



DEAN OF FACULTIES
TEXAS A&M UNIVERSITY

FACULTY HIRING GUIDELINES FOR DEANS AND DEPARTMENT HEADS



Revised February 16

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FIVE STEPS TO A SUCCESSFUL RECRUITMENT PROCESS

STEP 1 AUTHORIZATION TO RECRUIT

- Provide all the necessary and required documentation to your dean.
- Submit the documentation through the DOF Electronic Hiring Portal.
- Have the college dean or department head appoint a Hiring and Search Committee.
- Assure that the Pre-hiring stage has been approved by the Dean of Faculties office BEFORE search begins.
- As part of the approval, the Dean of Faculties will post announcement with the Texas Workforce Commission.

STEP 2 ADVERTISE WIDELY

- Use our [Recruitment and Retention for Faculty Diversity: A Handbook for Search Committees](#) to select a few tips.
- Keep on file in your department copies of position posting/position description and copies advertisements placed in national journals posting the position for the Record Retention period of 5 years from the end of the process.

STEP 3 SEARCH AND SELECTION PROCESS

- Ensure that you enter all applicants into the tracking log system as you receive their application by entering the names of the applicants in a timely manner.
- The tracking log system will automatically generate an email to the applicant providing links to the Self-ID form as well as other mandatory forms and notices.
- Direct applicants to fill out the Self-ID form using the Position ID.
- Keep for the Record Retention period of 5 years from the end of the process the items listed on page 24. (See DOCUMENTING THE SELECTION PROCESS OF CANDIDATES section)

STEP 4 OFFER LETTER

- Ensure the contingencies are in your offer letter. (See: http://dof.tamu.edu/dof/media/PITO-DOF/Documents/Guidelines/hiring/offer_letter_guidelines.pdf for example offer letters).
- Take a look at our suggested additional provisions contained in these guidelines to add into the offer letters.
- Prompt the faculty member to submit to your office as soon as possible all properly executed forms relating to official transcript/degree verification.
- Alert the candidate that he/she will receive an email from Human Resources containing a link and a specific ID to complete the criminal background form. The link is time sensitive and expires in a short time frame, therefore, the candidate needs to respond immediately upon receipt.

STEP 5 ADMINISTRATIVE APPROVAL OF THE HIRE

- Submit the required documentation through the DOF Electronic Hiring Portal.
- No employment can begin until the Request to Hire is approved.
- Alert the Dean of Faculties if you anticipate delays in the approval.

DEAN OF FACULTIES GUIDELINES ON FACULTY HIRING PROCESS FOR DEPARTMENT HEADS

PREAMBLE

These guidelines have been prepared in an effort to provide the hiring department and college with efficient and comprehensive information regarding the hiring process of faculty members. Adherence to these guidelines will ensure, as best as possible, compliance with applicable laws, policies, regulations and rules. In addition, it will also facilitate a timely process of the approval-to-hire packets resulting in the employment of the newly hired faculty member.

We have divided the guidelines into different sections each of which discuss the processes, procedures and documentation needed to hire a faculty member.

The guidelines start with the types of appointments you may encounter. This section is important because in many cases appointments are not new hires per se. Therefore, this initial section will not only provide you with the differences within the types of appointments, but also will guide you in how to submit these requests.

The sections that follow deal with the stages of pre-hiring, hiring and post-hiring. Each of these sections discuss important key elements of the process as well as the types of documentation and their submission to the DOF Electronic Hiring Portal.

TYPES OF APPOINTMENTS

This is an important section since it discusses the different types of faculty appointments as well as the required documentation for each of them. In particular, the section will help identify whether or not the employment action is a hire per se or simply an internal appointment.

To this effect, the section clarifies when the department should submit the appointment as a hire through the DOF Electronic Hiring Portal or via email at facultyhiring@tamu.edu as an internal appointment that is not a hire per se.

HIRING VS. REAPPOINTMENT

There is some confusion about when departments hire or reappoint individuals to a faculty position. The terms hiring and reappointment are not synonymous since they deal with two different situations which generate distinct processes:

- Hiring is the process whereby the department, after having selected an individual, proceeds to offer the position. The offer of the position may take place (i) after a competitive recruitment and selection process for a position has concluded, or (ii) if the search for the position is waived because of an exceptional and compelling reason. Consequently, hiring requires:
 - Vacant/new position
 - Search authorization or waiver of the search (by means of a memorandum)
 - Posting with TWC
 - Recruitment and selection
 - Approval to hire

- Reappointment is the process whereby the department has the intent to extend in a timely fashion the employment of the individual in the existing position to (i) immediately continue performing the duties and responsibilities, or (ii) to resume those duties and responsibilities at a certain future time within 12 months of the initial appointment.

REAPPOINTMENT REQUIREMENTS

As indicated above, a reappointment requires the *intent* to extend in a timely fashion the employment of the individual in the existing position.

You must send a copy of the reappointment letter to Dean of Faculties only for those reappointments that are for faculty that were hired on a temporary basis, for example one semester. There is no need to send copies of annual appointment letters for those faculty members that regularly teach.

That is, if the faculty member is hired for the entire academic year with an initial intent to renew, or the faculty member is hired every year to teach a specific semester, then the faculty member is considered to be regularly teaching for the department. However, if the faculty member is hired temporarily to teach just for a semester, for example as a substitute, or just for that specific academic year with no intent to renew, the appointment is then considered to be a term appointment. It is for these types of term appointments that you must send a copy of the reappointment letter to the Dean of Faculties.

📌 **IMPORTANT:** Reappointments *need to be made in writing every year* if you intend to reappoint.

In order to reappoint, the department must submit via email to facultyhiring@tamu.edu all of the following:

- Copy of the reappointment letter that should contain all of the following:
 - A timely letter of reappointment (for the same or forthcoming academic year) before the start date
 - No substantial break in service (resumes immediately or within 12 months)
 - Same title, position, duties and responsibilities (provide details for each)
 - Clear start date and end date
 - Detail type of tenure
 - Detail teaching assignment
- Signed tenure agreement form
- Credentialing is required and needs to be approved before the individual starts teaching. Note that credentialing must be completed by the department by logging into the DOF Portal at <http://dofportal.tamu.edu> and selecting the “credentialing’ tab.
- Updated curriculum vitae

📌 **IMPORTANT:** If there has been a break in service (12 months or more) you cannot reappoint but rather you must proceed to hire.

RETIREES

Generally, retirees that are to be appointed to non-tenure track faculty positions are not considered reappointments since these individuals left the university.

Retirees have been separated from their previous employment and are hired with a different title and into a different position. This separation constitutes a break in service (§4.4.2 Regulation 31.07.01 Retirement and Employment after Retirement). As a result, retirees are considered applicants and need to be hired for the position.

The search may be done individually for the position or the department may use the bulk search process. **The position needs to be advertised as “non-tenure track professor”.** Retirees are generally given the non-tenure track title of **“Senior Professor” upon retirement when they gave up their tenure.** If the retiree is hired within 12 months of their retirement you may waive the normal posting and recruitment procedures but the position will need to be posted with TWC. If a waiver is pursued, the waiver must be approved by the dean of the college, as indicated below.

Retirees are required to undergo a criminal background check. In particular, §2 of University SAP 33.99.14.M1.02 requires the criminal background check for all internal and external faculty applicants. The only exception is for cases in which a criminal background check has been conducted on an applicant within the past 365 days. Degree verification/transcripts will not be necessary if they already exist in the faculty file of the retired faculty member.

All appointments of retirees require the submission of **the following form: “Post-Retirement Service Agreement”.**

This form can be found at: <http://dof.tamu.edu/Forms>

IN EXCESS OF 100% EFFORT

Appointments in excess of 100% effort relate to faculty or staff that will be teaching classes in excess of the job duties and responsibilities required in their full time positions.

