CAPM 101.000: WAIVERS OF OPEN RECRUITMENT FOR SENATE FACULTY POSITIONS

A. GENERAL PROVISIONS

A great university needs to be responsive to opportunities and to be able to act quickly on its own behalf when standard operating procedures would result in missing potential hires of exceptional benefit to the institution. Waivers of open recruitment for Senate faculty positions are meant to provide an exceptional hiring strategy for academic units to pursue or retain extraordinary faculty, where it is clear that such faculty would improve the overall excellence of UCSC. As the campus pursues excellence through diversity, emphasis is placed on proposals that contribute to the diversity of the campus through teaching, research/creative work, and/or service activities.

Senate positions should be filled via open recruitments and be based on the Academic Plan of the department and division. Use of this policy is not a mechanism to circumvent open recruitment. Requests for waivers of open recruitment will be relatively infrequent, and proposals for waivers must demonstrate a very high probability that the hire will be of significant and continuing value to the UCSC campus community. In addition, proposals must outline the resource requirements and include an off-cycle request for recruitment authorization— that indicates the divisional source of funding.

When proposals affect more than one department or division, agreement regarding the impact on current and future resources must be reached between the relevant departments and dean(s) in advance of submitting the proposal and documented in the decanal letter of support (see Section C, below).

Proposals for waivers of open recruitment and corresponding documents are considered a recruitment record and as such are subject to the same confidentiality as other recruitment documents.

Two situations may justify a waiver of open recruitment for a Senate faculty position, Target of Excellence (TOE) and Spousal/Domestic Partner Hire. Departments must discuss potential candidates with their dean and have decanal support prior to preparing the proposal. Formal consideration of proposals is never guaranteed and deans must discuss preliminary plans for a TOE or Spousal/Domestic Partner proposal with the Campus Provost in advance of submitting proposals.

1. Target of Excellence (TOE)
Justification for a TOE-based waiver of open recruitment requires that the recommending unit provides evidence that the individual is an eminent scholar of outstanding quality, possesses a unique and distinguished record in all aspects of professorial activities (research/creative work, teaching, and service) relative to the proposed appointment level, and would bring prominence to the department, division, and/or campus. In addition, departments should provide information explaining why an open recruitment cannot be conducted. For example, timing is critical as the candidate would no longer be available at the time of an open recruitment due to other offers. Typically, a person being pursued as a TOE hire will be at the tenured level. Proposals for a TOE hire at the Assistant Professor or Potential for Security of Employment...
(PSOE) level may be considered; however, the candidate is required to meet all of the criteria described above.

2. **Spousal/Domestic Partner Hire**  
   (See APM 110-4 (10) for definition of Domestic Partner)  
   A waiver of open recruitment for a Senate position may be requested in cases involving either the recruitment or the retention of a Senate faculty member whose spouse or domestic partner meets the qualifications and requirements for appointment at UCSC. In this policy, the department/program receiving the spouse/partner is referred to as the “hiring department.”

### B. DEPARTMENT PROPOSAL FOR A WAIVER OF OPEN RECRUITMENT

A proposal for a waiver of open recruitment requires the following details:

1. **TOE Proposals**  
   a. An explanation of the situation which gives rise to the need for a waiver of open recruitment, including the details that created the TOE opportunity;
   b. The reason why the individual would no longer be available if an open recruitment was conducted;
   c. The anticipated rank, salary, and effective date of the proposed appointment (for Lecturer with Security of Employment (SOE) or Potential Security of Employment (PSOE) positions, series include proposed salary and effective date). The specific step is not required at this time. If the proposal is approved, the department will provide its actual recommendation and vote on rank, step, and/or salary as part of the appointment file;
   d. The specific qualification of the individual that would justify a Target of Excellence appointment (See A.1);
   e. A description of the individual’s area of expertise and explanation of how this hire would benefit the Academic Plan of the department and division, including the anticipated benefits to the recommending unit; and a discussion of the impact of the hire on the long-term curricular plans of the department and division. Proposals must also include a discussion of how the individual either contributed to diversity through their research, creative work, teaching, and/or service in their past work, or how they may contribute to diversity through their research, creative work, teaching, and/or service in their position at UCSC; and
   f. A copy of the individual’s curriculum vitae and a statement from the individual addressing their past and/or potential contributions to diversity through their research/creative work, teaching, and/or service. For proposals in the Professorial series, also include two to three sample publications or creative works. For proposals in the Lecturer SOE series, include evaluations and course materials (syllabi, sample tests, sample assignments, etc.) for a minimum of three courses, as well as commentary by the department or other knowledgeable source on the candidate’s overall teaching effectiveness.
   g. Departments must consult with the dean in advance of preparing the proposal to discuss what additional information, such as budgetary information (start-up request, etc.), the dean may require from the department.

2. **Spousal/Domestic Partner Hire Proposals (prepared by the hiring department/program)**
a. A description of the recruitment or retention situation that gives rise to the need for a waiver. In recruitment-related cases, the proposal shall include the Recruitment Final Ranking Documentation (Part C) for the spouse/partner’s open recruitment. If the recruitment or retention is in a department other than the hiring department, the dean shall address the situation leading to the request for a waiver (see C.21.a. or C.21.b., below);

b. The anticipated rank, salary, and effective date of the proposed appointment. (for Lecturer with Security of Employment series include proposed salary and effective date). The specific step is not required at this time. If the proposal is approved, the department will provide its actual recommendation and vote on rank, step, and salary as part of the appointment file;

c. Evidence that the individual is qualified for appointment at UCSC (e.g., significance of record of research and publications/creative works; teaching experience; holds an appointment or offer for an appointment as ladder-rank faculty at a UC-comparable institution);

d. A description of the individual’s area of expertise and the benefits to the Academic Plan of the hiring department, division, and campus, including a discussion of the impact of the proposed spouse/domestic partner appointment on the long-term curricular plans of the department. In addition, proposals should include a discussion of how the individual either contributed to diversity through their research/creative work, teaching, and/or service in their past work- and or how they may contribute to diversity through their research/creative work, teaching, and/or service in their position at UCSC; and

e. A copy of the individual’s curriculum vitae and. For proposals in the Professorial series, also include two to three sample publications or creative works. For proposals in the Lecturer SOE series, include evaluations and course materials (syllabi, sample tests, sample assignments, etc.) for a minimum of three courses, as well as commentary by the department or other knowledgeable source on the candidate’s overall teaching effectiveness.

f. Departments must consult with the dean in advance of preparing the proposal to discuss what additional information, such as budgetary information (start-up request, etc.), the dean may require from the department.

