



**AFFIRMATIVE ACTION/
EQUAL EMPLOYMENT OPPORTUNITY
GUIDELINES FOR RECRUITMENT
AND SELECTION OF
FACULTY**

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AFFIRMATIVE ACTION/EQUAL EMPLOYMENT OPPORTUNITY GUIDELINES FOR RECRUITMENT AND SELECTION OF FACULTY

INTRODUCTION

University policy protects all employees and applicants for employment against discrimination on the basis of race, color, religion, national origin, ancestry, age, sex, sexual orientation, physical or mental disability, marital, military, or veteran's status¹. In addition, EEO laws that apply to federal contractors require employers to make special efforts to hire and advance members of groups and historically have been targets of employment discrimination: minorities, women, people with disabilities, special disabled veterans, veterans of the Vietnam era, and "other covered" veterans.

These guidelines have been designed to assist hiring authorities in conforming with University policy and EEO laws, orders, and regulations² when filling faculty vacancies.

MAJOR REQUIREMENTS

There are two major requirements when recruiting for faculty positions. One is a *broad search* that will result in a representative applicant pool. Such a pool is one in which minorities and women are found in substantially the same proportion as their availability in the recruitment area, which, for faculty, is national.³ A candidate *may not* be preselected for any position.

The second requirement pertains to full-and part-time (50% or more) faculty positions, regardless of source of funding or contractual commitments, where the appointment is for a period of nine months or longer. These positions require the sign-off of the completed Faculty Recruitment Summary Form (UPF-1F) by the appropriate unit head, i.e., Provost or Vice President. A job offer may not be made, verbally or in writing, until the sign-off has been received.

¹ See Section 6.4.8 of the Regulations and Procedures Manual.

² See Major Laws and Orders Governing Nondiscrimination in Employment, Attachment 1.

³ Availability figures for faculty by field and subfield are available from the Office of University Harassment Compliance & Equity.

RECRUITMENT

The Position Description

Each recruitment effort starts with a position description. A good description should accurately and clearly describe the full range of responsibilities, duties, and tasks. It should specifically outline the “essential functions” of the position. Essential functions are the major duties and responsibilities which are of such importance that if they were eliminated the position would no longer exist. The position description should be precise regarding the area(s) of specialty, teaching and research responsibilities, other duties, and special conditions of employment, if any. All qualifications must be job-related.

A carefully written position description is valuable in several ways. It can screen out at least some unqualified applicants, it can decrease subjectivity in matching candidate qualifications to position requirements, and it can support the hiring decision should a department be called upon to document its choice.

The Recruitment Process⁴

The requirements for a broad search that will result in a nondiscriminatory applicant pool can be met by combining the following approaches:

- All position announcements, both internal and external, and all classified advertising should be written in sexually neutral language and contain the tagline, “Rutgers is an equal opportunity/affirmative action employer.”
- Classified advertising should reach a broad spectrum of potential applicants, as in scholarly and professional journals and/or general publications like The Chronicle of Higher Education, Academe, and The New York Times. (Although women and members of minority groups who are searching for opportunities at the faculty level turn to the same national media as their white male colleagues, additional classified advertising placed in publications directed exclusively to these groups⁵ indicates our commitment to actively recruit and hire from among these groups. However, the decision to do so is optional.)
- If more than one person is listed in a single advertisement, each should be numbered or otherwise identified and applicants requested to specify the position for which they are applying. In this way, the appropriate applicant pool for each position can be identified for purposes of collecting accurate applicant flow data.

⁴ Also see section on Staffing Externally Funded Projects, page 9.

⁵ See “Sources for Recruiting Minority and Women Faculty,” prepared by and available from the Office of University Harassment Compliance & Equity.

