the position, such as teaching demonstrations and presentations. Interviews will be conducted using the previously agreed upon interview questions. All interview questions should be equity minded (per the adopted definition), and at least two diversity/equity/inclusion questions must be included when developing interview questions. Screening committee members shall individually evaluate each candidate based on their responses to the questions, the demonstration/presentation, and/or other type of performance indicator exercise(s), if applicable. Following the last interview, the screening committee will deliberate the candidates' strengths and areas for growth. The screening committee will prepare written

documentation of these conclusions to Human Resources. If the committee cannot reach a consensus on a finalist(s), the position may be reposted and the screening process restarted. At the conclusion of the interview process, all application and interview materials used and completed by the screening committee shall be returned to and retained by Human Resources.

6. Notification of Candidates: Human Resources will notify applicants not moved forward to interview or not moved forward as finalists of their status.
7. Recommendations and Finalization of Selection:
 - a. Finalists will be recommended to the Superintendent/President or designee. The committee may send comments or a statement of reservation about the candidates along with their recommendation.
 - b. At the discretion of the Superintendent/President or designee, the finalists will be invited for an interview with the Superintendent/President or designees.
 - c. If the Superintendent/President or designee does not agree with the committee's recommendations, they will request that the search be extended or suspended.
 - d. The name(s) of the successful finalist(s) will be forwarded to the appropriate administrator or Human Resources for reference checking.
 - e. The Superintendent/President or designee will extend a conditional, verbal offer of employment. Upon the finalist's verbal acceptance, Human Resources will submit a conditional, written offer of employment.
 - f. If there is not an acceptable candidate, the Superintendent/President or designee may request that the search be extended or suspended.
 - g. Upon written acceptance of the offer of employment the finalist's name will be submitted to the Board of Trustees for official approval. If for any reason the selected finalist declines the offer, the matter may be referred back to the screening committee by Human Resources.
 - h. Notification of Candidates: The Superintendent/President or designee or Human Resources or designee will notify the finalists not selected for the position of their status.
8. The action of the Board of Trustees will be communicated to the candidates.

F. Reference Checks:

1. Reference checks must be conducted prior to an offer's being made on all finalists, including internal and external candidates, for all recruited and interim positions.
2. Before contacting the references, permission should be obtained from the candidate so they may properly inform current employers/managers as indicated on the application.
3. At least one (1) diversity/equity/inclusion question must be included when checking references (template provided by Human Resources).
4. Every effort should be made to complete reference checks on at least three (3) of the candidate's provided references.

G. Pre-employment Health Examinations

1. Certificated employees who have not previously been employed in an academic position in California will be required upon hire to provide a medical certificate from a licensed physician showing that the candidate is free from any communicable disease unfitting the candidate to

instruct or associate with students. The medical exam shall have been conducted not more than six months before submission of the certificate and shall be at the expense of the candidate.

2. For positions for which a pre-employment medical examination has been deemed appropriate (e.g., Police Officer), said examinations may only be required after a conditional job offer has been made, and no candidate shall be required to participate in such an examination solely on the basis of the candidate's age or disability. Such medical examinations shall be at the District's expense and shall be conducted by a physician chosen by the District.
3. District procedures for pre-employment examinations may require any employee to undergo a physical or mental examination where such a fitness for duty exam is job related and consistent with business necessity. Such medical examinations shall be at the District's expense and shall be conducted by a physician chosen by the District.

IV. Methods to Address Any Underrepresentation

To demonstrate its commitment to Equal Employment Opportunity and create a diverse workforce, the District will employ the following additional methods to identify and address underrepresentation in the recruitment process:

- A. For any job category where continuing under-representation exists, the District will apply the recruitment procedures set forth in Title 5, section 53021 to conduct full and open recruitment for all vacancies and will not invoke the provisions for in-house interim appointments or the exception under 53021 (c) (7) for engaging an administrator through a professional services contract without first notifying the Superintendent/President in writing of the compelling reasons to do so. If the Superintendent/President determines that an exception to a full and open recruitment is warranted, the EEO Advisory Council will be notified.
- B. Screening committee members must adhere to the Superintendent/President's *Standards of Decorum* (SOD) for screening committees. The purpose of the SOD is to ensure screening committee members are participating equally and actively throughout the recruitment process. Members are also asked to provide equitable consideration and treatment of all candidates throughout the process, uphold EEO law and Marin Community College District (MCCD) Board policies, and recognize and disclose potential biases or conflicts of interest to the committee chair.
- C. All screening criteria and materials must be approved by Human Resources for compliance with equal employment opportunity.
- D. Monitoring by Human Resources for adverse impact will occur throughout the recruitment process.
- E. The Superintendent/President shall make all hiring decisions based upon careful review of the candidate(s) recommended by the screening committee. This includes the right to reject all candidates and to order further review or to reopen the position where necessary to achieve the objectives of the EEO Plan or to ensure equal employment opportunity.
- F. The District will review the pattern of its hiring decisions over time, and if it determines that those patterns do not meet the objectives of the EEO Plan, the District will request the EEO Advisory Council to recommend new recruitment methods to meet the EEO Plan objectives, or if necessary, to modify the EEO Plan to ensure equal employment opportunity.

For Temp Pool recruitment methods see AP 7212 Temporary Faculty

Also see AP 7126 Applicant Background Checks, AP 7210 Academic Employees, AP 7230 Classified Employees, and AP 7330 Communicable Disease, BP 7335 Health Examinations, and the [Equal Employment Opportunity Plan 2020-2023](#).

Office of Primary Responsibility: Human Resources

Date Approved: June 28, 2011

(Replaced College of Marin Policy 5.0013 and Procedures 5.0005 DP.1 and 5.0006.1 DP.2)

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