



Dear Colleagues,

As we continue our ongoing quest to find better ways to accomplish our educational mission, process improvement is essential to achieving inclusive excellence. Among these is developing effective ways to address practices that have in the past prevented us from benefiting fully from the talents of the broad diversity of individuals who could contribute to our educational enterprise in remarkable ways. Central to this effort is developing ways to diminish the impact of implicit bias in our work.

One of the most significant ways that implicit bias has been documented to influence our work lives is in the hiring process. Implicit bias allows cronyism and stereotypes to stifle our pursuit of excellence without our even being aware of how it happened. It results in the reproduction of a workplace that looks like it has in the past which neither reflects nor is prepared to effectively partner with the students and academic colleagues of today, not to mention those who will inhabit our more diverse future.

In order to hire the best people, increase innovation and achieve equitable educational outcomes for our students from all backgrounds, we must be intentional in our efforts to ameliorate the effects of bias in our employee search process. This booklet lays out a process of how we plan to achieve this in staff and faculty searches at Lawrence University. I thank you for your interest in this process and your thoughtful implementation of the techniques described in this document.

Sincerely,

A handwritten signature in cursive script that reads 'Kimberly Barrett'.

Kimberly Barrett
Vice President for Diversity and Inclusion
and Associate Dean of the Faculty

Table of Contents

President’s Committee on Diversity Affairs- Purpose	2
Non-Discrimination Policy	3
Staff Hiring Guide	
○ Pre-hiring activities	4
○ Routine hiring activities	5
State and County Demographic Information	10
Appendix	
1-1 Sample position descriptions	11
1-2 Sample diversity questions	14
1-3 Guidelines for interviewing legally	15
1-4 Sample candidate evaluation criteria	20
1-5 Candidate summary report	22
1-6 Diversity Point Person final report	23

President's Committee on Diversity Affairs

Purpose

The purpose of the President's Committee on Diversity Affairs is to foster diversity in the Lawrence community and curriculum and to help create a more inclusive campus community. Diversity brings us into contact with different experiences and perspectives, helping us to question our beliefs and assumptions. An inclusive community, one that welcomes people of all backgrounds, experiences, and identities (or expressions of identity), is necessary for diversity to serve as a catalyst for learning. Lawrence seeks to include people of all nationalities, ethnicities, gender identities, sexual orientations, socioeconomic statuses, cultural backgrounds, religions, abilities or disabilities, ages, military/veteran status, and others who bring varied perspectives to campus.

To accomplish its purpose, the President's Committee on Diversity Affairs will strive to promote in the Lawrence community:

- a campus demographic reflective of the U.S. and world's pluralistic society;
- an environment conducive to attracting and retaining students, faculty, and staff of historically underrepresented groups;
- a curriculum that considers diversity and its implications for contemporary life;
- a co-curricular program that fosters inclusion and celebrates diversity; and
- a climate of respect for different identities and points of view.

To these ends, the committee will:

1. advise the president on matters relating to diversity and inclusion;
2. promote faculty and staff engagement in the recruitment, selection, and retention of historically underrepresented students, faculty, and staff;
3. strengthen mentoring and support to:
 1. guide diverse faculty through successful reappointment and tenure;
 2. promote the development of diverse staff;
 3. foster the engagement and academic success of diverse students.
4. identify opportunities to integrate attention to diversity into academic and co-curricular programs;
5. raise awareness of the inequity and challenges faced by historically marginalized groups at Lawrence, in the Appleton area, in the U.S., and globally;
6. increase cross-cultural competency by sharing educational resources and sponsoring workshops, symposia, or events on themes related to diversity.

Non-Discrimination and Equal Employment Opportunity Policy

Lawrence University is committed to providing equal access and opportunity to qualified individuals of all backgrounds. In accordance with this policy and with applicable federal and state law, the University prohibits discrimination in admissions, its programs and activities, employment and advancement on the basis of race, color, creed, religion, national origin, ancestry, age, sex, sexual orientation, gender identity, gender expression, marital status, pregnancy, genetic information, disability, military service, protected veteran status, political affiliation, arrest record or conviction record.

Retaliation against an individual for filing a discrimination complaint or for participating in a complaint investigation violates this policy and may constitute a form of illegal discrimination. University policy also prohibits harassment of individuals on any of the bases listed above.

An act based on an individual's status as listed above may violate this policy and warrant University discipline **even if the act does not rise to the level of unlawful discrimination, retaliation or harassment.**

To request information, assistance or to file a complaint for violations of this policy, contact the Provost and Dean of the Faculty, 2nd floor Sampson House, at 920-832-6528; or the Vice President for Finance and Administration, Brokaw Hall, at 920-832-7694; or the Director of Human Resources, Brokaw Hall, at 920-832-6541.

