

## FULL-TIME FACULTY HIRING

### SECTION I: GENERAL PROVISIONS

1. Preface: The hiring of highly qualified full-time faculty is essential to the educational mission of the South Orange County Community College District. Therefore, the governing board, administration, and faculty have the responsibility to work together to select highly qualified faculty members who can teach and who are experts in the subject matter of their curriculum; and counselors, librarians, and other instructional and student services faculty who can foster community college effectiveness and who are experts in the subject matter of their specialty.<sup>1</sup>

The Board derives its authority from statute and from its status as the entity holding the institution in trust for the benefit of the public. As a result, the Board and the administrators it appoints have the principal legal and public responsibility for ensuring an effective hiring process.<sup>2</sup> Faculty members derive their authority from their expertise as teachers and subject matter specialists and from their status as professionals. As a result, the faculty has an inherent professional responsibility in the development and implementation of policies and procedures governing the hiring process.<sup>3</sup>

It is the policy of the Board in establishing this hiring process that emphasis is placed on the responsibility of the faculty to ensure the quality of their faculty peers, and that both faculty members and administrators participate effectively in all appropriate phases of the process.<sup>4</sup>

The Office of Human Resources shall ensure that every aspect of the hiring process is implemented appropriately.

2. Scope: This Policy applies to the recruitment and hiring process for full-time faculty.
3. Equal Employment Opportunity Policy and Statement: The South Orange County Community College District shall recruit, hire, and promote in all job titles without regard to ethnic group identification, race, color, religion, sex, national origin, ancestry, physical or mental disability, age, medical condition, marital status, military service, sexual orientation, or any other basis protected by law. The District shall comply with the Board of Governors regulations relating to equal employment opportunity.

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<sup>1</sup> Statutes of 1988, Chapter 973, § 4(s)(4).

<sup>2</sup> Statutes of 1988, Chapter 973, § 4(s)(2).

<sup>3</sup> Statutes of 1988, Chapter 973, § 4(s)(3).

<sup>4</sup> Statutes of 1988, Chapter 973, § 4(t)(1),(2).

#### 4. Definitions:

- Board: The Board of Trustees of the South Orange County Community College District.
- Chair: Chair of the Hiring Committee.
- Chancellor: The Chancellor of the South Orange County Community College District
- Committee: The Hiring Committee, also known as the Search Committee.
- Dean: Academic administrator who is responsible for the position.
- Department: The operational unit to which the position is assigned.
- Department Chair: The academic Chair of the operational unit.
- District: The South Orange County Community College District.
- EEO: Equal Employment Opportunity.
- HR Specialist: Human Resources Specialist, Hiring Compliance Officer and EEO representative assigned to the job opening.
- OHR: Office of Human Resources.
- Operational Unit: The department, school, or division, as appropriate.
- President: President of the College at which the position is assigned.
- Procedures: Full-Time Faculty Hiring Procedures of the South Orange County Community College District.
- Senate President: President of the Academic Senate of the College at which the position is assigned.
- SOCCCD: The South Orange County Community College District.
- SOCCCDFA: South Orange County Community College District Faculty Association.
- Vice Chancellor: Vice Chancellor of Human Resources.
- Vice President: Vice President supervising the academic unit to which the position is assigned.

5. Confidentiality and Conflict of Interest Statements: The South Orange County Community College District Confidentiality and Conflict of Interest Statements apply to this process.
6. Compliance: This Policy is intended to comply fully and be interpreted in a manner consistent with all applicable state and federal laws and regulations, including but not limited to the Board of Governor's equal employment opportunity regulations. Any provision of this Policy that directly conflicts with any applicable state or federal law or regulation may be disregarded and a procedure that complies with the superseding authority shall be developed by the Chancellor after discussion with the Academic Senates and substituted until such time as the Board may adopt a formal amendment to this Policy following consultation with the parties involved in the drafting of this Policy.
7. Oversight: The College President, with the assistance of the OHR, and the Academic Senate oversee the implementation of the hiring process and the activities of faculty hiring committees as they exercise their duties, specifically to insure that actions of hiring committees are consistent with both the written stipulations and the intentions of this policy.

