

Search Committee Training: Equal Employment Opportunity

Human Resources Department

EDITION

August, 2016

Thank you for participating in our District recruitment process. This training module is required to participate on a search committee.

As you proceed through this training, keep in mind that:



The objective of our employment process is to provide for a fair and equitable system which employs qualified staff.



Successful searches begin with successful search committee members trained, dedicated and experienced individuals.



Search committees succeed when they build *highly qualified, diverse* applicant pools.



Highly qualified, diverse applicant pools lead to the *potential for outstanding hires* which, in turn are natural recruitment vehicles for future searches as well as natural vehicles for attracting and supporting a diverse student population.

EEO Training is Required

There are 4 key areas on which all search committee members must receive training in order to ensure that they are complying with Federal and State laws dealing with Equal Employment Opportunity (EEO).

Title 5 of the California Code mandates that employees who participate on search committees shall receive training on:

- I. Understanding Federal and State Laws
- II. Understanding the benefits of workforce diversity
- III. Eliminating bias in hiring decisions; and
- IV. Implementing best practices in serving on a search committee

Part I – Understand Federal & State Laws

The legal protections cover two sides of the same coin: nondiscrimination laws prohibit discrimination and EEO laws promote inclusion.

Federal and State Laws both prohibit discrimination based on many factors including:

RACE
ETHNICITY
RELIGION
GENDER
SEXUAL ORIENTATION



PREGNANCY
NATIONAL ORIGIN
AGE
PHYSICAL DISABILITY
MENTAL DISABILITY

Laws Preventing Discrimination

The Federal Laws that were written to prohibit discrimination include:

- > <u>Title VII of the Civil Rights Act of 1964</u> which prohibits discrimination on the basis of race, color, religion, sex, pregnancy, or national origin.
- ➤ the <u>Age Discrimination Act of 1975</u> which prohibits discrimination on the basis of age, (age 40+); and
- the <u>Americans With Disabilities Act of 1990</u> which prohibits discrimination against the disabled.



These laws are all enforced by the Equal Employment Opportunity Commission.

The State Laws prohibiting discrimination include:

- California Government Code Sec. 11135 through 11139.5 which prohibits discrimination against any person or denial of benefits on the basis of ethnic group identification, religion, age, sex, color or physical handicap or mental disability.
- California Fair Employment & Housing Act, Calif. Government Code 12900, et seq., which prohibits discrimination in employment on the basis of race, gender, gender identity, gender expression, religious creed, color, national origin, ancestry, physical handicap, medical condition, genetic information, marital status, sex, age (40+), and pregnancy, and
- California Labor Code 1102.1 which prohibits discrimination or different treatment in any aspect of employment or opportunity for employment based on actual or perceived sexual orientation.



The State laws are enforced by the California Department of Fair Employment and Housing.

Laws Promoting Inclusion

California's Education Code, Title 5, has established several requirements for inclusionary recruitment practices. These include:

1. Each community college district shall adopt a written EEO plan and review it every three years. Our District plan was approved by the Board of Trustees and is available on the District website. The Plan includes our goals and objectives for ensuring equal employment opportunity, steps and procedures we take in support of this aim, and plan for measurement to evaluate our progress.

Equal Employment Opportunity Plan - Updated June 2014

- 2. Each district is also required to set up an advisory committee to assist in implementation of the EEO Plan. Our EEO Diversity Advisory Council meets on a quarterly basis, and includes representatives of faculty, staff and administrators, from both colleges and the District.
- 3. Districts are required to regularly collect data on its workforce demographics as well as applicants in order to evaluate the implementation of its EEO plan. Where this analysis shows significant under-representation, then districts are expected to implement additional measures to support diversity and ensure equal employment opportunity. Ultimately, establishing and maintaining a richly diverse workforce is an ongoing process that requires continued institutionalized effort.

