

Staff and Faculty Hiring Guidelines¹

- DU's Discrimination and Harassment Policy **prohibits** discrimination in any condition of employment or opportunity because of, and does not discriminate based on, an individual's actual or perceived race, color, national origin (including shared ancestry or ethnic characteristics), ancestry, age, religion, creed, disability, sex, sexual orientation, gender identity, gender expression, marital status, pregnancy, childbirth and related medical conditions, genetic information, citizenship or immigration status, military enlistment, or veteran status (together "protected classifications"). **This prohibition on discrimination applies to faculty and staff recruitment and hiring.**
- Federal guidance states that hiring or promotion practices that may take a person's protected classification into account generally violate federal law, **even if the goal is neutral on its face, such as a goal to increase diversity** in the workplace or to provide opportunities for underrepresented groups.
- Federal law also prohibits discrimination based on protected classifications in determining **which employees participate in the hiring process** on behalf of the employer, such as Hiring Managers, Search Committees, interview panels, and other personnel involved in the hiring process (Hiring Personnel).

These Guidelines are designed to facilitate DU's compliance with nondiscrimination laws in hiring and serve our institutional commitment to hiring in a nondiscriminatory manner. This document primarily focuses on issues related to consideration of race and sex in hiring. If you have questions about consideration of other protected classifications in hiring, please reach out to Human Resources & Inclusive Community or the Office of General Counsel.

Four Steps to Legally-Sound Hiring Practices:

Step 1: Define **employment objectives** that are **neutral** as to protected classifications and use recruitment strategies designed to achieve those lawful objectives

¹ For purposes of this document "race" refers to race, color, national origin, and ethnicity, and "sex" includes sexual orientation and gender identity. Military and veteran status is protected separately under federal law by USERRA; under state law, a written veterans' preference remains permissible as a one-directional "advantage only" measure and is not covered by these guidelines. See Colo. Rev. Stat. § 8-1-153.

- Step 2:** Develop neutral, job-related **hiring criteria** and create detailed **rubrics** to objectively measure and weigh those criteria
- Step 3:** Eliminate opportunities for bias through **nondiscrimination training** and restrict access to certain demographic information
- Step 4:** **Document** each step of the hiring process

STEP 1: Define Neutral Employment Objectives and Recruit to Meet those Goals

DU hiring starts with **legitimate, neutral employment goals**. Recruitment and hiring plans are designed to meet those lawful goals. For example, DU does not permit racial or ethnic diversity quotas or goals in its employment practices. Therefore, recruitment and hiring plans may not be designed to achieve such goals.

Permissible employment goals may include:

- ✓ Increase faculty with demonstrated excellence in teaching and mentoring students with varied academic preparation levels
- ✓ Seek candidates with a record of successful collaboration across departments or disciplines
- ✓ Increase percentage of hires whose research or professional work aligns with the institution's strategic priorities (e.g., data science, social work, international relations, public health)
- ✓ Reduce unnecessary barriers to the recruitment of qualified candidates to attract the best field of applicants

DU **prohibits** the use of quotas or goals tied to protected classifications, such as:

- ✗ Align the racial composition of our faculty with the racial composition of our student body
- ✗ Ensure that at least XX% of all department faculty are from underrepresented minority groups by 2030
- ✗ Increase the percentage of female full professors in the department from XX% to XX% within five years

Deans and unit leaders (or their designee) must review all recruitment activities for compliance with these Guidelines—including job postings, employment pipeline programs, and advertising partnerships. Generally speaking:

- ✗ **Do not** use, request, or accept recruitment or referral services that exclude, prefer, screen, or rank candidates based on protected classification
- ✗ **Do not** target or advertise exclusively with organizations or institutions based on their affiliation with a protected classification
- ✓ **Do** advertise with a variety of organizations and institutions for the purpose of widely advertising openings and broadening the pool of qualified applicants, **without regard to those organizations' affiliation with a particular protected classification**
- ✓ **Do** require written attestation from third party recruiting partners stating that they do not and will not discriminate in any recruitment-related activities, including membership practices
- ✓ **Do** make clear in all job postings that faculty and staff positions are open to all, without preference based on protected classification, and that each candidate will be evaluated using the same nondiscriminatory job-related selection criteria

STEP 2: Identify Neutral Job Criteria and Develop an Objective Rubric to Evaluate Candidates on Those Criteria

All steps of the hiring process must be **neutral**, meaning they are free from discrimination on the basis of protected classifications—from job postings, search committee composition, and candidate pools through to interviews, candidate ratings, and final decision-making. A nondiscriminatory hiring process **starts** with identifying **neutral job criteria** and developing an evaluation **rubric** designed to objectively assess those criteria.

