

## **Chapter 6. Recommending the New Appointment, and Follow-Up Steps**

Recommendations for appointment should be submitted to the appropriate divisional Dean. An appointment recommendation from a department may be remanded for further consideration, may be returned to the department for reconsideration or clarification, or may ultimately not be approved, as a consequence of any of the reviews to which it is subjected after leaving the department. Quite apart from Corporation approval of the appointment, all of the following in the review process are empowered to recommend against appointments as well as to support them, if they find good reason for such opposition: the President, the Provost, the Dean of the Faculty, the Dean of Medicine and Biological Sciences, the Dean of Public Health, the Vice President for Institutional Equity and Diversity, and the Tenure, Promotions, and Appointments Committee.

If chairs foresee issues that are likely to arise in the course of the review of a recommendation, they should consult with designated staff in their Dean's office, as well as with the senior officers. If they anticipate problems relevant to issues of affirmative action, chairs should also bring these problems to the attention of the Vice President for Institutional Equity and Diversity as early in the appointment process as possible. It is better for all concerned, and usually easier, if questions about recruitment and appointment procedures are resolved before an appointment to the faculty is officially proposed by the department.

### **6.1 The Compliance Report**

When the department is ready to make an offer of appointment to the Brown University faculty, a Compliance Report should be filled out and sent, with appropriate documentation as described below, to the Office of Faculty Personnel, the Office of BioMed Faculty Affairs, or to Public Health Faculty Affairs & Administration. The Compliance Report contains information about the search and the selection process. If this information differs from stipulations in earlier requests, that difference needs to be explained in detail. In addition, specific information on the criteria used to select the final candidates for the job, while rejecting others, must be reviewed here.

The names of candidates to whom the department wishes to offer the position should be listed in order of the department's preference. The department must provide explicit statements about the characteristics and qualifications of individual candidates which, matched against the stipulated criteria for the position, led the department to its ranking of each of the finalists. General or vague statements, such as "better qualified," should be avoided. The issue to be addressed is why one candidate is better qualified, or less well qualified, than others.

Many questions on the Compliance Report are not directly related to EEO/AA, but are required only to demonstrate that the academic unit's standards and criteria were followed properly. The Dean's office also checks to ensure that documentation submitted by the department is consistent with statements made on the Compliance Report, and this

checking occurs irrespective of the composition of the applicant pool. However, if no women or members of other "protected groups" (see the [EEO/AA Guide](#)) were candidates for the position, or if they were candidates, were not chosen as finalists, the department Chair may be asked to account for this result. Again, the Departmental Diversity Representative should be involved in these evaluations.

All recommendations for any faculty appointment resulting from a search must also be accompanied by (i) the full dossier of the selected candidate, (ii) a covering letter to the appropriate senior administrator, and (iii) minutes of the faculty meeting at which the proposed candidate was selected, including details of the quorum and final vote. (Note that votes by e-mail or proxy should be reported but not included in the final calculation of quorum.)

## **6.2 Pre-Selected Candidates**

Where pre-selection of a candidate has been requested and approved, it follows that no search has taken place, and therefore no Compliance Report is necessary. Nonetheless, the department needs to submit a copy of the curriculum vitae of the selected individual and reference letters (in single copy) with its request to appoint the pre-selected individual. The justification for making this appointment without a search, and information about how the selected individual was identified by the department should of course also be included. These documents are reviewed by the appropriate divisional Dean and the Vice President for Institutional Equity and Diversity.

## **6.3 Tenure, Promotions, and Appointments Committee**

New appointments are reviewed by the Tenure, Promotions, and Appointments Committee (TPAC) if they (i) carry tenure, or (ii) are at the rank of Associate or Full Professor (with or without tenure), Senior Lecturer, or Distinguished Senior Lecturer. For details of the TPAC process and the contents of the personnel dossier that is reviewed by TPAC, see Chapter 10.

## **6.4 The Offer**

Chairs should communicate to the appropriate divisional Dean any special needs or expectations the candidate may have. After consultation with the Dean, Chairs should discuss possible terms of the offer with the candidate, but while doing so they must take care not to make statements to the candidate that could be reasonably construed as a binding offer. Moreover, under no circumstances may a Chair suggest terms of an appointment at obvious variance with established University policies.

A letter of appointment that is signed by the Dean and mailed to every prospective regular faculty appointee is the official and legally-binding offer of a faculty appointment at Brown University. All financial commitments, including startup and salary, are specified in the appointment letter, as are any variations with University policies.

Accompanying the offer letter is a letter from the Chair that provides information about office/lab space, teaching expectations, and other pertinent information about the department, including the department's written Statement of Standards and Criteria. The purpose of the letter from the Chair/Director to the prospective appointee is to set out in some detail the professional expectations of the University, and of the hiring unit, and ultimately to secure, if only implicitly, the new colleague's understanding of, and consent to, these expectations.