(1) Staff member: If the appointment pertains to a staff member, you will need to submit via email to facultyhiring@tamu.edu the following package:

- Memorandum from the department head through the dean and to the Dean of Faculties detailing all of the following:
 - The type of appointment (faculty title, term: start and end date)
See below:

📌 **IMPORTANT:** Staff positions which are assigned to teach **need to be given a faculty title**. In this regard notice the following recommended titles:

- Visiting Lecturer if the position requires a terminal degree.
- Assistant Lecturer for those positions not requiring a terminal degree.
- Salary amount
- Indication that the excess effort will not interfere with the normal duties and responsibilities of the individual (If Flex Work Schedule required, please provide)
- Specific percentage effort above 100% and time of the day the excess teaching will take place
- Teaching/service load changes
- Detail teaching assignment

- Offer letter
- If the staff member is appointed by a different department, the memo should also contain the approval of the department head and dean where the staff member has the full time appointment.
- Degree Verification/Transcript form
- Credentialing is required and needs to be approved before the individual starts teaching. Note that credentialing must be completed by the department by logging into the DOF Portal at <http://dofportal.tamu.edu/> and selecting the “credentialing” tab.
- Updated curriculum vitae
- Criminal background check
 - In all cases when a faculty title is given to a staff member a criminal background check will need to be obtained
- Tenure Agreement for non-tenure track

(2) **Faculty member:** If the appointment is for a faculty member, you will need to submit via email to facultyhiring@tamu.edu the following package:

- Memorandum from the department head to the dean and to the Dean of Faculties detailing all of the following:
 - The type of appointment (faculty title, term: start and end date)
See below:
 - Indication that the excess effort will not interfere with the normal duties and responsibilities of the individual
 - Specific percentage above 100% effort and time of the day the excess teaching will take place
 - Teaching/service load changes
 - Detail teaching assignment
- Offer letter
- Credentialing is required and needs to be approved before the individual starts teaching. Note that credentialing must be completed by the department by logging into the DOF Portal at <http://dofportal.tamu.edu/> and selecting the “credentialing” tab.
- Updated curriculum vitae

☞ **IMPORTANT:** If the faculty member is appointed by a different department, the memo should additionally contain the approval of the department head and dean where the faculty member has the full time appointment.

JOINT APPOINTMENTS

For the purposes of these guidelines, in a joint appointment situation the employee of one TAMU department is appointed part of his/her time to work for another TAMU department, thereby splitting the full time effort between both departments.

The difference between a joint appointment and an appointment in excess of 100% effort is that in the latter, the employee works on a full time basis for one department only but takes on additional effort in excess of his/her regular duties to work for another department.

Also, there is a difference between courtesy joint appointments and a true joint appointment. In a courtesy appointment the request is based on a desire of the department where the faculty member is housed to have the faculty member perform certain non-remunerated duties for another department. For this, a simple memo sent to the Dean of Faculties outlining the duties and the Recommendation for Joint Faculty Appointment form is sufficient.

Joint appointments generally happen within the context of TAMU. However, there are situations that appear to be joint appointment but they are really not:

- Joint appointments of a third party faculty member to a TAMU faculty position – These are generally courtesy appointments unless there is an expectation of service in exchange for remuneration. If this is the case, it is a hire and not a joint appointment (See adjunct faculty section below).
- Joint appointments of System agencies staff or researchers to a TAMU faculty position – These are generally not considered joint appointments since the individual holds separate positions within the System (See dual employment section below).

(1) Joint appointments of TAMU Faculty (submit to Dean of Faculties via email at facultyhiring@tamu.edu)

- Offer letter, which will serve as a justification to waive the search, containing all of the following:
 - Approvals from the department head and deans of each of the departments
 - The terms of the joint appointment, and the percentage of effort devoted to each appointment
 - Tenure agreement
 - Salary
 - Faculty title given
 - Teaching/service load changes
 - Detail teaching assignment
- Appropriate tenure form signed by the department head, dean and faculty member.
- Completed Recommendation for Joint Faculty Appointment form, which can be found at: <http://dof.tamu.edu/Forms>

- Credentialing is required and needs to be approved before the individual starts teaching. Note that credentialing must be completed by the department by logging into the DOF Portal at <http://dofportal.tamu.edu/> and selecting the “credentialing” tab.
- Updated curriculum vitae

(2) **Joint appointments TAMU Staff** submit to Dean of Faculties via DOF Electronic Hiring Portal the entire hiring package consisting of but not limited to the below:

- Offer letter, which will serve as a justification to waive the search, containing all of the following:
 - Approvals from the department head and deans of each of the departments
 - The terms of the joint appointment, and the percentage of effort devoted to each appointment
 - Tenure agreement
 - Salary
 - Faculty title given
 - Detail teaching assignment
- Appropriate tenure form signed by the department head, dean and faculty member.
- Credentialing is required and needs to be approved before the individual starts teaching. Note that credentialing must be completed by the department by logging into the DOF Portal at <http://dofportal.tamu.edu/> and selecting the “credentialing” tab.
- Criminal background check
- Updated curriculum vitae

All joint appointments, whether faculty or staff, require the submission of the Joint Faculty Appointment Form, which can be found on our website at: <http://dof.tamu.edu/Forms>

DUAL APPOINTMENT

In a dual employment situation, the individual is working in two separate positions for two members of the System.

Because a dual employment situation signifies the existence of an open faculty position at TAMU, the appointment to that position *is a hire* and as such follows the hiring protocols contained in these guidelines and submission of the necessary hiring forms through the DOF Electronic Hiring Portal. In addition to submitting all the required hiring forms, the hiring department must complete and submit the Dual Employment form which can be found at: <http://employees.tamu.edu/media/268529/509dualemployment.pdf>

ADJUNCT FACULTY

The Dean of Faculties regularly receives requests regarding the appointment of Adjunct Faculty. The issue that arises with these requests is whether or not these types of appointments are in fact a hire.

Generally speaking, adjunct faculty are not considered employees. These are courtesy appointments that do not require compensation but rather facilitate participating in some departmental activities. The appointment letter should contain the length of the appointment, the fact that it is a non-paid appointment and the content of the duties and expectations. The adjunct appointment letter must be submitted to the Dean of Faculties via email at facultyhiring@tamu.edu but it does not require Dean of Faculties approval unless the appointment is remunerated as explained below.

However, there are times in which adjunct appointments are remunerated in exchange for services. Typically, the letter will offer some type of compensation in exchange for their teaching services. In these instances, the appointments are true hires requiring adherence to the hiring protocols contained in the Dean of Faculties hiring guidelines and submission of the necessary hiring forms through the DOF Electronic Hiring Portal.

Therefore, the hire of an adjunct faculty to teach with remuneration needs to be treated as a **non-tenure track** hire and all elements and requirements for the hire should be present in the approval to hire package provided by the academic department and submitted through the DOF Electronic Hiring Portal.

CHANGES IN TITLE

Reclassifications pertain to existing employees within the same department. Reclassifications can be lateral, upward or downward.

- Lateral reclassifications are those whereby the faculty member is given a title that is at the same level of the title he/she currently holds. Below are some, but not all, applicable examples:
 - From Lecturer to (adjective) Assistant Professor
 - From Senior Lecturer to (adjective) Associate Professor
- Track reclassifications those that change the track of the faculty member; tenure-track to non-tenure track
- Upward reclassifications are in essence a promotion which require following the rules for all Tenure and Promotion matters. (See applicable college and university guidelines)
- Downward reclassifications are for the most part demotions, and generally associated with discipline/performance matters.

Changes in title may also be as a result of a search for an open position for which an internal candidate applied and was selected. In this case this is a hire and not a reclassification.

(1) Faculty Reclassifications

Faculty members with no interruption **in their employment are considered “existing faculty”**. Therefore, a title change is generally viewed as a reclassification.

When reclassifying an existing faculty member, Dean of Faculties does not require a criminal background check for the faculty member.

Reclassifications should be submitted to the Dean of Faculties via email at facultyhiring@tamu.edu with the following documentation:

- New appointment letter explaining how the change in title does not constitute a promotion, and containing:
 - The reasons for the proposed change of title (if change of track please detail)
 - Current title
 - Proposed title
 - Proposed salary
 - Proposed duties and responsibilities as compared to those under the existing title
 - Teaching/service load
 - Appointment term (start and end date)
 - Signed acceptance from faculty member
 - Detail teaching assignment
- Copy of the original appointment letter containing the title to be changed
- Updated curriculum vitae
- Appropriate tenure form signed by the department head, dean and employee for the proposed position (only if non-tenure)
- Credentialing is required and needs to be approved before the individual starts teaching. Note that credentialing must be completed by the department by logging into the DOF Portal at <http://dofportal.tamu.edu/> and selecting the “credential’ tab.