It is the responsibility of the President to ensure the integrity of the hiring process established by this Policy. If, in the judgment of the President, the integrity of the process described herein has been substantially violated or abused, the President may order that the process be suspended, pending determination of an appropriate action in consultation with the Academic Senate and the Office of Human Resources, or terminated.

The faculty, as represented by the Academic Senate, also has an inherent professional responsibility in the implementation of policies and procedures governing the hiring process.<sup>5</sup> If, in the judgment of the Senate President, the process described herein has been substantially violated or abused, the Senate President may recommend to the President that the process be suspended, pending determination of an appropriate action in consultation with the Academic Senate and the Office of Human Resources, or terminated.

8. Interpretation: Technical questions and minor problems will ordinarily be resolved by the HR Specialist in consultation with the OHR. In the event that a question of the procedural interpretation of this policy arises and cannot be resolved by the HR Specialist, the question shall be submitted in writing to the Vice Chancellor or designee via the HR Specialist, with copies to the Dean, the Chair, the Senate President and the President.

If, in the judgment of the HR Specialist, the Chair, the Senate President, or the President, a problem of interpretation occurs which threatens the viability or integrity of a Committee's duties as described herein, all parties shall be immediately notified, and the hiring process shall be suspended pending resolution of the problem. The President, in consultation with OHR, and the Senate President (or their respective designees) shall attempt to resolve any problem or difference of interpretation of this Policy.

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<sup>5</sup> Statutes of 1988, Chapter. 973 § (s)(3).

9. Exceptions: The President, in consultation with the Senate President and OHR, may reduce or extend the time period for any step established in this policy. Such exceptions shall be as narrow as possible to address, in a reasonable manner, the unusual circumstances posed. In the event of such an alteration to the process as described herein, the President will notify in writing the Senate President and OHR, stating the unusual circumstances necessitating the extension or exception.
10. Termination: If, in the opinion of the President, the College cannot fiscally support the position, the President may terminate the process.
11. Amendment: Any amendment of this policy shall be developed and agreed upon jointly by representatives of the governing board, and the academic senate, and approved by the governing board.<sup>6</sup>

## SECTION II: POSITION IDENTIFICATION AND APPROVAL

1. Position Identification: Each full-time opening shall be classified by:
  - a. Academic discipline (and sub-discipline, if appropriate);
  - b. Department(s) to which the position will be assigned;
  - c. Tenure status (temporary or tenure-track);
  - d. Position Type (replacement or new position);
  - e. Faculty Type (classroom or non-classroom faculty, or a combination thereof).
2. Position Request List: By October of each academic year, following approval by the Chancellor, each College President will submit to the Board of Trustees a ranked list of recommended full-time faculty positions for the subsequent year, classified according to Item 2 above, and compiled by an internal process developed by the Academic Senate and the President, and approved by the President. The Board will either approve (authorize for announcement) or disapprove (not authorize for announcement) each recommended position. The Board will make clear any contingent terms for any approved positions.

## SECTION III: RECRUITMENT

1. Opening position: Once a position has been approved by the President for recruitment, he or she shall open recruitment for the position by submitting a request to fill the position on the appropriate form to the Vice Chancellor or designee. Upon receipt of the form, the Vice Chancellor or designee shall appoint an HR Specialist to administer the hiring process for that position.