Identify and Articulate Job Criteria that are Neutral with Respect to Protected Classifications

Like employment goals more generally, job qualifications and the criteria used for evaluating candidates must be legitimately related to the job's essential functions, neutral with respect to protected classifications, and objectively measurable. This avoids general or personal impressions of who makes a “good candidate” and also

helps verify that job qualifications are not “reverse-engineered” around particular people.

For example, the required or preferred criteria for a **faculty teaching position** might include a documented and exceptional record of:

- Teaching experience and breadth
- Teaching effectiveness and pedagogy
- Course and curriculum development
- Publications and citations per publication (*h*-index)
- Student support and classroom management
- Reliability and responsiveness

Criteria for a **faculty research position** might also include evidence of:

- Research productivity and quality
- Research agenda and future potential
- External funding record and plan

Similarly, the required or preferred criteria for a **staff position** might include a documented and exceptional record of:

- Ability to collaborate across teams and units
- Oral and written communication skills
- Ability to work independently and manage tasks of different priorities
- Proficiency in Office365
- Work supporting student success and retention
- Team-oriented and effective supervisory skills
- Meets commitments and deadlines; addresses issues proactively

Criteria should ***not*** state or suggest a preference for candidates of a particular protected classification, such as:

- ✗ Is a member of an underrepresented minority
- ✗ Brings a unique cultural perspective
- ✗ From a historically underserved background
- ✗ Advances racial, ethnic, or religious diversity goals

Create an Objective Hiring Rubric

Once neutral job criteria have been identified, Hiring Managers should develop a **rubric** designed to measure and weigh such criteria in an objective manner. Departments **must avoid criteria** that are overly subjective, or that suggest a

preference for applicants of a certain race, sex, religion, or other protected classification.

For example, a rubric evaluating a candidate for a teaching position may include a criterion related to “student support and classroom management.” The rubric should provide clear guidelines for how to measure and weigh that criterion:

Student Support & Classroom Management (10%) <i>Advising/mentoring; responsiveness; classroom management; familiarity with specific technologies or tools.</i>	
• 5 – Exceptional – Strong advising/mentoring record; specific strategies for supporting students with varied preparation; evaluations or references highlight rapport, responsiveness, and effective classroom management. • 3 – Satisfactory – Some advising/mentoring or office-hour support; general awareness of student support responsibilities; no concerns flagged. • 1 – Insufficient – Little or no experience; materials or references raise concerns about responsiveness, professionalism, or classroom control.	
Score (1–5): ____	Comments/Evidence:

The full rubric should include instructions on how to use the rubric and what evidence must be provided to support the ratings. *See Appendix B: SAMPLE RUBRIC.*

You must not include in your rubric or interview questions criteria that are overly subjective or seem to elicit information regarding, or favor individuals with, a particular protected classification such as:

- ✗ Applicant would fit into the culture of the unit
- ✗ Applicant’s family responsibilities would not conflict with the demands of the job
- ✗ Applicant would bring diversity of backgrounds to the unit

Posting the Job Description

Once the steps above are completed, the Hiring Manager may now work with HRIC to create and post the requisition. **A job posting must include:**

- information about the University's mission and a description of the unit or office
- the job title
- the job duties associated with the position
- the required qualifications and criteria and, where applicable, preferred qualifications
- the hourly rate or salary compensation (or a range thereof) and other compensation
- a general description of all employment benefits offered for the position
- any pre-hiring requirements such as background checks or references
- the University's approved non-discrimination statement that **the University does not discriminate on the basis of protected classifications in its hiring practices**

STEP 3: Eliminate Opportunities for Bias Throughout the Hiring Process

Omitting Demographic Information

Removing identifying demographic details from applications and resumes is one way that DU can demonstrate that it does not impermissibly consider such factors in hiring. Unless OGC has approved an exception, Hiring Personnel should assume that candidates' protected classifications are to be shielded wherever possible.