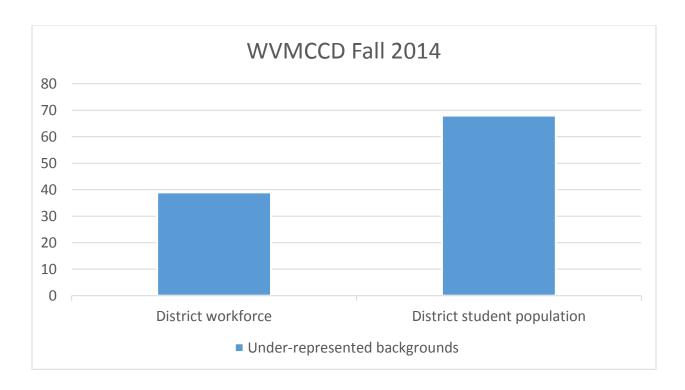
Our District supports equal employment opportunity and promoting a diverse workforce. The Board of Trustees have set the following board policies that require that our recruiting & employment practices to be inclusionary rather than exclusionary:

- BP 3420 states our commitment to Equal Employment Opportunity; and
- BP 7100 states the District's commitment to Diversity.

Part II - Understand the Benefits of Workforce Diversity



Research has identified that students from under-represented backgrounds do better academically when the academic environment includes diverse faculty and staff representation. It is important that students have opportunities for role models that they can identify with.



Looking at our most recent student and employee demographic profiles, the Fall 2014 race & ethnicity demography shows 39% of our employee workforce represent traditionally under-represented backgrounds as compared to 68% of our student population. Thus, we see opportunities to enhance the diversity of our workforce to better resemble our diverse student population.

A diverse workforce:

- expands worldliness
- enhances social development
- prepares students for future career success
- prepares students for work in a global society
- promotes creative thinking
- enhances self-awareness
- enriches multiple perspectives developed within a general education



Part III - Eliminate Bias in Hiring

The purpose of Part 3 of the EEO training is to understand how to eliminate bias in hiring decisions. While the authority is given to HR to ensure fair hiring practices, it is your responsibility to recognize potential biases or conflicts of interest, and to report these to HR. A conflict of interest exists when relatives, close personal friends, or a dislike of someone so compelling that you cannot remain fair or impartial. Not revealing a conflict of interest could lead to a complaint of an unfair hiring practice.

Many of our procedures are constructed with aim to eliminate or reduce bias in the hiring process. We require that search committees be comprised of diverse representation, in consultation with Academic and/or Classified Senates.

We require that evaluative screening criteria be developed before viewing applications so that criteria cannot be formed with a bias towards any applicant over another. Screening criteria should focus on the education, knowledge and abilities required for the position. Committee members should evaluate applications on the basis of these criteria fairly and consistently; and ONLY on the basis of the application and NOT any other information. Committee members evaluate the applications individually and not as a group.

Candidates are selected for interview based upon the committee's composite evaluative scores from the application review; in which the committee establishes a cut-off that offers the broadest candidate pool to consider.

Interview questions should focus on results rather than experience. Avoid questions that favor some candidates over others. It is unlawful to ask about any aspect of a candidate's background that is a protected class. Should a candidate disclose this information, the committee should redirect the candidate, and do NOT make any note of this information. For candidates with disabilities, it is unlawful to ask an applicant questions about his/her disability before a job offer is

made. Even if the committee becomes aware of an applicant's disability during the hiring process, the committee may <u>not</u> ask about its nature or severity. These questions can only be asked by HR <u>after</u> a conditional job offer. DO NOT make a note or write down any information relating to a perceived or disclosed disability.



Throughout the recruitment and selection process, provide all candidates equal opportunities.

Part IV - Best Practices in Serving on Search Committees



The final component of EEO training is the implementation of Best Practices to ensure fair, impartial hiring practices and to build a rich, diverse workforce.

Committee chairs should ensure that all committee members have received adequate training. HR can offer additional training resources, including in-person training on a range of topics surrounding recruitment & hiring.



At the outset, committees should develop a timeline for every recruitment and block off time in your calendars so that you can adhere to your

timeline as the recruitment progresses. Also, think from the viewpoint of a potential candidate and optimize your timeline to attract and retain a rich and diverse applicant pool.

Recruit broadly; develop a diverse and inclusive outreach strategy for your recruitment. And involve as many people as possible in your recruitment efforts. Word of mouth and professional networks often are critical sources for building an applicant pool.

When it comes to selecting applicants to interview, invite the broadest pool possible for interviews. The purpose of the search committee is to forward 3-5 candidates to the hiring manager for consideration. Interviewing the most candidates as possible is best strategy to accomplish this.

Finally, continue to dialogue on topics of diversity and bias. This enhances your knowledge and self-awareness, which will continue to contribute to your efficacy in the recruitment process.