(2) Staff Reclassifications

Staff reclassifications into faculty are not reclassifications per se. Staff members are in a different track than faculty members. As a result, while a reclassification is technically not possible, these guidelines assume the fact that the individual to be reclassified is a current staff member of the academic department where the reclassification will take place. Therefore, while the reclassification requires the same type of documentation as a hire, the posting and recruitment is automatically waived.

The following instances **are not** reclassifications but rather hire:

- Staff member of a different academic department
- Staff member applied for an open faculty position
- Staff member is an employee of a System agency working in an academic department

To reclassify staff into faculty you will need to submit through the DOF Electronic Hiring Portal the entire hiring package, consisting of but not limited to the following documentation:

- Memorandum (submitted through the DOF Electronic Hiring Portal) containing:
 - The reasons for the proposed change of title
 - Current title
 - Proposed title
 - Proposed salary
 - Proposed duties and responsibilities
 - Teaching/service load
 - Appointment term (start and end date)
 - Signed acceptance from staff member
 - Detail teaching assignment
- Appropriate tenure form signed by the department head, dean and employee
- Credentialing is required and needs to be approved before the individual starts teaching. Note that credentialing must be completed by the department by logging into the DOF Portal at <http://dofportal.tamu.edu/> and selecting the "credentialing" tab.
- Criminal background check

🔗 **IMPORTANT:** The memorandum serves as a waiver/justification since this is a reclassification of the title of an existing employee in the department.

STRATEGIC/TARGETED FACULTY HIRES

There are some faculty hires that are strategic or targeted, such as the Texas A&M University Institute for Advanced Studies (TIAS) Fellows and/or Presidential Faculty Hires. These types of hires are unique and eligible for waiver of the normal posting and recruitment procedures.

The college needs to submit a memorandum through the Pre-Hire DOF Electronic Hiring Portal identifying and justifying the hire as a strategic/targeted hire. This will serve as a waiver of the search per se.

Thereafter, the college will need to submit all other hiring documentation through the DOF Electronic Hiring Portal.

ADMINISTRATIVE APPOINTMENTS

Faculty members may be internally appointed to an administrative position, or otherwise recruited and selected for the administrative position.

Internal appointments of existing Texas A&M University faculty members to administrative positions do not require a posting or search via the Dean of Faculties office. The reason for this is that the faculty member remains as a faculty member of the academic department and the administrative position:

- Has been sought internally,
- It is for a fixed term unless extended, and
- After completion the faculty member will return to his/her home academic department

Posting, recruitment and selection of an individual for an administrative position follows the hiring guidelines for staff positions and not those of faculty. However, if the individual selected is not a Texas A&M University existing faculty member, a faculty title will need to be attached to the administrative position. In this case note the following:

- If the individual will be granted a title and *rank of Associate Professor or Professor*, the academic department where the individual will be housed will need to submit to the Dean of Faculties all the documentation required for Tenure on Arrival hire via email at facultyhiring@tamu.edu. In addition, the academic department will also need to submit a memo waiving the hire of the search for that title. The memo must mention the faculty title to which the individual is appointed. The waiver will be based on the fact that the individual was recruited and selected for an administrative position and the academic department is only requesting the approval of the faculty title. All of this information needs to be submitted together with the tenure form, via email at facultyhiring@tamu.edu.
- If the individual will be granted a *non-tenure track title*, the academic department where the individual will be housed will need to submit a memo waiving the hire of the search for that title. The memo must mention the faculty title to which the individual is appointed. The waiver in this case will also be based on the fact that the individual was recruited and selected for an administrative position and you are only requesting the approval of the faculty title. The appropriate tenure form must be submitted to the Dean of Faculties with the waiver via email at facultyhiring@tamu.edu.

☞ **"IMPORTANT:** Remember that all appointment letters of faculty to administrative positions while maintaining faculty status must incorporate the requirements indicated in University rule 01.03.99.M1.

For further information on this visit the following page:

http://dof.tamu.edu/dof/media/PITO-DOF/Documents/Guidelines/other/guidance_administrative_appointments_of_faculty_return_to_faculty_appointment.pdf

RESEARCH PROFESSOR HIRES

Guidelines for the hiring of Research Professor positions can be found at:

<http://dof.tamu.edu/dof/media/PITO->

DOF/Documents/Guidelines/research_positions/research_professor_positions_guidelines.pdf

These types of positions are non-tenure track and require the pre-approval of the position by the Vice President for Research. Aside from this, the pre-hire and hiring process follows the same type of requirements as for all other non-tenure track positions. Therefore, the college will need to submit all pre-hire and hiring documentation through the DOF Electronic Hiring Portal. Note that the college will need to set up the Hire-ID to route to VPR during the start new phase.

PRE-HIRING STAGE

The pre-hiring stage relates to all the actions that the department and the college must take in order to initiate the search or waive the search for a faculty position.

The pre-hiring stage is completed when the following documentation has been submitted through the DOF Electronic Hiring Portal and the Dean of Faculties has approved the submission of search:

- **Dean's administrative authorization to recruit**
- Advertisement of the faculty position

In cases in which there is a waiver of the search process, the documentation submitted through the DOF Electronic Hiring Portal must consist of a memorandum containing the critical business reasons why the department is not able to search, as explained in the appropriate section below.

AUTHORIZATION TO RECRUIT

The authorization to recruit is provided by the college dean in accordance with *University Rule 12.99.99.M1- Faculty Recruitment Procedures. Deans should notify the Dean of Faculties when a search has been authorized.* The authorization to recruit applies to the following positions:

- Tenured and untenured tenure-track
- Non-tenure track

TEXAS WORKFORCE COMMISSION POSTINGS

Every state job in Texas must be posted with the Texas Workforce Commission (TWC). ***All faculty positions must be posted with the TWC for at least 5 days before an offer can be made.***

As soon as the search committee has created the job requirements for the position, ***the job posting (announcement) and the dean's authorization to recruit must be sent*** through the DOF Electronic Hiring Portal. The job posting information will be submitted by the Dean of Faculties to the Texas Workforce Commission (TWC) to create the required posting.

ADVERTISEMENT OF FACULTY POSITIONS

To improve our hiring practices and to comply with applicable laws, policies, regulations and rules, deans and department heads need to be aware of the following:

1. All tenure track **and** non-tenure track faculty positions require a search.
2. All searches need to be authorized by the college dean.
3. Deans should notify the Dean of Faculties each time they authorize a faculty search.
 - a. For each authorized search, the Dean of Faculties will need a copy of the search announcement, which the Dean of Faculties will post with the TWC.
 - b. The Dean of Faculties will assign a tracking code to each search after receiving the announcement for the search. Departments will be asked to use this code to identify all hiring paperwork submitted for processing.

ADVERTISING FOR "OPEN TRACK"

Open track signifies that the hiring department is willing to entertain applications and select a candidate/s for non-tenure track or tenure track positions at any rank.

Currently, the DOF Electronic Hiring Portal is unable to support this type of submission. Therefore, tracks should be advertised and dealt with separately in the Portal by choosing the appropriate **tracks and "open ranks" and advertising accordingly.**

In addition, posting of open track positions with TWC also poses a problem since, for the purposes of these guidelines, postings of non-tenure track positions are only good for the Fiscal Year (see below) while postings for tenure-track positions remain active until the position/s are filled.

BULK SEARCHES FOR NON-TENURE TRACK POSITIONS

All non-tenure track positions require a search, except if such search is waived as explained elsewhere.

To facilitate the hiring process of non-tenure track faculty, the Dean of Faculties recommends that the deans authorize all non-tenure track faculty hires within a single notification document once a year. We have drafted a **"Non-Tenure Track Search Memo Template"** for requesting a bulk search which can be found at: <http://dof.tamu.edu/Forms>

(A) Academic Year

For each Academic Year, this authorization to hire should be obtained prior to the summer immediately preceding the Academic Year for which the hires are sought, but can be submitted and/or updated at any time throughout the year. Bulk search authorizations should cover the entire Fiscal Year (September 1st through August 31st) to ensure that summer session hires are included.

This process should be used only for those titles or positions that usually do not require an extensive, prolonged search. The text of announcement must be generated by the hiring department/college.

As noted above, deans can waive a search for non-tenure track positions under special compelling circumstances, such as special opportunity hires or unexpected/urgent situations. However, by having ongoing searches for non-tenure track positions the need to waive a search is substantially reduced.

(B) Process

Each department will need to create a process for soliciting, collecting, sorting, and selecting faculty applications the “generic” non-tenure track positions described above. Perhaps the easiest and most efficient approach would be to add to the departmental website a link to the job search announcement.

Although solicitations can be targeted, as when a department head or faculty member invites a given individual or specific group of individuals to submit a CV for consideration for a job, the department must also solicit applications openly. That is, any qualified individuals should have a way of knowing that jobs are available, and be given the opportunity to be considered for those jobs.

The department should develop a process that shows that, given the experience and qualifications of all the applicants, Jane Smith was the most qualified for the job. Clearly, firsthand knowledge of teaching effectiveness, and good understanding of departmental goals and the needs of our students can be used as an important criterion for the selection process. How much weight you give to the different criteria is up to you—but you have to be consistent across hires.

As job openings become available, department heads (or designees) would have the option of reviewing the existing pool of candidates, or engage in targeted or broader solicitations to increase the size of the pool *before* narrowing the pool and selecting the finalist(s).

(C) Break in employment

Department heads should note that if there is *a break in employment* ---- the appointment is not renewed following the end of a given term and prior to the beginning of the subsequent Academic Year, or at a certain future time within 12 months of the initial appointment, ---- the non-tenure track will have to apply for the job again.

CONTENT OF JOB ADVERTISEMENTS

Although the advice that follows is meant to optimize your choices and avoid obstacles when the person you hire is an international scholar, the advice simply describes a best practices approach on how to advertise for faculty positions – for both national and international hires.

When you advertise for a faculty position you don't know whether or not an advertisement will generate an international hire. If in fact the successful candidate is a foreign national, you may want to sponsor the individual for permanent residence through the special handling labor certification process. The special handling labor certification process takes advantage of the competitive recruitment and selection used to hire the foreign national for a faculty position as evidence of having tested the labor market for the purposes of obtaining a labor certification for permanent residence. **The labor certification must be filed within the first 18 months from the date of the offer letter.**

The Department of Labor (DOL) has established regulations that address advertisement requirements for use in special handling labor certifications for faculty positions with actual teaching responsibilities. In this regard, in order to draft an appropriate advertisement, the academic departments advertising for faculty positions must address two areas:

- Means of advertising
- Content of the advertisement

(A) Means of Advertising

It is no longer necessary to use a print publication to prove that a test of the labor market was conducted for a faculty position. Therefore, electronic or web-based advertisements placed in national professional journals are also acceptable means to satisfy the requirements imposed by the regulation. Note, however, that the advertisements must be posted for a period of at least 30 calendar days, and such period needs to be documented.

Proof that the advertisement ran for a month in an electronic or web-based national professional journal can be documented by providing *dated copies of pages* from the website where the advertisement was placed. These pages must show all of the following:

- Job title
- Name of institution, college and department
- Location of the job opportunity
- Actual content of the advertisement (electronic tear sheet must be provided showing the text of the advertisement)

(B) Content of the Advertisement

The advertisement MUST contain the following:

(1) State the job title (for example: Lecturer, Assistant Professor, Associate Professor, Full Professor, and/or Professor)

(2) State the job duties (What will the individual be doing?) Specify the teaching, research and service expectations. Teaching expectations must be present.

(3) State the educational requirements (degree, area or field of study)

(4) You are not required to state experience but if you do, state the experience requirements for the position, if any (positions such as assistant professor don't require experience since they are entry level).

As part of the DOF electronic hiring portal the Immigration Services for Faculty and Scholars (ISFS), at the Dean of Faculties, reviews the content of the advertisement when submitted in the pre-hiring phase of the system. Nonetheless, if you would like ISFS to review the content of the advertisement **prior to obtaining the dean's authorization to recruit**, please feel free to contact ISFS at: isfs@tamu.edu.

For labor certification purposes if the *advertisement is incorrect*, it does not mean that you did not conduct a successful and lawful search and hire. It only means that we cannot utilize the competitive recruitment and selection process for the purposes of the labor certification. Please contact ISFS to discuss potential options.

OTHER RESOURCES FOR ADVERTISING THE POSITION

Human Resources has contracted with two (2) online recruiting sources available for your use: HigherEdJobs.com and WorkplaceDiversity.com. Each works slightly differently. Human Resources can add you as a user to the HigherEdJobs.com account and you can place your postings. For placement in WorkplaceDiversity.com, you will need to forward your posting to Human Resources and Recruitment staff will place it for you. Please contact the Human Resources Recruitment staff at 845-5154 or jobpath@tamu.edu for assistance with either of these sites.

The Chronicle of Higher Education can also be accessed by paying for the ad placement. Texas A&M University has an arrangement to obtain a discount on any ad placed on their site. The contract number for the main campus is 1018738. For help in this regard, please contact the Chronicle of Higher Education.

In addition, other useful resources can be found at:
<http://employees.tamu.edu/managers/advertising/applicant-pool/>
<http://employees.tamu.edu/managers/advertising/>
<http://employees.tamu.edu/managers/advertising/online-recruiting/>

DOF TRACKING LOG

An Applicant Tracking Log is required for each faculty position that is advertised or when you intend to waive the normal posting and recruitment procedures for an individual that is not a Texas

A&M University employee (external applicant/candidate). Please use the tracking log provided in our DOF Electronic Hiring Portal as you will not be able to move onto the hiring phase until this has been submitted.

You must complete the tracking log as applicants apply for the position. In order to do that you will **click on the tab entitled "Applicant Tracking Log" in the DOF Electronic Hiring Portal. This tab will** take you to a list of approved pre-hires. Locate the position with your pre-hire id and click on it. This will display the necessary fields for you to fill out for each applicant. Note that you will be able to save the entries and printout a spreadsheet with all applicants.

Make sure you complete the online tracking log; the Dean of Faculties office will not accept tracking logs that have not been entered online.

In summary, there are three important things to remember:

1. Enter the applicants and their information in the tracking log as they apply for the position. Do not wait until the end to complete the tracking log.
2. As you enter the applicants, the system will automatically notify each applicant to complete the self-ID information online.
3. You will not be able to move to the hiring phase until the tracking log has been completed and submitted.

APPLICANT SELF-IDENTIFICATION

DOF Electronic Hiring Portal will automatically notify all applicants of the option to self-ID. This will happen when you enter the email address for a new applicant in the online DOF tracking log. Therefore, it is paramount that you enter each **applicant's information as you receive their** application.

As you enter each applicant's information in the DOF tracking log, the system will generate an email to the applicant containing the position for which he/she applied and directing him/her to the DOF Portal to complete the self-ID information, if they wish.

WAIVER PROCESS

Waiver of the normal posting and recruitment procedures, whether for tenure track or non-tenure track faculty, ***should be exceptions***. As such, you need to provide the critical business reasons of why you are not able to search. Justification of these business reasons ***is a must***.

☞ ***IMPORTANT:*** Search waivers, are granted ***exceptionally*** and for compelling reasons. Below are examples of appropriate reasons for a waiver of the search:

- Target hires of scholars of renowned academic qualifications
- Unexpected illness, disability or departure of an existing faculty member
- Partner placement hires

- Immediate need to teach new sections of courses
- Selection for administrative position requiring a faculty title

Please justify the waiver accordingly. If the waiver does not fall within one of the above reasons it will be denied.

Waivers of the search process for a faculty position must first be approved. The type of approval depends on the type of rank for which the waiver of search is requested. Waivers must be requested in writing. The request needs to justify the compelling business need for the waiver and must specify the following:

- Title of the position
- Educational requirement
- Experience requirement
- Duties and responsibilities
- Contact information of the individual responsible for the hire (department head).

The waiver is submitted in the pre-hire section of the DOF Electronic Hiring Portal. DOF Electronic Hiring Portal, has a “workflow type” selection with the option of “waiver for external candidate” for you to choose. Once you choose the waiver for external candidate option, an applicant tracking log will be required.

