

**Policy 2101  
Faculty Selection and Hiring Procedures**

**Date of Current Revision: August 2015**

**Primary Responsible Officer: Provost and Senior Vice President for Academic Affairs**

**Secondary Responsible Officer: Director, Office of Equal Opportunity; Director, Human Resources**

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## **1. PURPOSE**

This policy has been developed in accordance with state and federal law to provide uniformity in the selection and hiring process for faculty members. Compliance is required for all faculty hires, unless otherwise specified herein.

## **2. AUTHORITY**

The Board of Visitors has been authorized by the Commonwealth of Virginia to govern James Madison University. See Code of Virginia section 23-164.6; 23-9.2:3. The board has delegated the authority to manage the university to the president.

### **FEDERAL AND STATE REGULATIONS**

Title VII of the Civil Rights Act of 1964, as amended; Title IX of the 1972 Education Amendments Act; Section 503 and 504 of the Rehabilitation Act of 1973; the Age Discrimination in Employment Act of 1967; the Americans with Disabilities Act Amendments Act of 2008; Section 402 of the Vietnam Era Veteran's Readjustment Assistance Act of 1974; and relevant Executive Orders of the Commonwealth of Virginia.

## **3. DEFINITIONS**

### **Administrative and Professional Faculty (A&P)**

Administrative faculty and professional faculty are normally referred to collectively, as both require advanced learning acquired by prolonged formal instruction and/or specialized training and work experience. However, the university recognizes administrative faculty and professional faculty as distinct position types.

Administrative Faculty positions are generally senior administrators who perform work related to the management of the educational and general activities of the university, for at least fifty percent (50%) of their work. Typically, administrative faculty serve in executive leadership roles such as vice president, provost, dean, assistant or associate vice president or dean, assistant or associate vice provost. Other administrative faculty roles can include (1) those responsible for the administrative direction of separately designated divisions or departments of institutional activity; (2) positions whose primary responsibility is to attract external funds; or (3) positions that are characterized by active, continuing involvement in formulating, interpreting and implementing institutional policy, and exercise substantial independence, authority and discretion in areas such as program planning, design and allocation of resources. The organizational reporting relationship for administrative faculty is normally not lower than three levels below Executive Council positions. For Academic Affairs, this would include: Vice Provost/Dean (level 1), Academic Unit Head/Director (level 2) and Associate Director (level 3).

Professional Faculty require advanced learning and experience acquired by prolonged formal instruction and/or specialized work experience. Typical professional faculty positions are librarians, counselors, coaches, physicians, lawyers, engineers and architects. Other professional positions

may support education, research, University Life and other such activities. Professional faculty positions must require the incumbent to regularly exercise professional discretion and judgment and to produce work that is intellectual and varied and is not standardized.

### **Appointment**

The establishment of a contractual employment relationship, even if on an at-will basis or for a limited time, between a faculty member and the university.

### **Documentation**

The required appropriate forms, official transcripts from an accredited university, certificates and other relevant and supporting documents for acceptance of an offer, either mentioned explicitly in this policy or otherwise required by the Human Resources Office (HR) or the Office of Equal Opportunity (OEO).

### **Electronic Transcript**

An official transcript either sent electronically via email or via a hyperlink from which a transcript can be printed from an institution participating in the eScrip-Safe (or other approved third party vendor) electronic transcript network.

### **Instructional Faculty**

A faculty member whose primary responsibility includes teaching, research and service. Instructional faculty also have specific guidelines for employment set forth in the [University Faculty Handbook](#).

### **Offer**

The official communication to the faculty candidate from the appropriate university official notifying the candidate that the position is presented for acceptance.

### **Official Transcript**

An official transcript is one that has been received directly from the issuing institution or is an original provided by the employee. It must bear the institutional validation (such as a seal, logo or letterhead), date and appropriate signature. Transcripts other than those described above in "Electronic Transcript" that are received and do not meet these requirements are not considered official.

## **4. APPLICABILITY**

This policy relates to the selection and hiring of all faculty members, including instructional faculty as well as administrative and professional (A&P) faculty who will be teaching. This policy applies to all faculty appointments, including full-time and part-time appointments; adjunct appointments; tenured, tenure-track, renewable term and non-tenured appointments; and academic year, calendar year, fixed term appointments and interim appointments.

However, the procedures detailed in this policy for a full search are not required for part-time appointments, interim appointments or full-time appointments of less than one year, such as visiting faculty, faculty on short-term contracts or temporary replacements for faculty on leave.

## **5. POLICY**

The process of selecting and hiring faculty members at the university, from search through selection and hiring, is guided by a specific set of guidelines and procedures that must be followed to ensure fairness, accountability and the continuing presence of an outstanding teaching faculty. Faculty appointments are subject to approval by the Board of Visitors.