Maintain the Integrity of the Hiring Process

If you become aware of acts that violate confidentiality, fairness, or equal opportunity immediately notify:

Sean McGowan
HR Recruitment Specialist
(408) 741-2174
sean.mcgowan@wvm.edu

or

Albert M. Moore
Associate Vice Chancellor of HR
and EEO Officer
(408) 741-2060
albert.moore@wvm.edu



Thank you for completing this training. You are now empowered to participate on a search committee.

You will be required to sign a declaration which states that you understand and accept your responsibilities related to confidentiality and conflicts of interest.

Should you have questions about this training or at any time during a recruitment process, please do not hesitate to contact HR.

Your committee chair will distribute to you a confidentiality form to sign and submit.



Community College District



 _[POSITION TITLE] Search Committee
College

Participation, Training & Confidentiality Agreement

As a member of the Search Committee, I act on behalf of the Board of Trustees as an agent of the District, and in this capacity I am subject to all related State and Federal laws and regulations (Title 5, Section 53020). This includes the selection process.

By my signature below, I acknowledge that I have received, read and understand the **required** *Search Committee Training: Equal Employment Opportunity* guide. I agree to abide by the requirements, expectations and recommendations reviewed in this guide, including: federal, state and local regulations governing equal employment opportunity; the benefits of workforce diversity; and best recruitment and selection practices while striving to eliminate any bias in the selection process.

The process is a CONFIDENTIAL process.

I agree not to reveal, during or after the search, the names of any candidates, except the finalists. I may not discuss information about applicants or the Committee's findings and recommendations with anyone outside the Committee. Such discussions shall be confined to Committee activities. Further, I agree, as a member of the Committee, that we will ensure impartial, ethical and respectful treatment of candidates, including internal candidates, and that decisions are reached based upon complete and accurate information.

I acknowledge that Committee members may be excused from the Committee by the Committee chair for failure to follow the above or to attend sufficient meetings, as determined by the chair. In order to participate in the decision-making process for forwarding finalist candidates to the hiring manager, I must attend all first-level interviews.

Committee Member Signature	Date	
Committee Member Printed Name		

Ryan Ng

From: Paul Williams

Sent: Monday, February 05, 2018 12:13 PM **To:** all_WVC_users; All_Mission_users

Subject: Screening Committee Training Notification

Follow Up Flag: Follow up Flag Status: Flagged



Screening Committee Training

Hiring the Best While Developing Diversity in the Workplace: Legal Requirements and Best Practices for Screening Committees.

Dear Colleagues,

The District will offer mandatory Screening Committee Training on March 1, 2018 (1-4pm WVC Baltic Room) and March 2, 2018 (9-12noon MC Gillmor).

Who is required to attend?

Attendance is mandatory for Managers, Supervisors, and any District staff **before** serving on a screening (hiring) committee. Completion of this training should take place before the screening process begins and before the initial meeting of the committee. Please note this training **is required** by the District's EEO Plan and the law (California Code of Regulations, Title 5) before one may serve on a District screening committee.

Successful completion of this training will qualify employees to serve, where applicable, on a screening committee for the next (2) years from the date of completion in the capacity of a committee chairperson or general committee member.

Key Agenda Items:

- -Screening Committee Overview
- -Diversity: The Spirit and Letter of the Law
- -Promoting Diversity & Inclusion

Presenter: Laura Schulkind

Click here to read her bio: https://www.lcwlegal.com/our-people/laura-schulkind

Scheduled Sessions:

Option A: Thursday, March 1st from 1-4pm WVC Baltic Room

Option B: Friday, March 2nd from 9-12n MC Gillmor

Click here to register (Microsoft sign and Banner ID required):

https://forms.office.com/Pages/ResponsePage.aspx?id=iuGPAuNTGkqSmD2pznHsk1k271a D6VFkiVC2ZIVBFJUNDNMTT RYRkdGUklxQzhDRlJUV0dGR0o5WS4u

If you attended the screening committee training last April 2017, you do not need to complete this training. If you would like to attend, however, you are free to do so.