Upon approval of the waiver, the DOF will post the position with TWC. The posting with TWC will be for a specific amount of time but no less than the minimum of 5 posting days.

Note that you will need to enter the candidate’s name for whom you are requesting the waiver in the tracking log as an applicant to the position. However, if during that time there are other applicants that apply to the TWC posting, you will need to enter those applicant’s names in the tracking log. All applicants will need to be considered for the position before you can move to the hiring stage.

❖ Waivers of tenure track searches

- Search waiver requests to hire tenure track faculty can only be approved by the Dean of Faculties.
- Requests to hire tenure track faculty without a search must be made and justified by both the department head and the college dean. Search waivers for partner placement hires are assumed to benefit the university because of their positive impact in attracting and/or retaining highly qualified faculty. For any other type of search waiver, please submit your requests in writing only after having had a discussion with the Dean of Faculties.
- Submission of a waiver must include a memorandum from the department head through the college dean to the Dean of Faculties explaining in detail the compelling reasons for the waiver and requesting to waive the search thereof.

❖ Waivers of non-tenure track searches

- The college dean has the authority to waive the requirement for the search of non-tenure track positions.
- Submission of a waiver must include a memorandum from the department head to the college dean explaining in detail the compelling reasons for the waiver.
- Non-tenure track waivers will be reviewed for due diligence by Dean of Faculties to ensure that the waivers are justified. If the justification for the waiver is not based on a compelling reason, Dean of Faculties will deny the waiver in the online hiring system and will indicate the reason for the denial.

DOCUMENTING THE SELECTION PROCESS

You should document the search and selection process for both tenure track and non-tenure track faculty in order to comply with applicable laws, policies, regulations, and rules in case of an audit. We recommend that you keep for the **Record Retention period of 5 years** from the end of the process on file, electronically or otherwise, in your department the following:

Tenure, Tenure Track & Non-Tenure Track Hires

Documents Maintained by the Hiring Department:

- 1) Position posting/position description and copies of advertisements placed in national journals posting the position.
- 2) All applications for non-hired and hired candidates and application materials submitted by the candidates for vacant positions according to the following schedule:
 - Hired applications must be kept for record retention for a period of 5 years after termination.
 - Not Hired applications must be kept for record retention for a period of 2 years after the position was filled.
- 3) Numerical Ranking System or Hiring Matrix that was used to score and screen applicants for the position at each state of the hiring process (applicant screening, interviewing, and reference checks, if applicable).
- 4) Description of the interview process with list of names of all qualified candidates interviewed, and selection of the proposed appointee.
- 5) Interview documentation, interview questions and answers.
- 6) Reference checking materials with documented responses, if applicable.

IMPORTANT Note that you are responsible for keeping all of the foregoing documents for the retention period in order to be able to successfully satisfy an audit.

Documents Maintained by the Dean of Faculties:

The Dean of Faculties keeps only the position posting with TWC and the applicant tracking log. This information is kept in the Electronic Hiring Portal.

SELECTING MORE CANDIDATES THAN ADVERTISED FOR

There are times when the search committee identifies more than one viable candidate for a single position advertised. In these cases the question that arises is whether or not the hiring department can hire more than one candidate when it only advertised for one position.

The dean's authorization to recruit allows the department to:

- Advertise for the position authorized by the college dean
- Initiate the recruitment for such position
- Select a candidate for the position
- Request authorization to hire the selected candidate resulting from the recruitment

Hiring departments, however, may hire more than one candidate provided all of the following is met:

- The additional position is in the same rank and title as the advertised position
- The candidate actually applied to the advertised position and was one of the final candidates to the position
- The dean of the college approves such additional hire

Hiring of additional candidates will need to be justified by memorandum. The memorandum should contain in detail all of the above premises and the need for the department to hire an additional candidate. The memorandum should be submitted through the DOF Electronic Hiring Portal as a justification waiver. Please list in the memo the original Pre-Hire ID and the same Hire ID and add a "J" to the end showing the position was justified.

HIRING STAGE

The hiring stage discusses the process of obtaining the necessary checks, verifications and administrative approvals to make the hire final and effective.

OFFER LETTER AND CONTINGENCIES

System regulations and university rules require certain elements to be present in every offer letter. The reason for this requirement is proper compliance with current policies, clarity in the communication and protecting the institution from any potential exposure to liability.

When drafting an offer letter, you must include the required and necessary contingency statements for all positions, tenure, tenure track and non-tenure track. Accordingly, a properly drafted offer letter for all positions (tenure, tenure track and non-tenure track) **must contain the following:**

- A disclosure indicating the need for final administrative approval:
"Upon acceptance of this offer your employment will require further and final administrative approval".
- All necessary and required contingency statements:
"This offer is contingent upon your ability to provide employment eligibility documentation to work in the United States as required by federal law. In addition, the approval of this offer is also contingent upon the successful completion of the degree verification and criminal background check processes, and your compliance with the Selective Service law if applicable to you. In order to help expedite the administrative approval, [place hiring coordinator's name here] will email the Transcript/Degree Verification form to you. Please complete, sign and return this form to [place hiring coordinator's name here] upon acceptance of this offer. For any foreign degrees you may have, please proceed with requesting the official transcript from the institution, and request that they be mailed directly to the Dean of Faculties, Texas A&M University, 1126 TAMU, College Station, Texas, 77843-1126. You will be reimbursed for costs (verifiable by receipt) associated with obtaining the verification/s after the hire date up to \$30.00. If this cost is exceeded, prior approval is required from the Dean of Faculties office. As for the criminal background check, instructions are attached on how this process will be conducted. This offer will not become final and thereby vest until the degree verification and criminal background check have been successfully verified and cleared by the Dean of Faculties Office."

*(**NOTE —→ Please encourage your hiring coordinators to follow up with an email reminding the new faculty member to order the foreign degree transcripts, and that email needs to have the statement about checking with the DOF if the expense is over \$30. **)*

- If the offer letter includes a granting of tenure on arrival it must contain the following additional provision:
"Offer of tenure on arrival is contingent on the approval by the University and System Administration and the Board of Regents."

For your guidance and convenience sample offer letters are posted on our website. These samples detail what the letters must contain in order to be in compliance. While you are free to change the wording on the sample as you deem appropriate and necessary, **we do require, however, that the contingency paragraphs above be inserted in your offer letters as provided herein** (please feel free to copy and paste).

WHAT NOT TO INCLUDE IN OFFER LETTERS

In addition to the above contingencies, offer letters ***should not make promises*** that may turn into an issue for the employing department at a future time. For example:

- Permanent residence sponsorship (*it is not an entitlement and needs to be justified; Regulation 33.99.09*)
- Offering employment for more than one academic year at a time (*if you want to offer more than 9 months, see recommended provision below*)
- Promotions or reclassifications (*depend on performance which can only be judged upon past performance and consequently cannot be promised before*)

OTHER USEFUL OFFER LETTER PROVISIONS

Following are useful provisions that we have drafted in order to assist you in your offer letters:

General provision for non-tenured positions:

"It is understood and agreed by the parties that this offer is contingent, and not limited, to your continued satisfactory performance, the existence of continued funding for the position throughout the term of the offered employment, and the academic needs of the department."

Start date provision:

"The official start date of your employment will be September 1st 20XX. However, you are required to report to work on August XYZ which is the first day of class."

☞ **IMPORTANT:** Note, that when using this provision all hiring packages should be submitted to Dean of Faculties at least **two weeks before the first day of class** since all approvals and verifications need to be in place at that time.

Provision for employment beyond one academic year:

"This position is renewable for up to XYZ years. Renewal may depend on, but is not limited to, your continued satisfactory performance, the existence of continued funding for the position, or the needs of the department. Notwithstanding the foregoing, it is understood and agreed that renewal of this position is not promised or guaranteed and will be assessed by the department at the end of each academic year. Therefore, this offer pertains exclusively to the AY 20XY and does not constitute an offer or promise of employment for future academic years."