To request assistance or to file a complaint specifically related to sexual misconduct or gender-based discrimination or harassment, contact Title IX Coordinator at 920-832-7496 or additional information is available at <https://www.lawrence.edu/students/share/about-title-ix>.

For information about the University's comprehensive commitment to diversity and inclusion, contact the Vice President for Diversity and Inclusion and Associate Dean of Faculty, 2nd Floor Sampson House, at 920-832-7451, additional information is available at <https://www.lawrence.edu/info/offices/diversity-and-inclusion>.

For information on federal enforcement of non-discrimination in education, visit <http://wdcrobcolp01.ed.gov/CFAPPS/OCR/contactus.cfm> for the address and phone number of the office that serves your area, or call 800-421-3481.

Staff Hiring Guide

Pre-Hiring Activities

In Months/Years Prior to a Search:

- Staffing and recruitment will continue to be an ongoing component of our work. Staff members should be developing contacts with people who may be promising candidates or who may be able to direct you to promising candidates; when positions come open at Lawrence, you will already have contacts in mind.

Introduce a Diversity Point Person (DPP) to Staff Recruitment:

- Introduce a team of DPP for recruitment of staff positions (scheduled to begin in fall of 2017):
 - Select a team of individuals to serve as the DPP for staff recruitment.
 - Individuals should be representative of all cabinet member departments across campus.
 - Staff can be given the opportunity to volunteer and/or
 - Staff can be nominated by their supervisor to serve in this capacity.
 - Approximately 10-15 individuals will serve as a DPP for staff recruitment (this number will be revisited as we move along in the process and determine what best fits the needs of staff searches).
 - For each search, a DPP will serve as a consultant: offer feedback on the draft of the job ad; meet one or two times with the hiring manager (and the search committee, if there is one) to discuss strategies for recruiting a diverse applicant pool, evaluation criteria, interview questions, etc.; check in with the hiring manager periodically during the search.
 - For some searches, the DPP might also serve on the interview panel or on the full search committee (evaluating applications and participating in interviewing).
 - The team of DPP's and representatives from the PCDA Subcommittee on Employee Recruitment will meet periodically during the year with the Vice President of Diversity and Inclusion/Assoc. Dean of the Faculty to reflect on the process, including offering ongoing suggestions for improvements. Hiring managers will also be encouraged to discuss this process with the VP of D & I.

Hiring Manager & DPP Training:

- The group of selected DPPs and the hiring managers across departments will be offered initial and annual training for this role.
 - Initial training will focus on the PCDA process.
 - Additional training will be provided in the form of workshops or small group discussions, potentially as part of the Learning at Lawrence platform through Human Resources.
 - Potential topics include:
 - Writing inclusive job advertisements
 - Evaluation criteria to minimize bias

Routine Hiring Practices

Once the Search has been Approved:

- **Hiring Manager:** The hiring manager in consultation with Human Resources will determine who the hiring team will consist of based on the position.
 - One DPP will be selected based upon availability/interest to support the search.
 - The DPP should be someone outside of the department that is conducting the search to keep diversity as their focus.
 - A hiring team will be created in Silk Road to ensure necessary access to applicants.
- **All of Search Committee:** The hiring team will determine where to post/advertise the position to attract a diverse talent pool.

Writing the Job Ad:

- **Hiring Manager/Diversity Point Person:** Find ways to broaden the description of the position. This can increase the chances of broadening the diversity of the pool of applicants. Examples of position descriptions can be found in the Appendix (1-1)
 - Utilize resources to audit job postings for gender preference based on language used in them (Textio.com).
 - Avoid using language (even language about “preferences”) that may unnecessarily restrict the diversity of the applicant pool.
- **Hiring Manager/Diversity Point Person:** Evaluate the position description to ensure it is not a written to-do list, but gives a sense of what individuals will contribute to and the impact they will make.
- **Hiring Manager/Diversity Point Person:** Include specific language about diversity in the job ad.
 - Include early on and throughout the advertisement language referencing diversity and inclusion, such as “working with a diverse student body” or “working within a diverse campus community.”
 - The PCDA also recommends including language such as: “We encourage applications from individuals who will help us create a more inclusive Lawrence by: (1) further diversifying the staff; and/or (2) demonstrating experience serving diverse populations and working successfully with diverse colleagues; and (3) showing interest in developing initiatives to address the needs of a diverse student, faculty, staff and community.” This phrasing leaves room for customizing to fit the specific position being advertised.
- **Hiring Manager/Diversity Point Person:** As pertinent to each position, include application questions related to diversity or request in the list of application materials a statement on applicants’ experience as it relates to diversity and inclusion issues.
 - Examples of diversity-related questions can be found in the Appendix (1-2)
 - The PCDA recommends requesting a statement on diversity in some job ads, particularly in job ads that ask for a cover letter. For example: “Please submit resume, cover letter, and a statement on your experience related to addressing issues of diversity and inclusion in the workplace {or fill in specific field/area of focus} and ways that you could contribute to these efforts at Lawrence University.”

