

The University Senate of Michigan Technological University

Proposal 16-22 Amended 3-23-2022

(Voting Units: Senate)

“Institutional Compliance Standard Changes to Senate Procedure 804.1.1: Senate Search Procedures for University President”

Presented by: The Administrative Policy Committee, 3 Dec 2021

I. Introduction

Periodically University policies and procedures need to be updated to bring them into compliance with federal and state law.

II. Rationale

The changes that are requested to Senate procedure 804.1.1 are not substantive in nature, but are needed in order to meet federal and state compliance standards and the current policies and procedures of Human Resources and Institutional Equity.

II. Proposal

Revisions to the current policy are indicated below in blue and by strikethrough.

Revisions Requested from HR and IE: Senate Search Procedures for University President

Senate Procedures 804.1.1

The search for a University President is conducted under the oversight and supervision of the Board of Trustees. The Board may modify the following procedure as necessary.

1.0 Initiation

1.1 The Board of Trustees will initiate the search for a President. The Board of Trustees may designate an individual(s) to act as Search Initiator in organizing the Search Committee.

2.0 Formation of the Search Committee

2.1 The Search Committee will consist of sixteen members: *(This is a CHART in the policy)*

Constituency Elector # Representatives - Faculty University Senate 4, Professional Staff University Senate 1, Department Chairs 1, Deans 1, Staff Council 2, Graduate Students GSC 1, Undergraduate Students USG 1, At-large Board of Trustees 4, University Senate President 1, --- 16 TOTAL

2.2 Faculty Representatives: The President of the University Senate will serve on the Search Committee. The Search Initiator will ask the Senate to elect four other faculty representatives to the Search Committee. The representatives must be tenured or tenure-track faculty. One representative must be from the College of Engineering, one from the College of Sciences and Arts, and one from outside of the two colleges. One additional at-large representative will be elected. The Senate should consider the value of a diversity of backgrounds, experiences, and viewpoints among those it elects. Nominees, including self-nominees, should be solicited from the entire faculty with an open call for nominations. The election should be conducted so that each member of the Search Committee is elected by a majority vote of a quorum of the Senate.

2.3 Professional Staff Representative: The Search Initiator will ask the Senate to elect one representative to the Search Committee from the professional staff. Nominees, including self-nominees, should be solicited from the entire Senate constituency of professional staff with an open call for nominations. The election should be conducted so that the representative is elected by a majority vote of a quorum of the Senate.

2.4 Student Representatives: The Initiator will ask the Undergraduate Student Government and the Graduate Student Council each to elect one Committee representative and one alternate.

2.5 Staff Representative: The Initiator will ask the Staff Council to select two staff members to serve on the Search Committee.

2.6 Department Chair Representative: The Initiator will ask the department Chairs to select one of their number to serve on the Committee.

2.7 Dean Representative: The Initiator will ask the Deans of colleges to select one of their number to serve on the Committee.

2.8 At-large Representatives: The Board of Trustees will select four individuals to serve on the Committee. The Search Initiator may be one of these individuals.

2.9 The Initiator will ask Human Resources and Institutional Equity to designate a representative to serve without a vote.

2.10 A list of the names of Committee members will be posted electronically, and will be submitted for publication in Tech Today and The Lode.

2.11 All procedures must comply with applicable University policies, procedures, and Human Resources and Institutional Equity practices to ensure equal opportunity to all candidates.

2.12 No committee member can be under consideration as a candidate.

2.13 Full and open disclosure of potential conflicts of interest concerning committee members and/or applicants is expected. See Board of Trustees Conflict of Interest policy 4.7.

2.14 All Search Committee members are responsible for signing the search confidentiality statement before the committee begins any work.

3.0 Meetings

3.1 The first meeting of the Committee may be called as soon as at least a three-fourths majority of Committee members have been named.

3.2 The Initiator will call the first meeting of the Committee, and will deliver the charge to the Committee. The Initiator will relate the guidelines for the search process including staffing and the budget for advertising and interviewing.

3.3 The Initiator will supervise the election of a chair and associate chair by written ballot, in closed session, at the first meeting. During the first meeting the Committee and the Initiator will specify the responsibilities of these individuals. It will be the responsibility of the chair regularly to inform the Board of the progress of the search.

3.4 The Initiator and the Committee will agree on a target date for selection of the candidate and on other timelines of the search.

3.5 The **Institutional Equity** ~~Affirmative Action~~ Officer and the Human Resources representative or other designated persons will provide an orientation for the Search Committee at the outset of the search, **and will ensure all search committee members have completed the required training**, and will be available thereafter for any needed consultation. The Committee should discuss the legal issues involved in record keeping and be informed of their legal responsibilities and liabilities. **As of the writing of this procedure, notes must be kept for three years. Notes must be relinquished to Human Resources at the end of the search. Human Resources will retain all information for the length of time required to ensure compliance with relevant State and Federal laws and University policies.**

3.6 The representative from Human Resources will assist the Committee with its tasks of organizing paperwork, documenting activities, advertising the position, and following guidelines for the search and screening processes.

3.7 Searches will proceed under the principle of openness. Committee meetings will be open to members of the University community unless a closed meeting is necessary to maintain confidentiality.

3.8 The Search Committee should expedite the search process by forming working subcommittees for appropriate tasks.

4.0 Goals

4.1 In order to select appropriate candidates, the Search Committee must consider the University's published goals, mission, and vision.

5.0 Position description and list of qualifications and attributes

5.1 The Search Committee, with input from the Initiator, from Human Resources, from appropriate administrators, and from the Institutional Equity Office, will draft a position description (e.g., required qualifications, duties, essential functions of the job, expected achievements, etc.) that is consonant with published goals.