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<sup>6</sup> California Education Code §87360 (b)

2. Job Announcement Content: The job announcement will determine the screening criteria for review of applicant files. Care must be taken to insure accurate and job-related criteria. It shall contain:
  - a. Opening and closing dates
  - b. Summary of duties and responsibilities
  - c. Minimum qualifications
  - d. Desirable qualifications
  - e. Application requirements and procedures
  - f. Special testing, if applicable
  - g. Submission of materials, if required
  - h. EEO Statement
  
3. Job Announcement Development: By October 1 of each year, for those positions identified by the President as likely to proceed with recruitment, the Vice Chancellor or designee will provide a draft job announcement, including sample desirable qualifications, as well as the appropriate minimum qualifications as determined by the *Minimum Qualifications for Faculty and Administrators in California Community Colleges* as adopted by the Board of Governors of the California Community Colleges. The Vice Chancellor or designee will then distribute the draft via the Dean to the departmental faculty and to the appropriate Vice President.

Departmental faculty shall be given fifteen (15) business days from the date of notification to review and comment on the job announcement draft and to work with the Dean to prepare a list of any desirable qualifications for the position. The departmental faculty and the Dean may also recommend supplementary duties and responsibilities. The draft job announcement will then be forwarded with any appropriate comments by the Dean to the Vice President. Following review with the President, the Vice President shall submit the draft to the Vice Chancellor or designee within five (5) business days and may attach comments to the draft. In the absence of a timely response from the departmental faculty, the Vice Chancellor or designee may incorporate necessary revisions to the job announcement.

The Vice Chancellor or designee may edit, format and amend the job announcement as required, and will forward the final job announcement to the President for approval. Within five (5) business days of receipt from the Vice Chancellor or designee, the President will provide an opportunity for final review and comment by the Vice President, Senate President, and departmental faculty via the Dean. Final approval of the job announcement rests with the President.

7. Standard Advertising: All openings are advertised through the OHR. The HR Specialist will inform the Dean and the Department Chair of the advertising that will be placed for the position.
  
8. Supplemental Advertising: The Department Chair shall recommend in writing to the OHR any appropriate supplemental advertising including the amount and expense. The supplemental advertising must be approved by the Dean and will be arranged by the OHR.

9. Minimum Posting: Open positions shall be advertised by the OHR for a minimum of thirty (30) business days.

#### SECTION IV: APPLICATION PROCESS

1. Submission: Applications, resumes and other required materials are accepted only by the OHR, and may be submitted via mail, fax, electronically, or in person. Application materials shall not be returned to applicants except as approved in writing by the Vice Chancellor or designee. Candidates shall apply for multiple positions separately.
2. Application Period: Applications may be submitted for a set period of time or “until filled.” In the case where a position is “open until filled,” screening may not begin until at least thirty (30) working days after advertising has appeared in some public forum. In the case where a position is “open until filled,” applications submitted less than two (2) working days prior to the beginning of the screening process may be excluded from consideration.
3. Search Extension: The recruitment period will be extended where the applicant pool has fewer than five minimally qualified applications, unless the HR Specialist, the Dean and his or her selected discipline expert agree to forward the pool.

#### SECTION V: SEARCH COMMITTEE

1. Chair: A provisional convening Chair of the Committee shall be appointed by the Dean, and shall be chosen from among those recommended for committee membership. The actual Chair of the Committee will be appointed from among the members of the committee by a committee vote at the first meeting. In addition, a designated discipline expert will be appointed by the committee from among its members.
2. Size of Committee: There shall be no fewer than five (5) and no more than seven (7) voting members on the committee, and one non-voting EEO Representative.
3. Composition of Committee: No fewer than two-thirds (2/3) of the voting members of the Committee will be full-time (tenured or tenure-track) district faculty. No fewer than three (3) members of the Committee shall be experts in the academic discipline of the recruited position, and may be drawn from district faculty or staff, or from external sources. There shall be one non-voting EEO Representative appointed by the OHR. No individual may serve as a member who has a conflict of interest as defined in the Conflict of Interest Statement.
4. EEO Representative: The EEO Representative shall be appointed by the Vice Chancellor or designee, and may be replaced as necessary by another qualified staff member. Only a trained staff member may serve as an EEO representative.
5. Committee Formation: The President or designee shall coordinate the formation of the Committee. After notification from the OHR that a position has been opened for recruitment, the President or designee shall notify the Senate President of the formation of a Committee. The Department Chair, or in the absence of a Department Chair, the Dean, will recommend to the Academic Senate no fewer than four (4) Committee

members, subject to Item 3: Composition of Committee above, from which the Academic Senate will vote to approve its four (4) faculty appointments to the Committee. The President will appoint up to an additional three (3) members.

