Cybervetting in Small College Hiring:
A Qualitative Case Study of Small Northeastern Liberal Arts College Hiring Practices and Policies

By
Mark Crosby

A doctoral thesis
Presented to the Graduate Faculty of the Doctor of Law and Policy Program
at Northeastern University
In partial fulfillment of the requirements for the degree of
Doctor of Law and Policy
Under the supervision of Dr. Golnoosh Hakimdavar

Second reader, Dr. Lauren Turner

College of Professional Studies
Northeastern University
Boston, Massachusetts

June 28, 2019
DEDICATION

Thank you to my family for your patience as I missed important events, holidays and time you have wished for then, that we will have to try and make up for now. Your patience with me has been amazing and forever appreciated.
ACKNOWLEDGMENTS

With great appreciation to Dr. Pawlyshyn, Dr. Hakimdavar, Dr. Turner, Dr. Berkelaar, Dr. LaRock, DLP faculty and administrators, esteemed DLP colleagues, and those we have lost during this adventure.
ABSTRACT

This qualitative case study explores how cybervetting is being utilized in small liberal arts colleges in the northeast U.S. to recruit new employees. Cybervetting is increasingly utilized to screen candidates for employment. Successful cybervetting can increase efficiency, reduce costs, and reduce negligent hiring. Poorly implemented cybervetting can increase the risk of discrimination by exposing hiring managers to information that may lead to unconscious determinations based upon race, sex, national origin, age, gender, and religion. This study interviewed HR directors from 12 liberal arts colleges, and found that cybervetting was on all 12 campuses. However, only one of these campuses had clear policies or consistent approaches related to cybervetting, which exposes them to unintended risks. Based on the findings of this study, a list of best practice options is provided to help guide the management of cybervetting as a recruitment option.

Key words: cybervetting, discrimination statutes, employee recruitment, search engines, social media, social networking
# TABLE OF CONTENTS

A Qualitative Case Study of Small Northeastern Liberal Arts College Hiring Practices and Policies

Chapter 1: Introduction to the Study

Social Networking vs. Social Media vs. Search Engines

Background and Context

Law and Policy Review

Age Discrimination in Employment Act (ADEA)

National Labor Relations Board and Act

Civil Rights Act

State Cybervetting Statutes

District Courts

Supreme Court Decisions

Cybervetting and the Law

Problem Statement

Purpose of the Study

Research Questions

Theoretical Framework

Liberal Arts Colleges

Definition of Terms

Assumptions

Scope, Delimitations, and Limitations
Interview Analysis ........................................................................................................... 82
Themes Derived From the Data Analysis ....................................................................... 82
Theme 1: Cultural Frameworks ....................................................................................... 84
Subordinate Theme A: Liberal Arts Style. .................................................................... 84
Subordinate Theme B: Stakeholders. ............................................................................ 84
Theme 2: Emergent Risks ............................................................................................. 86
Subordinate Theme A: Cybervetting Risks. ................................................................. 86
Subordinate Theme B: Discrimination .......................................................................... 86
Subordinate Theme C: Policy vs. Guidelines ............................................................... 86
Subordinate Theme D: Candidate Evaluation.............................................................. 87
Theme 3: Technology Drivers ....................................................................................... 89
Hesitations Regarding Cybervetting ............................................................................ 92
Description of the Findings ......................................................................................... 93
Finding One: Cybervetting is Happening ..................................................................... 94
Finding Two: A Liberal Arts Culture Influences Cybervetting Practice and Policies .... 95
Finding Three: Cybervetting Policies are not Prevalent ............................................. 95
Finding Four: HR Director's Attitude Influences Adoption ........................................ 95
Finding Five: Candidate Cybervetting Release Acknowledgments are Nonexistent ..... 95
Finding Six: LinkedIn is an Important Cybervetting Tool .......................................... 95
Summary ....................................................................................................................... 96
Chapter 5: Discussion .................................................................................................. 98
Literature Review .......................................................................................................... 99
Theoretical Framework Conclusions ............................................................................ 101
Discussion of Findings .......................................................... 102
Limitations ........................................................................... 106
Recommendations for Future Research ........................................... 107
Implications and Recommendations for Practice ...................... 108
  Recommendation 1: Create Universal Language Around Academic Cybervetting .... 108
  Recommendation 2: Develop Sample Policy Language ................................. 109
  Recommendation 3: Train HR Staff .......................................................... 109
  Recommendation Four: Authorize HR to Cybervet for Campus .................. 109
  Recommendation Five: Create Applicant Release Language and Form .......... 110
  Recommendation Six: Cybervet Finalists Only ........................................ 110
  Recommendation Seven: Conduct Full Background Checks on Finalists .......... 110
References .............................................................................. 113
Appendix A ........................................................................ 30
Appendix B ........................................................................ 31
Appendix C ........................................................................ 32
List of Tables

Table 1 Federal Discrimination Statutes ................................................................. 21
Table 2 Recent District Court Decisions ................................................................ 25
Table 3 Key Supreme Court Decisions .................................................................. 26
Table 4 Background Checks & Fair Credit Reporting Act (FCRA) Compliance ........ 54
Table 5 Data Sources ............................................................................................. 67
Table 6 Participant Demographics ......................................................................... 68
Table 7 Demographics Summary Statistics ............................................................ 75
Table 8 Participant College Social Media (SM) and Cybervetting Policy Review ........ 76
Table 9 College Policies on Social Media (SM) ....................................................... 77
Table 10 Cultural Framework In-Vivo Coding Example ......................................... 79
Table 11 Semi-Structured Interview Transcript Data into Codes & References .......... 80
Table 12 Theme – Cultural .................................................................................... 84
Table 13 Emergent Risks ....................................................................................... 87
Table 14 Theme – Technology Drivers ................................................................... 90
Table 15 Theme Findings ..................................................................................... 93
Table 16 Findings Summary .................................................................................. 103
Table 17 Cybervetting Best Practice List ............................................................... 110
### List of Figures

<table>
<thead>
<tr>
<th>Figure</th>
<th>Description</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Figure 1</td>
<td>Policy Review</td>
<td>57</td>
</tr>
<tr>
<td>Figure 2</td>
<td>Initial Conceptual Framework</td>
<td>80</td>
</tr>
<tr>
<td>Figure 3</td>
<td>Trinity of Themes</td>
<td>82</td>
</tr>
<tr>
<td>Figure 4</td>
<td>Final Theme Analysis</td>
<td>95</td>
</tr>
<tr>
<td>Figure 5</td>
<td>Cybervetting Funnel</td>
<td>100</td>
</tr>
<tr>
<td>Figure 6</td>
<td>Theme Analysis</td>
<td>103</td>
</tr>
<tr>
<td>Acronym</td>
<td>Description</td>
<td></td>
</tr>
<tr>
<td>-----------</td>
<td>------------------------------------------------------------------</td>
<td></td>
</tr>
<tr>
<td>CRA</td>
<td>Civil Rights Act</td>
<td></td>
</tr>
<tr>
<td>CUPA-HR</td>
<td>College and University Personnel Association for Human Resources</td>
<td></td>
</tr>
<tr>
<td>EEOC</td>
<td>Equal Employment Opportunity Commission</td>
<td></td>
</tr>
<tr>
<td>FCRA</td>
<td>Fair Credit Reporting Act</td>
<td></td>
</tr>
<tr>
<td>HR</td>
<td>Human Resources</td>
<td></td>
</tr>
<tr>
<td>MHRC</td>
<td>Maine Human Rights Commission</td>
<td></td>
</tr>
<tr>
<td>NLRA</td>
<td>National Labor Relations Act</td>
<td></td>
</tr>
<tr>
<td>NLRB</td>
<td>National Labor Relations Board</td>
<td></td>
</tr>
<tr>
<td>SHRM</td>
<td>Society of Human Resource Management</td>
<td></td>
</tr>
<tr>
<td>SM</td>
<td>Social Media</td>
<td></td>
</tr>
</tbody>
</table>
Chapter 1: Introduction to the Study

