COMMENTS RECEIVED TO PROPOSED NEW OR REVISED POLICIES

AP 2.02.02: Faculty Hiring Process		
Date Comment Received	**Comment**	**Response**
2-6-23	The current version of BP, in my view, cedes far too much power to administration and sidelines faculty in key decision making over selection of their colleagues-to-be. The balance of power should be reversed in favor of faculty, especially those with expertise in the discipline for hire. There was a time when all committees, including faculty hiring committees (SAC), used to be co-chaired by a faculty member and a dean/admin. As a number of faculty have rightly expressed a lot of concern about shared governance in recent months, we need to return to a shared governance model in the selection and hiring of faculty. The policy could also use some tweaks to strengthen diversity goals. My concerns and suggestions, below, are based on participating in five hiring committees for three full-time faculty positions in my dept. over the past seven years and nearly 24 years as full-time faculty at PCC. With all this in mind, I have made recommendations, below, to six specific areas of the policy to better enshrine shared governance as well as diversity in policy. 1. page 2 ("We seek to hire faculty who...") A. Separate the two areas in 2nd to last criterion and include wording (in red): • have an understanding of and seek to grow their knowledge and awareness about the first-generation college student experience, the challenges of under-resourced populations. • have an understanding of and seek to grow their knowledge and awareness about the traditions and cultures of the populations of the Southwest, including people of Mexican origin, other Hispanics/Latinx, and Native Americans, and the meaning of working at an HSI. Alternatively, for the second bullet above: • have cultural competence and understanding of the needs of a diverse student population with traditions and cultures of the Southwest, including people of Mexican origin, other Hispanics/Latinx, Native Americans, and the meaning of working at an HSI. B. change criterion "believe in service and accountability" to "have experience with service and accountability" (experience vs. belief).	Thank you for these suggestions. There was a robust discussion regarding this area with faculty, our DEI Administrator, and staff to come up with the current language. However your recommendations have will be brought forward to the DEI administrator for final review
	A. Faculty hiring committees (SAC) are to be chaired by a faculty member or co-chaired by a faculty member and a	While the committee will be chaired by both

		dean. Faculty chair (or co-chair) to be selected by faculty or faculty leadership of the dept. for which hiring is being made. Most places that say "Dean" should be replaced by "Faculty chair" or "Faculty and admin/Dean co-chairs." SAC membership should have preference for participation by faculty from the dept, particularly faculty leadership with subject matter expertise, for which the hiring is being made.	the dean and a faculty member the ultimate responsibility for the area lies with the Dean and thus they are expected to lead the process. We have added language to allow for an appeal to the Provost or designee if consensus cannot be reached.
		Need to include language to make sure SAC is racially/ethnically diverse (and in other ways) and is supporting and in line with the Statement of Purpose of the AP.	Whenever possible we will have as diverse a hiring committee as possible, there was an interest from the faculty to ensure that department faculty held a priority in the hiring of their colleagues 3.
		4. Add wording in red: "The Faculty Chair (or Faculty and Dean/admin Co-Chairs) select a finalist to be hired, pending reference and background checks. In case of disagreement (in a co-chair scenario), the SAC sends its opinions/recommendations to the Provost for final decision." 5. SECTION 3: Marketing the Recruitment Add wording in red: "Working with Faculty Qualifications and Hiring and the SAC, each Faculty Chair (or Faculty and Dean/admin Co-Chairs) creates a recruitment plan." 6. SECTION 4: Provisional Faculty Appointments Add wording in red: "The Faculty Chair (or Faculty and Dean/admin Co-Chairs) may recommend to the Provost the direct appointment of the current provisional faculty member to the regular position if they were hired through the external hiring process and have the support of the faculty leadership of the department."	While the Dean is expected to complete the process an avenue to share concerns is appropriate. We have added language to include a path for the committee to share any concerns/request a review with the Provost's or their designee.
2-6-23		This effort to demographically diversify our faculty body is well intentioned and I understand and support many of its underlying objectives. While the terminology has evolved (PCC no says that it is an institution committed to DEI - the previous iteration was that it was committed to EEO and AA), the underlying objective remains the same, even though the new terminology suggests that there is no inherent tension between worthwhile objectives (in other words, holding everybody to the same standards (EEO) while trying to ensure more equal and descriptively representative results outcomes (AA)).	Thank you so much for your thoughtful comments. We have forwarded all of your notes to our legal team to ensure we are in compliance with all federal and state regulations.