For similar reasons, Hiring Personnel should not seek out additional information regarding candidates through web search, social media (including LinkedIn), and other online tools. Such external information can reveal information regarding the demographics of an applicant that would otherwise be shielded from view.

In all circumstances, Hiring Personnel are prohibited from flagging, coding, or sorting applicants by race, sex, or other protected classification. Protected

classifications can ***never*** be used as a plus or minus at any stage, including inclusion in a candidate pool or selection for interview.

Interviews

Interviews are the one stage where it may no longer be possible to shield a candidate's protected classifications from Hiring Personnel. For that reason, among others, it's important to **standardize the interview process**. That means using structured interviews and asking every candidate the same core questions in the same order.

That does not mean that interviewers cannot ask follow-up questions and engage authentically with a candidate, but interviews must be designed to elicit the same information so that candidates' responses can be fairly compared for strengths and weaknesses.

DU prohibits hiring practices and interview questions that ask for "diversity statements" or prompts that give advantage to some applicants over others on the basis of protected characteristics. Hiring Personnel may not require job applicants to demonstrate or describe their cultural competence, lived experience, or cross-cultural skills in ways that effectively evaluate candidates' racial or ethnic backgrounds. All hiring practices and interview questions must be focused on the candidate's objective qualifications for the position.

Training

Nondiscrimination training is an important part of DU's efforts to prevent bias in its hiring practices and is mandatory for all employees.

The University also recommends that Hiring Personnel receive hiring training, including regarding implicit bias. Such training should focus on legal compliance, consistent evaluation, and job-related assessment; it must not assign fault, negative traits, or moral judgment to any race or sex.

DU prohibits grouping training participants by protected classifications (e.g., race- or sex-based breakout rooms) or asking participants to affirm viewpoints because of their race or sex.

STEP 4: Document All Hiring Decisions

Hiring Personnel must **thoroughly document** their legitimate, nondiscriminatory reasons for making all hiring decisions. This is best accomplished through using an already-developed rubric that reflects objective weighing of each candidate's

qualifications and points to **specific evidence** in the application or interview to support each rating, such as experience listed in the CV, responses the applicant provided during an interview, or statements by references.

Before closing the search, the Hiring Manager or designee should upload all hiring materials (i.e., interview notes, rubric evaluations, and references) into the PageUp system.

APPENDIX A

QUICK REFERENCE

Dos and Don'ts for Nondiscriminatory Hiring Practices

- **Do** educate all who serve on hiring committees and interview panels to remind them of their nondiscrimination obligations
 - **Do** include on the hiring committee individuals with a range of relevant experiences, including one or more who have experience with the position's job-related duties
 - × **Do not** require representation of racial minorities or members of a particular sex, race, or religion on hiring committees or interview panels, or otherwise decide who can serve as Hiring Personnel based on their protected classifications
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- **Do** expand recruitment practices and carefully tailor job descriptions to reach and attract the broadest possible field of qualified candidates
 - **Do** instruct all Hiring Personnel to fairly and objectively evaluate candidates' qualifications based on specific, job-related criteria, not their race, sex, religion or other protected classifications
 - × **Do not** require representation of specific groups (e.g., underrepresented racial minorities, Christians, LGBTQ+ individuals, or women) in candidate pools
 - × **Do not** set aside a certain number of interview slots or job positions for people of a particular race, sex, or religion
 - × **Do not** require Hiring Personnel to affirm specific ideological positions or confess to personal biases or privileges based on their race, sex, religion, or other protected classifications
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- **Do** use rubrics based on objective and measurable job-related criteria, which may include, for example, one's ability to work well in teams with varied levels of experience or seniority
 - **Do** include ranking or weighting of rubric criteria to promote consistency and clarity in what constitutes the most qualified applicants
 - **Do** document each candidate's qualifications under the rubric
 - × **Do not** require job applicants to demonstrate or describe their cultural competence, lived experience, or cross-cultural skills in ways that effectively evaluate candidates' racial or ethnic backgrounds rather than their objective qualifications for the position
 - × **Do not** require job applicants to submit an inclusivity or diversity statement that advantages or disadvantages any applicant because of their race, sex, or religion
 - × **Do not** ask interviewees to discuss their need for religious, disability or pregnancy-related accommodations
 - × **Do not** seek wage history of any prospective employee or require disclosure of wage history as a condition of employment

APPENDIX B

SAMPLE RUBRIC

Teaching Faculty Search – Candidate Evaluation Form

Position: _____

Candidate: _____

Date: _____

Reviewer: _____

Instructions

- Rate each criterion **1–5** using the anchors below.
- Base scores **only** on job-related evidence (CV, syllabi, teaching statement, evaluations, teaching demo, interview, references).
- Cite evidence in the comments section.