The number of global internet users has increased from approximately one billion users in 2007 to over four billion users a decade later (Meekins, 2019). Over 80 percent of Americans now use the internet (Greenwood, Perrin, & Duggan, 2016). Google’s search engine conducts over two trillion searches per day (Reid, 2019). More than three billion people use social media each month (wearesocial.com, 2019). A decade ago, using these types of technology in human resource departments was hardly considered, but today, internet usage is causing profound impacts on the workplace (Sherer & McLellan, 2015). One area greatly impacted by the use of this new technology is its use for employee recruitment and hiring. A survey by the Society of Human Resource Management (SHRM, 2016) showed 84 percent of U.S. companies are recruiting through social media. Using technology to source and preview candidates for a job is akin to hiring a team to investigate who candidates are, with just a click of the computer mouse (Morgan & Davis, 2013).

Even as organizations are expanding their use of social media in hiring practices, an increasing number of researchers and legal scholars are raising questions about using social media, social networking, and search engines to screen potential candidates for employment in businesses and academic institutions (Kroeze, 2015; Roth, Bobko, Van Iddekinge, & Thatcher, 2016). This practice, known as cybervetting, can be more efficient than traditional reference checks, but it also comes with the potential risk of unconscious discrimination (Berkelaar & Buzzanell, 2015; Jeske & Shultz, 2016).

One of the first discussions regarding cybervetting employees in the research was in 2008 when it was defined as “Cyber-vetting occurs when organizations use information from search engines or social networking communities to evaluate job candidates” (Berkelaar, 2008, p. 2).
By 2010, the hyphen was removed and cybervetting was defined as, “cybervetting refers to the practice of viewing social networking sites such as MySpace and Facebook, blogs and microblogs like Twitter and using search engines like Google and Yahoo! to obtain information about job applicants” (Mikkelson, 2010, p. 1).

While the word cybervetting was morphing into an established term that defined this phenomena, the use of social networking sites in the recruitment processes were described as alternative background or online checks (Clark & Roberts, 2010; Davison, Maraist, & Bing, 2011; Nikolaou, 2014; Thomas, Rothschild & Donegan, 2014). Cybervet was also a word used to describe online searches of data in the hiring process (Morgan & Davis, 2013). Another name for this activity that has been used more internationally is “e-recruitment”, which also involves sourcing and online evaluation of candidates (Melanthiou, Pavlou, & Constantinou, 2015). Finally, combining search engines, social networks, and social media is frequently blended to be discussed as social media screening during the hiring process of candidates (Hazelton & Terhorst, 2015; Jeske & Shultz, 2016; Sameen & Cornelius, 2015).

Before hiring, cybervetting can be implemented in either the sourcing or the evaluation part of the recruitment process. Sourcing is the development of a candidate pool by analyzing job requirements, developing the job description, advertising, or marketing the opportunity (online, newspapers, referrals, etc.), and actively reaching out to people who may be interested or know of others. Evaluating or screening potential candidates is typically achieved by examining resume or online material, verifying interest, interviewing, and conducting reference checks and background checks.

As recruitment has moved from a traditional paper-only application and resume approach to e-recruitment or online styles, cybervetting is sometimes done as part of sourcing through the
implementation of electronic screening criteria. For example, if candidates meet specific experience criteria, they will be included in a more refined pool for consideration (Melanthiou, Pavlou, & Constantinou, 2015). Since this approach did not appear to be a significant part of small college recruiting, this research did not spend as much time dedicated to examining it further in this paper.

However, research shows that cybervetting is frequently utilized to evaluate applicants (Roth, Bobko, Iddekinge, & Thatcher, 2013; Jeske & Shultz, 2016). Checking references and conducting background checks is a normal part of the evaluation process. Berkelaar (2017, p. 1116) describes cybervetting as a “social media background check.” Thus, cybervetting can help vet candidates with online reference check type of background check information, which continues to be an important feature of most recruitment processes. Since cybervetting seems to be utilized frequently for recruitment screening, this research will focus more attention on that part of the evaluation process versus sourcing.

Because cybervetting is such a new phenomenon, more information is needed to understand how small colleges are managing campus cybervetting so that best practice approaches can be discussed. This study focuses on the use of cybervetting in small Northeastern liberal arts colleges.

**Social Networking vs. Social Media vs. Search Engines**

In many cases, the available literature discusses information about search engines, social networking, and social media interchangeably. For example, a quote from one text combines a search engine and a social networking site in the same sentence defining cybervetting as, “Googling job applicants and/or reviewing their profiles on Social Networking Sites like
Facebook has been labeled cybervetting” (Berger, 2016, p. 43). This quote demonstrates the perceived interdependence of search engines and social networks in the process of cybervetting.

According to Burke (2013), social media refers to the media a person uploads such as a blog, video, slideshow, newsletter, or podcast. In contrast, social networking refers to engagement and relationships with other people over the internet. However, Burke (2013) noted that many popular sites overlap; for example, when people post a video or picture in order to engage with people they know through Facebook, LinkedIn, or Twitter. Cohn (2011) suggested that social networking is a subcategory of social media. Thus, there are differences between social networking and social media, yet there are enough connections that they can be considered interchangeable when discussing cybervetting.

There are differences and similarities between a search engine like Google and a social networking/media platform like Facebook, there are many differences as well as similarities. Search engines can offer more detailed, research-based information, contain greater text, target people based on what they request or are thinking, and are less likely to share since there is typically a specific purpose for a request. On the other hand, social networking/media can stir more emotional responses, usually contains more visuals, frequently incorporating a response to who people are and how they feel, and users are more likely to share information (Kaplan & Haenlein, 2009).

Search engines and social media/networking are similar in that they both depend upon links, rankings, and visibility, are the outcome of relations between other material. Both are completely dependent upon the internet the way it is designed to bring information to people (Crestodina, 2017). Cybervetting is such a new term that the activity it describes is frequently associated with search or social media/networking terminology. Studies have highlighted the
technological interactivity of search engines, social networking, and social media. The field of cybervetting research has shown a strong convergence between these technologies, so this paper will use these terms interchangeably.