## 5.1 Searches

- The Office of Equal Opportunity *Faculty Recruitment Handbook* must guide all faculty searches conducted at the university. In general, the procedures call for the establishment of a representative search committee once approval to recruit for the position has been granted; development of a tailored, aggressive search strategy, which usually includes national advertising in appropriate publications in the discipline; personal contacts with colleagues; follow-up with colleagues and doctoral students listed in relevant directories; and other targeted efforts to identify a strong pool of candidates. Additional guidance on the conduct of the search and interview process is provided in the *Faculty Recruitment Handbook*.
- Additional policies on searches and appointments are found in JMU Policies [1301](#), [1302](#), [1321](#), [1326](#) and [1335](#).
- The hiring department may also choose to require other documentation – such as letters of recommendation – as part of the application process.
- Faculty hired by the university must have graduated from an accredited U.S. institution or a foreign university with an equivalent approval.

## 6. PROCEDURES

### 6.1 Offers

Once a candidate has been identified as the person who will receive an offer of employment, an authorized university official will contact the candidate to make the offer of employment. The offer is subject to approval by the next level of supervision before the offer is extended.

#### 6.1.1 Official Transcripts and Other Hiring Documentation

1. At the time of the offer, the university official will inform the successful candidate that the offer is contingent upon the candidate providing appropriate documentation including an official transcript from an accredited university and proof of eligibility to work for the university. The offer of employment may be withdrawn by the university if all documentation is not provided by the time of the Onboarding process.

2. For all instructional faculty and for A&P faculty who will be teaching a for-credit course or for whom it is likely that teaching will be part of future job responsibilities, documentation will include but is not limited to:

- The official transcript from an accredited university of the highest degree attained. If that degree is not directly related to the teaching assignment, an official transcript of the degree that is relevant to the teaching assignment must also be submitted. When the degree(s) represented by the official transcript(s) is/are not directly related to the employee's teaching assignment, the hiring academic unit must also submit written justification for the hiring. A Hiring Justification Form is available for this purpose from the [HR website](#). This justification will describe the employee's qualifications for the particular teaching.
- In some disciplines, professional licenses or certificates may provide the necessary qualifications for instructional faculty. By way of an example, a CPA designation or a state license to practice medicine may be used as a hiring justification because they represent required knowledge and/or degree attainment. If licenses or certificates are part of the qualifications of a candidate, this documentation should be included as part of the Hiring Justification.
- JMU is a participating member of the eScrip-Safe® Global Electronic Delivery Network. Candidates who wish to submit their transcripts electronically may do so by having them sent to [jobs@jmu.edu](mailto:jobs@jmu.edu) in Human Resources.
- Candidates who possess degrees from foreign institutions must provide a written, detailed credential evaluation or equivalency report prepared by a university-approved provider to meet documentation requirements.

- The hiring authority must submit the [Onboard Form](#) to Human Resources. The selected candidate will be required to complete the Onboard process prior to the beginning employment date or the offer may be withdrawn by the university.

3. In addition to the documentation provided by the candidate, the hiring academic unit/department will be responsible supplying to the OEO any additional documentation required by the OEO and the accurate completion of a Personnel Action Request (PAR) form.

4. For all A&P faculty who will not be teaching a class:

- The hiring authority must submit the [Onboard Form](#) to Human Resources. The selected candidate will be required to complete the Onboard process prior to the beginning employment date or the offer may be withdrawn by the university.
- In addition to the documentation provided by the candidate, the hiring department will be responsible for supplying to the OEO any additional documentation required by the OEO.
- Certain leadership positions at the university may require that the candidate submit an official transcript from an accredited university. The candidate will be notified of this requirement prior to or at the Onboard session. This documentation must be provided by the time of the Onboarding process.

5. Failure by the candidate to provide the appropriate documentation by the established deadline may result in the withdrawal of the offer, even if the candidate has attempted to formally accept the offer.

6. The Provost and Senior Vice President for Academic Affairs may grant an emergency exception to the requirement of a timely presentation of an official transcript in the following situations:

a) When a candidate does not fulfill the official transcript documentation requirements for a position that is accepted less than 60 days prior to the start of the employee's first teaching semester, the provost may choose to honor the offer for no more than 60 days past the beginning employment date. Continuation of employment past that date is contingent on the candidate's successful completion of all official transcript documentation requirements.

If the official transcript is not received within 60 days, the employee will be terminated.

b) When the official transcript is from a foreign institution, the following time frames apply:

- If a candidate whose degree is awarded from a foreign institution does not fulfill the official transcript documentation requirements for a position that is accepted less than 180 days prior to the start of the employee's first teaching semester, the provost may choose to honor the offer for no more than 180 days past the beginning employment date. Continuation of employment past that date is contingent upon the candidate's successful completion of all official transcript documentation requirements. In situations where an individual is employed on a non-immigrant VISA and must be terminated, all federal guidelines will be followed in accordance with Immigration and Customs Enforcement (ICE).