- External announcement of the faculty vacancy to the following should be sent with a covering letter expressing an interest in receiving referrals that include women and members of minority groups and with a request to institutions to post the announcement:
 1. Key minority and female professionals in the field, both on and off the campus. Through networking, these contacts can often generate applications from minority and female candidates.
 2. Recent minority and female degree recipients. Names and addresses of degree candidates and recent recipients are available from the Office of University Harassment Compliance & Equity.
 3. Graduate Schools awarding degrees in the area of specialization. A representative pool of applicants will be developed only if the schools contacted graduate a substantial number of minority and female students.
 4. The employment service of the discipline's professional association. Whenever possible, at least one representative of the department or discipline should be available at national and regional professional meetings to conduct interviews.
 5. Sources appropriate to the position, selected from "Sources for Recruiting Minority and Women Faculty," prepared by and available from the Office of University Harassment Compliance & Equity.

If the department changes the rank/title or position description after announcement, the position must be reannounced because the new conditions may attract a different applicant pool.

Recruiting for Positions with a Health Hazard

Certain laboratory conditions or other work environments have been found to carry health risks for specific classes of individuals. When advertising for positions in which there is a risk to the health of *some* individuals within a class, no restrictions should be placed on applicants from that class. For example, if a position carries a health risk for pregnant women, no restrictions should be placed on the sex of the applicants. Rather, qualified applicants should be informed by the hiring authority through written communications and oral discussion, of the risks involved so they can make an informed decision concerning their interest in competing for the job.

The Search Committee

Whenever possible, the Search Committee should include representation of women and members of minority groups.

The Search Committee should be appraised, either by the Dean or Director, Department Chair, or Unit Affirmative Action Coordinator, if there is an under-representation of minorities and/or women in the unit/department in which the vacancy occurs. This information will guide the Committee in planning the recruitment effort.

A copy of the AA/EEO Guidelines for Recruitment and Selection of Faculty should be provided to each member of the Search Committee. Copies are available on request from the Unit Affirmative Actions Coordinator or the Office of University Harassment Compliance & Equity.

The Search Committee shall receive applications for no less than six weeks after the first published vacancy notice. However, this period may be waived when vacancies develop late in the semester or when a late release of lines occurs (see Handling Special Situations, page 11).

INTERVIEWING

The Interview Process

The Search Committee should develop a list of clearly defined criteria – arrayed, if possible, in order of importance – against which applicants will be evaluated. These criteria, based on the position description, must relate to the essential functions of the position and be applied uniformly to all candidates.

If a vacant position is underutilized for females and/or minorities, effort should be made to increase the applicant pool with qualified applicants from the protected group(s). The decision for selection for interview and, ultimately, for filling the vacancy must be made based solely on qualifications; that is, the final candidate must be the most qualified.

If the applicant pool includes a member of a protected group who has particularly strong credentials, and if the recruitment budget is unable to support the cost of bringing this person to campus, the matter should be brought to the attention of the Provost or Vice President.

It is the responsibility of the Search Committee to make every effort to treat all candidates who are interviewed in an equal fashion.

- All should be seen by a reasonable and representative number of voting members of the department or discipline.

- All questions directed to applicants should be related to the position for which they have applied. No questions may be asked of women applicants that are not also directed to males. Questions concerning race, religion, national origin, ancestry, sex, sexual orientation, marital status, age, or disability can be asked only after the appointment is made and for administrative purposes only.⁶
- After each interview, the interviewers' evaluations should be put in writing and retained in departmental files with all other documents related to the search for a period of two years (see Recordkeeping, page 7).

Interviewing Qualified Individuals with Disabilities

An applicant is qualified for a position if he or she meets the skills, experience, education, and other job-related requirements and can perform the essential functions of the position, with or without a reasonable accommodation. An applicant is disabled if he or she:

1. Has a physical or mental impairment that substantially limits one or more major life activities; or
2. Has a record or history of impairment such as a history of heart disease or a record of misclassification, e.g., an individual who was misclassified as learning disabled; or
3. Is regarded as having such an impairment.