5.3 The draft position description will be sent via email or otherwise to all faculty and staff, and will be posted electronically. Faculty, staff, and students will be invited to send comments to the Committee. The Committee will hold an open meeting of faculty, staff, and students to discuss the position description and the list of required qualifications and desired essential functions and attributes.

5.4 The Committee will consider the comments, and then write a final description, subject to approval by the Board of Trustees. The final version will be posted electronically and submitted for publication in Tech Today and The Lode. It will also be sent to all applicants.

6.0 Mechanism for identifying candidates

6.1 At the discretion of the Board of Trustees, the search may be conducted using the services of a search firm or consultants. Human Resources, Institutional Equity, and the Search Committee will direct the efforts of the firm or consultants.

6.2 To ensure a diverse, well-qualified applicant pool that meets EEO requirements, the Committee should solicit applicants according to procedures established by and work with the Institutional Equity Officer.

6.3 In the case of an open search, the position will be advertised in appropriate professional journals and publications. Faculty and staff should be invited to nominate both internal and external candidates. Faculty and staff should be encouraged to contact colleagues and to send them position advertisements.

6.4 The Committee will screen applicants according to its published required qualifications. If an applicant appears to be a strong contender for the position, the Committee will check applicant information (e.g., degrees, positions held) and solicit references. When reference letters are requested by the Committee, the reference will be informed that their letters will be available to the University community (see 8.2 below).

6.5 Within time and budgetary constraints, the Committee may schedule and hold screening interviews with a select pool of qualified candidates (usually less than 10). The identity of those interviewed will be held in confidence, to the extent permitted by law.

6.6 As the search progresses, deviations from the budgetary guidelines must be approved by the Initiator.

6.7 Prior to interviewing applicants. The Committee may publish electronically or otherwise publish a summary statistical profile of the pool of applicants, including total number, level of experience, academic background, diversity of the applicant pool (where identified by the applicant), and fields of academic specialization.

7.0 Semifinalist candidates

7.1 The Committee, after reviewing vitae, reference letters, other relevant material, the results of any screening interviews, and the advice of the Institutional Equity Officer, will produce a short list of qualified candidates. These candidates will be invited for on-campus interviews; they become semifinalists on acceptance of an interview.

7.2 For semifinalists the Committee will obtain independent assessments from references not listed by these candidates. The Committee should solicit faculty and staff help for identifying appropriate references.

8.0 Interview process

8.1 A short vita of each semifinalist candidate will be sent via email or otherwise to all faculty and staff of the University at least two work days prior to the campus visit. A full resume will be made available in the Human Resources Office for examination by all faculty, staff, and students of the University.

8.2 Any reference letters for semifinalists will be made accessible in the Office of Human Resources for reading by faculty, staff, and students. These letters may not be copied, and their content may not be made public in any way. Each candidate and reference must be informed of the accessibility of the letters.

8.3 The interview process will include, among other assessments, the response to a hypothetical job situation that reveals how the candidate approaches problem-solving, decision making, and ethics.

8.4 For on-campus interviews, the Committee will arrange and publicize a variety of opportunities, including at least two open forums, for faculty, staff, and students to meet and talk with each candidate.

8.5 The Search Committee will make appointments for the candidate to meet the Provost, the Department Chairs, the Deans of Colleges ~~and schools~~, the Human Resources Director, and other appropriate personnel. The Committee will inquire whether the Board of Trustees wishes an interview with any semifinalist.

8.6 The Committee will invite to a separate meeting with the candidate, all faculty of the department in which the candidate would be tenured.

8.7 Faculty, staff, and students will be invited to provide oral and/or written feedback to the Committee on the entire slate of semifinalist candidates, based on the published

position description, qualifications and attributes. The Committee will share these comments with the Initiator **only, consistent with Board of Trustees policy 4.10.**

9.0 Selecting the final candidate

9.1 Selection of the final candidate(s) will begin only after the semifinalist interview process for all candidates is complete.

9.2 After considering the feedback from the University community, the Committee will develop in closed session a ~~ranked~~ list of the acceptable **final** candidates from the list of semifinalists. The list should be accompanied by statements, based on the published **job requirements—**criteria, supporting, comparing, and contrasting the listed candidates.

9.3 The Committee will inquire whether the Board of Trustees or a subcommittee of the Board wishes to interview these acceptable candidates.

9.4 At the Board's discretion, the **Search** Committee and the Board of Trustees (**or a subcommittee of the Board of Trustees**), will meet and review its list of final candidates. If the Board of Trustees **is** unable to proceed based on the list of candidates provided, the Board of Trustees may choose to reopen the search for additional candidates or fail the search and restart the process. **The search procedures outlined here will govern the reopened search.** Prior to making a final offer, reasons for non-selection based on the required and/or desired qualifications listed in the job description must be reviewed by Institutional Equity for the candidates not recommended for hire. Human Resources will confirm that reference checks were conducted and that all approvals were received before approving the hiring documentation.

9.5 The Board of Trustees reserves the right to select and negotiate with the final candidate(s). The ultimate job offer will be conveyed from the Board of Trustees to the candidate.

10.0 Negotiating salary and tenure

10.1 The Board of Trustees will undertake the final salary and position negotiations with the chosen candidate(s). Should negotiations be unsuccessful, the Board may meet with the Committee to reach a consensual decision on the selection of the new finalist(s) from the list of semifinalists.

10.2 An explicit part of the negotiation should be the nine-month salary as a tenured faculty member should the candidate resign as President and assume a regular faculty position at the University.

11.0 Closure

The Search Committee should inform the Senate of any changes it deems necessary in the search procedure.