- **Hiring Manager/Diversity Point Person:** We also recommend that the ad include the following: “See https://lawrencecareers.silkroad.com/lawrenceuniversity/About_Us.html for more information about Lawrence and its surrounding community, including the New North Regional Guide which lists resources that promote diversity in the community.”
- **Hiring Manager:** Send the completed draft of the ad to the DPP and the VP of D & I for feedback.
- **Hiring Manager:** Make any revisions and then send the ad to Human Resources.

Attracting a Diverse Applicant Pool:

- **Diversity Point Person:** After meeting with the hiring manager (and, as applicable, the search committee), the DPP should draft a plan for increasing the diversity of the applicant pool.
- **All of Search Committee:** Each member of the hiring team should send emails or make phone calls to as many individuals as possible whom they know who may be able to suggest names of potential candidates who can diversify the applicant pool. Ask the other staff in the department to help with reaching out to contacts in this effort to create a large and diverse applicant pool.
- **All of Search Committee:** Ask the people you email if you can use their name when you contact the potential candidates. Ask the people you email if they know of anyone in the field who might be able to generate names of additional potential candidates who will diversify the applicant pool, and ask again if you can use the name of the person you emailed when you make those contacts. Repeat this step by following up with people who may know names of potential candidates until you’ve generated a number of names. The idea is to create a chain of contacts that will generate along the way numerous names of potential candidates who will diversify the applicant pool. Some examples include:
 - Former and current colleagues.
 - Colleagues from other businesses whom you’ve met at conferences and through other professional channels.
 - Professional networking groups and organizations you are involved with (SHRM, WAICU).
 - Lawrence alumni. If there’s one member of your hiring team who knows the alum best, ask that Lawrence staff member to make the contact.
 - Social Media groups where you can proactively source and advertise the opening.
 - Join LinkedIn groups to communicate openings (example below)
 - <http://www.slideshare.net/MikeOMalley3/linkedin-is-awesome-for-diversity-recruiting>
- **Hiring Manager:** Advertise in professional organizations and subgroups within these organizations that emphasize diversity. Post ads on listservs, in newsletters, etc. There are many job search sites and resources available that have outreach tools and capabilities to reach a large audience. Contact HR if you need support or funding to place advertisements.
- **Diversity Point Person:** The DPP should follow up with each member of the hiring team to remind and encourage them to make these contacts.
- **All of Search Committee:** When members of the hiring team (and any other staff in the department who are helping) receive names of potential applicants, they should send emails directly to the potential applicants and encourage them to apply. (Alternatively, the hiring manager can collect the names of potential applicants from hiring team members and from other department members and then contact potential candidates directly.) In your communications

with potential applicants, remember to refer to the people who identified the potential applicants, if your contacts have given you permission to use their names. Using a subject heading for the email such as “So-in-so gave me your name; job ad in [field] at Lawrence” can be very helpful too. Include in your emails to the potential applicants a copy of the job ad and/or a link to the posting of the ad on Lawrence’s website.

Before Evaluating Candidates:

- Hiring Manager/Diversity Point Person:** Ensure there is consistent understanding amongst the hiring team on the criteria that will be used to evaluate the candidates. Having clear criteria set prior to evaluating applications helps minimize bias in evaluation. The PCDA recommends creating a written rubric or list of criteria to share with the hiring team prior to evaluation of candidates. While the job requirements listed in the position description will serve as some of the criteria for evaluation, almost every hiring team will find that criteria will be more detailed than the ad. An important criterion to include is ability to contribute to diversity: such contributions can be in terms of a candidate’s identity and personal lived experience and/or experience with contributing to diversity and inclusion initiatives on campuses or through other communities. See Appendix (1-4) for samples of evaluation criteria used in past searches.
- Diversity Point Person:** Provide the interview team with “Guidelines for Interviewing Legally” and other relevant interview guides to review prior to the start of interviews available in the Appendix (1-3).

Checking the Diversity of the Applicant Pool:

- Diversity Point Person:** The DPP should reach out to HR during the middle and again at the end of the search to assess diverse representation. HR cannot share the racial/ethnic identity or gender of individual candidates but they can legally share the demographics of the pool.
- Hiring Manager/Diversity Point Person:** If the applicant pool is lacking diversity, it may be advised to extend the application period to allow for more applications to come in; in such cases, the DPP, hiring manger, and VP of D & I should discuss whether there are any additional ways to recruit a more diverse applicant pool.
- HR will keep record of applicant pool based on position.
- Hiring Manager:** Hiring manager or people helping the hiring manager should check to see if applicants have completed their submissions or have left out necessary documents that have been requested. Then contact the candidates with missing material to ensure that they were able to navigate Silk Road and ask them to complete their application.