Whether or not an applicant self-identifies as disabled, questions such as the following may not be asked:

- Are you currently mentally or physically ill or disabled or do you have a history of such illness or disability?
- Do you have a history of absences due to illness or disability?
- Are you currently receiving treatment for drug or alcohol addiction or have you ever received such treatment?
- Have you ever been injured on the job, applied for Workers' Compensation, or received Workers' Compensation benefits?

If a qualified applicant has self-identified as disabled, the interview should be scheduled at an accessible site if requested. The interview should center on the position description and cover the essential functions of the position and the qualifications necessary to perform them. Questions asked of the disabled should be the same questions

⁶ See New Jersey Division on Civil Rights Guide on Pre-employment inquiries, Attachment 2.

asked of all candidates. The focus should be on what has to be done, not on how it has been done in the past. Avoid questions regarding the nature and severity of the disability.

If an applicant has an obvious disability and does not request an accommodation, the Search Committee *may not* initiate the discussion. However, if the Search Committee believes the applicant would not be able to perform an essential function of the position and the applicant is the best qualified for the position, the Search Committee may request the applicant to describe or demonstrate how the function will be performed. If the candidate requests an accommodation for the demonstration, and the accommodation is reasonable, it must be made.

SELECTION

Under equal employment opportunity law, the employer must select the most qualified candidate. Whether or not the applicant has relatives employed by the University should not influence selection decisions. University policy on the employment of relatives⁷ permits their permanent employment in the same or different units/departments as long as they meet requisite standards. However, no supervisor or administrative officer shall have immediate hiring authority over a relative or shall vote, make recommendations, or in any other way participate in deciding any matter which may directly affect the appointment, promotion, demotion, salary, or other status or interest of a relative.

Whether or not the applicant is a citizen should not influence the selection decision. The Immigration Reform and Control Act of 1986 prohibits discrimination on the basis of citizenship status. The law permits employers to prefer a citizen over a noncitizen if both are equally qualified, but such citizen preferences may still violate Title VII if they have an adverse impact on persons of a particular national origin.

Whether or not the best qualified applicant requests an accommodation for a disability should not influence the selection decision, unless the accommodation would cause an “undue hardship.” (See the factors to consider in judging ‘undue’ hardship’ below in Accommodating the Disabled.)

ACCOMMODATIONS

Reasonable accommodations are modifications or adjustments, which can be made without undue hardship, to allow a qualified individual to enjoy equal employment opportunities. If an accommodation appears to cause undue hardship, that decision should be confirmed through the chain of command in your administrative unit.

⁷ See page 3.1.2 of the Regulation and Procedures Manual.

Accommodating the Disabled

Individuals with disabilities themselves are often the best sources of ideas for cost-effective modifications. If an accommodation is requested by the most qualified applicant for a position and the accommodation is necessary and reasonable, the hiring authority is required to make the accommodation.

In determining which accommodations are reasonable and which would constitute undue hardship, each case should be judged individually and the following factors considered:

1. Cost of the accommodation
2. Effect of the accommodation on employees and students
3. Effect of the accommodation on the conduct of educational programs and business affairs.

Using these standards, examples of reasonable accommodations may be the construction of a ramp at a building entrance, the lowering of a public telephone, the rearrangement of files or shelves for accessibility to people in wheelchairs, providing telephone amplifiers for the hearing-impaired, or placing tactile labels on telephones for the vision-impaired. On the other hand, the installation of an elevator or the relocation of a large department most likely would constitute undue hardship.

Accommodations for Religion

Most religious bias problems involve accommodations of employees seeking to observe their Sabbath. An employer is required to make reasonable accommodations to an individual's religious observances and practices unless it causes undue hardship. Reasonable accommodations are (1) consistent with business necessity, (2) incur minimal costs, and (3) do not create major personnel problems.

During the interview, the hiring authority can clearly state the hours of work but may not inquire whether these hours are in conflict with the applicant's religious observances or practices. If, after the job offer is made and accepted, the new employee notifies you of a work-schedule conflict based on religion, you are obliged to seek an accommodation.