6. Committee Membership Notification: The President or designee shall list the Committee membership on the appropriate form, which will identify the provisional Chair. The President may terminate the process if, in his or her judgment, the formation of the Committee has violated the integrity of the hiring process. The Committee membership form will indicate whether or not the process may proceed, and will be signed by the President or designee and the Senate President.
7. Orientation: The HR Specialist will conduct an orientation meeting to explain roles, duties, expectations, timelines and the rating process to the Committee members. At this time, the Committee will agree on the schedule. All members must also sign a Confidentiality and Conflict of Interest Statement. All HR forms must be completed in ink.
8. Relative Weights: At the Orientation, the Committee will assign the value to be given to the application and to the interview components. Neither the screening nor the interview may be weighted less than 30 percent each.
9. Duration: At the Orientation, the Committee will determine the length of the interview.
10. Criteria: The Committee shall establish in writing the criteria to be used in screening the applications and selecting the applicants to be interviewed. The screening criteria shall be job related, and based on the position description and District hiring policy.
11. Interview Questions: All questions and other requirements must be kept confidential throughout the process. The Committee will develop and forward to OHR for approval a list of interview questions to be asked of each candidate, as well as any demonstration, exercise, presentation, portfolio or other requirement. The list of questions and requirements will be provided to OHR at least five (5) business days prior to the first scheduled interview.

All questions and other requirements shall be job-related and composed with the intent of evaluating the candidate's knowledge and abilities in relation to the minimum and desirable qualifications as published in the formal job announcement. OHR may provide sample questions at the request of the Chair for the consideration of the Committee.

The list of questions and other requirements as described above must be approved by a majority vote of the Committee. The Vice Chancellor or designee reviews all Committee-approved questions and other requirements if applicable to ensure compliance with District policies and State and Federal laws and regulations, and must approve all interview questions and other requirements prior to the interview. The Vice Chancellor or designee may make editorial changes; however, if a particular question is deemed by the Vice Chancellor or designee to be in need of substantive changes, these changes will be made in consultation with the Chair or designated discipline expert. The Chair or designee will be provided with the OHR-approved list of questions and other requirements if applicable one (1) business day before the interview.

12. Special Testing and Materials: Any special testing or extra application materials required by the position shall be established by the Committee, and approved by the OHR. Special testing shall be conducted under the supervision of the OHR.
13. Participation: Committee members are expected to be available as necessary for Committee functions, to fully participate in all required meetings and related committee responsibilities, and to complete screening functions in a timely manner. Any member who fails to complete screening in a timely manner, or who misses Committee meetings, may be subject to removal by the President after consultation with the Chair if appropriate, the Senate President, and the OHR. The scores or ratings of a committee member who withdraws prematurely or is removed will not be counted in the uncompleted phase or section of the process.
14. Minimum Membership: In the event that the committee membership falls below the required minimum number of members, the President, after discussion with the Senate President and OHR, shall determine whether to restart the hiring process, appoint a replacement committee member, or continue the hiring process with fewer than the minimum number of committee members. In the event a replacement is needed, the President and Senate President will agree on a replacement, after consultation with the Dean.