Although terms such as social media and search engines are common, it may be helpful to define further how this paper specifically utilizes them. Merriam Webster defined social media as a “form of electronic communication through which users create online communities to share information, ideas, personal messages, and other content” (2019). Balasubramanian, Vishnu, and Sidharth (2016) defined social media as “a group of Internet-based applications that build on the ideological technology foundations of Web 2.0” (p. 108). For this purposes of this study, any information that is digitally available may be considered in the cybervetting process.

**Background and Context**

Social media has grown to the point where seven of ten people utilize it to connect, share information, view information, and engage with organizations (Pew, 2018). Social media began as a form of networking and is far older than the recent trends on the internet. A history of social media could arguably start with early cave drawing, which people used to share stories with others. There is evidence of writing systems from 3100 BC and postal systems as early as 2000 BC, suggesting people have been checking mail for centuries (Lucky, 2000). The creation of the printing press in 1440 by Johannes Gutenberg led to large scale printing of the Bible along with the eventual newspapers, flyers, and other mass communication (Fussel, 2001). The telegraph was invented in 1844, the telephone in 1866, IBM’s first meaningful computer was used at Harvard in 1944, the original internet began in 1969 with the first emails in 1972, the first PC was developed in 1975 and the Apple computer in 1977. Since then, the leaps in technology have continued at a torrid pace (Freidman & Friedman, 2015).
Social media and social networking have expanded throughout history to make it easier for people to communicate. Social media has been a natural outgrowth from social networking in modern times as technology makes it even easier and more cost efficient for people to communicate (Edosomwan, Prakasan, Kouame, Watson, & Seymour, 2011). Due to the increasing influence of social media, there has been a shifting paradigm in Human Resource practices as they adapt to use this new medium to communicate with prospective and active employees (Nagendra, 2014).

U.S. Society has been heading towards a digital lifestyle for some time (Orange, 2011). Many parts of Americans’ lives have become integrated with technology such as computers, cell phones, tablets, and all the information created from their usage on social media and search engines. Because the use of technology in human resources (HR) is relatively new and cybervetting is even more recent, there have not been many research studies that explore the impact of social media, search engines and in particular, cybervetting, on recruitment and employment practices (Davison, Maraist, & Bing, 2011).

Organizations are rapidly expanding their usage of the internet, search engines, and social media resources. Recruiting new employees via talent acquisition methods that include social media tools is happening more frequently. A survey by the Society of Human Resource Management (2016) showed that 84 percent of companies are recruiting through social media. Most firms need to recruit and fill positions as quickly as possible. Technology firms have created software that uses social media to screen or “cybervet” candidates and reduces the amount of time needed to fill an opening (HireRight, 2017; Langer, Konig, & Fitili, 2017). Cybervetting is a background check via social media search engines to help assess a candidate’s match to a position and an organization (Berkelaar 2017; Berkelaar & Buzzanell, 2014).
The lack of completed research of these organizational practices, and particularly on these practices at small colleges, has resulted in a need to study this phenomenon. The potential for legal risks, along with the lack of completed research about cybervetting at small colleges, led to the development of this research. This study sought to understand what policies were in place, and how cybervetting was being conducted, at small Northeastern liberal arts colleges.

**Law and Policy Review**

An examination of cybervetting would be remiss without a thorough review of the applicable legal environment. According to Berkelaar and Harrison (2017), “the law helps define what practices count as reasonable and acceptable cybervetting” (p. 4). As cybervetting is increasingly used in hiring processes, evaluating legal risks has become increasingly important (Sherer & McLellan, 2015).

The history of American federal statutes surrounding discrimination seems similar to a roller coaster ride – there have been vicissitudes from both ends of the political spectrum. One of America’s founders, John Adams, was famous for saying the U.S. is a “government of laws” (McCullough, 2001, p. 378). At Adams’ urging, the U.S. began, with great intentions, to protect people from discrimination with the Bill of Rights in 1791 (McCullough, 2001). This founding document attempted to define personal rights that citizens should expect, but that they had not necessarily received.

Since the original Bill of Rights was written, laws, statutes, and policies about hiring practices have greatly evolved in the U.S.; particularly significant changes have been made since the 1930s. A review of statutes that have led to the current U.S. legal framework in 2019 may help to clarify where the U.S. has come from as a society and how far it still may need to go in
regards to cybervetting legislation. Current laws that impact cybervetting are centered around discrimination risks (Hazelton & Terhorst, 2015; Sherer & McLellan, 2015).

Over time, most federal law governing employment discrimination attempted to correct perceived inequitable societal circumstances. The Bill of Rights was the first example. The U.S. Constitution’s Thirteenth Amendment abolished slavery by stating, “Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.” (The Constitution, 2016, p. 25). The U.S. has enacted four Civil Rights Acts (CRA) starting in 1866 with the last one established in 1991. Each of these CRA laws attempted to pledge or expand language guaranteeing equal rights to everyone.

Perhaps the most influential employment discrimination effort in the last 100 years was the Civil Rights Act (CRA) of 1964. The 1964 CRA explicitly banned discrimination in public places more than any previous statute. Included in the CRA is Title VII, which made it illegal to discriminate based on race, color, national origin, sex, or religion (Jones, 2017). The legal language incorporated in this sweeping act safeguards employment actions, including recruitment activities associated with cybervetting. Although cybervetting was not an option when the CRA was created, the items it oversees also covers cybervetting activity that could be discriminatory.

Because social media is a recent phenomenon, targeted laws specific to cybervetting have not kept up with the swiftly changing industries that have taken advantage of this new technology. Table 1 illustrates a variety of legal statutes enacted to combat discrimination. However, none of the federal statutes listed in Table 1 directly addresses social
media/networking or cybervetting so agencies, courts, and organizations have been left to interpret how pre-existing laws may influence new social media processes.