	However, while this was clearly written by people who have the best of intentions, and reviewed by lawyers for maximum defensibility in court (for example, by having community input on what kind of instructors students would like to see etc.), it fails to take into account three pertinent realities: 1) Article 2 Section 36 of the Arizona Constitution explicitly prohibits any preferential treatment in hiring by public entities, along lines of race, sex, ethnicity, etc. By being so openly committed to accomplishing certain outcomes demographically along those lines eventually, the College opens itself up to the perception that it is trying to do something in violation of this constitutional provision, at least in spirit, and possibly in letter, while having plausible deniability. And that means opening itself to potential lawsuits. 2) While they might be mistaken, most scholars assume that the Supreme Court is going to disallow affirmative action programs, and by implication DEI programs, in higher education (whether private (Harvard) or public (UNC)) that in any action way consider these demographic factors later this spring pursuant to the Equal Protection Clause of the 14th Amendment and the 1964 Civil Rights Act. 3) As you know, voters in overwhelmingly blue California in 2020 retained their state constitutional ban on affirmative action by a larger percentage than that by which it had been passed 24 years earlier by a more red leaning electorate. We sometimes need to step outside of the hallowed halls of the ivory tower and see whether the values and change we are promoting, and the way we are going about that, have the support of the public. Abraham Lincoln famously noted the importance of that: https://www.goodreads.com/quotes/489251-in-this-age-in-this-country-public-sentiment-is-everything So: even if it were the case that we believe that items, one, two, and three above are completely misguided and ill informed, they are realities that we would be ill advised to ignore. I believe this wording needs significant revisions to make it clear that it is consistent with the federal and state constitutions along with federal and state laws, and that it is not tone deaf to where public sentiment is on this issue.	
2-16-23	I reviewed the AP 2.02.02 Faculty Hiring Process Draft Administrative Procedures, and I understood. However, I am not sure if the small "errors" should be "corrected." I. Should the word "College" be capitalized? From examples below, two out of three locations have the College (capitalized).	Thank you we will adjust all text to ensure it follows the college set guidelines

2-21-23	• Section 1.2 (section 4): **Remove last sentence** " a list of current and past SAC members will be posted on the intranet and updated on a monthly basis" This is not a best practice in HR and it sets up an unfair advantage to internal candidates who will have access to this information and potentially reach out to or behave differently around known committee members. The process is considered confidential until applicants are invited to an interview and are informed of committee members at that point. We do not want to introduce biases in this process, so an alternative can be to provide a list of committee members that can be shared on a need to know basis to faculty leadership.	We have talked with HR and agree that this would not be appropriate and will make the necessary changes.

2-27-23	The current version of AP 2.02.02, in my view, cedes far too much power to administration and sidelines faculty in key decision making over selection of their future colleagues. The balance of power should be reversed in favor of faculty, especially those with expertise in the discipline for hire. There was a time when all committees, including faculty hiring committees (SAC), used to be co-chaired by a faculty member and a dean/admin. As a number of faculty have rightly expressed a lot of concern about shared governance in recent months, we need to return to a shared governance model in the selection and hiring of faculty. The policy could also use some tweaks to strengthen diversity goals. My concerns and suggestions, below, are based on participating in five hiring committees for three full-time faculty positions in my dept. over the past seven years and nearly 24 years as full-time faculty at PCC.
	
	With all this in mind, I have made recommendations, below, to the specific areas of the policy indicated below to better enshrine shared governance as well as diversity in policy.
	