RECORDKEEPING

Federal law requires the unit/department to retain for a period of two years a complete record of the recruitment and selection process. For all announced vacancies at the University, this record includes recruitment sources, vitae, correspondence, evaluations of applicants interviewed, and a copy of the Faculty Recruitment Summary Form (UPF-1F), copies of the Disabled/Covered Veteran Reporting Form (UPF-18) when appropriate, and all other materials that would be of assistance in documenting:

- that good-faith efforts were made to recruit a broadly representative applicant pool,
- that all applicants were treated fairly and equitably, and
- that the successful candidate was better qualified than those not selected.

Faculty Recruitment Summary Form (UPF-1F) and the Sign-off⁸

This form must be filed for all faculty appointments at or above the rank of Assistant Instructor, regardless of the source of funding, when the appointment is for a period of nine months or more at half (50%) time or more. This form is available from the Office of University Harassment Compliance & Equity.

UPF-1F need not be completed and filed for:

- reappointments, including grant-funded faculty whose reappointment will be financed from another funding source
- teaching assistants and graduate assistants
- postdoctoral and other fellows
- visiting faculty
- coadjutant personnel
- faculty appointed to positions requiring less than half-time
- faculty appointed for one semester only
- faculty who are transferred, unless the positions were announced internally and/or externally

Attachments to UPF-1F are required under the following circumstances:

- When the hiring authority has departed from the AA/EEO Guidelines for Recruitment and Selection of Faculty, an explanation must be attached.
- When filling a vacancy in a unit/department with an underutilization of minorities and/or women, and the recommended candidate is not from an underutilized group, the vitae of the recommended candidate and of the two top-ranking applicants from each underutilized group must be attached.
- If there were special circumstances surrounding the recruitment process or related to the size or composition of the applicant pool, an explanation should be attached to expedite the review.

The completed UPF-1F, with appropriate attachments, must be signed in triplicate by the departmental hiring authority and Dean or Director and routed to the Provost or

⁸ For complete instructions on the completion and filing of UPF-1F, see reverse side of form.

Vice President for the sign-off. The Provost or Vice President will contact the department hiring authority:

- to announce the sign-off and grant permission for an offer to be made, or
- to request additional information essential to the review, or
- to request that the search be extended because the recruitment procedure or applicant pool is deficient.

Disabled/Covered Veteran Reporting Form (UPF-18)⁹

If an applicant self-identifies as disabled, a special disabled veteran, a veteran of the Vietnam era, or an “other covered” veteran on the vitae, cover letter, or during the interview, the hiring authority must complete the Disabled/Covered Veteran Reporting Form (UPF-18). This form is available from your Unit Affirmative Action Coordinator, University Human Resources or the Office of University Harassment Compliance & Equity. If the applicant is unsuccessful, the reasons must be explained and any accommodations discussed, if any, described. If an applicant with a disability is the successful applicant, any accommodations that will be made should be described. Copies of UPF-18 must be filed with the Personnel office on your campus and the Office of University Harassment Compliance & Equity *before* the vacancy is filled.

Employment Eligibility Verification Form (I-9)

The Immigration Reform and Control Act of 1986 requires employers to have a completed Employment Eligibility Verification Form (I-9) on file certifying an individual’s identity and eligibility for U.S. employment. This form is available from University Human Resources.

All appointments are subject to the candidate’s presentation of proper documentation as required by law. A list of acceptable documents can be found on the I-9 form.

To implement the requirements of the law without risking charges of discrimination:

- Carry out verification procedures uniformly for everyone, not just for “foreign-looking” applicants or employees.
- Do not reject applicants simply because they do not look or sound like U.S. Citizens.
- Verify documents only after a job offer is made.

⁹ For complete instructions on the completion and filing of UPF-18, see reverse side of form.

- Do not state a preference as to the documents required to verify an employee's identification and work authorization.