Table 1

*Federal Discrimination Statutes*

<table>
<thead>
<tr>
<th>Date</th>
<th>Statute or Action</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>1791</td>
<td>Bill of Rights</td>
<td>First ten amendments to the Constitution.</td>
</tr>
<tr>
<td>1850</td>
<td>Fugitive Slave Act</td>
<td>Citizens are required to help return escaped slaves to their owners. In 1864, this law was repealed.</td>
</tr>
<tr>
<td>1865</td>
<td>Thirteenth Amendment</td>
<td>Abolished slavery.</td>
</tr>
<tr>
<td>1866</td>
<td>Civil Rights Act of 1866</td>
<td>Established equal rights for everyone.</td>
</tr>
<tr>
<td>1868</td>
<td>Fourteenth Amendment</td>
<td>Tried to provide equality to all citizens.</td>
</tr>
<tr>
<td>1875</td>
<td>Civil Rights Act of 1875</td>
<td>Stipulated all people should equally enjoy transportation, facilities, hotels, inns, theaters, and public spaces. Supreme Court overruled in 1883 stating the Congress exceeded its authority under the 14th amendment to regulate private acts.</td>
</tr>
<tr>
<td>1933</td>
<td>National Labor Board (NLB)</td>
<td>Created to stop states from discriminating against unions.</td>
</tr>
<tr>
<td>1934</td>
<td>Public Resolution Number 44</td>
<td>Congress passed to give the President authority to create a board to investigate labor disputes.</td>
</tr>
<tr>
<td>1935</td>
<td>National Labor Relations Act (Wagner bill)</td>
<td>Corrected problems of oversight and enforcement of previous labor bills.</td>
</tr>
<tr>
<td>1963</td>
<td>The Equal Pay Act</td>
<td>Intended to prevent sex-based wage discrimination.</td>
</tr>
<tr>
<td>1964</td>
<td>Civil Rights Act (CRA)</td>
<td>Prevent employment, voting, public accommodations, and educational discrimination.</td>
</tr>
<tr>
<td>1967</td>
<td>Age Discrimination in Employment Act (ADEA)</td>
<td>To prevent discrimination of people over 40.</td>
</tr>
<tr>
<td>1970</td>
<td>Fair Credit Reporting Act (FCRA)</td>
<td>Created clear requirements surrounding credit and background checks.</td>
</tr>
<tr>
<td>1972</td>
<td>Equal Employment Opportunity Act</td>
<td>Allowed civil actions against employers in federal court</td>
</tr>
<tr>
<td>1973</td>
<td>Rehabilitation Act</td>
<td>To prevent disability discrimination</td>
</tr>
<tr>
<td>1978</td>
<td>The Pregnancy Discrimination Act</td>
<td>Intended to prevent pregnancy and childbirth-related discrimination</td>
</tr>
<tr>
<td>1990</td>
<td>Americans with Disabilities Act (ADA)</td>
<td>Expanded civil rights definition to include people with disabilities.</td>
</tr>
<tr>
<td>1991</td>
<td>Civil Rights Act (CRA)</td>
<td>Permits punitive damages in discrimination cases.</td>
</tr>
</tbody>
</table>
1993 Family and Medical Leave Act (FMLA) Protect jobs during a 12-week medical leave of absence
2008 Genetic Information Nondiscrimination Act (GINA) Safeguards genetic information from being used against people.
2012 Transgender workers EEOC protection provided
2014 Transgender workers Obama Executive Order enhanced protections
2017 Transgender workers Trump Administration removed protections

National Labor Relations Board and Act

Two of the federal statutes listed in Table 1 are the National Labor Relations Board (NLRB) and the subsequent National Labor Relations Act (NLRA). The NLRB was created to enforce employee rights, and to enable employees to communicate about unfair employment practices and enable them to establish unions (NLRB, 2019). Even though the NLRB was established over 80 years ago, it still plays an important role as it relates to social media. The NLRB has stated in recent years that the same safeguards that the National Labor Relations Act (NLRA) were created to address, namely issues surrounding employee free speech and union activity, continue to apply to social media (Green, 2012; Sherer & McLellan, 2015). Therefore, even though social media did not exist when the NLRA and NLRB were created in the 1930s, the NLRB has adjusted their interpretations of protections established decades ago to apply to modern developments such as cybervetting.

Specifically, the NLRB has taken action against employers for measures negatively affecting employees based on social media information (Lowenstein & Solomon, 2015). The NLRB has advocated for organizations to establish social media policies stipulating that employers are prohibited from limiting employee communication rights covered by the NLRA.
Since the NLRB is taking actions against employers for decisions related to social media, an abundance of caution may be warranted for cybervetting as well.

**Civil Rights Act**

The statute that is commonly considered when thinking about protecting people from discrimination in the Civil Rights Act (CRA) of 1964. The CRA includes Title VII, which resulted in the establishment of the Equal Employment Opportunity Commission (EEOC) that enforces discrimination surrounding national origin, sex, race, and religion (EEOC, 2019). The EEOC has played a critical role over the years in holding organizations accountable for their misbehavior. The Supreme Court has even mentioned that when they interpret Title VII, that the EEOC’s work “constitute[s] a body of experience and informed judgment to which courts and litigants may properly resort for guidance” (Occialino & Vail, 2005, p. 37).

Given the many statutes and agencies that have been established to prevent discrimination, it may be logical to conclude that considerable progress has been made in this area. While this may be true, discrimination complaint statistics continue to be extremely high. Even though the CRA of 1964 was established over 50 years ago, the EEOC received over 80,000 discrimination complaints in 2017 (EEOC, 2017).

**State Cybervetting Statutes**

Article 1 of the U.S. Constitution stipulates that the federal government has the right to establish laws through Congress. However, the Constitution via Amendment 10 also provides states with the ability to create laws to meet their needs. While the public may be familiar with the principles of the federal NLRA and CRA of 1964, states still retain the opportunity to fill in legal gaps within their borders by establishing state laws and even take more proactive legal actions than the federal government.
States seem to be able to act more swiftly than the federal government to enact laws given the significant partisanship at the federal level (Lowenstein & Solomon, 2015). This has enabled each state to enact state-level workplace discrimination law. However, states have only considered social media or cybervetting laws within the last decade. Most state laws have been targeted towards protecting personal privacy and preventing employers from requiring candidates (or employees) to provide passwords to their private social networking/media accounts (Sperino, 2013). Thus, state court cases have only involved privacy related items, and none have been directly related to cybervetting.

**District Courts**

District courts have started to address some cybervetting related cases. One prominent case came from a Virginia court, which ruled in Bland v. Roberts that Facebook “liking” is protected speech under the First Amendment and the NLRB. More specifically, Facebook “likes” toward an opponent sheriff’s election campaign was compared to posting a regular reelection sign so all could see. A Virginia district court ruled in U.S. v Hambrick (2011) that federal and state authorities could obtain address location information from internet providers. A New York district court ruled in U.S. v. Meregildo (2012) that a social media user, who shares information with the community, is not covered by the fourth amendment.

These district courts decisions suggest that courts view social media comments as potentially protected from employment actions such as hiring and firing. However, courts are not necessarily protecting employees or criminal activity in police-oriented cases when people have shared information with others via social media. Unfortunately, there are not enough cases that have been decided to make any definitive proclamations about how the courts will react next. Table 2 illustrates examples of recent district court cases.
Table 2

*Recent District Court Decisions*

<table>
<thead>
<tr>
<th>Case</th>
<th>Decision</th>
</tr>
</thead>
<tbody>
<tr>
<td>2001 United States v. Hambrick</td>
<td>Virginia court ruled that the FBI could obtain an address from the internet service provider about a person who was crossing state lines with the intent to lure a minor. NH police initiated a case, but subpoena was overly broad.</td>
</tr>
<tr>
<td>2012 United States v. Meregildo</td>
<td>New York court found that information ‘friends’ provide to the police is not protected by the Fourth Amendment.</td>
</tr>
<tr>
<td>2013 Bland v. Roberts</td>
<td>Virginia court stated that Facebook “like” is protected free speech. A sheriff fired deputies that “liked” an opponent and the Court ruled against the sheriff.</td>
</tr>
<tr>
<td>2015 Richards v. Hertz</td>
<td>New York court stated that permitting authorities to review all Facebook posts was like a fishing expedition so ruled against it. Facebook pictures suggested a person’s activities were not as limited as they suggested. Court ordered a videotape of the site to determine what was relevant.</td>
</tr>
<tr>
<td>2018 Forman v. Henkin</td>
<td>New York appeals court ruled that any Facebook material related to a court case is subject to discovery. The person tried to block access to the information after a horse accident, but the court allowed this as long as it did not include romantic or naked pictures.</td>
</tr>
</tbody>
</table>