Evaluating Applications:

- All of Search Committee/Diversity Point Person:** When reading applications, work with the clearly stated criteria that the committee already established. Make sure to take note of the applicants’ written reflections in their materials on the ways that they can contribute to diversity and inclusion at Lawrence. These contributions can come in various forms, such as identity and

personal, lived experience, focus of research, past work experiences with diversity initiatives and diverse groups, and ideas of ways to support Lawrence’s diverse student body and contribute to diversity and inclusion efforts at Lawrence. While it is not always possible to determine which candidates belong to underrepresented groups, evidence in the application—such as attendance at a historically Black college or a fellowship for LGBTQ scholars—can provide additional information. Stay flexible in assessing the paths that candidates took in their educations; for example, not all candidates may have had access to elite undergraduate institutions yet could be very strong candidates and might add to Lawrence’s diversity. Overall, when thinking about which applicants have the “best” qualifications, keep in mind all aspects of what a candidate can add to the department and Lawrence, including diversity. Retain application notes until the final report is complete.

Phone/Video/Convention Interviews:

- Diversity Point Person:** Include as part of your interview, a question or questions about diversity and inclusion (see sample questions in Appendix (1-2). You might ask the candidates how they would support a diverse campus community or ask them for examples of ways that they’ve worked on diversity and inclusion efforts in other positions or in other communities. You can follow up in the interviews on their specific written comments about diversity in their application answers/statements.
- Hiring Manager:** Designate a member of the interview team as an official note-taker. In addition, each team member will want to take their own notes during interviews so that they can refer to specific points when the team is discussing and evaluating the candidates. The official note-taker is helpful: (1) for anyone who had to be absent from a particular interview; (2) since others on the interview team might miss some notes, particularly at the moment when they’re the person asking a question.

Committee Meeting to determine Candidates for On-Campus Visits:

- Hiring Manager:** As applicable by position, determine who should be involved with the on-campus interview.
 - A group interview or luncheon with students may be advised dependent on the position.
 - Be attentive to including a diverse representation of students where applicable.
- Diversity Point Person:** Ensure the discussion is inclusive versus exclusive.
 - Focus on what will make someone successful versus what qualities they don’t have.
- All of Search Committee:** Continue to address diversity when selecting finalists.

Inviting Finalists to Campus:

- Hiring Manager:** When communicating interview details to the finalists, direct candidates to the website and invite them to make use of contacts to find out about diversity in the Fox Cities and/or Lawrence that may relate to issues that they prefer not to discuss with the search committee. Kimberly Barrett (Lawrence’s Vice President of Diversity and Inclusion/Assoc. Dean of

Faculty) has offered to talk on the phone or meet with any finalist for an informal conversation (not a formal interview) to answer a finalist's questions about diversity at Lawrence and in the Fox Cities.

- Hiring Manager:** Ask applicants if they will need any assistance or accommodations while visiting campus.

Final Tasks:

- Diversity Point Person:** DPP contacts Human Resources for a final update on the demographics of the applicant pool.
- Diversity Point Person:** DPP asks hiring manager and search committee members (if the search had a committee) for thoughts on which approaches were most effective in recruiting a diverse applicant pool and ideas for improving the process.
- Diversity Point Person:** DPP should write a report summarizing the committee's efforts to enhance the diversity of the staff and addressing the extent to which the initial plan was followed. (See "Attracting a Diverse Applicant Pool" above.) Note which strategies worked well for recruiting a diverse applicant pool and include any thoughts on how to improve the process further. The DPP should then send this report to the VP of D & I and to H.R. These reports will be used for assessing and improving the process for recruiting a diverse applicant pool. See Appendix (1-6) for template for DPP report.

State and County Demographic Information

Outagamie County	State of Wisconsin
92.3% White	87% White
2.7% Hispanic	4.6% Hispanic
0.7% Black or African American	4.8% Black or African American
2.3% Asian	1.9% Asian
1.3% American Indian & Alaskan Native	0.7% American Indian & Alaskan Native
0.6% Two or More Races	0.7% Two or More Races
0.1% Other	0.3% Other
49.9% Male	49.6% Male
50.1% Female	50.4% Female

Source: <https://factfinder.census.gov>

Note: 2010 Census Data

Appendix

APPENDIX 1-1 Sample Position Descriptions Compare and Contrast Earlier Job Ad and More Recent Job Ad

Initial Job Description/Advertisement – STAFF COUNSELOR

PRIMARY OBJECTIVE: Provide counseling, programmatic outreach, and related services to Lawrence University students. Consult with campus constituents and local mental health providers as needed

DUTIES:

Provide assessment and counseling services to students. Offer individual, couples, and group sessions to meet wide range of students' developmental needs and address psychosocial issues.