STAFFING EXTERNALLY FUNDED PROJECTS

In addition to these guidelines, the following apply to the special circumstances which often relate to recruitment for and transfer from grant-funded faculty positions.

Recruitment

In order to facilitate the prompt initiation of work on an externally-funded project, the broad search for personnel may be undertaken before funds are approved. Classified advertisements and announcements should include the stipulation that the position is available "contingent on receipt of grant funds."

Money to cover classified advertising should be written into the grant proposal. An explanatory note should state that this money will be used, with an auditable record kept, to conduct a broad search in line with obligations imposed on federal contractors by Presidential Executive Order No. 11246, as amended.

If the grant agency requires that the proposal name the principal investigator/program director, and this position will be held by someone other than the author, the requirement should be fulfilled by spelling out the qualifications and describing the academic profile of the type of person who will be recruited for that position. This meets the University's obligations to the granting agency while adhering to the prohibition against preselecting a candidate without conducting a broad search. Under no circumstances may the grant agency designate the principal investigator/program director.

When a grant proposal is written by a full-time member of the faculty, the writer may be named in the proposal as principal investigator/program director, and a search need not be conducted for that position. However, there must be broad recruitment for all other positions funded by the grant.

If employment on a grant-funded project will strengthen the research training of graduate students and provide financial support for their education, recruitment for specific positions may be limited to the relevant student community with the expectation that the applicant pool will be representative of the racial, ethnic, and sex composition of that community.

Transfer

Upon expiration of the grant funds that provide the salary of a regular University employee occupying a faculty position, that employee may be placed on another externally-funded line within the same unit, on the same or different project, without recourse to a recruitment effort, providing that:

- the employee's work performance, evaluated by an appropriate supervisor, is found to be satisfactory,
- the employee is fully qualified for the new position,
- a full search has been conducted when the employee was originally hired, and
- no more than three months has elapsed since the employee went off the University payroll.

If an employee is moved from one externally-funded position to another within the same unit without interruption in employment, the change should be considered a reappointment or a change in distribution of funds and completion of the Faculty Recruitment Summary Form (UPF-1F) is unnecessary. If there has been an interruption of employment, UPF-1F must be completed, a written explanation attached, and the sign-off received before an offer is made.

When a University-funded faculty line becomes available, it is expected that a national search will be conducted and that interested University employees will compete for the vacancy with external candidates. Under limited circumstances, however, it may be possible to waive the search in order to appoint a highly qualified internal candidate in the same unit with several years of continuous University employment in a grant-funded position. Among the several factors that will be considered in granting this exception is documentation that a full search had been conducted when the employee was originally hired and certainty that the candidate is agreeable to the starting salary. Requests for such waivers should be made to the Provost or Vice President.

HANDLING SPECIAL SITUATIONS

Should a vacancy occur as a result of a last-minute resignation or other emergency, or should there be a late release of lines from the Provost's or Vice President's office, a temporary one-year appointment may be made. It is expected that the letter and spirit of equal opportunity law will be observed in the informal procedures used to fill the emergency vacancy. Appointees should be advised in writing of the temporary nature of their appointments and of the extensive search that will be undertaken to permanently fill the position. The Faculty Recruitment Summary Form (UPF-1F) should be completed and filed as prescribed, with a written explanation of the emergency attached to all copies. Reappointment may not occur to positions filled on an emergency basis and temporary appointees must be given appropriate and timely notice

of nonreappointment. When temporary appointees apply for the same positions after they are announced according to affirmative action procedures, they should be evaluated against the same job-related criteria applied to all other candidates.

Should a faculty member be granted leave and a replacement appointed, and should the permanently appointed faculty member then resign before returning from leave, these guidelines must be followed. The replacement may be a candidate for the permanent position and should be evaluated according to the same job-related criteria applied to all other candidates.

If a coadjutant or teaching assistant is qualified for a full-or part-time faculty opening, he or she may not be automatically transferred into regular faculty status. A full search must be conducted, with the internal employee competing against other applicants in the pool.