Provision for employment of a non-tenure track faculty for the academic year and summer appointment:

"This position is for a nine month plus _____ month/s summer appointment as a XYZ. This position is not associated with academic tenure. In particular, you are expected to teach throughout the Academic Year (September 1st 20XY through May 31st, 20XZ) as well as during the two summer sessions starting June 00, 20XZ and ending August 00, 20XZ. This appointment does not accrue annual leave. Notwithstanding the foregoing, it is understood and agreed by the parties that discontinuation of funding for the position, unsatisfactory performance, needs of the department, or otherwise will immediately terminate the offered employment."

Provision for employment of a non-tenure track faculty for one semester in the academic year:

"This appointment is for the ____ semester of the academic year XYZ only. Therefore, your appointment will end on _____. If the department has the need to employ you beyond this appointment, it shall be communicated to you in writing in a timely manner before the end of this appointment."

Provision for employment pending graduation

"The position of _____ requires a ____ degree. It is our understanding that as of the date of this offer you have met all the necessary requirements for the degree including your dissertation but have not yet graduated. Therefore, this offer is contingent upon your graduation with a ____ degree on or before the official start date of your employment, which is _____ 1st 20XX. Note that if you are unable to graduate on or before such date this offer for the position of _____ will be automatically revoked becoming null and void. [OR] Note that if you are unable to graduate on or before such date, this offer is modified to reflect your appointment to the position of Instructor, which is a tenure-track appointment, with a monthly salary of \$____. This is a non-renewable appointment for ____ months and, therefore, your term as an Instructor will end on_____, 20__. It is expected that during your term as an Instructor you will successfully graduate with a ____ degree. Upon notification of your official graduation with the degree of ____ during your term as an Instructor, the department will immediately seek the reclassification of the Instructor position into that of Assistant Professor."

☞ **IMPORTANT:** If candidate has not met the requirements for the Assistant Professor position as of the date required, the candidate cannot be hired into that position and, therefore, it is considered a failed search. However, you may offer the candidate a different position for which you will need to request a waiver/justification since this new position has not been advertised and the minimum requirements are different. See section "Pending Dissertation Defense and/or Graduation" on pages 36-37.

Provision for employment pending dissertation defense and graduation

"The position of _____ requires a ____ degree. It is our understanding that as of the date of this offer you have not yet defended your dissertation, and your graduation is dependent on a successful defense. Therefore, this offer is contingent upon your graduation with a ____ degree on or before the official start date of your employment, which is _____ 1st 20XX. Note that if you are unable to graduate on or before such date this offer will be automatically revoked becoming null and void. [OR] Note that if you are unable to graduate on or before such date, this offer is modified to reflect your appointment to the position of Instructor, which is a tenure-track appointment, with a monthly salary of \$____. This is a non-renewable appointment for ____ months and, therefore, your term as an Instructor will end on_____, 20__. It is expected that during your term as an Instructor you will successfully defend your dissertation and graduate with a ____ degree. Upon notification of your official graduation with the degree of ____ during your term as an Instructor, the department will immediately seek the reclassification of the Instructor position into that of Assistant Professor."

☞ **IMPORTANT:** Same comment as on previous provision. See section "Pending Dissertation Defense and/or Graduation" on pages 36-37.

Provision for employment of a tenure-track or tenured faculty member

"This appointment is a nine month appointment for the 20XY academic year which will begin on September 1st 20XX and end on May 31st 20XZ. If you request to be employed during the summer, a separate appointment letter will be required for summer employment. [OR] In addition to your nine month appointment you will be employed for one/two/three months during the summer of 20XZ to teach ____ or to research or to carry out your administrative duties as _____. This appointment does not accrue annual leave."

OFFER LETTERS LACKING THE REQUIRED CONTINGENCIES

The offer letter is a key element of the employment of the faculty member. If the offer letter lacks the necessary and required contingencies:

- We would be out of compliance with the applicable System regulation and University rule.
- We may ask you to clarify and document with the prospective faculty member the fact that the offer is contingent.

As a practice point, approvals to hire will not be signed until the Dean of Faculties receives notice that the degree verification process and the background checks have been successfully verified and cleared. Therefore, you will not be able to employ the faculty member until such time in which verification and clearance has been obtained and the hire has been approved by the Dean of Faculties. Only under very extraordinary circumstances will you be able to request permission for temporary placement pending background check completion, or permission to commence employment pending official transcripts and/or verification of degree completion.

CRIMINAL BACKGROUND CHECK

System Regulation 33.99.14 makes the criminal background check applicable to all applicants selected for employment and all employees of the System including, but not limited to, graduate assistants and agency employees with faculty titles who are not in tenure track positions.

In particular, the regulation indicates that ***"every offer of employment shall be conditioned on receipt of an acceptable criminal history record information check."***

A criminal background check is needed when the individual is an applicant selected for employment. Applicant for employment is defined in the **regulation as:** *"an individual applying for a position with the System, whether external candidate or current employee."*

We interpret this to mean any search where there is a formal posting and application process requires a criminal background check (CBC) for all candidates, internal or external.

Texas A&M University Standard Administrative Procedure 33.99.14.M1.02, (Criminal History Record Information- Current Faculty and Faculty Applicants) additionally establishes that a finalist to a faculty appointment is required to undergo a CBC. This SAP further indicates that:

☞ **IMPORTANT:** *"An offer to a candidate for a position is pending until the completion of the criminal background check, and thus **no one can be placed in a position until the background information has been collected and processed as required ..."***

As a result, note the following:

a) Examples requiring a CBC:

- Finalists to faculty positions posted and recruited for or for which the search is waived
- Finalists to a faculty/administrative position posted and recruited for regardless of whether the final candidate is an existing TAMU faculty
- Strategic/targeted faculty hires
- Dual Intra-System appointments (employed by a System agency and TAMU)
- Joint Intra-System appointments (Intra-System but inter-agency)
- Appointments of TAMU existing staff to a faculty title
- Appointments of retirees, whether or not they are former TAMU faculty members
- Adjunct appointments that are in fact a hire
- Adjunct courtesy appointments in which the appointee will be teaching as the instructor of record
- Reclassifications that are the result of an application to an open position

b) Examples not requiring a CBC:

- Temporary appointments in excess of 100% effort of existing TAMU faculty
- Promotion of TAMU faculty members to another professorial rank
- Lateral reclassifications of existing TAMU faculty
- Internal appointments of existing TAMU faculty to an administrative position
- Appointments of existing TAMU faculty to teach in Qatar or Galveston
- Joint appointments of existing TAMU faculty
- Reappointments to faculty positions within 12 months of the previous appointment

If the hire requires a CBC, note that the candidate's information is now entered directly by the candidate via secure website. However, for that to happen, the department will need to first complete the CBC form and submit it to Dean of Faculties through the DOF Electronic Hiring Portal together with the rest of the required hiring documentation. Upon receipt by Dean of Faculties, the candidate will receive in a short amount of time an email from Human Resources containing a link and a specific ID. The link is time sensitive. Therefore, the candidate needs to act as soon as possible to provide all the necessary information for the CBC.

The email received by the candidate from Human Resources reads as follows:

Dear Faculty Candidate:

Thank you for your interest in a position or volunteer opportunity with Texas A&M. Acceptance into this position or opportunity is dependent upon a completed and approved background check. The link below allows you to electronically submit your consent and authorization to a background check and provide the information required to complete the background check service.

In preparation, please review and take note of the following instructions before proceeding:

You may click the "Save" button and "Logout" to quit and return at a later time. Use the Left Navigation menu to go back to any of the sections you have already completed.

Please note that the application cannot be modified once it has been submitted. You will have an opportunity to print your application and receive an electronic copy of the application after completion.

Your Application ID is 111XYZ

Click on the link below to complete your background consent and authorization process.

<https://xxxxxxxxxx>

Please do not reply to this email

Thank you, Texas A&M

If the background check reveals a felony conviction, the Dean of Faculties will make a decision on whether or not to approve the offer after discussions with the dean and department head of the hiring unit.

The dean may appeal to the Executive Vice President and Provost if there is not concurrence with the Dean of Faculties.