Please let me know if you any questions. Please forward all request to cancel and reschedule to paul.williams@wvm.edu

Thanks,

Paul A. Williams
Director, Compliance, Training, and Employee Relations
Human Resources Department
West Valley-Mission Community College District
14000 Fruitvale Avenue
Saratoga, CA 95070
(408) 741-2194
Paul.williams@wvm.edu

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AGENDA

- 1. Training Requirements
- 2. Diversity: The Letter. . .and Spirit of the Law
- 3. The Role of Hiring Committees in Promoting Diversity & Inclusion
- 4. Elimination of Bias in Decision Making
- 5. Crafting Questions that Get the Information You Seek

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EEO PLAN REQUIREMENTS

- Training for:
 - Participants on screening or selection committees
 - Anyone involved in recruitment efforts

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What Training is Required? All screening committee members On all of the following: Law & regulations regarding nondiscrimination the educational benefits of workforce diversity the elimination of bias in hiring decisions best practices for selection/screening committees No time or frequency requirements

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PROMOTING DIVERSITY:
THE LETTER AND THE SPIRIT
OF THE LAW

FEDERAL/STATE ANTI-DISCRIMINATION LAWS

- Overview:
 - Prohibition against employment discrimination isn't new
 - What constitutes unlawful discrimination has changed
 - . . . but
 - Expectations have not changed

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FEDERAL/STATE ANTI- DISCRIMINATION LAWS
 Title VII Fair Employment and Housing Act (FEHA) Title IX ADA ADEA

FEDERAL/STATE ANTI-DISCRIMINATION LAWS

- Employment Discrimination Includes:
 - Refusal to hire*
 - Rejection from training program
 - Discharge from employment/training program
 - Any decision affecting compensation, terms, conditions, privileges
 - . . . If based on a protected status

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FEDERAL/STATE ANTI-DISCRIMINATION LAWS

- No Discrimination On Basis Of:
 - Sex/Gender (gender identity/gender expression)
 - Genetic Information
 - Race
 - Religious Creed
 - Color
 - National Origin
 - Ancestry
 - Physical/Mental Disability, Medical Condition
 - Marital Status
 - Age
 - Sexual Orientation
 - Military and Veteran Status

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THE HIRING CHALLENGE Proposition 209* - Prohibits 'preferential treatment' on basis of: - Race - Ser - Councilly - National Origin - In Public: - Engoyment - Education - Contracting **Cal. Const. Art. 1, Sec. 31 ICNY Insert Coston Winthood THE HIRING CHALLENGE Prop 209: Legislative Response - Funding contingent on: "Each district employer shalf commit to sustained action to devise recruiting; training and advancement opportunities that will result in equal employment opportunities" **EC 87101(c) EEO IN CALIFORNIA - Academic & Administrative Applicants Must Demonstrate: "sensitivity to and understanding of the diverse academic, socioeconomic, cultural, and ethnic backgrounds of community college students." *EC 87360	•	
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EEO IN CALIFORNIA
tate Regulations:*
- Multi-step process to promote diversity
- Includes mandated training for hiring committees
*Title 5, Section 51010, et seq.
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13 LCW LIEBERT CASSIDY WHITMORE
IT'S NOT JUST THE LAW
Why Does Diversity Matter to CCDs?
Core mission: Source California's diverse community of learners.
Serve California's diverse community of learnersPrepare all students for success in a global
society
Core belief that a diverse staff creates:
Better serviceStronger community
0

Workforce Diversity is a
CCD Imperative

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THE HIRING CHALLENGE

3 Principles for Lawful EEO Hiring:

- 1) Protected status of candidates is never a factor
- 2) Infusing a commitment to diversity into the hiring process **does not** involve lowering standards
- Infusing a commitment to diversity into the hiring process does involve assessing candidates against job-related criteria, including:
 - > Eliminating irrational (i.e. not job-related) barriers
 - > Expanding/updating what you consider to be job related

16

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THE ROLE OF HIRING COMMITTEES IN PROMOTING DIVERSITY

DIVERSITY IN THE HIRING PROCESS

The Big Picture: Key Steps Precede Application Review

- Remove access barriers from job descriptions/qualifications
- · Include job-related criteria that enhance diversity
- Use recruitment strategies to create diverse, qualified applicant pool
- Implement procedures designed to eliminate bias in the decision-making process

18

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ROLE OF SELECTION COMMITTEES

 Identify the most qualified candidates to recommend forward to next level

19

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COMMITTEE FORMATION

- Diverse to the extent possible
- · Committee must be trained
- Don't Participate If:
 - Can't fairly and objectively evaluate candidates
 - Relative by blood, marriage, adoption
 - Provided recommendation for an applicant
 - Can't give full attention/attend all meetings
 - Appearance of bias to a reasonable person

20

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COMMITTEE FORMATION UPDATE

- Committee should be diverse to the extent possible
 - CCCCO: Colleges may require race and gender diverse committees
 - Risks: May expose districts to discrimination claims
- Strategies:
 - Add rather than subtract members to achieve diversity
 - Screening committees may be reorganized to increase diversity

21

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COMMITTEE PROCESS — ROLES & RESPONSIBILITIES

- · Review job announcement/job description
 - This is your touchstone!
- · Develop forms and procedures
 - Paper screening criteria/process to select interviewees
 - Interview questions
 - Demonstration component (if applicable)
 - Rating form/process
 - Model answers

Practice tip: Make sure you are rating what you intend the question to measure

22

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COMMITTEE PROCESS — BEST PRACTICES

- Protect integrity and credibility of process
 - Assess all candidates using same criteria and measures
 - Don't bring "outside knowledge" into the interview process
 - Leave reference checks to H.R.
 - May provide expertise/concerns in fashioning reference check
 - Maintain confidentiality
 - Attend all meetings

23

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SCREENING PROCESS — BEST PRACTICES

- Neutral
- Objective
- Meaningful consideration of "sensitivity to diversity"
- · Job-related criteria only
- Do it right the first time!
- Monitor processes

24

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SCREENING PROCESS — **BEST PRACTICES**

- Collaborate with H.R. throughout process
 - Title 5 compliance
 - Anti-discrimination laws and rules
 - Elimination of bias

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SCREENING PROCESS -**UPDATE**

- · Role of demographic data
 - CCCCO: Committee may be provided race and gender data re: workforce and department
 - Risks: Hiring becomes suspect
- Strategies
 - Provide demographic data when it is not tied to a specific search
 - Consult with legal counsel before providing demographic data to a search committee in connection with a specific search

THE INTERVIEW— **BEST PRACTICES**

- Establish ground rules and follow them
 - Introductions
 - Prepared questions
 - Follow-up?

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THE INTERVIEW—BEST PRACTICES • Create proper environment - Comfortable - Quiet - Private - Welcoming • Listen • Remember <u>you</u> are being interviewed

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Elimination of Bias in Decision Making

ELIMINATION OF BIAS IN SELECTION PROCESS

- Cultural Competence/Cultural Humility:
 - Recognize own biases and stereotypes, and
 - Discount own biases and stereotypes
 - So you are able to appreciate content of contributions, and
 - Facilitate productive outcomes that enable effective work in cross-cultural situations

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UNCONSCIOUS BIAS - WHAT IS In the hiring context: - Confirmation bias The tendency to hear information in a manner that confirms what we already believe - Availability bias • The tendency to value most what we heard most recently - Affinity Bias • The tendency to prefer those that remind us of ourselves ADDRESSING UNCONSCIOUS BIAS: **BEWARE THE "GOOD FIT" MYTH** · Selection involves less tangible/measurable KSAs that are inherently subjective For example: - Ability to work collaboratively - Ability to work with those already in a department Leadership LCW LIEBERT CASSIDY WHIT **ADDRESSING UNCONSCIOUS BIAS: BEWARE THE "GOOD FIT" MYTHS** Looking for a "good fit": · Inherently subjective & vulnerable to cultural bias - We're all products of our backgrounds and socialization - Who we are shapes how we perceive others-we all have preferences and biases - "Homophilly" -- natural attraction to perceived

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similarities

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ADDRESSING UNCONSCIOUS BIAS: BEWARE THE "GOOD FIT" MYTHS

Myth #1:

Whether a candidate resonates with me on a personal level provides a reliable predictor of whether the candidate will do a good job.

Myth #2:

How someone performs in an interview setting provides a reliable predictor of how that person will interact with me in the work setting.

34

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ADDRESSING UNCONSCIOUS BIAS: BEWARE THE "GOOD FIT" MYTHS

- · What "fit" is:
 - Demonstrated support for institutional values
 - Desired leadership style for the times
- · What "fit" isn't:
 - Someone who I can "relate" to personally
 - Someone who looks like me

35

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ADDRESSING UNCONSCIOUS BIAS

At the personal level:

- Continually monitor your reaction to the candidates
- · Ask yourself:
 - What is the basis for my positive/negative reaction?
 - Is my reaction grounded in the content of the candidate's performance?
 - Am I reacting to what this [question/exercise] was intended to measure?
 - Is my reaction disproportionate to the response?
 - Is my reaction consistent with my reaction to similar responses from other candidates?

