

**INTRODUCTION**

*This booklet is provided by the Tulare County Office of Education to acquaint you with interview laws and procedures and to sensitize you to potential problem areas.*

*After reviewing this booklet, if you have any questions, please feel free to contact the **Human Resources Department** at 559-733-6306.*

**Human Resources Department**

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*Thank you for agreeing to serve as an interview panel member. A careful appraisal of each candidate is necessary to identify the best qualified individual for the open position. Our confidence in you to evaluate candidates' skills and knowledge and your unique perspective are why you have been selected to participate on this panel.*

*Please remember that you are performing a very important and valuable service to our organization as you interview potential employees today. Be especially mindful of the following:*

- Stay equally attentive and alert for each candidate being interviewed;*
- Avoid negative body language which could unsettle candidates;*
- Avoid excessive "validation" of candidate responses. This sends mixed messages;*
- Use consensus when making final recommendations and consider each panel member's assessment when making decisions; and*
- Portray a friendly, yet professional demeanor toward each candidate.*

*This booklet will provide you with oral interview guidelines and outline your responsibilities as a panel participant. A representative of the **Human Resources Department** will provide a panel orientation prior to the interviews. An opportunity to answer your questions and provide specific information will be afforded at that time.*

## EQUAL EMPLOYMENT OPPORTUNITY LAWS AND REGULATIONS

It is Tulare County Office of Education's (TCOE) policy to ensure Equal Employment Opportunity for all persons regardless of race, color, sex, national origin, religion or physical or mental disability. It is the policy of TCOE to continue to make positive efforts to upgrade the recruitment, hiring and promotional practices with the goal of achieving a fully diversified work force in all levels of employment.

Employers must comply with the following laws and regulations in order to meet current equal employment regulations. They are:



**Title VII of the Civil Rights Act of 1964**, as amended, prohibits discrimination in hiring, promotion, discharge, pay, fringe benefits and other aspects of employment, on the basis of race, color, religion, sex or national origin. Applicants to and employees of most private employers, state and local governments and public or private educational institutions are protected. Employment agencies, labor unions and apprenticeship programs are also covered.

**Civil Rights Act of 1991**, facilitates proof of disparate impact by protected group members.

**Sexual Harassment**, is a form of sex discrimination prohibited under the Title VII of the Civil Rights Act of 1964, 42 U.S.C.2000e, et. seq. Title IX of the Educational Amendments Act of 1972, 20 U.S.C. 1681 et. seq. and prohibits unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, is used as the basis for employment decisions, or creates a hostile or offensive working environment. It is also prohibited under California Education Code sections 200 et. seq.

In addition to the sex discrimination prohibited by Title VII of

the Civil Rights Act, **The Equal Pay Act of 1963**, as amended, prohibits sex discrimination in payment of wages to women and men performing substantially equal work in the same establishment. The law covers most private employers, state and local governments, and educational institutions. Many employers not covered by Title VII, because of size, are covered by the Equal Pay Act.

**The Age Discrimination in Employment Act of 1967**, as amended, prohibits age discrimination and protects applicants and employees age 40-70 from discrimination in hiring, promotion, discharge, pay, fringe benefits and other aspects of employment. The law covers most private employers, state and local governments, educational institutions, employment agencies and labor organizations.

**California Administrative Code, Title 2, Division 4, Chapter 5, Section 8101 et. seq.** Provides the employer shall not discriminate against any employee or applicant for employment on the basis of race, religious creed, color, national origin, ancestry, physical handicap, medical condition (cancer-related as defined in Government Code 12990), marital status, sex or age (over 40).

**Executive Order 11246**, as amended, prohibits job discrimination on the basis of race, color, religion, sex or national origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment.

**Section 402 of the Vietnam-Era Veterans Readjustment Act of 1974** prohibits job discrimination and requires affirmative action to employ and advance in employment qualified Vietnam-Era Veterans and qualified disabled veterans.

Applicants to and employees of companies with a federal government contract or subcontract are protected under the authorities above.