When all the required reviews are completed, and the appropriate Dean has approved a draft of the Chair's letter, a signed appointment letter will be sent from the appropriate Dean to the Chair of the academic unit for transmittal by the department to the appointee. The Chair should check that the terms of appointment are correct before sending the original and one copy of the letter to the prospective appointee. The Chair should also make an additional copy for the department. If the offer is accepted, the appointee should countersign the enclosed copy and return it directly to the Dean's office. The copy of the letter retained by the Chair should remain in the departmental files. A staff member from the appropriate Dean's office will notify the department when such an acceptance is received. If the department should itself receive direct notification of acceptance of an appointment, it should relay this information to the appropriate Dean.

## **6.5 Joint Appointments**

The procedures for making new appointments involving two departments (or departments and other non-tenuring units such as centers and programs) are somewhat different from appointments to a single department, and a bit more complicated. When both departments are to have budget and/or staffing responsibilities for the new position, the two chairs (or when relevant, center or program director) must closely coordinate their actions. This can include co-signing letters to applicants, joint maintenance of files, coordinated interviewing of candidates, and finally arranging for a joint recommendation for the position, or alternately concurrent (and similar) recommendations.

If such joint appointments are renewable and tenurable, then distribution of the departmental responsibilities, after discussion with and the approval of the appropriate divisional Dean, should be determined in advance of the appointment and explained to all short-listed candidates. The procedures to be followed for reappointment, tenure, and promotion reviews should also be determined in advance and conveyed to the candidate.

If a joint appointment is intended but with only one department having budget and staffing allocations for the new position, then the procedures are largely the same as for ordinary searches. The department Chair with budget responsibility initiates and signs all forms and is entirely responsible for the search. The cooperating department Chair is responsible only for submitting a recommendation for appointment to accompany the recommendation of the primary sponsoring department. However, coordination at the interviewing stage is obviously important in such joint appointments.

## **6.6 Termination of Previous Employment**

It is not appropriate for any faculty member to accept a regular faculty position at Brown while retaining such a position elsewhere, even if on leave from that position. The University may require a copy of a new faculty member's written resignation from his/her former position, or an equivalent proof of termination of previous employment, prior to authorizing payment of salary at Brown.

## **6.7 Other Issues**

### **6.7.1 Record Maintenance**

All materials related to the appointment of an individual to an announced position on the faculty must be retained for five years from the effective date the position is filled.

### **6.7.2 Moving Expenses**

Brown University will cover all reasonable costs associated with moving household and personal goods for newly hired faculty and staff, subject to the policies and procedures outlined by [Human Resources](#).

Faculty carrying the titles of Assistant Professor, Associate Professor, Professor, Lecturer, Senior Lecturer, and Distinguished Senior Lecturer as well as staff members hired into a regular full-time position that is advertised outside of the Providence area are eligible per this policy, provided the move is from a distance greater than fifty (50) miles. Post-doctoral, adjunct and research faculty are not eligible, nor are hospital-based faculty.

### **6.7.3 I-9 Forms**

U.S. Federal regulations require that all employees (including faculty) be certified (colloquially: "I-9") as eligible for employment at Brown. In order to be so certified, new faculty should bring appropriate documentation to the Human Resources Office. Details about the I-9 process are included in the offer letter. [Click this link for additional information](#).

### **6.7.4 Questions Relating Specifically to Foreign Faculty Members**

The appropriate Dean should be informed of the non-U. S. citizenship status of any individual for whom a regular faculty appointment is proposed. Faculty who are non-resident aliens, and who are appointed to tenure-track positions at Brown, are individually supported by the University in seeking appropriate U.S. visas. The expenses of this process are considered part of the "start-up" costs of appointing a new faculty member and should be negotiated with the appropriate Dean by the Chair at the time an offer to such an individual is ready to be made. It is necessary

in such cases for the foreign faculty members to consult with (and of course to follow the recommendations of) the Office of the General Counsel in attempting to procure an appropriate visa, but the University can in no case itself guarantee the granting of any U.S. Government document.

When an offer is made to a foreign scholar who will be appointed as a visitor or other non-regular faculty member, the department should send a completed DS-2019 form to the appropriate faculty personnel office so that appropriate information about visa requirements may be included in the official letter of appointment.

At the time a foreign scholar is sent an official letter appointing him/her to the Brown University faculty, or as a Visiting Scholar or Visiting Scientist, the appropriate Dean – via their faculty personnel office– routinely encloses in this letter a "Request for Form DS-2019 for J-1 Exchange Visitor" which is relevant for all J-1 Visa Applicants. This Checklist should be filled out and returned to the faculty personnel office with the signed acceptance letter. When these documents have been received at Brown, the faculty personnel office processes the DS-2019 form ("Certificate of Eligibility for Exchange Visitor Status") and sends it to the Office of International Student and Scholar Services, which then notifies the department when the application form is ready so that the department in turn can forward it to the prospective foreign colleague.

The general handling of matters pertaining to foreign faculty is a primary responsibility of the Office of International Student and Scholar Services. However, for particular assistance with J-visa extensions or J-visas for their families, and the like, the foreign visiting faculty member at Brown should contact the appropriate Office of Faculty Personnel for their division. Questions about any of these procedures can properly be directed to either office.

Finally, department chairs should be sure to inform their Dean when the residency or citizenship status of a foreign faculty member officially changes, and all University employees should update their citizenship status with Human Resources when such a change occurs.