3. Proposal Routing
The hiring department shall forward the proposal to the dean of their division for support.

C. DECANAL SUPPORT FOR A WAIVER OF OPEN RECRUITMENT

1. Decanal Support Documentation
a. A letter of support for the proposed waiver of recruitment, which must include the dean’s assessment of the benefits to the hiring department, division, and campus of the TOE or Spousal/Domestic Partner hire, including a discussion of the impact of the proposed appointment on the long-term curricular plans of the department and division and how the proposed appointee may contribute to diversity through their research/creative work, teaching, and/or service;

b. In Spousal/Domestic Partner hire cases, if the recruitment or retention issue is within the division but in a department other than the hiring department, the dean, after consultation with the department trying to recruit or retain a faculty member, shall also include an
assessment of the impact on that department if the recruitment or retention is not successful. When a spousal/partner’s proposed hire is in a division other than the one trying to recruit or retain a faculty member, the proposal requires contributions from both deans. The hiring dean (the dean who will gain the spouse/domestic partner) will provide the assessment described in C.21.a., above; whereas the dean handling the recruitment or retention case will address the points outlined in section B.2.a. of this policy. Each of the dean’s assessments must outline the financial obligations his/her division will commit to the proposed new hire. In some cases, divisions may wish to develop an MOU to accompany the proposal; and c. An off-cycle request for recruitment authorization of a Senate position form. The proposal must include an outline of the expected financial contribution of the division(s) and department(s). For both TOE and spousal/partner hires, it is expected that the provision will be underwritten with a vacant or forward-funded permanent faculty position and be of high priority to the division. The department/division will make usual contributions to salary and startup expenses. All TOE and Spousal/Domestic Partner hires count as part of the receiving department’s faculty complement.

2. Proposal Submission
The hiring division will forward the completed proposal to the Academic Personnel Office.

D. REVIEW OF THE PROPOSAL
The Academic Personnel Office will coordinate the review of the proposal. If the Campus Provost supports formal review, the proposal will be sent to the following Senate Committees for review and input: Committee on Affirmative Action and Diversity, Committee on Academic Personnel, and Committee on Planning and Budget. Following receipt of the Senate Committee comments after Senate review, the proposal is forwarded to the Campus Provost for final review for budgetary authorization. If budgetary authorization is approved, the proposal is forwarded to the Chancellor for consideration of a waiver of open recruitment.

E. AUTHORITY

1. Budgetary Authorization
The Campus Provost/Executive Vice Chancellor (CP/EVC) has authority for approval of budgetary authorization (off-cycle) after consultation with the Academic Senate Committee on Planning and Budget.

2. Waiver
The Chancellor has authority to approve a waiver of open recruitment request and waiver approval are never guaranteed for a Senate faculty position after consultation with the Academic Senate Committees on Academic Personnel and on Affirmative Action and Diversity. Upon approval, the hiring division will be provided with a waiver number to verify recruitment compliance and to be included in the appointment dossier.

F. DECISION
The hiring division will be informed of the CP/EVC and Chancellor's determination, with copies to the department.

The offer of a Senate faculty appointment to a spouse/domestic partner under a waiver of open recruitment is contingent on the acceptance of a Senate faculty appointment by the recruited or TOE faculty candidate.

G. APPOINTMENT PROCESS

If the proposal for a waiver of open recruitment is approved, including authorization of the FTE, the appointment dossier will follow the normal academic appointment procedures detailed in CAPM 404.220-A.4, including review by the Committee on Academic Personnel. Appointment files for both TOE and Spousal/Domestic Partner hires must include all the same materials required for appointments proposed through an open recruitment, including external letters. For tenured level appointments, departments must also solicit letters independent of letters solicited by or names provided by the candidate. In addition, for TOE hires, the appointment file must contain substantial evidence that the candidate is truly distinguished. External letters must be from letter writers who are independent from the candidate and who themselves are distinguished. This may require the department to solicit additional letters beyond what is normally included in tenured appointment files. Departments are also encouraged to ask candidates to consider submitting a statement addressing their past contributions to diversity through research/creative work, teaching, and/or service, and their plans for contributing to diversity at UCSC.

E. AUTHORITY

1. Budgetary Authorization
The Campus Provost/Executive Vice Chancellor (CP/EVC) has authority for approval of budgetary authorization after consultation with the Academic Senate Committee on Planning and Budget.

2. Waiver
The Chancellor has authority to approve a waiver of open recruitment for a Senate faculty position after consultation with the Academic Senate Committees on Academic Personnel and on Affirmative Action and Diversity. Upon approval, the hiring division will be provided with a waiver number to verify recruitment compliance and to be included in the appointment dossier.

F. DECISION

The hiring division will be informed of the CP/EVC and Chancellor's determination, with copies to the department.

The offer of a Senate faculty appointment to a spouse/domestic partner under a waiver of open recruitment is contingent on the acceptance of a Senate faculty appointment by the recruited faculty candidate.