**Section 503 of the Rehabilitation Act of 1973**, as amended, prohibits job discrimination because of handicap and requires affirmative action to employ and advance in employment qualified handicapped individuals, who with reasonable accommodation, can perform the functions of a job.

**Section 504 of the Rehabilitation Act of 1973**, as amended,

prohibits employment discrimination on the basis of handicap in any program or activity which receives federal financial assistance. Discrimination is prohibited in all aspects against handicapped persons who, with reasonable accommodation, can perform the essential functions of a job.

**Americans with Disabilities Act of 1990 (ADA)**, prohibits discrimination against qualified applicants and employees with disabilities and requires reasonable accommodations be made for applicants or employees with disabilities, if such accommodations do not impose an “undue hardship” on the operation of the employer’s business.

In addition to the protection of Title VII of the Civil Rights Act of 1964, **Title VI of the Civil Rights Act** prohibits discrimination on the basis of race, color or national origin in programs or activities receiving federal financial assistance. Employment discrimination is covered by Title VI if the primary objective of the financial assistance is provision of employment, or where employment discrimination causes or may cause discrimination in providing services under such programs.

## INTERVIEW PROCEDURES

Interviews are used to evaluate a candidate’s qualifications in areas not measured by other examining methods. As a panel member, you have an obligation to conduct fair, job-related information-gathering interviews. Candidates should leave the interview feeling they have been given friendly, skillful help in presenting their qualifications. **Any information you receive during interview proceedings (i.e. candidate’s name, qualifications, information volunteered and rating score) is to be kept confidential and is not to be discussed outside the interview room.**

The information needed to make a good hiring decision can be obtained from the candidate by using the Structured Oral Interview format. In a structured interview such as this, **all**

candidates are asked the same preestablished set of questions. You must use these questions and you may also ask supplemental questions if those questions are designed to encourage the candidate to elaborate on, or clarify responses. Please remember not to ask questions about, or suggest consideration of the following areas:

- ▶ Arrest record;
- ▶ Citizenship, country or origin of ethnic status;
- ▶ Marital status, marital plans or spouse, spouse’s employment, children or childcare needs;
- ▶ Handicaps not directly related to the ability to do the job;
- ▶ Home, car, or furniture ownership or debts;
- ▶ Military discharge;
- ▶ Pregnancy;
- ▶ Religion or religious practices;
- ▶ Prior job-related injuries.

Panel members should set the proper interview atmosphere. A friendly, easy-going, positive approach will usually produce more useful information about a candidate than will a session of rapid, direct questions which may cause candidates to be put on the spot.

Before the interviews begin, panel members should take a few minutes to discuss the interviewing and rating procedures. Each member should be involved in the questioning. Please note that while it is important to allow the candidates adequate time to respond, it is also important to follow the interview schedule as closely as possible.

A standard interview procedure is commonly used. A brief outline of a typical interview follows:

- Before each interview, panel members will review the candidate’s background, work experience and qualifications as noted on the application and other materials submitted. They also decide which areas need more information or close attention.
- Panel members should begin by introducing themselves to the candidate. One panel member should provide the candidate with a brief description of the position and begin the interview by asking the candidate to briefly describe

his/her background and training as it relates to the duties of the position. This question gives the candidate the opportunity to relax by talking about a familiar subject.

- The panel members then ask specific questions as previously determined. While interviewing, panel members should make written notes on the form provided for this purpose. Notes should be specific, describing actual behavior observed or quotes, from the candidates whenever possible. (For example, when rating oral communication ability, instead of noting “excellent speech,” make specific comments such as, “clear enunciation,” or “appropriate use of technical terms.”) However, do not allow your note writing to become too involved, as you will have time following the interview to complete your notes. You may wish to mention to the candidate that you will be taking notes.
- If you get negative responses in one area, ask a follow-up question to allow the candidate the opportunity to clarify any responses. **Before you decide that a candidate is not qualified in any given area, be sure you have sought clarification as needed.**
- When all **job-related** areas have been fully explored and the panel has no further questions, ask if there is any job-related information the applicant wishes to add. After this has been done, the candidate should be thanked for participation and informed of the next steps in the process.
- The panel should be careful not to indicate to the candidate whether he/she is going to be further considered for the position. It is best to say that notification of results will be done once reference checks are completed which will normally be within a week after the interviews.
- After the candidate leaves the room, notes should be finished by the panel members who are then free to discuss how well the candidate meets the standards for the position.