	Recommended wording is indicated in <u>red and underlined.</u>
	
	STATEMENT OF PURPOSE
	
	On page 2 ("We seek to hire faculty who...")
	
	 A. Separate the two areas in 2nd to last criterion and include wording (in red):
	    • have an understanding of and seek to grow their knowledge and awareness about the first-generation college student experience <u>and</u> the challenges of under-resourced populations.
	    • have an understanding of and seek to grow their knowledge and awareness about the traditions and cultures of the populations of the Southwest, including <u>people of Mexican origin,</u> other
		While the committee will be chaired by both the dean and a faculty member the ultimate responsibility for the area lies with the Dean and thus they are expected to lead the process.
		We are going to add language to include a path for the committee to share any concerns/request a review with the Provost's or their designee.

Hispanics/Latinx, and Native Americans, and the meaning of working at an HSI.

B. change criterion "believe in service and accountability" to "have experience with service and accountability" (experience vs. belief).

SECTION 1 Hiring Process

1.2 Recruitment (Fall)

Add wording to the following effect:

"Faculty hiring committees (SAC) are to be chaired by a faculty member (or co-chaired by a faculty member and a dean/admin manager). Faculty chair (or co-chair) is selected by full-time faculty or faculty leadership of the dept. for which hiring is being made."

Most of the following recommendations are changes to wording that make the policy consistent with the above, supplementing "Dean" with the relevant faculty position.

> 1. The Office of the Provost, through Faculty Qualifications and Hiring (FQH), sends an initial list of faculty positions authorized for hiring to Deans and the relevant Dept. Head(s) by **All College Day**. Etc.
> 4. The Dean and Dept. Head finalize SAC membership according to the guidelines in Section 2 and hold a charge meeting with support from FQH by the beginning of September. Etc. …
> 7. FQH, Faculty (Co-) Chair and dean(s) will monitor the diversity of the applicant pool.

1.3. Interviews and Candidate Selection (Spring)

"If there is more than one finalist, the Faculty Chair (or Faculty and Dean/admin Co-Chairs) may conduct an additional interview ~~and may invite~~ with the discipline faculty leadership and/or another academic administrator such as the Vice Provost. The Faculty Chair (or Faculty and Dean/admin Co-Chairs) selects a finalist to be hired based on the input of the SAC and discipline faculty leadership, pending reference and background checks. In case of disagreement (in a co-chair scenario), the SAC members send their recommendations to the Vice Provost and/or Provost for final decision or declaration of a failed search. If there are no finalists identified by the SAC, a failed search is declared."

SECTION 2: Selection Advisory Committees

Move the following statement and make it #4.
under Additional prioritization guidance: "Whenever possible, the committee shall have representation from identity groups that have been underrepresented in the discipline and in higher education. Committee members should have

different genders and races or ethnicities and a demonstrated commitment to diversity, equity and inclusion."
Additional prioritization guidance:
3. Students, other college employees, community members, faculty emeritae/us
Encourage/Consider:
     3. Include a community member or student or faculty emeritae/us when there is an identified value added specific to the search.

SECTION 3: Marketing the Recruitment

"Working with Faculty Qualifications and Hiring and the SAC, each Faculty Chair (or Faculty and Dean/admin Co-Chairs) creates a recruitment plan."
Recruitment is an on-going process and the responsibility of each Division. Working with Faculty Qualifications and Hiring, ~~and~~ the SAC, and the DEI Office, each Faculty Chair (or Faculty Co-Chair and Dean/Hiring Manager) creates a recruitment plan. Etc. …

SECTION 4: Provisional Faculty Appointments

"Faculty positions may be filled on a temporary basis until the next regular recruitment cycle due to unexpected separations, ~~or~~ unexpected student demand, or to meet College priorities."

"The Faculty Chair (or Faculty and Dean/admin Co-Chairs) may recommend to the Provost the direct appointment of the current provisional faculty member to the regular position if they were hired through the external hiring process and have the support of the faculty leadership of the department."