7. To hire a faculty member without appropriate official transcript documentation (for one of the reasons detailed in section 6.6.a or 6.6.b), hiring officials must complete the Emergency Hire Form, available from the [HR website](#). If the university does not receive the appropriate official transcript(s) within the deadlines established for each type of hire, the faculty member will be terminated. A faculty member terminated under such conditions will not be eligible for continued employment.

The Emergency Hire Form option is not available for employees who accept a position more than 60 days (180 days for a candidate with a degree from a foreign institution) prior to the start of their first teaching semester.

Hiring officials may not waive the timely presentation of the immigration documentation or the official transcript.

No faculty member will be hired unless and until all documentation is received or an Emergency Hire Form is approved.

8. In the event that the candidate is hired in anticipation of, but prior to, having fulfilled all requirements for a particular degree (such as a Ph.D.), the candidate must:

- provide the official transcript of the highest degree attained to date
- obtain the pending degree by the deadline specified in the offer letter and
- provide the official transcript of the pending degree within 15 working days after it is awarded.

Failure to obtain the pending degree by the deadline specified in the offer letter will result in the termination of the faculty member. Failure to provide the official transcript may result in immediate termination or non-renewal.

9. All newly hired or rehired full-time and part-time faculty will undergo a criminal records check. Departments may make an offer of employment to the selected candidate; however, the offer is contingent on the results of the criminal background check.

## **6.2 Appointments and Contracts**

Faculty appointments are official when a signed contract is issued by the president, accepted by the appointee and returned to the university with the faculty member's signature. However, the university may withdraw an offer, even after the appointment is official (i.e., after receiving an acceptance), up until the date that all required documentation and processes are completed by the appointee. For an at-will faculty member, the appointment begins when the faculty member commences employment in the position. For details see the [Faculty Handbook](#).

The contract procedure shall be as follows:

a) When the hiring academic unit/department initiates the hiring of a faculty member, it will generate a PAR form and send it to HR.

b) Generating contracts:

- Hiring academic units/departments will create contracts using university-approved contract templates. The university has a series of contract templates for the varying categories and types of faculty contracts on the HR Forms [website](#) under the heading *Faculty Contracts*. Hiring supervisors must use one of these templates exactly as it is configured. If a hiring supervisor desires to alter one of the templates in any way for any particular candidate, it must have the appropriate vice president's prior approval to do so. Any deviations to a contract template require approval from University Counsel.
- When preparing contracts, it is essential that the data on both the contract and PAR form are correct, authorized and identical.

c) After the dean or AVP and the appropriate senior vice president (or a designee) signs the contract, the contract preparer will send the contract to the president's office.

d) After the president signs the contract it will be sent to the hiring academic unit/department, which will then send the contract to the candidate for signature.

e) Once the hiring academic unit/department receives the signed contract, it will keep a copy for its records and send the original to HR within three working days.

## **7. RESPONSIBILITIES**

Deans, academic unit heads, department heads, search committee chairs and hiring supervisors are responsible for understanding and following this policy carefully throughout the search, selection and hiring process. They are also responsible for ensuring that accurate documentation accompanies the hiring of every faculty member.

When the official transcript of a candidate is not submitted to HR, the hiring authority is responsible for completing an Emergency Hire Form and submitting it to HR.

Where the official transcript of the highest degree attained does not match the faculty member's teaching assignment, the hiring academic unit/ department is responsible for submitting a Hiring Justification Form to HR for inclusion in the employee's file.

When a candidate is hired in anticipation of, but prior to having fulfilled all degree requirements, the hiring authority is responsible for obtaining from the candidate the official transcript of the highest degree attained at the time of the offer. The candidate is responsible for obtaining the pending degree by the deadline specified in the offer letter and for delivering the official transcript of the degree to HR within 15 days after the candidate is awarded the degree.

The hiring academic unit/department is responsible for the management of the contract process, including sending the signed original contract to HR.

HR is responsible for creating contracts that vary from the form contracts where appropriate and for maintaining contracts in the appropriate employee's personnel file. HR is responsible for collecting and maintaining official transcripts and other credential information. HR is responsible for verifying identification and eligibility to work through the Onboard process.

## **8. SANCTIONS**

Persons who do not comply with this policy are subject to discipline, up to and including termination.

## **9. EXCLUSIONS**

For the specific hiring procedures to fill the positions of academic unit head, associate and assistant dean, dean, A&P faculty members in the office of the provost, and the position of the provost, see the [Faculty Handbook, Section III.C](#).

## **10. INTERPRETATION**

While the authority to interpret this policy is granted to the president, it is generally delegated to the provost.

Previous Version: August 2014

Approved by the President: December 2001