SUBMISSION OF APPROVAL TO HIRE FILE TO DOF OFFICE

❖ PROCESS

Approval of offers for faculty appointments proceed from the department head to the dean, from the dean to the Dean of Faculties and, for Associate Professors and Professor rank with tenure recommended, to the Provost (§5 of University Rule 12.99.99.M1). The process commences with the department head compiling and executing all the necessary and required forms specified in the "Approval to Hire Package". The required forms need to be uploaded into the DOF Electronic Hiring Portal and submitted. Note that **NO OFFER IS OFFICIAL UNTIL THE DEAN OF FACULTIES AND THE PROVOST, IF APPLICABLE, HAVE APPROVED THE OFFER.**

❖ APPROVAL TO HIRE PACKAGE

In order to obtain the necessary approval of the hire, all of the following forms need to be submitted in the DOF Electronic Hiring Portal. These forms can be downloaded from our website at: <http://dof.tamu.edu/Forms>.

1. Cover Memorandum

A cover memorandum to the Dean of Faculties addressing any pertinent idiosyncratic issues (e.g., hire made without a search, partner placement search, joint appointment, chair or professorship involved, etc.).

2. Approval to Hire a Faculty Member

This form is filled out and signed by the department head and the dean.

3. Faculty Startup Package

If start-up funding is required, this form must be signed by the department head, dean, and Provost if appropriate.

4. Offer letter

A copy of the final offer letter signed by all parties with the required contingencies needs to be provided.

5. The faculty member's curriculum vitae

6. The Transcript /Degree Verification form signed by the faculty member

Prospective faculty member should be prompted to provide the Dean of Faculties with the official transcript/degree verification form as soon as possible. Note that ALL the information requested on the form is needed in order for the Dean of Faculties office to verify the degree. If this is a foreign degree, this form must be accompanied by a copy of the diploma and/or marksheet.

7. Selective Service Registration Status Form

All male U.S. citizens and male aliens living in the U.S., between the ages of 18 and 25 are required to register with Selective Service. The form can be found at:

<https://www.sss.gov/RegVer/wfRegistration.aspx>

Note that you must verify registration and keep a copy of the verification in the faculty member's employee file.

8. Criminal Background Check Request

See above section relating to this topic.

9. Credentialing

When you start the hire phase in the DOF Electronic Hiring Portal you will be required to complete the credentialing information. All fields are required. The Dean of Faculties office will not accept credentialing that have not been completed through the DOF Electronic Hiring Portal.

Complete the credentialing including the six-digit CIP code of the prospective faculty member's highest earned degree, as well as the six-digit CIP codes for courses the prospective faculty member is qualified to teach. Provide appropriate justification for all cases in which the first four digits of the CIP code for a course does not match the first four digits of the CIP code of the prospective faculty member's highest earned degree. Justification codes are provided on the Credentialing. If justification is based on a certification, please provide copy of the certification. If justifications are based on experience and/or certifications, please provide a detailed explanation of why they are qualified to teach that particular course. You may be required to provide letters from previous employers attesting to the experience.

If the faculty member has more than one degree, submit the terminal degree and any other degrees relevant to the teaching, whether or not terminal.

10. The Applicant Tracking Log

An Applicant Tracking Log is required for each faculty position that is advertised. Please use the tracking log provided in our DOF Electronic Hiring Portal as you will not be able to move onto the hiring phase until this has been submitted.

You must complete the tracking log as applicants apply for the position. In order to do that you will click on the tab entitled **"Applicant Tracking Log"** in the DOF Electronic Hiring Portal. This tab will take you to a list of approved pre-hires. Locate the position with your pre-hire ID and click on it. This will display the necessary fields for you to fill out for each applicant. Note that you will be able to save the entries and printout a spreadsheet with all applicants.

Make sure you complete the online tracking log the Dean of Faculties office will not accept tracking logs that have not been entered online.

11. The appropriate tenure form

Tenure forms **MUST BE** signed by the prospective faculty member, department head and dean before submitting them to the Dean of Faculties.

a. The Agreement Concerning Appointments Which Do Not Accrue Credit Towards Tenure for a non-tenure position.

b. The Agreement Concerning Probationary Service for a tenure-track faculty member with a probationary period.

c. The Agreement Concerning Tenure for a faculty member with tenure on arrival.

12. Appointments with Tenure on Arrival

These types of appointments need to include the following:

a. The same major elements included in any promotion and tenure dossier:

1. **Candidate's statement (which can be the letter of interest in the position),**
2. External review letters (which can be the reference letters included in the application),

3. A vote and reports from the T&P committee on research or creative activities, teaching, service, and an overall conclusion or a single overall report that addresses these areas of performance separately but offers also an overall recommendation (the report on teaching must include evidence of teaching effectiveness at the previous institution(s) as documented by external letters or from interviews with references),
4. Report and vote from the department head,
5. Report and vote for the college advisory P&T committee,
6. Report and vote from the dean.

These materials along with the hiring paperwork should be forwarded to the Dean of Faculties, who will in turn forward to the Provost and President, and the BOR.

- b. In some cases, external letters of recommendation can be substituted with notes taken from references checked by phone or other means.
- c. A template for the biographical paragraph and summary is provided on a yearly basis on our website under the current year Tenure and Promotion forms.

If you have any questions regarding the forms or processes, please contact the Dean of Faculties at facultyhiring@tamu.edu.

SUBMISSION OF APPROVAL TO HIRE AFTER THE START DATE

The hiring date is the date reflected in the offer letter. If the hiring file is submitted after the hiring date or too close to the hiring date you need to ***ensure that the faculty member does not start work*** until you have received from the Dean of Faculties both (1) a clearance of the background check and (2) the hiring approval from Dean of Faculties. There are no exceptions.

In cases of late submission after the start date, the Dean of Faculties will ask you if the faculty member has begun employment. If the answer is affirmative, we will need a detailed memorandum from the department head through the dean of the college to the Dean of Faculties explaining:

- (a) The circumstances that led to a late submission of the hiring file, and
- (b) The reasons for placing the individual in the position, and thereby circumventing the existing rules and regulations.

This memorandum will be requested mostly, but not exclusively, for cases in which criminal background checks are pending and have not been cleared. The memo will serve as a record for the purposes of System internal audit.

POST HIRING ISSUES

There are cases in which the approval to hire package has been submitted but there are delays in the final approval that can potentially affect the start date of the faculty member. These delays can relate to:

- Criminal background completion
- Receipt of official degree verifications
- Completion of course requirements but pending graduation
- Immigration employment issues

In this section we will examine these types of situations and provide you with a way to resolve to them.

Nonetheless, it is important to be mindful of the following:

- Section 2.1 of System Regulation 33.99.14 states that *"every offer of A&M System employment shall be conditioned on receipt of an acceptable criminal history information check..."* There are ***no exceptions*** to this mandate.
- Section 1.2 of University Rule 33.99.14.M1 indicates that no one can be placed in a position until the background information has been collected and processed. There are ***no exceptions*** to this mandate.
- Section 274A(a)(1) of the Immigration and Nationality Act indicates that it is unlawful to hire for employment an individual knowing that the individual is unauthorized to work in the United States in regards to such employment. There are ***no exceptions*** to this mandate.

DELAYS IN CRIMINAL BACKGROUND CHECKS

While most background checks are completed within 5 days, you need to be aware that faculty members hired too close to their start date could experience delays in the completion of a criminal background check. In some cases the delay could compromise the expected first day of employment. These rare instances in which a criminal background check may be delayed, relate, for example, to:

- The need to conduct a foreign background check
- The need to perform additional searches
- Hiring with an immediate start date
- Potential volume of requests

These delays can also apply to hires that were made months in advance.

The Dean of Faculties office will monitor the progress of the criminal background check and will inquire on its status as needed. However, it is paramount to realize that it is beyond the control of the Dean of Faculties office to (i) speed up the background check process, or (ii) provide you with an exception to this requirement.

👉 **IMPORTANT:** Request permission for temporary placement pending background check completion:

While there are no exceptions to conducting a criminal background check, if there is a ***compelling exceptional business / academic need*** for the faculty member to start on time, despite the fact

that the criminal background check may still be pending, you may initiate the process to request permission for temporary placement pending background check completion.

It is important you note that the temporary placement, if approved, is not for the position offered and for which the background check is pending, but rather for a ***temporary position that will automatically terminate*** as soon as the pending background check is completed. Accordingly, this temporary placement does not vest any type of rights on the prospective faculty member including, but not limited to, that of tenure track start time.

