

16-113 Faculty Hiring Process

We have completed our audit of the faculty hiring process. This audit was performed at the request of the UTHealth Audit Committee and was conducted in accordance with the *International Standards for the Professional Practice of Internal Auditing*.

BACKGROUND

UTHealth Philosophy and Guidelines for Faculty Recruitment states, in part, “As a leading academic health center, UTHealth is aggressive in our pursuit of the best talent among educators, clinicians and scientists. This means recruiting faculty members who have the potential to be outstanding in their own individual fields of expertise and share an interest in fulfilling the common goals of the institution, including the spirit of collaboration across our campus community. The University is committed to advancing an academic and work environment that values differences and that enriches the experiences of students and faculty alike. UTHealth strives to recruit an outstanding and diverse faculty committed to excellence, discovery and service.” This document went into effect January 1, 2016 as the university’s official guide for hiring faculty. These guidelines attempt to standardize the faculty hiring process across all schools and campuses while allowing the various hiring departments some local autonomy within the constraints of current federal and state codes as well as laws, regulations and UT System directives.

OBJECTIVE

The objective of this audit was to determine whether UTHealth policy and hiring practices are in compliance with current federal and/or state codes as well as laws, regulations, and guidance applicable to hiring faculty at each of the schools.

SCOPE PERIOD

The scope period was January 1, 2016 to June 1, 2016.

METHODOLOGY

The following procedures were performed:

- Obtained federal and/or state codes as well as laws, regulations, and guidance applicable to hiring faculty as well as UTHealth policies and hiring processes for each of the six schools;
- Compared UTHealth policy to federal and/or state codes as well as laws, regulations, and guidance applicable to hiring faculty;
- Obtained a population and selected a judgmental sample of faculty based on school, start date, position, and department; and
- Reviewed the documentation related to the hiring of the individuals selected in the sample.

AUDIT RESULTS

We performed work to determine whether the School of Public Health, School of Dentistry, School of Biomedical Informatics, Graduate School of Biomedical Sciences, McGovern Medical School, and

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School of Nursing had developed, implemented and followed procedures to ensure hiring processes were in compliance with federal and/or state codes, laws, and regulations. The university policy, *UTHealth Philosophy and Guidelines for Faculty Recruitment* generally follows federal and/or state codes as well as laws, regulations, and guidance applicable to hiring faculty. Overall, the hiring practices at each of the six individual schools follows the university's policy.

School of Public Health

The School of Public Health hired two faculty members during the period within our scope. We reviewed both positions for supporting documentation, obtained adequate support, and determined the School of Public Health has developed and followed a specific faculty hiring program. Details of our testing are as follows:

One of the two faculty members was hired through a search process.

- A diverse search committee was formed prior to recruiting of the faculty member as required by Federal Executive Order 11246 and a listing of the search committee members was retained.
- Position was posted online at Work In Texas for a minimum of 30 days as required by the Jobs for Veterans Act and externally as required by Federal Executive Order 11246.

The other faculty member was hired through a waiver as an emergency appointment.

- Federal Executive Order 11246 states that search waivers should occur rarely and should be used only for legitimate business needs. University guidelines list the use of waivers for emergency appointments as a legitimate business need. The use of the waiver in this case was appropriate and followed both university policy and the requirements of Federal Executive Order 11246.

For both positions:

- A formal process was established to ensure a request is made of each applicant to provide Veteran and Equal Employment Opportunity (EEO) status information as required by 41 Code of Federal Regulations (CFR) 60-3.4 and Texas Government Code 657. We also verified a process was established to retain this information when provided.
- Offer letters were sent to both candidates at the appropriate time at the conclusion of the hiring process.
- Human Resources and the Office of Academic and Research Affairs formally approved both positions as required by UTHealth policy.
- References, criminal background, sanctions, and exclusion checks were performed before both candidates were hired.
- Thank you letters were sent at the appropriate times to candidates who were not hired.
- The disposition of each candidate's status as an applicant, a listing of declined candidates, and each candidate's Curriculum Vitae (CV) was retained and placed on a two year retention schedule as required by 41 CFR 60-3.4.

