

**Modesto Junior College  
Academic Senate  
Resolution: SP10-C  
Contract Faculty Hiring Procedures**

- Proposed by:** Special Investigative Task Force on Faculty Hiring
- Whereas:** California Education Code 87360 required the Modesto Junior College Academic Senate and the Yosemite Community College District to reach consensus on procedure for hiring contract faculty by July of 1990; and
- Whereas:** The MJC Academic Senate and the YCCD expended extensive effort in reaching agreement on the Contract Faculty Hiring Procedures, adopted in December, 1991; and
- Whereas:** Vague and ambiguous language in the Procedures has been a reoccurring source of confusion and, repeatedly, a source of conflict between faculty members and administrators involved in the hiring process; and
- Whereas:** subsequent revisions to the Procedures have not addressed these concerns.
- Therefore:** **Be it resolved**, that the wording of Section VII, C, 11 of the Contract Faculty Hiring Procedures be revised to read as follows:

11. Selection of finalists:

- a. Background checks may be conducted by members of the selection committee according to guidelines set by the Human Resources department.
- b. Discuss and select acceptable finalists. Under normal circumstances, a minimum of three acceptable finalists shall be submitted to the President. If fewer than three acceptable finalists are submitted a written rationale shall be provided as specified in item c. below. More than three acceptable finalists may be submitted without providing written rationale. The President or designee will interview all finalists.
- c. If the selection committee is unable to identify three acceptable finalists, the selection committee chair shall provide a written rationale to the President. Copies shall be sent to the Vice President for Instruction or Vice President for Student Services (as appropriate) and Vice Chancellor, Human Resources. At the request of any of the aforementioned parties, discussion shall ensue.
- d. The selection committee is required to submit a report to the President describing the relative strengths of the candidates, which may indicate candidate preference. It is expected that the committee recommendation regarding the hiring of faculty will be accepted, unless there is a compelling reason not to do so. However, the President retains responsibility for recommending the appointment of the finalist who, in his/her judgment, best meets the educational needs of the college.
- e. In the event of disagreement between the President and the selection committee, the President will provide to the committee a written rationale explaining his/her position. The President will also consult collegially with the selection committee and attempt to reach consensus. Absent timely consensus, the

President is authorized to proceed with his/her recommendation to the Chancellor, and the selection committee is authorized to submit its own recommendations, with rationale, to the Chancellor.

f. It is expected that all selection committee members will maintain strict confidentiality as required by the Human Resources department.

**Therefore: Be it further resolved,** that the wording of Section VII, A of the Contract Faculty Hiring Procedures be revised to insert the following paragraph just prior to the final paragraph:

The final composition of the selection committee must be approved by the faculty of the division or department (as appropriate) for whom the hire is being made. This approval may be delegated to the faculty serving on the selection committee. In the event of a disagreement between the faculty and administration over the composition of the selection committee, the matter should be referred to the Academic Senate.

**First Reading:            March 18, 2010**

**Final Action:            April 1, 2010**

**Disposition:            Carried**