Offer consultation to the college community, local and students' home mental health providers, campus Health Services staff and others.

Apply experience working with a diverse student population on prevention, assessment and treatment in areas such as eating disorders, trauma, substance abuse, self-harm and stress.

1. Develop and implement outreach programs and training sessions.
2. Provide support during campus crises and participate in de-briefing following incidents.
3. Participate in after-hours duty rotation schedule.
4. Participate and represent Counseling Services on student affairs and campus-wide committees as appropriate; represent the College in community-wide initiatives as time allows and as directed by supervisor.
5. Attend conferences and seminars as part of professional development activities; continue to enhance professional skills and remain current regarding best practices in counseling field.
6. Ensure accurate and timely record-keeping including counseling notes.
7. Work collaboratively with other staff in Counseling Services, contracted doctors and other health care providers.

WORKING RELATIONSHIPS:

Will work collaboratively with Health and Wellness staff colleagues; Student Affairs staff; staff in Student Academic Services; faculty, staff and students; local health and mental health professionals.

KNOWLEDGE AND SKILLS REQUIRED:

1. Master's Degree in Counseling or closely-related field required, Ph.D., Psy.D., Ed.D or comparable degree in clinical or counseling psychology or closely-related field preferred.
2. Licensed (or eligible to be licensed) in State of Wisconsin.
3. Knowledge of and experience with residential liberal arts college student population is preferred.
4. Proven knowledge of and commitment to the highest legal and ethical professional standards.
5. Strong interpersonal skills including listening, writing, and oral communication abilities.
6. Ability to assess students' mental health needs and offer appropriate responses.
7. Strong consultation skills and ability to work collaboratively with others.

8. Ability to perform well under stress and in emergency situations.
9. Word processing and computer skills.

EMPLOYMENT REQUIREMENTS:

1. Must have successful completion of criminal record check, driving record check (where applicable) and reference checks.

Revised Job Description/Advertisement – STAFF COUNSELOR

PRIMARY OBJECTIVE: Provide counseling, programmatic outreach, and related services to Lawrence University's diverse student population. Consult with campus constituents and local mental health providers as needed. Work closely with other staff members with an integrated health and wellness office to provide comprehensive care to the students of Lawrence University.

DUTIES:

- Provide culturally-sensitive assessment and counseling services to students. Offer individual, couples, and group sessions to meet wide range of students' mental health and developmental needs.
- Offer consultation to the college community, local and students' home mental health providers, campus Health Services staff and others.
- Apply experience working with a diverse student population on prevention, assessment and treatment of mental health needs.
- Develop and implement outreach programs and training sessions.
- Provide support during campus crises and participate in de-briefing following incidents.
- Ensure accurate and timely record-keeping including counseling notes.
- Participate and represent Counseling Services on student affairs and campus-wide committees as appropriate; represent Lawrence University in community initiatives as time allows and as directed by supervisor.
- Attend conferences and seminars as part of professional development activities; continue to enhance professional skills and remain current regarding best practices in counseling field.
- Work collaboratively with other staff in Counseling Services, contracted doctors and other health care providers.
- Other duties and tasks as assigned by the Associate Dean.

WORKING RELATIONSHIPS:

Will work collaboratively with Health and Wellness staff colleagues, Student Affairs staff, contracted physicians, Academic Success staff, faculty, students, and local health and mental health professionals.

KNOWLEDGE AND SKILLS REQUIRED:

- A minimum of a Master's Degree in Counseling or closely-related field required.
- Licensed (or eligible to be licensed within two years of hire) in State of Wisconsin as a mental health professional.

- Demonstrated commitment to multicultural competency and clear interest in all dimensions of diversity.
- Experience and demonstrated competence in both individual and group counseling with diverse populations including, but not limited to domestic and international students of color, LGBTQ+ students, first generation college students, students with disabilities, and students of various ethnicities, cultures, and religious backgrounds.
- Proven knowledge of and commitment to the highest legal and ethical professional standards.
- Strong interpersonal skills including listening, writing, and oral communication abilities.
- Ability to assess students' mental health needs and offer appropriate responses.
- Strong consultation skills and ability to work collaboratively with others.
- Ability to perform well under stress and in emergency situations.
- Word processing and computer skills.

We encourage applications from individuals who will help us create a more inclusive Lawrence by: (1) further diversifying the staff; and/or (2) demonstrating experience with successful diversity-related counseling initiatives or research; and (3) showing interest in developing programs to address the mental health needs of a diverse student body.

See https://lawrencecareers.silkroad.com/lawrenceuniversity/About_Us.html for more information about Lawrence and its surrounding community, including the New North Regional Guide which lists resources that promote diversity in the community.

LIST OF APPLICATION MATERIALS:

Please submit resume, cover letter, and a statement on your experience related to addressing issues of diversity and inclusion in the field of mental health and ways that you could contribute to these efforts at Lawrence University.

EMPLOYMENT REQUIREMENTS:

Must have successful completion of criminal record check, driving record check (where applicable) and reference checks.

APPENDIX 1-2: Sample Diversity Questions

Commitment to Diversity Questions:

- 1) Why is diversity important?
- 2) How would you describe your current thinking about diversity and how has this evolved over time?

Performance or Experience Related to Diversity Questions:

- 1) How has your past work/educational experience prepared you for working with a diverse population?
- 2) Tell us about specific ways that you have demonstrated leadership or commitment to equity and inclusion.
- 3) What experiences have you had with recruiting, hiring, training, and/or supervising a diverse workforce?
- 4) Describe your experience in strategic planning related to diversity.
- 5) Have you ever realized that you made a sexist remark or said something discriminatory about someone belonging to a marginalized group? How did you respond to that realization and what was the outcome?
- 6) Can you describe a specific example from your past work experience in which you faced a challenging situation related to diversity and inclusion? How did you approach this situation? If you feel that you've learned a better way to approach the situation in the future, please elaborate.

Hypothetical Situation Questions:

- 1) If you were hired, in what ways would you use your position to enhance diversity at Lawrence University and make Lawrence a more inclusive place?
- 2) How would you handle a situation in which someone said or did something discriminatory against someone belonging to a marginalized group?
- 3) Interviewers could pose a situation or scenario involving issues of diversity and inclusion and then ask the applicant how they would respond to the situation.

Conducting Interviews Legally From United Educators

Do you know what interview questions you can legally ask a job candidate? What if the individual is pregnant, has a disability, or cannot work on specific days because of religious beliefs? This issue of *UE QUICK TIPS* provides a concise overview of federal laws on interviewing with particular focus on those with greatest complexity. It also discusses special concerns in the recruiting and hiring of faculty. A handy chart at the end summarizes the guide and covers some additional areas. Remember that this newsletter focuses only on federal laws. Be sure to check with an employment lawyer about state and local laws that may apply in your area.

Do not approach the hiring process with preconceptions about the personal characteristics of the ideal candidate. It is generally unlawful to consider only women, minorities, or native speakers of a language for positions. In well-intentioned but overzealous attempts to diversify, some institutions have committed reverse discrimination by excluding whole classes of people from consideration. Use the interview process to explore the talents that diverse individuals have to offer.

Disabilities

As a general rule, employers may not ask questions during job interviews that are likely to elicit information about a disability. It is best to begin with a job description that includes the essential functions of the position. Interview questions should focus on how a candidate would perform the job rather than whether the person has a disability. After an employer makes a job offer, it can ask more specific questions about a disability. However, the scope of questioning during the interview process is strictly limited, as these examples illustrate.

Don't Ask

- What is the nature of your disability and what limitations does it place on you? (if the disability is obvious)
- Do you have a disability? (if no disability is obvious)
- Do you need a reasonable accommodation to perform this job?
- Have you ever been injured on the job?
- Have you ever filed a workers' compensation claim?
- What medications are you currently taking?
- Have you ever been addicted to drugs or treated for drug addiction?

Okay to Ask

- How would you go about performing this job?
- Will you be able to perform all of the job assignments for this position in a safe manner?
- Can you meet the attendance requirements of this job?
- Do you have all of the licenses and certifications required for this job?

Sex and Family Matters

Because of a long history of discrimination against women in the workplace, Congress passed numerous laws that prohibit questions about sex, family status, or pregnancy during the interviewing process. Interviewers should not limit specific questions to male or female candidates only. For example, it is permissible to ask candidates if they are willing to travel for work, but it is illegal to put that question to female applicants only.

Don't Ask

- Are you married?
- How many children do you have?
- What is your child-care arrangement?
- Are you planning to start a family in the near future?
- Do you have a spouse who would need relocation assistance if you are offered this job?

Okay to Ask

- Do you anticipate any absences from work on a regular basis?
- Have you ever used a different last name?
- Do you have any responsibilities or commitments that will prevent you from meeting specified work schedules?

Age

While it is legitimate for an employer to consider job candidates' experience, the employer may not consider age unless there is a legal minimum, such as a position serving alcohol. Legal maximum ages, such as the one for commercial airline pilots, are very rare and seldom apply to educational institutions. In addition, be careful not to make stray comments in an interview such as "we are looking for new blood," which may suggest age bias.

Don't Ask

- What is your date of birth?
- What year did you graduate from high school or college?
- At what age do you plan to retire?