School of Dentistry

The School of Dentistry hired eight faculty members during the period within our scope. We judgmentally selected five of these positions for further testing. For each of the five faculty members we reviewed supporting documentation, obtained adequate support, and determined the School of Dentistry has developed and followed a specific faculty hiring program. Two of the five

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faculty members in our sample were hired through a full search process. The remaining three were hired using a search waiver. Details of our testing are as follows:

Two faculty members were hired through a search process.

- A diverse search committee was formed prior to recruiting of the faculty member as required by Federal Executive Order 11246 and a listing of the search committee members was retained.
- Both positions were posted online at Work In Texas for a minimum of 30 days as required by the Jobs for Veterans Act and externally as required by Federal Executive Order 11246.
- 41 CFR 60-3.4 requires the disposition of each candidate's consideration, a listing of declined candidates, and each candidate's CV is retained for at least 2 years. There was only one applicant to each of the positions, so we were unable to verify whether the school follows this process. Both job listings were created before the new university policy was implemented.

In three cases, the faculty members were hired through a waiver.

- Two were non-benefits eligible faculty positions, and the third was an emergency appointment. All three waivers were appropriate and followed both university policy and the requirements of Federal Executive Order 11246.

For all positions:

- A formal process has been established to ensure a request is made of each applicant to provide Veteran and EEO status information as required by 41 CFR 60-3.4 and Texas Government Code 657. We also verified a process has been established to retain this information when provided.
- Offer letters were sent to candidates at the appropriate time at the conclusion of the search process.
- Human Resources and the Office of Academic and Research Affairs formally approved the offers as required by UTHHealth policy.
- References, criminal background, sanctions, and exclusion checks were performed before each candidate was hired.

School of Biomedical Informatics

The School of Biomedical Informatics hired three faculty members during the period within our scope. We reviewed all three positions for supporting documentation, obtained adequate support, and determined the School of Biomedical Informatics has developed and followed a specific faculty hiring program. Details of our testing are as follows:

For all positions:

- A diverse search committee was formed prior to recruiting of the faculty member as required by Federal Executive Order 11246 and a listing of the search committee members was retained.
- Each recruitment was posted online at Work In Texas for a minimum of 30 days as required by the Jobs for Veterans Act and externally as required by Federal Executive Order 11246.
- A formal process has been established to ensure a request is made of each applicant to provide Veteran and EEO status information as required by 41 CFR 60-3.4 and Texas

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Government Code 657. We also verified a process has been established to retain this information when provided.

- Offer letters were sent to candidates at the appropriate time at the conclusion of the search process.
- Human Resources and the Office of Academic and Research Affairs formally approved the offer as required by UTHealth policy.
- References, criminal background, sanctions, and exclusion checks were performed before each candidate was hired.
- Thank you letters were sent at the appropriate times to candidates who were not hired.
- The disposition of each candidate's status as an applicant, a listing of declined candidates, and each candidate's CV was retained and placed on a two year retention schedule as required by 41 CFR 60-3.4.

In two of the three cases:

- Faculty members were hired through a master posting. Master postings are utilized when the department may have multiple positions open and would like a large job pool to select from. Interested parties apply to the master posting and are interviewed through that posting. When a finalist is selected, the applicant is transferred to a singular position. The applicant then would go through all of the same hiring processes as any other applicant. The master postings were used appropriately and specific requirements for posting a position in this manner were followed.

Graduate School of Biomedical Sciences

The Graduate School of Biomedical Sciences appointed twenty one faculty members during the period within our scope. We judgmentally selected five of these appointments for further testing. For each of the five faculty members we reviewed supporting documentation, obtained adequate support, and determined the Graduate School of Biomedical Sciences has developed and followed a specific faculty hiring program. All faculty positions at the Graduate School of Biomedical Sciences are unpaid secondary appointments awarded to existing employees of MD Anderson and UTHealth. Although membership is open to faculty of both schools, it is not automatic or guaranteed. Some of the items we tested at the other schools did not apply or exist in a slightly modified format. Details of our testing are as follows:

- The Graduate School of Biomedical Sciences Faculty Membership Committee reviews and makes recommendations to the Deans on faculty appointments. The Committee is made up of a diverse group of faculty members from both UTHealth and MD Anderson who review applications at publicized meetings six times per year.
- Since these unpaid secondary appointments are only open to existing employees, they are not required to be posted externally. They are however advertised through a general posting on the school's website.
- A formal process has been established to ensure a request is made of each applicant to provide EEO status information as required by 41 CFR 60-3.4 and Texas Government Code 657. We also verified a process has been established to retain this information when provided.
- Veteran status is requested and retained with the primary appointment information and is not requested for secondary positions.

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- Appointment letters were sent to candidates at the appropriate time at the conclusion of the Graduate School of Biomedical Sciences Faculty Membership Committee meetings and Deans' final approval.
- References, criminal background, sanctions, and exclusion checks were performed before each candidate was hired to their primary position and are not redone for these secondary positions. Similarly, there is no requirement for Human Resources and the Office of Academic and Research Affairs to formally reapprove the offer.
- Since the positions are not competitive, reviewing listings of declined candidates and thank you letters sent to declined candidates was not applicable.
- Each candidate's CV was retained and placed on a two year retention schedule as required by 41 CFR 60-3.4.

McGovern Medical School

McGovern Medical School hired thirty six faculty members during the period within our scope. We judgmentally selected five of these positions for further testing. For each of the five faculty members we reviewed supporting documentation, obtained adequate support, and determined McGovern Medical School has developed and followed a specific faculty hiring program. Two of the five faculty members in our sample were hired using a search waiver and the remaining three were hired through a full search process. Details of our testing are as follows:

For each of the three faculty members hired through a search process:

- A diverse search committee was formed prior to recruiting of the faculty member as required by Federal Executive Order 11246 and a listing of the search committee members was retained.
- In two of the three cases, the faculty members were hired through a master posting, and specific requirements for posting a position in this manner were followed.
- Each of the three positions were posted online at Work In Texas for a minimum of 30 days as required by the Jobs for Veterans Act and externally as required by Federal Executive Order 11246.
- One of the three positions showed all applicants as active, including the applicant who was hired. Some departments wait until the faculty member has accepted and started the position before finalizing the disposition of each candidate to ensure the position is filled; however, the faculty member that was hired began their employment 60 days prior to our review. A&AS made a suggestion to McGovern Medical School to ensure all positions are closed and each applicant's disposition is updated once the selected applicant has begun their employment.
- For all but the aforementioned position, the disposition of each candidate's status as an applicant, a listing of declined candidates, and each candidate's CV was retained and placed on a two year retention schedule as required by 41 CFR 60-3.4. Additionally, thank you letters were sent at the appropriate times to candidates who were not hired.

For the remaining two cases, the faculty members were hired through waivers:

- One was a promotion of an existing employee to a faculty position, and the other was a spouse/domestic partner accommodation. Both cases are appropriate uses of a waiver and followed both university policy and the requirements of Federal Executive Order 11246.

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For all positions:

- A formal process has been established to ensure a request is made of each applicant to provide Veteran and EEO status information as required by 41 CFR 60-3.4 and Texas Government Code 657. We also verified a process has been established to retain this information when provided.
- Offer letters were sent to candidates at the appropriate time at the conclusion of the search process.
- Human Resources and the Office of Academic and Research Affairs formally approved the offer as required by UTHealth policy.
- References, criminal background, sanctions, and exclusion checks were performed before each candidate was hired.

School of Nursing

The School of Nursing hired twenty-eight faculty members during the period within our scope. We reviewed supporting documentation and obtained adequate support to determine whether the School of Nursing has developed and followed a specific faculty hiring program for five faculty members. Four of the five faculty members in our sample were for a part time or casual status.

We noted the process for hiring the four part-time faculty members in our sample varied by department and did not follow university policy. To determine whether the issue was limited to part-time faculty we expanded our testing to include two additional full-time faculty members. Upon confirming the School of Nursing did follow university hiring policy for full-time faculty, A&AS made a recommendation that the process for hiring part-time faculty be brought into compliance and be applied consistently throughout the school. Details of our testing are as follows:

For the three full-time faculty members hired through a search process:

- A diverse search committee was formed prior to recruiting of the faculty member as required by Federal Executive Order 11246 and a listing of the search committee members was retained.
- Each of the three positions were posted online at Work In Texas for a minimum of 30 days as required by the Jobs for Veterans Act and externally as required by Federal Executive Order 11246.
- A formal process has been established to ensure a request is made of each applicant to provide Veteran and EEO status information as required by 41 CFR 60-3.4 and Texas Government Code 657 for full-time applicants. We also verified a process has been established to retain this information when provided.
- Offer letters were sent to full-time candidates at the appropriate time at the conclusion of the search process.
- Human Resources and the Office of Academic and Research Affairs formally approved the offers as required by UTHealth policy.
- References, criminal background, sanctions, and exclusion checks were performed before each candidate was hired.
- Thank you letters were sent at the appropriate times to candidates who were not hired for full-time positions.
- The disposition of each candidate's status as an applicant, a listing of declined candidates, and each candidate's CV was retained and placed on a two year retention schedule as required by 41 CFR 60-3.4 for full-time positions.

NUMBER OF PRIORITY & HIGH FINDINGS REPORTED TO UT SYSTEM

None

We would like to thank the staff and management within throughout the university who assisted us during our review.



Daniel G. Sherman, MBA, CPA, CIA
Assistant Vice President

MAPPING TO FY 2016 RISK ASSESSMENT

Risk (Rating)	R.10 The hiring process for our faculty is not adequate. (High) R.33 Letters of intent/offer letters are sent to job candidates before positions are listed on the Texas Workforce Commission website. (High) R.35 Background checks on faculty are not properly conducted. (High)
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AUDITING & ADVISORY SERVICES ENGAGEMENT TEAM

Assistant Vice President	Daniel G. Sherman, MBA, CPA, CIA
Audit Manager	Nat Gruesen, MBA, CIA, CISA, CFE
Auditor Assigned	Cara Saldivar
End of Fieldwork Date	August 17, 2016
Issue Date	October 17, 2016

Copies to:
Audit Committee

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Issue #1	<p>Four of the seven faculty members in the School of Nursing sample were part-time positions. Policy allows for the hiring of casual or part-time positions either through a search waiver or a full search process. At the time of our review, the School of Nursing was using paper applications and manual processes which do not follow policy.</p> <p>Further, requirements state that the hiring agencies must request Veteran and Equal Employment Opportunity status from all applicants. The paper applications we reviewed did not meet these requirements.</p>
Recommendation #1	<p>We recommend the School of Nursing create and implement policies and procedures that follow the <i>UTHealth Philosophy and Guidelines for Faculty Recruitment</i>.</p>
Rating	<p>Medium</p>
Management Response	<p>The School of Nursing will implement policies and procedures that follow the <i>UTHealth Philosophy and Guidelines for Faculty Recruitment</i>.</p>
Responsible Party	<p>Ryan L. Bien, Associate Dean for Management, School of Nursing (Interim) and Kevin Burnett, Associate Dean for Management, School of Nursing (Permanent)</p>
Implementation Date	<p>August 31, 2017</p>