*Supreme Court Decisions*

The Supreme Court has shown a variety of interpretations surrounding discrimination law. However, there have been very few social media cases and zero cybervetting cases that
have risen to the Supreme Court. The most significant Supreme Court discrimination cases have involved Title VII cases and have extended the interpretation to include disparate impact or employment inequities that could encompass cybervetting related activity [e.g., Griggs v. Duke Power; Watson v. Fort Worth Bank & Trust; Wards Cove v. Atonio] (Sperino, 2013).

Three technology-related privacy cases made it to the Supreme Court and are included in Table 3. Social media/networking privacy could become a legal complaint driver if any employment applicants can pursue cases through the courts. For example, in June 2018, Carpenter v. United States found that police cannot use cell phone technology tracking without a proper warrant. In 2014, Riley v. California determined that police need a search warrant to pull information from cell phones. In 2010, City of Ontario v. Quon ruled in favor of searching city-owned cell phone text messages (Oyez, 2018). Table 3 further summarizes Supreme Court cases and shows the lack of cases directly related to cybervetting.

Table 3

*Key Discrimination-Related Supreme Court Decisions*

<table>
<thead>
<tr>
<th>Case</th>
<th>Decision</th>
</tr>
</thead>
<tbody>
<tr>
<td>1857 Dred Scott v. Sanford</td>
<td>Catastrophic ruling that Mr. Scott and other slaves, even if they lived in a free state, remained property. The great state of Maine, a free state, is dragged into this dispute because the Court also declared the Missouri Compromise of 1821 was unconstitutional since it deprived slave owners of their slave property.</td>
</tr>
<tr>
<td>1883 Civil Rights Cases</td>
<td>Overruled Civil Rights Act of 1875, stating that Congress exceeded its authority under the 14th amendment to regulate private acts.</td>
</tr>
<tr>
<td>1896 Plessy v. Ferguson</td>
<td>Launched the ‘separate but equal’ approach granting states more power to police public places. Not exactly overturned yet became ineffective by 13th and 14th Amendments.</td>
</tr>
</tbody>
</table>
1944 Korematsu v. U.S.  
Empowered the government to establish internment camps for Japanese Americans due to ‘compelling national interest.’

1950 Sweatt v. Painter & McLaurin v. Oklahoma State Regents  
Prevented the segregation of graduate students. Laid out the groundwork for overturning Plessy.

1954 Brown v. Board of Education  
“Separate but equal” stipulations (Plessy v. Ferguson, 1869) were thrown out.

1956 Gayle v. Browder  
Agreed with the district court that struck down racial busing in Montgomery, Alabama (Rosa Parks). The final blow to Plessy notion of separate but equal.

1964 Heart of Atlanta Motel v. U.S.  
Ruled that the ‘Commerce Clause’ allowed Congress to uphold Title II of the Civil Rights Act preventing discrimination in public places.

1964 Katzenbach v. McClung  
Via Commerce Clause, Congress can prevent racial discrimination in restaurants.

1966 Miranda v. Arizona  
Landmark decision that suspects need to be told their rights to of counsel and freedom from self-incrimination – before police interviews.

1964 (CRA) Title VII prohibits employment discrimination, including minorities and women.

1976 General Electric Co. v. Gilbert  
Firing and penalizing pregnant women was fine to do under CRA. Overturned by the Pregnancy Discrimination Act of 1978.

1989 Wards Cove Packing Co. Inc., v. Antonio  
Flipped the burden of proof from employers demonstrating they are not causing adverse impact to plaintiffs to prove they are, expanding deference to employers using discriminatory practices.

1989 Patterson v. McLean Credit Union  
Stipulates only job discrimination at the hiring stage - not other types of discrimination that take place once employed; Overturned by 1991 CRA.

1991 UAW v. Johnson Controls  
Title VII of CRA prohibits companies from discriminating against women from jobs that might cause reproductive health hazards.

1993 Hazen Paper Co. v. Biggins  
Interpreted the Age Discrimination in Employment Act of 1967 (ADEA); Found
that employment decisions based on non-age factors are not a violation of ADEA - even where the decision making reasons may be motivated by items related to age, like pension or service length.

1998 Burlington Industries v. Ellerth  Sexual Harassment – Supervisors are liable for allowing a hostile work environment

1998 Faragher v. City of Boca Raton  Confirmed that CRA requires companies to provide a workplace without sexual or other harassment.

2000 U.S. v. Morrison  1994 Violence Against Women Act – found Congress exceeded its authority when it established VAWA.

2010 City of Ontario v. Quon  Privacy question. Found in favor of a city-owned cell phone’s being searched. Text messages found are fair game to take disciplinary action on because the city owns the phone.

2014 Riley v. California  Ruled that usage of the internet and social media are free speech. This was the first time the Court weighed in on social media.

2015 Obergefell v. Hodges  Granted the right for same-sex couples to marry. Legalized same-sex marriage (all 50 states).

2017 Packingham v. North Carolina  Ruled that usage of the internet and social media are free speech. This was the first time the Court weighed in on social media.

June 2018 Carpenter v. United States  Privacy question. Found police cannot use cell phone technology tracking without a proper warrant.

**Cybertetting and the Law**

When organizations screen applicants through cybertetting, they encounter much more information that pertains to the actual employment application. While this additional information may not have been originally sought, Jeske and Shultz (2016) suggest "it is somewhat questionable to what degree HR managers can effectively forget and disregard information about an applicant's ethnicity, and race, gender, health, undisclosed disabilities,
sexual orientation, and other highly sensitive information often available on an applicants’ social media profile” (p. 540). The Civil Rights Act, as previously discussed, protects people from being discriminated against based on these items. There are also challenges associated with recruiters relying heavily on cybervetting screening because data can be very limited (Roth et al., 2013). Some people are known to embellish or understate information on certain social media sites depending on who they think may look (Davison et al., 2011). This usually relates to family and friends; many people do not think about employers reviewing their personal information as part of a recruitment method. If they did think about this, they might present information differently. These types of situations pose risks for employers who rely on information gained from cybervetting.