36

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ADDRESSING UNCONSCIOUS BIAS

At the structural level:

 Consider as a committee whether there are decision points where bias can be "interrupted"

Example:

Do you need to know the names/genders of candidates at the screening stage? What would happen if you did not?

37

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STRATEGIES FOR "INTERRUPTING" UNCONSCIOUS BIAS

- · Create inclusive job descriptions
- Remove identifying information (name, address, racial/cultural identifiers) from applications
- Identify desirable interview answers ahead of the interview
- · Utilize a structured hiring process
- · Utilize skill based testing
- · Conduct anonymous/blind interviews
- · Have members explain low scores

38

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EXERCISE

"FIRST IMPRESSIONS"

- · Sit with someone you do not know
- · You have 3 minutes
- List as many things as you can that you have in common

39

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CRAFTING QUESTIONS

ASKING QUESTIONS: THE BASICS

- 1. Use the job description/announcement as your source document
- 2. Decide what you want to learn
 - For example:
 - · Does the candidate meet minimum quals.?
 - Does the candidate possess any of the preferred quals.?
 - Does the candidate have an engaging teaching style?
 Does the candidate have deep knowledge in his/her field?
- Decide the stage of the process/method best suited to deliver that
- Decide the stage of the process/method best suited to deliver the information
 - Review documentation
- Answers to written questions?
- Response to interview questions?
- Demonstration?
- 4. Write the questions/design the demonstration

41

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MAKING THE MOST OF THE INTERVIEW

Developing appropriate and useful questions

1. Look at the job description:

What do you want the successful candidate to do?

- > What courses must candidate be qualified to teach?
- > What students will candidate serve?
- What professional activities will candidate engage in?
- What current knowledge skills and abilities are relevant to the position?

42

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MAKING THE MOST OF THE INTERVIEW Developing appropriate and useful questions 2. Craft Questions: • Give meaningful consideration to candidates' "sensitivity to diversity" • Give candidates opportunity to highlight job-related KSAs that: > Reflect current/recent developments in the field > Show a global perspective > Show other KSAs that will provide an opportunity for non-traditional candidates to show they are highly qualified

MAKING THE MOST OF THE INTERVIEW

Developing appropriate and useful questions

- 2. Craft Questions (con't):
- No questions—direct or indirect—about protected status
- · May you ask:
 - "I don't see when you graduated on your resume, when did you graduate?"
 - Visibly disabled candidate for details about nature of disability?
- Assuming a legitimate, job related concern, what could you ask?

44

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MAKING THE MOST OF THE INTERVIEW

- Use different question formats for different purposes
 - ➤ Direct questions → for comparison
 - ➤ Open-ended questions → to understand candidate's depth of knowledge, skills & abilitites
 - ightharpoonup Hypothetical questions ightarrow for creativity & problem-solving
- Plan ahead how committee will evaluate answers
- As a committee, outline the components of an excellent answer
- Consider effect of the rating process on what you value

45

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Infuse diversity commitment into hiring process by giving candidates the opportunity to highlight current and/or global knowledge --Exercise: The Direct Question-Develop 1 question for position of your choice that: > Assesses a job-related attribute that gives consideration to current, updated, global or other KSAs; and > Allows you to compare candidates on something measurable.

MAKING THE MOST OF THE INTERVIEW

Infuse diversity commitment into hiring process by giving candidates the opportunity to highlight current, updated and/or global knowledge

-- Exercise: The Open Ended Question--

Develop 1 question for position of your choice that:

- Assesses a job-related attribute that gives consideration to modern, updated, global or other KSAs; and
- Gives you insight into candidate's (job related) depth of knowledge, skills and abilities.

47

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MAKING THE MOST OF THE INTERVIEW

Infuse diversity commitment into hiring process by conducting meaningful inquiry into candidates' sensitivity to diversity

-- Exercise: The Hypothetical Question--

Develop 1 question for position of your choice that:

- Assesses the candidate's sensitivity to the diversity of community college students; and
- Gives you insight into the candidates (job related) creativity and/or problem-solving skills

48

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