#### SECTION VI: SCREENING PROCESS

1. Determination of Application Completeness: The OHR determines which applications are complete based upon the criteria as published in the job announcement.
2. Qualification for Candidacy: No fewer than two discipline experts from the Committee will determine which applicants meet minimum qualifications as described in the job announcement and in accordance with the appropriate minimum qualifications as determined by the *Minimum Qualifications for Faculty and Administrators in California Community Colleges* as adopted by the Board of Governors of the California Community Colleges. All applicant files which have been certified to meet minimum qualifications will be included in the process to be considered by the Committee.
3. Equivalency: Applicants not meeting the minimum qualifications for the position as published in the formal job announcement may apply for equivalency in accordance with statute and code<sup>7</sup> by completing a supplemental application and providing appropriate evidence of qualifications equivalent to the published minimum qualifications. Applications for equivalency will be evaluated by the discipline experts. A written record shall be kept for each decision and included with the candidate's application file. At the Orientation meeting, the experts will announce and explain their decision(s) regarding any equivalency applications.
4. Calibration: At the Orientation meeting as described in Section V, Item 7, the Committee shall review the minimum and desirable qualifications and experience required for the

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<sup>7</sup> California Education Code §87359, California Code of Regulations, Title 5, §53430.

position as published in the job announcement, and using these qualifications, establish appropriate, job-related standards for rating applicant materials.

5. Evaluation of Application Materials (Screening): The Committee may not begin to review applications until the appropriate application period as defined in Section IV, Item 2 has elapsed. At the Orientation meeting, the committee in consultation with the HR Specialist shall specify the time(s) and location(s) when application materials shall be available. During the screening process, committee members may not remove the files or their contents, copy or alter any material contained in the files, or append comments or marks. Notes on the candidates must be kept in the Committee member's evaluation file, which will be maintained by the OHR.
6. Scoring: Each application shall receive an independent evaluation according to job-related criteria by each member of the Committee. The Committee members shall rate each applicant on the appropriate forms provided by the OHR. For the initial screening, each Committee member shall, on the appropriate HR form, provide job-related reasons for any disqualifying rating (i.e., a rating of 0 or 1). If the Committee member refuses to include a justification for a disqualifying score on the form, that Committee member's score shall not be included in the Committee scoring.
7. Recommendation of Candidates for Interview: Using a final ranked list, without names, of candidates by score, the HR Specialist and the Chair will meet to determine the lowest score to qualify for an interview. This meeting shall be announced to all members of the committee, and any member may attend. On the basis of the lowest qualifying score, the OHR shall assemble a list of candidates to be interviewed.
8. Inadequate Pool: If, after the completion of screening, the Committee is unable to recommend at least three candidates for interviews, the President, in consultation with the Chair and the Vice Chancellor or designee, may decide to reopen recruitment, continue with the present pool, or terminate the process.
9. Interview scheduling: The OHR shall schedule selected candidates for a first-level interview, according to the schedule adopted by the Committee, giving them at least five (5) business days notice of the interview. Exceptions to the five-day notice may be granted by the Vice Chancellor or designee.

## SECTION VII: INTERVIEW PROCESS

1. Materials: At the beginning of each interview meeting, the applicant's files shall be made available to the Committee, along with the appropriate OHR forms. Each member of the Committee will receive a schedule of interviews, and the interview questions.
2. Site: The Chair will inform the HR Specialist of any special interview needs. After consultation with the Chair, the HR Specialist will make the arrangements for the interview location.
3. Set Time: Each applicant shall be afforded the opportunity to have an interview of approximately equal length.

4. Questions: Each candidate will be asked the same interview questions in the same order. During the interview, follow-up questions may be asked to clarify or further investigate a response given by a candidate. If, in the judgment of the HR Specialist, a follow-up question violates standards of non-discrimination, the HR Specialist will direct the candidate to disregard the question. Follow-up questions should be kept to a minimum to maintain consistent standards of candidate evaluation throughout the interview process. Any question by the candidate pertaining to conditions of employment—such as regarding salary, benefits, or policy—must be referred to the OHR.
5. Group Discussion: Committee members shall be given an opportunity to discuss each applicant and only that applicant after each interview. Comprehensive discussion shall not take place until after all interviews are completed. No discussion of any candidate may take place unless the HR Specialist and all Committee members are present. Committee members are encouraged to discuss candidates' fulfillment of job-related criteria in a candid and thorough manner, but shall not discuss specific numeric scores to be given to any candidate. The HR Specialist shall be responsible for ensuring that discussion is limited to job-related criteria.
6. Score: Each Committee member is responsible for exercising his or her independent judgment in rating each candidate. Following the Committee's discussion of the candidates, each Committee member shall rate independently each candidate using the appropriate form provided by the OHR. At the conclusion of the interviews and any subsequent discussion, each member of the Committee shall enter a final interview score for each candidate, and then calculate the final total score from the appropriately weighted screening and interview scores. The OHR will verify and compile final scores for all candidates.
7. Selection of Finalists: After the conclusion of interviews, the Chair and HR Specialist shall assemble a ranked list of candidates and their final scores. Using this list, the Committee will determine the lowest score to qualify as a preliminary finalist for a second-level interview.