Rating Scale (1–5)

1 = Insufficient 2 = Limited 3 = Satisfactory 4 = Strong 5 = Exceptional

Rubric with Scoring Anchors

1. Teaching Experience & Breadth (30%)

Amount and relevance of prior teaching; levels taught; formats; independence in course design.

- **5 – Exceptional** – Substantial independent teaching in closely related courses; multiple levels (intro/upper); has designed and led own courses; clear record of handling significant teaching loads.
- **3 – Satisfactory** – Several semesters of clearly relevant teaching or significant instructor-of-record experience; courses broadly aligned with department needs.
- **1 – Insufficient** – Minimal or no independent teaching; experience limited mainly to assisting or grading; weak alignment with needed courses.

Score (1–5): ____ Comments: _____

2. Teaching Effectiveness & Pedagogy (30%)

Quality of syllabi; clarity of outcomes; alignment of assessments; active learning; evaluations; demo.

- **5 – Exceptional** – Syllabi are well-structured with clear learning outcomes; assessments align; strong, consistent evaluations for career stage; teaching

statement offers concrete, evidence-based strategies; demo is engaging, well-paced, and appropriate for level.

- **3 – Satisfactory** – Syllabi reasonably organized; outcomes and assessments mostly aligned; evaluations generally positive; teaching statement shows basic understanding of effective pedagogy; demo competent.
- **1 – Insufficient** – Vague or disorganized syllabi; weak or missing outcomes; poor or missing evaluations; generic teaching statement; weak or inappropriate demo.

Score (1–5): ____ Comments: _____

3. Course & Curriculum Development (15%)

Designing or revising courses; ability to cover high-need / large-enrollment courses; program fit.

- **5 – Exceptional** – Has designed multiple courses or substantially revised existing ones; clear examples of aligning content with program goals; can immediately cover high-need or large sections.
- **3 – Satisfactory** – Some experience creating or adapting course materials; can cover at least some core courses with modest support.
- **1 – Insufficient** – Little or no evidence of course development; unclear ability to meet core teaching needs.

Score (1–5): ____ Comments: _____

4. Student Support & Classroom Management (10%)

Advising/mentoring; responsiveness; support for varied preparation; classroom management; use of supports.

- **5 – Exceptional** – Strong advising/mentoring record; specific strategies for supporting students with varied preparation; evaluations or references highlight rapport, responsiveness, and effective classroom management.
- **3 – Satisfactory** – Some advising/mentoring or office-hour support; general awareness of student support responsibilities; no concerns flagged.

- **1 – Insufficient** – Little or no experience; materials or references raise concerns about responsiveness, professionalism, or classroom control.

Score (1–5): ____ Comments: _____

5. Professionalism, Collegiality, & Reliability (10%)

Collaboration; communication; reliability; prior service or program participation.

- **5 – Exceptional** – Strong evidence of reliability and follow-through; positive collegial reputation; active participation in departmental or program efforts; references clearly endorse teamwork and professionalism.
- **3 – Satisfactory** – Generally reliable and collegial; some service or collaborative work; references are solid but not effusive.
- **1 – Insufficient** – Red flags or significant concerns in references or history regarding reliability, communication, or collegiality.

Score (1–5): ____ Comments: _____

6. Engagement in Teaching Development (5%)

Workshops, certificates, pedagogical training; reflection; openness to feedback.

- **5 – Exceptional** – Clear record of ongoing teaching development (workshops, certificates, learning communities); teaching statement shows reflective practice and concrete improvements over time.
- **3 – Satisfactory** – Some engagement in teaching development (a few workshops, trainings); expresses willingness to improve.
- **1 – Insufficient** – No significant evidence of teaching development; little indication of reflection or interest in growth.

Score (1–5): ____ Comments: _____

Overall Impressions / Key Strengths & Concerns:
