

Search Waiver and Recruitment Guidelines

These updated Guidelines are meant to supplement Red Binder VII-1-III-B. They provide context and background, describe expectations for departmental requests, and note current protocols related to the review of requests.¹

Every year, departments, deans, and Academic Senate committees put an extraordinary amount of work into our recruitment planning and appointment process, balancing compelling yet competing priorities in the context of limited resources. Our goals of inclusive excellence and equal opportunity depend on rigorous open recruitments. Yet there sometimes are needs or opportunities that require departures from the recruitment planning cycle, including requests for exceptions to open recruitment.

Departments and deans should be conservative in requesting and endorsing Search Waivers. Best practices and federal law presume that faculty appointments will follow competitive, national or international searches with diverse pools of outstanding candidates. Departments and deans should explain how a proposed appointment would be consistent with the departmental, divisional, or college priorities and recruitment plans, and why it is not possible to consider the candidate as an applicant in an open search after obtaining permission to conduct a recruitment in normal academic planning cycles.

Deans should endorse departmental requests only if they consider them to be among the highest priorities of their division, college, or school, and if they would rank them in the top tier of requests in their next recruitment plan. Because the number of Academic Senate faculty recruitments is limited, the number of appointments made through Search Waivers impact the number of recruitments authorized across campus in the cyclical planning process. (That being said, the agreement of an individual department to host a “partner hire” proposed by another department will not diminish the number of new recruitments awarded to meet its programmatic needs.) Deans must identify an unfilled FTE from their inventory to be used for the appointment, and comment on any relevant resource considerations (such as the effect on the Temporary Sub 0 budget used for instruction, the availability of future FTE, and the relevance of recent or expected retirements or separations). Information about appointments made through Search Waivers is included in the deans’ annual recruitment plans.

These guidelines summarize procedures, protocols, and criteria for Search Waivers and related recruitment requests. Consistency with the criteria outlined in Red Binder VII-1-III-B is a minimum condition for receiving a Search Waiver but does not guarantee that a Waiver will be granted. The following are the most common categories of Search Waiver requests and related departures from cycles of recruitment authorizations. Chairs should consult with their deans and Academic Personnel at every stage of the recruitment process. Deans should consult with the Executive Vice Chancellor before endorsing and forwarding any departmental request. In the rare case that a Unit 18 Lecturer is being considered for an appointment to an Academic Senate position through a search waiver, deans should consult Academic Personnel and Labor Relations before proceeding with any request. Search waiver requests should be submitted as early as possible in the academic year—ideally by the beginning of Winter Quarter. It is understood that partner hire requests are usually linked to recruitments, which may happen later in the year. This is a reason that departments should strive to complete their recruitment cycles in a timely manner.

Exceptional Opportunity Hires

Departments sometimes have an unexpected opportunity outside of an open recruitment to hire an individual with outstanding qualifications whose appointment will significantly benefit the campus. Merely identifying an outstanding faculty member at another institution is not in itself a justification to request a “unique opportunity” Search Waiver. There are outstanding faculty all over the world who would be interested in an offer from UC Santa Barbara. Such opportunities are assumed to be infrequent and unusual.

- The department and the dean must provide a compelling reason to forgo a national search.

¹ These Guidelines, revised in 2025, summarize and update guidance distributed originally in 2015 and revised in 2018.

- There should be evidence that the candidate would be among the top candidates if a national search were conducted and would be sought after by peer institutions.
- The department and the dean must provide a compelling reason why they should bypass the cyclical FTE request and planning process.
- If a relevant authorized position is available to the department, there is a presumption that it will be utilized.
- It is strongly recommended that any requests be submitted by the beginning of the Winter Quarter.

The Executive Vice Chancellor will request:

- the Director of Policy Compliance for Academic Affairs to provide relevant information in the context of the Campus Affirmative Action Plan and placement goals;
- the Committee on Academic Personnel to provide a preliminary assessment of the candidate's qualifications for the proposed appointment; and
- the Committee on Budget and Planning to comment on planning considerations and Search Waiver criteria relevant to the request.

After consultation with these reviewing agencies and the Associate Vice Chancellor for Academic Personnel, the Executive Vice Chancellor will make a final decision.

Exceptional Opportunity appointments normally are at the Full Professor level, but under special circumstances, justified by compelling reasons, they may be at a lower level. Relevant factors may include an opportunity to advance our commitment to inclusive excellence (for example, through the President's Postdoctoral Fellow Faculty recruitment program) or an opportunity to recruit a less advanced faculty member with a record of outstanding accomplishment and potential on the verge of greater recognition.

Partner Hires

It occasionally is appropriate to waive search requirements when a faculty appointment for a spouse or domestic partner is required in order to recruit or retain a faculty member. Partner hires are not automatic, and we cannot create a second position for every candidate whose partner is an academic. Such requests should be reserved for high-priority recruitment or retention cases in which the partner has a comparable faculty position or an offer of a comparable faculty position at a peer institution, and a second position for the partner is required to make a competitive offer or a counter-offer in the context of a retention case in response to dual offers or positions elsewhere.

- The record and credentials of the partner should provide evidence that he or she is likely to have been among the top candidates if an open search for a professor at a comparable rank had been conducted in his or her field.
- Although sometimes the benefits to the campus and department will justify an excellent partner hire even if the partner does not match a top FTE priority previously identified by the department, the department and dean should explain how the appointment would fit in the context of the priorities, curricular needs, and/or research strengths identified in departmental, divisional, or college FTE plans.
- When a partner hire seems necessary to the recruitment of a top candidate, department chairs should consult their dean; chairs should not reach out to other chairs directly and should instead work through their dean.
- The dean responsible for the primary appointment must identify an FTE from his or her inventory to be used for the appointment, unless another arrangement is negotiated.

Departments proposing a partner hire who would join their own faculty in connection with their own recruitment may be asked to utilize a preexisting, authorized FTE if one is available. Departments asked to consider a partner hire candidate proposed by another department are encouraged to cooperate if the academic record of the potential partner hire merits an appointment, and the appointment would make a programmatic contribution to the department. Such an appointment will not "count against" the department in future recruitment planning. If a dean supports a partner hire in another college, school, or division, the dean loans the FTE for the duration of the appointment. In general, if a department can make a strong argument that there is a need for a certain recruitment, consistent with teaching and

research needs and strengths, and the dean supports it as a priority, the fact that a partner hire was recently authorized in the department is not relevant, unless such a hire directly fills the stated need. There is no guarantee that any requested recruitment will be authorized, but in general the chances of having a future recruitment authorized are not diminished by the department's cooperation with a partner hire. Although excellence should not be compromised, flexibility is encouraged. The campus has many departments that have been strengthened by outstanding partner hires.

The Executive Vice Chancellor will consult with the Director of Policy Compliance for Academic Affairs, the Committee on Academic Personnel, and the Committee on Budget and Planning, as with a request for an Exceptional Opportunity Search Waiver. After consultation with these reviewing agencies and the Associate Vice Chancellor for Academic Personnel, the Executive Vice Chancellor will make a final decision.

President's Postdoctoral Fellow Recruitment Program

UC Santa Barbara has a strong record of utilizing the President's Postdoctoral Fellow Recruitment Program to enhance diversity and excellence. Fellows who have been appointed in this program have been selected in a highly-competitive national competition and have launched their research projects mentored by University of California faculty. A subsidy for the FTE utilized for the faculty appointment of a former President's Postdoctoral Fellow is provided to the campus by the UC Office of the President for a period of five years, after which the dean must provide an FTE from his or her inventory. Appointments can be made in two ways:

- If a President's Postdoctoral Fellow is a candidate in an authorized recruitment and is selected and appointed, a supplemental FTE will be available to the dean for a period of five years.
- If a department does not have an authorized recruitment in which to appoint a President's Postdoctoral Fellow, it can request a Search Waiver in the Exceptional Opportunity category.

The EVC distributes information about the recruitment program to deans annually. Departments may review new and previous cohorts of fellows on the President's Postdoctoral Fellow website. Given the competition for fellows and the need for reviewing agencies to review requests, departments and deans are strongly encouraged to submit requests by the beginning of the Winter Quarter. As with any appointment, departments and deans should ensure that candidates for these "exceptional opportunity" appointments are comparable in quality to candidates who would be on the short list in a search, and that they align with priorities, curricular needs, and/or research strengths identified in departmental, divisional, or college FTE plans. Deans should seek a balance of such appointments across their departments rather than clustering them disproportionately in one or two departments.

The EVC will consult with the Council on Planning and Budget about the potential impact of these search waivers on academic planning and departmental recruitment plans, and with the Committee on Academic Personnel about the academic record of candidates at the tenured level.

Appointments in Searches with Specified Ranks

Appointments must be made at the rank advertised in the recruitment.

Candidates who are at a higher rank than the rank advertised in a search at the time that they apply should not be included on departmental interview, campus visit, or short lists (and should not be approved by the dean) unless they have agreed in advance to accept an appointment at the advertised rank. Tenured candidates accepting an appointment at the Assistant Professor rank should be prepared to return to a tenure-track ladder at the step that corresponds to their academic record and should not be promised early advancement or other expedited or exceptional personnel actions.

Candidates who are at the advertised rank at the time of their application may be hired at a higher rank by exception only if they receive tenure and/or a promotion at a peer institution while the search is in progress; or

another peer institution is simultaneously attempting to recruit the candidate and offers tenure or a higher rank. When there is evidence of a competing offer at a higher rank, the department and dean may request permission from the Associate Vice Chancellor for Academic Personnel and the Executive Vice Chancellor to extend an offer at the higher rank. It is not adequate to state that the candidate will not accept an appointment to the position for which he or she applied without tenure or a higher rank. The department must obtain appropriate letters from external referees before submitting the appointment case to the Committee on Academic Personnel.

Multiple Offers in an Authorized Recruitment

These requests do not require Search Waivers since they come from authorized searches that follow all normal recruitment policies and procedures. This category refers to those rare and exceptional cases in which a department and dean can present a compelling argument to make two offers in an authorized search. Deans should maintain a high bar for endorsing departmental requests to make a second offer and should consider the potential second appointment as a top priority in the context of their next recruitment plan. Having more than one excellent finalist on a short list should be expected in every search and is not in itself a reason to make two offers. At a minimum, there must be an exceptionally strong short list of finalists in a field that is very competitive, the candidate's subfields should be complementary rather than duplicative, and both appointments should address additional research and teaching needs that have been previously recognized in the academic planning process. Departments should never request permission to make a second offer because of a split vote or a difficult choice. The request needs to be sufficiently compelling to justify a departure from the normal FTE planning cycle.

In cases in which a department seeks to make more than one offer in a search for which only one FTE has been authorized, there are two possible scenarios:

- If the dean proposes to use an FTE from his or her FTE inventory that has not been authorized for a search, the EVC will consult with the Council on Planning and Budget, which will be asked to comment on planning and budget considerations, as well as the consistency of the proposed appointment with previous FTE plans and priorities. The dean must be willing to have the second appointment, if it is made, counted as a top priority for the recruitment plan reviewed in the following year.
- If the dean plans to utilize an open-field FTE or an FTE in a related field that already has been authorized for a future search in the course of normal academic planning, the dean may ask the EVC for permission to utilize this pre-authorized FTE for the purpose of making the additional offer.
- Since the second offer and appointment would take place in the context of an open recruitment and utilize an FTE already authorized following Academic Senate consultation, the request will not require further consultation.

In very rare cases in which departments are searching in highly-competitive fields, and multiple FTE are available from past authorized recruitments or future authorized recruitments, the dean may seek advance permission from the EVC to deploy the available FTE to achieve maximum flexibility in advertising positions and extending multiple offers.