The Chair and HR Specialist shall assemble a list of preliminary finalists made up of those candidates whose final scores are equal to or greater than the determined lowest score. This list will be distributed to the Committee, who will vote on each preliminary finalist. A candidate from the list will be considered a finalist if a simple majority of the voting members of the Committee agree to recommend that candidate. In the event that a preliminary finalist is not selected for a second-level interview, the Chair shall provide a narrative report on the appropriate form of the reasons for the Committee's decision. This report shall be confidential, kept with the candidate's file, and provided to the President with the list of finalists.

Under normal circumstances, the committee should make every effort to forward for second-level interview at least three (3) finalists. However, if in the Committee's determination, according to the process described above, there are fewer than three (3) qualified candidates, the committee may forward fewer than three (3) finalists.

Any candidate forwarded for a second-level interview is recommended for employment without reservation by the Committee, and the President is free to select any of the finalists using his or her discretion and judgment of job-related criteria.

8. Termination of Search: In the event that the Committee is unable to recommend finalists to the President from the interviewed candidates, the search will be terminated. The President may decide that the position should be re-announced and advertised.

## SECTION VIII: REFERENCE CHECKS

1. Timing: Official reference checks, in accordance with the OHR Guidelines, will be performed prior to the submission of the recommended candidates to the President for second-level interviews.
2. Required Professional References: Each applicant will be asked to provide at least three references, preferably from the following categories:
  - current supervisor(s);
  - previous supervisor (from the past five years);
  - colleague/co-worker who can address professional competency and appropriate practical skills;
  - other professional references.

If the individual provided as a reference is unavailable, or if the candidate fails to provide sufficient references, the OHR, in consultation with the Chair, may request additional references from the candidate.

3. Reference Contacts: The HR Specialist, in conjunction with the Chair or another designated Committee member, will conduct the reference checks. The HR Specialist will verify all data on the application. The Chair or designated Committee member will check professional references as provided by each finalist using the appropriate OHR form.

Each reference for each finalist shall be asked the same questions about that finalist, and shall be asked whether he or she can recommend the finalist in question without reservation, and, if not, to specify these reservations. The reference checker(s) shall ask no question that is impermissible under applicable laws prohibiting discrimination in employment, or that seeks information unrelated to the qualifications for the position. The reference checker(s) shall not provide any derogatory or confidential information about the finalist, and shall not provide with any assessment of the quality of the finalist's qualifications.

4. Reference Check Review: When reference checks are completed, the hiring committee may reassemble to review and to discuss the reference checks for each of the provisional finalists. The committee representatives and HR Specialist(s) who conducted the reference checks will respond to questions and describe their general and specific responses to responses of the references. As a result of the information gained during reference checks, the committee may decide to remove a candidate from the list of finalists, and may reconsider and submit an additional finalist. If a finalist is removed,

the Chair will inform the President of the Committee's decision to remove the finalist, and explain its basis. At the conclusion of this meeting, a list of finalists will be forwarded to the President via the Chair.