The Fair Credit Reporting Act (FCRA) was created to protect people from inaccurate information being used against them (Ing, 2017). However, this protection is extremely difficult to ensure when people are not aware that employers are cybervetting them or that adverse actions may be based on information they have posted online. If candidates are not informed in writing or have a chance to receive and correct incorrect information, organizations may violate the Fair Credit Reporting Act (FCRA). According to the FCRA, applicants need to be informed in advance, and agree in writing, before an employer is authorized to conduct a background check that reviews their criminal activity, credit history, and social media/networking information. However, there remain legal questions about whether social media only needs to be included as part of a formal background check by a third party (Ebnet, 2012). Cybervetting has been compared to digital surveillance (Berkelaar & Harrison, 2017). Since background checks do not sound as intrusive as surveillance, screening companies’ examination of social media may become an issue for policymakers to monitor and consider as cybervetting evolves.
Historically, candidates applied or sent in a resume in response to a help wanted advertisement in the newspaper. Today, the approach for recruiting has changed dramatically to a more online process. Most candidates are unaware of exactly what happens behind the scenes during the hiring process, so are unlikely to recognize the impact of cybervetting on their candidacy. Candidates can easily be turned down for employment opportunities based on information found online yet are probably unaware this is happening. Organizations rarely communicate reasons for turning people down for jobs. As of March 2019, there had not been a court case to challenge this approach, yet it remains a risk factor that organizations need to consider.

One of the major reasons to utilize cybervetting is to improve efficiency by screening more applications more quickly (Jeske & Shultz, 2016). By having a computer program scrutinize applicants based on organizational criteria, volume efficiencies can be accomplished, which reduce costs. However, there has been very little research to explore whether the costs outweigh the risks for organizations and job applications (Davison et al., 2011). Because it is such a new phenomenon, there remain many questions about the use of cybervetting.

Law and policy initiatives have not determined if applicants should expect that their social media data will remain private when they apply for a job. Online boundaries between work and one’s personal life, especially when applying for a new job, are blurred. Many applicants are not aware they may be screened out via cybervetting, and right now, many employers are taking risks by using cybervetting. There are very few clear legal hurdles preventing the utilization of personal information in the recruitment process (Clark & Roberts, 2017).
Although there have been many federal discrimination statutes enacted since the U.S. was founded, no one statute has yet been created about social media, social networking, search engines, or cybervetting. There has been a growing state movement to protect privacy, yet states have only managed to provide limited or nominal protections related to social media. Even the Supreme Court has only begun to hear internet-related cases, and no cases have yet been directly related to cybervetting. Due to bureaucracy and/or polarization, the government seems unwilling or unable to examine cybervetting risks, which may force the Courts to grapple even more with these questions.

**Problem Statement**

Technology use, including cybervetting, is becoming more common for HR departments. Organizations are increasingly utilizing cybervetting as a tool to screen candidates in the hiring process. There has been very little research about how organizations are utilizing cybervetting. There have not been any research studies about how cybervetting is being used on small college campuses.

Cybervetting can be more efficient than traditional reference checks, but organizations utilizing this strategy may not be aware of the potential risk of unconscious discrimination (Berkelaar & Buzzanell, 2015; Jeske & Shultz, 2016). An increasing number of researchers and legal scholars are raising questions about the use of social media to screen prospective candidates for employment in businesses and academic institutions (Kroeze, 2015; Roth et al., 2016). Because cybervetting is such a new phenomenon, more information is needed to understand how small colleges are managing campus cybervetting so that best practice models can be considered.
Purpose of the Study

The purpose of this research study was to determine how HR directors are utilizing cybervetting in small Northeastern college employee recruitment processes. Interviews were conducted with small college HR directors about employee recruitment cybervetting to better understand their practices. The study also explored small colleges’ formal or informal HR social media policies. The data obtained through all the research was used to evaluate current practices and create best practice models for colleges to consider.

Research Questions

While colleges may not intend to discriminate, the utilization of cybervetting can inadvertently result in discrimination against potential employees. The questions this research attempted to answer were: How are colleges utilizing cybervetting technology in their recruitment practices? If cybervetting was conducted, how was it being accomplished? Did the use of cybervetting put HR departments at risk of discriminating against candidates? Based on the answers to these questions, this research provides recommended best practice approaches for colleges to minimize risks associated with implementing cybervetting in their employee recruitment activity.

The overarching research question was: What is the lived experience of human resource directors in small New England colleges in the practice of employment recruitment using cybervetting tools, especially as it relates to the potential for discrimination as an outcome of cybervetting?

The following sub-questions helped answer the main research question:

1. How are HR directors in small colleges utilizing cybervetting in their recruitment selection process?
2. Do small colleges have cybervetting policies and if so, what do they say, and how do colleges ensure compliance?

3. How much is known by HR directors at small colleges about the risks of cybervetting?

4. What are the best practice approaches small colleges are taking with cybervetting?

**Theoretical Framework**

Social contracts track their history back to philosophers such as Thomas Hobbes, John Locke, and Jean-Jacques Rousseau, who argued that people give up certain freedoms in return for social benefits. With the advent of the internet, a new social contract has been developing (Sales, 2010). Dr. Brenda Berkelaar developed and defined the digital social contract as “prescribing normative expectations for workers’ digital visibility in exchange for employability, thereby expanding the worker role” (2014, p. 498).

Developing the best theoretical framework that matches with the problem and research question can enhance or disrupt a study. Creswell and Creswell (2018, p. 62) suggest that finalizing what theory(s) will be utilized “shapes the types of questions asked, informs how data are collected, and analyzed, and provides a call for action or change.” Rowly (2002) questions if researchers should select a single theory during the early stages of a research project. With this concept in mind, a variety of theories were considered to mitigate potential criticism, and in case the research led in a different path. In addition to the digital social contract theory, the following theories were reviewed:

- **Unconscious Bias Theory** - this theory suggests that overt discrimination has been replaced by a hidden bias that still impacts people in the hiring process (Lee, 2005). Since the preliminary literature review suggests that cybervetting is used to screen
candidates, this theory could have provided the direction needed to help guide this type of study.

Social Science Theory - this theory offers an overarching framework that can include other theories such as social cognitive theory, which examines human qualities that influence behavior (Bandura, 2001, 2006).

Social Inequality Conflict – considers groups like a college as having all the power over employees. Maintaining this power in the hands of the employer creates social inequality, which prevents employees from their thoughtful independence (ThoughtCo, 2018).

Risk Perception Theory - makes a distinction between personal versus societal level risks involved in models, including social media (Paek & Hove, 2017). This work might be extrapolated into the personal risks people take with the information they post online versus how an employer interprets this same information in a risk formula.

Privacy Model Theory - suggests that the way employers obtain and use social media data affects individuals' expectancies, motivation to control information, and their attitudes and behaviors. Black, Stone, and Johnson (2014) have modified a privacy theory to accommodate how social media is used to collect information about potential applicants and their perceptions of these approaches. Use of this theory could include how organizations can create best practice approaches.

After considering these alternative theories, a determination was made that for this study, digital social contract theory offered the strongest connection between theory and cybervetting usage. While any of these might work for another study, digital social contract theory is the only one that has been used in a cybervetting research study. The linkages between how an employee freely permits their digital data to be available so that employers can consider it for employment purposes is very compelling.

The internet, social media/networking, and cybervetting have changed the traditional social contract into a digital one. Cybervetting technology and related tools are like a great new tool for the toolkit that are tempting for HR departments to use, but the risks of cybervetting are not yet fully understood (Premuzic, Winsborough, Sherman, & Huson, 2016). Cybervetting can
have a positive or negative impact on employability and the social contract employers have with their employees. Since digital social contract theory is so new and has been explored by only by a few researchers, there have not been many detractors of the theory.

The historical social contract, at least in the initial stages of the employee selection process, was for the applicant to apply with a paper application/resume while the employer evaluates the person based on a review of the submitted application. Digital social contract theory suggests that this relationship is changing from the traditional social contract model to a digital version – in part because employers are utilizing technology to source and cybervet applicants. Berkelaar (2014) indicated cybervetting is changing the information exchange expectations between applicant and employer. Applicants need to be aware that employers are cybervetting so they can manage their online information more effectively. This study applied digital social contract theory to explore and explain cybervetting practices at small liberal arts colleges in the Northeast United States. Indeed, these colleges are starting to cybervet, and many believe candidates are aware of this practice. In summary, the Digital Social Contract Theory helped provide the framework for exploring more about the digital cybervetting relationship between colleges and their applicants for employment.

**Liberal Arts Colleges**

This qualitative case study focuses on small Northeastern liberal arts institutions. Characteristics of the colleges participating in this study are that they are self-identified as a liberal arts college; national rankings confirm this (Niche Resources, 2019; The World University Ranking, 2019; U.S. News and World Report, 2019). Liberal arts institutions are known for smaller class sizes, more individualized attention from faculty and administrators, and four-year B.A. degrees. Most students live on campus in residence halls or apartment building
that are typically populated with students between the ages of 18 to 22. Liberal arts colleges tend to have a highly collaborative environment and curriculum requirements that include a broad range of classes. They specialize in developing a fledgling student into a complete, thoughtful adult (Bradley, 1985; Gomes, 1999; Hawkins, 1999; Stross, 2017).

Liberal arts schools were built around the belief that education should develop critical thinking, harmonize thoughts, reinforce curiosity, enrich the community, develop strong decision-making skills, and foster intellectual freedom of thought and speech (Martínez Alemán & Salkever, 2003; Bradley, 1985). Like many higher education institutions, liberal arts colleges have changed over time due to the evolving social environment while still maintaining their core approach to develop student interests “that enrich both the individual learner and future communities” (Hawkins, 1999, p. 23). The liberal arts institutions in this study have long followed the formula mentioned above. Sage (2017) suggested that higher-level thinking with a focus on communication and relationships is important in tackling the complex problems of today. It is through this lens that a distinct culture has developed at these liberal arts institutions over many decades, and in some cases, centuries.

The liberal arts culture plays an influential role in determining how cybervetting may be implemented or not considered. For example, the liberal arts emphasis on academic freedom and free speech may provide a more collegial work environment that may be found elsewhere. Likewise, a collaborative environment and a long history of tenure which governs and limits faculty discipline may contribute to how policies are created and implemented in academia, but the focus of this study has just been on liberal arts colleges.
**Definition of Terms**

**College and University Personnel Association for Human Resources (CUPA-HR)** – A member association specialized professional group created to help higher education institutions HR staff (CUPA, 2019).

**Cybervetting** - Cybervetting is a background check via social media search engines to help assess a candidate’s match to a position and an organization (Berkelaar 2017; Berkelaar & Buzzanell, 2014).

**Discrimination** - Traditionally linked with title VII of the Civil Rights Act (CRA), which prohibits employment discrimination based upon race, religion, sex, color, or national origin (King, Avery, & Sackett, 2013).

**Human Resources (HR)** – Professional occupation responsible for strategic and administrative functions associated with managing people through benefits, compensation, training, safety, and similar areas at an organization. HR is a profession “in an organization to manage human talent for accomplishing organizational goals” (Mathis, Jackson, Valentine, & Meglich, 2017, p. 684).

**Recruitment** – “Refers to the process of attracting, screening, selecting, and hiring the best employee based on skill, experience, and organizational fit” (Melanthiou, Pavlou, & Constantinou, 2015).

**Risk Management/Perception** – “Involves the responsibility to consider physical, human, and financial factors to protect organizational and individual interests” (Mathis, Jackson, Valentine, & Meglich, 2017, p. 688). One of the functions of modern HR organizations is to manage potential financial losses to determine what is an acceptable risk, how to prevent it, or
how to minimize it. Risk perception references the authority of one person over another and their related interpretations (Wilkinson, 2001).

**Search Engines** – Offers detailed information based on a search query to the world wide web, which can be research-based, contain extensive text, and provide very focused data (Kaplan & Haenlein, 2012).

**Society of Human Resource Management (SHRM)** – The largest professional organization for people in the HR field (SHRM, 2019). Provides guidance and resources to HR managers and people interesting the field.

**Small Colleges** – Four-year undergraduate colleges with 1,500 to 2,500 students (IPEDS, 2019).

**Social Media** – “a group of Internet-based applications built upon the ideological and technical foundations of the Web 2.0” (Balasubramanian, Vishnu, & Sidharth 2016, p. 108). Generally, social media contains ways information to move information outward such as videos, blogs, communication messages, in a marketing manner (Priyadarshini, Kumar, & Jha, 2017; Kaplan & Haenlein, 2010, p. 61).

**Social Networking Sites** – Internet space in which to share information with others that can contain visuals, spark emotional responses, and incorporate responses to who people are and how they feel, and users are more likely to share information (Kaplan & Haenlein, 2009).

**Assumptions**

The underlying belief system applied to this research study was dialectical pragmatism. Dialectical pragmatism was defined by Creswell and Creswell (2018 p. 10) as “focusing on methods, researchers emphasize the research problem and question and use all approaches
available to understand the problem. Keeping in mind that with dialectical pragmatism, no one theory is likely to be perfect. Instead, a combination of theories may be important to consider.”

This researcher originally envisioned that this study would use a mixed method approach. The original research plan was to conduct a thorough quantitative survey in conjunction with a qualitative set of interviews with college HR directors. A pragmatic worldview is frequently found in mixed method approaches (Biesta, 2010). However, once the research began, it became apparent that it would be difficult, if not impossible, to obtain a statistically significant response rate on a qualitative study since the College and University Personnel Association would not allow survey questions to be sent to their members. Thus, the determination was made that a qualitative study would have to suffice.

Another assumption was made that HR Directors would have some familiarity with cybervetting-related activity. Likewise, there was a hope that eight to twelve small Northeastern college HR Directors would be willing to talk about cybervetting for sixty to ninety minutes. Finally, this study assumed the research question was worthy of being studied and could be answered through the methods chosen.