Okay to Ask

- If you were offered this position, could you establish that you meet the legal age minimum?
- How long do you intend to stay in the position you are seeking?

National Origin and Citizenship

An institution may not discriminate in hiring on the basis of national origin. However, it may ask whether a candidate is legally eligible to work in the United States. If English is not an applicant's first language, the institution may consider whether the individual speaks, understands, and reads English well enough to perform the position's essential functions.

Don't Ask

- Where were you born?
- What is the origin of your last name?
- What is your native language?
- Are you a U.S. citizen?

Okay to Ask

- If offered this position, could you provide verification of your right to work in the United States?
- Do you speak languages other than English that might be helpful in performing this job?

Tips for Interviewing Faculty and Coaches

- Many faculty and coaches are hired on fixed-term contracts renewable at the end of the academic year. Be careful not to make representations that a candidate could reasonably construe either as a promise that the contract will automatically be renewed or that the term of employment will be different from what is stated in the written contract.
- Avoid stereotypes about what kind of candidate is needed to fill a coaching or faculty position. For example, it is illegal to assume that a man could not coach a female athletic team or that a Spanish teacher needs to be of Spanish or Latino descent. Stick to questions based on the individual's ability to perform the job.
- In filling regular faculty positions, do not dismiss the qualifications of your own adjuncts and visiting faculty. Declining to give serious consideration to their candidacies can lead to problems. They may argue that the individual ultimately selected had less teaching experience or weaker qualifications. If differences such as gender, race, age, or disability exist, the unsuccessful adjunct or visitor may claim discrimination.

In conclusion, numerous laws regulate the interview process, but a little bit of guidance can go a long way. Remember that this guide covers only federal laws on interviewing, so be sure to check with an employment lawyer in your area about additional laws that may apply. For example, discrimination based on sexual orientation is not illegal under federal law but is prohibited by many states and localities. Overall, we hope these *Quick Tips* will help you avoid legal pitfalls and find the best candidates to fill positions at your institution.

Basic Interview Guidelines Under Federal Law

ITEM	AVOID	PERMISSIBLE
AGE	Age, birth certificate, date of high school or college graduation.	Whether candidate meets minimum or maximum age requirement that is a bona fide occupational qualification.
ALCOHOL OR DRUG USE	Whether candidate is an alcoholic or has been addicted to drugs in the past.	Whether candidate currently uses illegal drugs or has used illegal drugs in the past.
ARREST RECORD	Inquiries about arrests.	None (may have a disparate impact on certain minority groups).
CITIZENSHIP	Whether candidate is a U.S. citizen.	Whether candidate is legally eligible to work in the U.S.
CONVICTION RECORD	Inquiries relating to convictions that are not relevant to the job being applied for.	Convictions that reasonably relate to performing the job in question. Consider the nature and number of convictions, facts surrounding each offense, and length of time since the last conviction.
DISABILITIES	Questions designed to elicit information about a disability.	How candidate would perform the job and whether the candidate could perform the job with or without accommodation.
HEIGHT OR WEIGHT REQUIREMENTS	Height or weight requirements not related to job.	Height or weight requirements necessary for the job.
MARITAL AND FAMILY STATUS	Questions about marital status, childcare, number of children, or pregnancy.	Questions about whether candidate can meet work schedule. Ask all questions to candidates of both sexes.
NAME	Inquiries about national origin, ancestry, or prior marital status.	Whether candidate has ever worked under a different name.
NATIONAL ORIGIN	Lineage, ancestry, descent, native language, birthplace, and national origin of spouse or parents.	Whether candidate is legally eligible to work in the U.S. and can communicate well enough to perform the job's essential functions.
RACE OR COLOR	Complexion or color of skin.	None.
RELIGION	Religious preference or affiliation, except at religiously affiliated institutions when hiring faculty or ministerial positions that further the institution's religious mission.	Whether candidate can meet the work schedule with reasonable accommodation, if necessary.
SEX	Candidate's sex, where sex is not a bona fide occupational qualification.	Candidate's sex, where it is a bona fide occupational qualification, such as actor, actress, or locker room attendant.

Source: United Educators, *Guidelines for Interviewing Legally*

Additional Resources From United Educators:

Interview Guide for Supervisors, 5th Edition, edited by Mary Ann Wersch

This detailed guide is the most popular publication sold by the College and University Professional Association for Human Resources (CUPA-HR). It costs \$9 for members and \$16 for non-members. For more information, go to www.cupahr.org/HRpubs/details/intervw.htm.

“Legal Guidelines for Interviewing”

Boston College has provided a thorough eight-page chart for employees on what they may or may not ask during job interviews. For a copy of the chart, go to www.bc.edu/bc_org/hvp/e/job_fair/legal_guidelines_chart.html.