## COMMON RATING PROBLEMS

In evaluating candidates, panel members should be aware of a few common problems which may occur. Whenever one person judges another, it is easy to fall into the following practices without even being aware of it.

### Halo Effect

Panel members should guard against the very common tendency of allowing excellence in one factor to overshadow other factors in determining an overall score. Careful attention to the actual information justifying a rating will help to avoid this effect.



### Projection Effect

Some people have a tendency to apply their own personal values when rating others. This says, in effect, that only a “person like me” can be a successful candidate for the position. This can lead to ratings which are unfair, discriminatory, and illegal.

### Leniency, Severity and Central Errors

Leniency, severity and central errors are all common tendencies in scoring. Leniency error is rating everyone high, severity error is rating everyone low, and central error is when all ratings are “middle of the road” or average.

### Contrast Effect

An average person can look extremely good or extremely poor in contrast to a very “low” or very “high” person. Keep in mind that you are rating the actual amount of behavior observed, and the actual qualifications of each candidate as they relate to the classification qualifications.

## EVALUATION AND RATING

Ratings are an estimate of a candidate's potential success in a new position, not a judgment of effectiveness in a current position. They must be based solely on information brought out during the interview or on the candidate's observable behavior in the interview. Ratings must be justifiable on the basis of performance dimensions only, and should accurately reflect an estimation of how well a candidate will perform on the job.

Panel members should be aware of biases when ratings are assigned. Many types of biases exist such as race, age and sex. As a result, ratings can be lower on the performance dimensions due to one characteristic rather than being based on a composite of the candidate's character. It is important to be aware of these things and make an effort to set them aside when evaluating candidates.

The rating forms should be completed as follows:

Each question should be assigned a score using a 1-4 point system.

1 = Excellent  
2 = Good  
3 = Fair  
4 = Poor

- ☞ Complete the rating form following each interview. Positive and negative comments are encouraged and should be used to justify a candidate's numerical score. Panelists will want to discuss the reasons for assigning their score.
- ☞ Rating scores should be totaled either at the end of each interview or when all interviews have been completed. This decision can be made jointly at the beginning of the process. Depending on the size of the interview pool, you may be asked to fill out a progressive ranking matrix in order to facilitate candidate selection.
- ☞ Should a candidate fail to appear for the interview, enter the word "No Show" on the rating form.

- ☞ All rating forms must have the score and the evaluator's signature.
- ☞ If it is decided to fail or disqualify a candidate, the panel must make sure the decision is well-justified and documented. Comments should be specific. They are used to provide feedback to candidates by **Human Resources** staff. However, the rating sheets are confidential and not shared unless they become part of a litigation process. Scores are computed and panel recommendations are presented as recommendations to the hiring authority.

The oral interview portion of the selection process provides an opportunity for personal evaluation of the applicant. In addition to the actual responses to the interview questions, the applicants are able to demonstrate their presentation skills, poise, attitude, and professional demeanor.

It is important to remember the interview is only one part of the selection process. The interview team will also be considering the actual application information and letters of reference. Testing results, if available, may also be considered during the interview session. Each program, with the assistance of the interview team is looking for just the right person to fill its unique program needs.

After careful consideration, the interview team will submit a Recommendation for Hire form to the **Human Resources Department**. The recommendation may contain one alternate for consideration, should the first choice decline the position. Background checks will be performed. The name of the successful candidate will be forwarded to the superintendent for final approval and the **Human Resources Department** will then make an offer of employment to the successful candidate, contingent upon fingerprint response, and, if required for the position, pre-employment physicals and/or credential verification.

The Tulare County Office of Education thanks you for your participation in this process. Your assistance in selecting the best qualified candidates contributes to maintaining high standards of excellence in education.