When a hiring department has an opportunity to attract a clearly outstanding individual with unique qualifications and a singular and distinguished national or international reputation, the full search may be waived. Before negotiations with the candidate are initiated, however, the applicability of this exception to the particular candidate should be discussed with an approved by the Provost or Vice President. If negotiations are successful, the Faculty Recruitment Summary Form (UPF-1F) should be completed and processed as prescribed, with an attachment explaining the departure from established procedures.

From time to time, hiring situations may arise that require special handling. Hiring authorities are encouraged to discuss these with their Provost or Vice President. Every effort will be made to accommodate these situations within the law and University procedures. Early consultation is a good guarantee against later delays.

OBLIGATIONS TO NEW APPOINTEES

It is the responsibility of Deans or Directors to inform new applicants in writing of all terms, conditions, and privileges of employment.

It is the responsibility of Department Chairs to inform new appointees of all personnel procedures and standards that will govern their professional careers at Rutgers, including criteria for reappointment, promotion, and tenure, and to otherwise see that adequate supervision and periodic evaluation are afforded new members of the department.

MAJOR LAWS AND ORDERS GOVERNING NONDISCRIMINATION IN EMPLOYMENT

1. Title VII of the Civil Rights Act of 1964, as amended

Prohibits discrimination against any individual with respect to hiring, discharge, compensation, and all terms, conditions, and privileges of employment because of race, color, religion, sex, or national origin.

2. Presidential Executive Order No. 11246 (1965), as amended

Prohibits discrimination by federal contractors against any employee or applicant for employment on the basis of race, color, religion, sex, or national origin. Requires the employer to take affirmative action to expand employment opportunities for women and members of minority groups¹⁰ and to eliminate practices which have the effect of excluding or limiting their employment. Also requires a written affirmative action plan, including goals for overcoming the underutilization of minorities and women in the employer's workforce.

3. Section 503, Rehabilitation Act (1973)

Prohibits discrimination against any employee or applicant for employment because of physical or mental disability regarding any position for which he or she is qualified. Requires the employer to take affirmative action to employ, promote, and otherwise treat qualified individuals with disabilities without discrimination based on their disability. Also requires a written affirmative action plan, but hiring goals need not be established. Affirmative action does require that an employer takes steps to accommodate a qualified worker with a disability unless accommodation poses an undue hardship.

4. Vietnam Era Veteran's Readjustment Assistance Act of 1974

Prohibits discrimination by federal contractors against applicants or employees because they are special disabled veterans or veterans of the Vietnam era in regard to any position for which they are qualified. Requires that employers take affirmative action to employ, advance in employment, and otherwise treat special disabled veterans and Vietnam era veterans without discrimination based on their disability or veteran's status. Also requires a written affirmative action plan, but hiring goals need not be established.

¹⁰ Defined as American Indian or Alaskan Native, Asian or Pacific Islander, Black, and Hispanic

AA/EEO Guidelines for Recruitment and Selection of Faculty
Attachment 1

5. Age Discrimination in Employment Act of 1967, as amended

Prohibits employers from failing or refusing to hire, or from discharging, or from otherwise discrimination against any individual with respect to compensation and all terms, conditions, and privileges of employment because of the individual's age. Exceptions to the prohibition against forced retirement include certain high-level executives, public safety personnel, and, until 1994, tenured faculty age 70 and over.

6. Equal Pay Act of 1963, as amended

Prohibits employers from discriminating on the basis of sex in paying salaries for equal work requiring equal skill, effort and responsibility and performed under similar working conditions.

7. New Jersey Law Against Discrimination, as amended (1945)

Prohibits job discrimination on the basis of race, creed, color, national origin, ancestry, age, and marital status, affectional or sexual orientation, sex, atypical hereditary cellular or blood trait, liability for service in the Armed Forces of the United States, or familial status. The law also applies to physical disability unless the nature and extent of the disability "reasonably precludes the performance of the particular employment."