“Employees with Disabilities: A Plain English Guide to Rights and Responsibilities in the Education Workplace” by D. Frank Vinik

This guide includes an overview of the hiring process for individuals with disabilities including interviews, applicant testing, post-offer questions, and medical exams. United Educators members may download a free copy from the Members Only Library of the UE website at www.ue.org/membersonly/GetDocument.asp?id=384. The website gives instructions on how to register for the Members Only section.

“Update on Legal and Illegal Interview Questions,” by Art Bell

A well written-article with lots of practical advice by a faculty member at the University of San Francisco. To obtain a copy, go to www.usfca.edu/fac-staff/bell/article18.html.

We welcome your suggestions regarding issues you would like UE to address. Contact us at risk@ue.org. For more information about UE, its services, and its policies, please visit our website at www.ue.org.

The material appearing in this publication is presented for informational purposes only and should not be considered legal advice or used as such.

APPENDIX 1-4: Sample Candidate Evaluation Criteria

Selection Criteria - Staff Counselor Search 2017

Appropriateness of Application:

- Does the candidate have a Master's Degree or Doctoral Degree?
- Is the candidate licensed or eligible to be licensed within two years of hire?
- Submitted all required paperwork, including diversity statement?

Counseling Interests/ Experience:

- Experience and demonstrated competence in assessment of mental health and student developmental concerns.
- Experience and demonstrated competence in individual therapy with diverse populations including, but not limited to domestic and international students of color, LGBTQ+ students, first generation college students, students with disabilities, and students of various ethnicities, cultures, and religious backgrounds.
- Experience and demonstrated competence in group therapy with diverse populations including, but not limited to domestic and international students of color, LGBTQ+ students, first generation college students, students with disabilities, and students of various ethnicities, cultures, and religious backgrounds.
- Experience working with clients in crisis.
- Experience with positive psychology and strength based approaches to therapy.
- Using inclusive practices (that engages students/clients across difference and helps to ensure equitable outcomes regardless of background).
- Interest and experience working in collaboration with others across departments to achieve desired outcomes
- Experience working in college counseling settings
- Experience providing supervision to staff obtaining state licensure, interns or practicum students.
- Experience with providing outreach and training.
- Experience offering consultation to other professionals.

Diversity:

- Demonstrated experience working with diverse communities in either outreach or consultative efforts.
- Demonstrated experience contributing to diversity and inclusion efforts on campus and within communities.
- Demonstrated commitment to on-going education and personal development in regards to diversity and inclusion.
- Member of underrepresented group in the academy and/or personal history of lived experience dealing with diversity.

Interest in Lawrence University/Initiative to learn about Lawrence University:

- Do the application materials address the question: “Why Counseling at LU?”
- Does this person seem excited about the opportunity? Even if the candidate hasn’t had the opportunity to experience a liberal arts college environment specific experience, is there a sense of curiosity about it, or evidence that they have tried to learn more about it?

APPENDIX 1-5: Candidate Summary Report

Candidate Summary Form

Please complete the below form for each candidate that was interviewed in-person.
Please note that only one form per candidate is required and should be returned to Human Resources.

Candidate Name:	Position:	Date:
------------------------	------------------	--------------

Interview Panel:
Candidate Strengths:
Candidate Growth Opportunities:
<input type="checkbox"/> Recommend <input type="checkbox"/> Do Not Recommend Why or why not? Final Comments:

APPENDIX 1-6: Diversity Point Person Final Report

Report on [position], [month or academic term or year of search]

(For example: **Report on Counselor Search, summer 2017**)

[Name], Diversity Point Person

[Name], Hiring manager

1. Discuss the extent to which the search followed the PCDA guidelines and followed the search's initial plan for recruiting a diverse applicant pool. List various ways that the hiring manager and others took active steps throughout each part of the search to recruit a diverse staff. Particularly note specific steps that were productive in recruiting a pool of applicants who were diverse and committed to diversity and inclusion. If the hiring manager and others found additional ways to recruit a diverse applicant pool that were not listed on the PCDA guidelines, please include these approaches as well.
2. Using data from Human Resources, list:
 - a) The total number of applications in the initial applicant pool.
 - b) The percentages of these total applicants by gender identity and by ethnic identity.
 - c) The total number of applicants interviewed by phone/video/conference (i.e., semi-finalists).
 - d) The percentage of these semi-finalists by gender identity and by ethnic identity.
 - e) The total number of finalists (usually brought to campus for in-person interviews).
 - f) The percentage of these finalists by gender identity and by ethnic identity.

****Note:** Never list the names of any applicants when providing these percentages in terms of gender and ethnic identity.
3. Include any thoughts or ideas that you (as DPP), the hiring manager, or others involved in the search have about ways to improve staff hiring in terms of diversity.