The Dean of Faculties can aid you in the process of requesting permission for temporary placement pending background check completion. These requests, however, ***are expected to be exceptional and rare and should not be employed otherwise***. The process to request permission for temporary placement pending background check completion should be initiated within 15 days of the start date of the employment. The request needs to be reasoned and justified in writing in the form of a memorandum. ***All of the following requirements must be met:***

- (1) A communication from the Dean of Faculties office that the criminal background check will not be completed in time of the start date of the prospective faculty member;
- (2) The existence of a clear compelling and exceptional business/academic need for the start of the faculty member which should be detailed in a memorandum;
 - The memorandum requesting the temporary placement should be addressed to the Provost through the dean, and the Dean of Faculties,
 - The memorandum should clearly state that the request does not excuse any conditions to the final employment of the individual, but rather asks for temporary placement pending outcome of the criminal background check,
- (3) The offer letter must contain all the required contingencies;
- (4) Testimonials from third parties that provide evidence of the good moral character of the prospective faculty member. These reference checks can be obtained as written testimonials or can be gathered through phone interviews. In the latter case, a written statement explaining who, when, where, and how the reference check was made must be included;
- (5) The Criminal Background Check Request form has been submitted to the Dean of Faculties, has been sent for checking, and is in fact in process of completion;
- (6) The official transcripts have been received and degree credentials have been verified.

Upon meeting all of the above requirements, the Dean of Faculties will forward the request to the Provost for resolution.

Upon decision by the Provost, the Dean of Faculties will provide written notice to you concerning the outcome of the decision.

DELAYS IN THE RECEIPT OF OFFICIAL TRANSCRIPT/DEGREE VERIFICATION

The University is responsible for verifying and documenting that the qualifications of our faculty members are appropriate for the required teaching. This process consists of requesting and obtaining the official transcripts from the universities from which the faculty members graduated, as well as verifying their degree. In order to obtain this information each prospective hire needs to provide the Dean of Faculties office with signed Transcript/Degree Verification form. Normally this can be done rapidly but circumstances do arise where the process may be delayed, especially for foreign degrees. The following therefore apply:

(1) Degree verification

(a) Verification of foreign degrees

Degrees granted by institutions of higher education located outside the United States need to be verified by the Dean of Faculties Office.

However, verification of foreign degrees takes time and may result in several months of wait. That is, the verification request needs to be sent to the foreign institution for the degree to be verified, and once verified it needs to be sent by the foreign institution back to the Dean of Faculties Office.

The Dean of Faculties Office is able to conditionally approve the hire while waiting for the requested verification. For this the departments should submit documentation as a placeholder of the verification as for example:

- ▶ Copy of the foreign degree (diploma)
- ▶ Copy of any documentation pertaining to the granting of the degree (i.e. marksheet)
- ▶ Correspondence from the institution
- ▶ Verification from a previous employer that the degree was verified

(b) Exception to the degree verification by impossibility or unavailability

If the degree (domestic or foreign) cannot be verified by the issuing institution due to extraordinary circumstances, the Dean of Faculties may pursue an exemption.

In order for the Dean of Faculties to pursue the exemption from the degree verification requirement all of the following requirements must be met:

(1) The circumstances must be extraordinary in nature such as, but are not limited to, the following:

- ▶ Unavailability of records due to loss or destruction
- ▶ Institution no longer exists and records cannot be found

(2) The reasons must have been beyond the control of the faculty member

(3) The faculty member has provided other evidence pertaining to the issuance and existence of the degree

(4) Testimonials from third parties in regard to the issuance of the degree have been obtained

Upon meeting all of the above requirements, the Dean of Faculties will forward a request for an exemption to the Provost and will notify the dean of the college of the final resolution of the matter.

(2) Official transcripts

Official transcripts must be obtained by the Dean of Faculties *directly* from the institution. Obtaining official transcripts by the Dean of Faculties from universities poses a challenge in the approval to hire process since the wait period to receive such transcripts is generally lengthy and since some degree programs, specifically research-only doctoral programs, do not have affiliated transcripts. In addition, at times transcripts are not released or are released at a later time due to a variety of reasons which are not limited to the following:

- Policy of the specific university
- Block placed on the file of the individual by the university
- Release of transcripts at a certain date after graduation

Based on the foregoing and in order to facilitate the approval to hire process, the Dean of Faculties office has determined that hires will be approved despite the fact that the transcript is not on file provided that:

- (1) The degree has been verified and such verification is in the file,
- (2) The criminal background check has been completed and cleared, and
- (3) The official transcript authorization form has been signed by the prospective faculty member.

Accordingly, as long as the foregoing documentation is on file, the hire will be approved and the official transcripts will be requested/received by the Dean of Faculties office at a later time.

OFFER PENDING DISSERTATION DEFENSE AND/OR GRADUATION

This refers to instances in which the academic department offers employment to a graduate student who has successfully completed the necessary course requirements or is ABD (All But Dissertation), and is pending the graduation date for the issuance of the degree.

Offering the Position

You can offer a faculty position to a graduate student who was the successful candidate of a recruitment and selection process. However, if the position offered requires the attainment of a specific degree by the start date of the employment, and the graduate student is not in possession of the degree, your offer will need to be contingent on the student attaining the degree.

If you know that the candidate is pending the dissertation defense and/or graduation, you should make clear in your offer letter what your expectations are for the employment of the candidate under the position offered (see suggested provisions on pages 25, 26 and 27).

The department should not wait to process the hire through the DOF Electronic Hiring Portal. In addition to all the documentation required for the hire, you will need to submit the following:

- If only graduation is pending, a letter from the department/institution indicating that all requirements for the degree have been met and that degree is awaiting graduation.
- If dissertation and graduation are pending, a letter from the department/institution indicating when defense will take place and an expected date for the graduation.

Note that because the hire into the offered position is conditioned on attaining the degree, the Dean of Faculties will follow up with the department prior to the start date to obtain the necessary documentation showing the attainment of the degree.

Degree not attained by the Start Date

If candidate has not met the requirements for the position the candidate cannot be hired into that position. In such case, the recruitment and selection process for that position is considered to be a failed search since the selected candidate did not meet the minimum requirements for the position (for example, the position requires a Ph.D. but the candidate did not obtain the Ph.D. on or before the start date of the employment).

You may, however, offer the candidate a different and new position than the one he was selected for. For example, if you offered a tenure-track Assistant Professor Position for which the candidate did not qualify you can withdraw that offer and offer instead an Instructor position. The Instructor position does not require a Ph.D. but it is a tenure-track appointment (see suggested provisions on pages 22 and 23).

Because the candidate cannot be hired into the original position offered, you will need to submit for the alternate position a request for a waiver/justification through the pre-hire section of the DOF Electronic Hiring Portal. The original position for which you advertised and selected the candidate will have to be canceled, unless you choose to hire the second runner-up.

At a later date, when the candidate has attained the required degree you can request a reclassification from Instructor to Assistant Professor by submitting a memo to the Dean of Faculties and Associate Provost via email at facultyhiring@tamu.edu.

IMMIGRATION EMPLOYMENT

Employment of foreign nationals is regulated in System Regulation 33.99.09 and University Rule 33.99.01. M1. Department heads and deans are strongly encouraged to be familiar with these important regulations.

Department heads ***are required to ensure*** that correspondence with an international faculty member prior to obtaining the necessary approvals does not constitute a firm offer of employment (§2.2 System Regulation 33.99.09). Consequently, all offer letters must contain the required contingency consisting of the following language:

"This offer is contingent upon your ability to provide employment eligibility documentation to work in the United States as required by federal law."

In addition, it is important to note that you cannot promise the faculty member in the offer letter, or otherwise, his/her sponsorship for permanent residence. Section 7.1 of Regulation 33.99.09 clearly states that sponsorship it is not an entitlement and needs to be justified.

After you have made a contingent offer of employment you must contact the Immigration Services for Faculty and Scholars (ISFS) at Texas A&M University. ISFS will review and analyze all necessary documentation and will file the appropriate immigration employment petition with the federal authorities.

Only after the immigration petition has been approved by the United States Citizenship and Immigration Service (USCIS) will you be able to employ the faculty member.

For more information please contact ISFS at 862-1719 or isfs@tamu.edu