8. Title I of the Americans with Disabilities Act (1990)

Prohibits employers from discriminating against any qualified employee or applicant for employment because of a physical or mental disability. In addition, it requires employers to make reasonable accommodations for qualified individuals with disabilities unless doing so would impose undue hardship.

For further information about these laws and other federal and state statutes prohibiting discrimination in employment, contact:

Office of Employment Equity
57 US Highway 1
Cook Campus
New Brunswick, NJ 08901
732.932.3020 x4033
(web) <http://uhr.rutgers.edu/equity>
(e-mail) oee@hr.rutgers.edu

**N.J. DIVISION OF CIVIL RIGHTS
GUIDE OF PRE-EMPLOYMENT INQUIRIES**

Category	It is Discriminatory to Inquire About:	Some Examples of Acceptable Inquiries:
NAME	(a) the fact of a change of name or the original name of an applicant whose name has been legally changed (b) maiden name	(a) whether or not the applicant has ever worked under another name or was the applicant educated under another name allowable only when the data are needed to verify the applicant's qualifications
BIRTHPLACE AND RESIDENCE	(a) birthplace of applicant (b) birthplace of applicant's parents (c) requirement that applicant submit birth certificate, naturalization or baptismal record (d) own home, rent, board, or live with parents (e) citizenship	(a) are you either a U.S. citizen or a permanent resident alien?
CREED AND RELIGION	(a) applicant's religious affiliation (b) church, parish, or religious holidays observed by applicant	
RACE OR COLOR	(a) applicant's race (b) color of applicant's skin, eyes, hair, etc.	

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Category	It is Discriminatory to Inquire About:	Some Examples of Acceptable Inquiries:
PHOTOGRAPHS	(a) photographs with application (b) photographs after interview, but before hiring	
AGE	(a) date of birth or age of applicant (b) age specifications, limitation, or implications in a newspaper advertisement which might bar workers under or over a certain age (c) driver's license number (contains driver's age)	(a) applicant may be asked if he/she is over the minimum legal age or under a bona fide mandatory retirement age
LANGUAGE	(a) applicant's mother tongue (b) language commonly used by applicant at home (c) how the applicant acquired ability to read, write, or speak a foreign language	(a) language applicant speaks or writes fluently (only if job related)
RELATIVES	(a) name and/or address of any relative of applicant	(a) name and address of person to be notified in case of accident or emergency
MILITARY EXPERIENCE	(a) applicant's military experience in other than United States Armed Forces (b) National Guard or Reserve units of applicant	(a) military experience of applicant in Armed Forces of United States only when used for employment history (b) whether applicant has received any notice to respond for duty in the Armed Forces
Category	It is Discriminatory to	Some Examples of

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Category	Inquire About: It is Discriminatory to Inquire About:	Acceptable Inquiries: Some Examples of Acceptable Inquiries:
MILITARY EXPERIENCE (continued)	(c) draft classification or other eligibility for military service (d) applicant's whereabouts in 1941-45, 1950-53, or 1964-73 (e) dates, conditions, and type of discharge	
ORGANIZATIONS	(a) any clubs, social fraternities, sororities, societies, lodges, or organizations to which the applicant belongs	(a) membership in a union, professional, or trade organization
REFERENCES	(a) the name of the applicant's pastor or religious leader	(a) name of persons willing to provide professional and/or character references for applicant
SEX AND MARITAL STATUS	(a) sex or marital status or any questions which would be used to determine same (b) number of dependents, number of children (c) spouse's occupation	
ARREST AND CONVICTION RECORD	(a) the number and kinds of arrest of the applicant	(a) convictions which bear a relationship to the job, and have not been expunged or sealed by the court
HEIGHT AND WEIGHT	(a) any inquiry into height or weight of the applicant	

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Category	It is Discriminatory to Inquire About:	Some Examples of Acceptable Inquiries:
EDUCATION	(a) whether or not the applicant is a high school graduate	(a) show highest grade completed (b) detail your education background