#### SECTION IX: SECOND-LEVEL INTERVIEW

1. Finalists: The President shall be provided an unranked list of finalists by the Chair, and a report of the final scores for all candidates; this report will not show the names of the candidates. In addition, in the event that a preliminary finalist as described in Section VII, Item 7 is not forwarded for a second-level interview, the President shall be provided with the Chair's report of the Committee's decision.
2. Interview: The President will interview each candidate in the company of at least one vice president. Only the President and Vice President(s) may attend second-level interviews, and any Vice President who attends any interview must be present for all interviews.
3. Second-level Interview Schedule: Finalists shall be given at least five (5) business days notice of the interview. However, as determined by the Vice Chancellor or designee in consultation with the President and the Chair, candidates may be afforded an expedited second-level interview provided the committee has completed its interviews and deliberations for that candidate. This expedited interview is granted as a courtesy to the candidate, and does not signify that the candidate will be recommended as a finalist.
4. Content: The President may ask any job-related questions, may ask follow-up questions, and may provide clarification of ambiguous or unclear questions. The Vice Chancellor or designee must review any questions, exercises or other requirements prior to the interview to ensure compliance with District policies and State and Federal laws and regulations.
5. Substantially Similar Interviews: Although variations are permitted throughout the interview process, the President shall give each candidate a substantially similar interview of approximately the same duration, involving the same segments and exercises.
6. Consultation: The President will consult with the Chair and discipline experts after the second-level interviews and before any offer of employment is made.
7. Presidential Reference Checks: Following candidate interviews, the President or his or her designee may make further job-related reference checks and may at the discretion of the President be assisted in this effort by those who assisted with presidential interviews and/or the chair of the departmental hiring committee.
8. Recommendation for Appointment: The President will select a candidate for recommendation for appointment to the job. The President may choose to rank candidates in order and recommended offer of appointment according to that order until an offer of appointment is accepted. Should a candidate accept an offer of appointment and then later rescind that decision, the President shall have the right to extend an offer to another

candidate from among the recommended finalists. All appointments are subject to Board approval.

9. Termination of Search: In the event that the President decides not to select a finalist from those forwarded by the Committee, the search will be terminated. The President may decide that the position be re-announced and advertised.

#### SECTION X: CONFIRMATION PROCESS

1. Board Item: With the Chancellor's authorization, the OHR shall prepare the Board agenda item for consideration and approval by the Board.
2. Decision: The Board may hire or decline to hire the recommended candidate. If a candidate is hired, such offer of employment shall be conditioned upon successful completion of any required background checks.
3. Background Checks: Consistent with applicable Federal and State law, and when job-related, after an offer of employment has been made, but prior to the commencement of employment, physical testing and background checks as required for the specific position will be initiated and completed by the OHR. Any required physical exams will be paid for by the District. If a finalist fails to satisfy the OHR in regard to the result of any investigation, the OHR, after consultation with the President, may revoke the offer of employment.

#### SECTION XI: LATE VACANCIES AND EMERGENCY APPOINTMENTS

1. Vacancy before Board Approval of Position Request List: Any full-time vacancy which occurs after the compilation of the Position Request List as described in Section II, Item 2, but before Board approval of the list, may be added to the list submitted for Board approval according to an internal process developed by the Academic Senate and the President, and approved by the President.
2. Vacancy after Board Approval of Position Request List: If a vacancy occurs after Board adoption of the Position Request List as described in Section II, Item 2, but before the commencement of recruitment for that academic year, the President and the Academic Senate may add that position to the approved list for recruitment in that academic year, its position on the list to be determined by an internal process developed by the Academic Senate and the President, and approved by the President. The new position will be submitted to the Board for approval.
3. Emergency Appointments: If a vacancy occurs after the commencement of the academic year, and in the judgment of the President, in consultation with the Senate President, there exist sufficient grounds for an immediate appointment to fill that position, the President may immediately hire a temporary replacement for the remainder of the academic year according to a process developed by the Academic Senate and the President, and approved by the President. Any process adopted should follow as closely as possible the hiring procedures outlined in this Policy.

Adopted: December 12, 2005