**Scope, Delimitations, and Limitations**

This research focused on small Northeastern liberal arts colleges with 1,500 to 2,500 students. This size was selected because liberal arts colleges of this size usually have enough recruitment volume and financial resources to consider cybervetting methods. Focusing on a specific region provided greater comparison options between similarly positioned schools. Since there has not been any related research with colleges of this size and status, this study could be a welcomed addition to the scant literature surrounding cybervetting.
The researcher's basic familiarity with some of the HR directors, via professional HR conference attendance, provided potential enhanced cooperation to participate. Finally, by focusing on a small sample of eight to twelve HR directors, the research explored multiple complex variables to inform a complex problem of practice in employee recruitment and hiring.

There were a variety of limitations to this research project. Some of the HR Directors possessed limited technical knowledge or at least less than anticipated – particularly among directors who were over 60 years old. This study did not fully pursue the reasons why investments were not made in technology that could help with cybervetting, but it is possible that directors’ lack of knowledge or technical skills limited their interest or ability to support cybervetting initiatives. This could even have had a detrimentally negative impact on how much investment that their institution made to enhance technology that could help HR with similar recruitment initiatives.

During interviews, some directors hesitated or paused at certain questions. Hesitations could have been because they did not know the interviewer, wanted to be politically correct, needed to think about the question, did not know the answer, or felt the need to protect their institution. All questions were answered, and no question pattern surfaced from these occasional thoughtful pauses. Since the study was designed to interview eight to twelve participants, results were not significant enough to automatically draw conclusions for a larger population. Participants were diverse, older, and very experienced, which could have skewed the results in some way.

The experiences of HR directors at small colleges are also likely to be different from the experiences of HR directors at larger colleges or universities. This is primarily due to additional staffing such as recruiters and higher volume of openings that necessitate technology to help in
larger universities. The sample size of eight to twelve participants is not large enough to represent the general population; the results are particular to the Northeast and limited to small liberal arts colleges.

**Significance of the Study**

The largest HR association in the world, the Society of Human Resource Management, conducted a survey in 2016 that showed 84 percent of American organizations are utilizing social media to recruit new employees (SHRM, 2016). In 2011, the percentage was only 55 percent (SHRM, 2016). As the use of social media has increased to source applicants and hire new employees, so has the technology to assist companies to evaluate people quickly and efficiently (Roth et al., 2016). Technology firms have created methods that enable organizations to screen applicants through their social media activity (Langer et al., 2017). The process of utilizing this type of social media vetting of employment candidates has become known as cybervetting (Berkelaar, 2017). Cybervetting has increased in importance because it promises to save money through more efficient screening of candidates (Carrillat, d’Astous, & Gregoire, 2014).

Perhaps the most important reason for conducting research in this area is to prevent or mitigate discrimination. There are a number of questions surrounding the utilization of social media cybervetting, some of which this study attempted to explore. Scholars and participants in this study have suggested that “the use of social media in employer screening is not recommended under any circumstances” (Jeske & Shultz, 2016, p. 543). For organizations to make informed decisions, it is critical to understand the potential risks surrounding cybervetting so that both organizations and job applicants can be educated.
Summary

This chapter provided an introduction to the background of this research that included a discussion about the growth of technology about the growth in technology-driven recruitment efforts. This chapter pointed to the dearth of research on small college hiring practices, and on the use of cybervetting in hiring practices. It also presented the study’s theoretical and conceptual frameworks, research questions, definition of key terms, scope, limitations, and delimitations.
Chapter 2: Literature Review

In today’s tight labor markets, there is intense competition for talent as organizations are challenged to find the right employees (Landry, Schweyer, & Whillans, 2017). Because of this competition, there is a demand for companies that can help organizations find and recruit the right talent. One new tool to help organizations compete for talented new employees is social media. The pressure is building on organizations to utilize social media in the employment search process. Landers & Schmidt (2016, p.3) state, “Social media is no longer cutting-edge; it is mainstream. For Human Resources (HR) to overlook it today would be like ignoring e-mail 20 years ago”.

In particular, cybervetting is emerging as an effective employee recruitment tool. Cybervetting is such a new and unfamiliar word for many people that it frequently needs to be defined. According to Mikkelson (2010, p. 1), “cybervetting refers to the practice of viewing social networking sites using search engines to obtain information about job applicants or to monitor current employees.” Slight variations on this definition where they describe the term as a background check via social media search engines to help assess a candidate’s match to a position and a company (Berkelaar 2017; Berkelaar & Buzzanell, 2014). Organizations utilize cybervetting to increase the number of applications that can be reviewed and select the best of those more quickly (Thomas, Rothschild, & Donegan, 2015). Organizations want to avoid negligent hiring, so they are exploring search engines, social networking, and social media to ensure there are not any surprises about a candidate before they hire the person (McDonald, Thompson, & O'Connor, 2016).

In addition to the advantages of cybervetting, there are a variety of potential risks. One of the research questions to be better understood is how much organizations understand the
potential risks associated with cybervetting and what policies and practices have been established to address risks. Holland and Jeske (2016) suggested that even HR professionals may not know how to manage online candidate profiles effectively.

Research has suggested that there are benefits as well as potential drawbacks to adopting this type of technology (Davison et al., 2011; Jeske & Shultz, 2016; Roth et al., 2016; Kroeze, 2015). The purpose of this study was to assess how HR Directors in small Northeastern liberal arts colleges are utilizing cybervetting in their employee recruitment approaches, their knowledge of this emerging field, and the risks involved.

Literature presented in this chapter is divided into three themes. Each of these themes provides an understanding of a specific element surrounding the use of cybervetting techniques. Each section also helps demonstrate how a growing number of organizations are starting to utilize or express caution about social media cybervetting through their HR departments. The following literature themes have been identified to help represent a comprehensive discussion of cybervetting: 1) growing importance of cybervetting; 2) challenges of cybervetting; and, 3) digital awareness.

This literature review included a search of relevant studies conducted between July 2017 through June 2019. The search was primarily conducted via library database search engines at Northeastern University and Colby College. These include Academic Search Complete, Scholar OneSearch, LexisNexis, JSTOR, EBSCO, ERIC, ProQuest, Maine’s Virtual Library (Marvel), Sage Journals, PsycINFO, and Google Scholar. The following keywords were used to find pertinent peer-reviewed journal articles, books, and other sources: cybervetting, employee recruitment social media, social networking recruitment, talent acquisition trends, human resource director surveys, legal risks associated with cybervetting, discrimination, impression
management, digital awareness, risk perception theory, talent management options, and many more. Due to the limited research in this field, non-scholarly source material was also sought including internet articles, government web pages (e.g., Equal Employment Opportunity Commission (EEOC), National Labor Relations Board (NLRB), Federal Trade Commission), and surveys by CareerBuilder, Society of Human Resources (SHRM), College and University Personnel Association (CUPA), HireRight, Pew, and Gallup. The review of the literature uncovered the historical importance of internet search engines, social networks, and social media in HR recruitment strategies, and how these strategies now include cybervetting. A discussion about cybervetting challenges will demonstrate the risks for organizations who utilize this technology. Finally, the review will discuss literature on the increasing digital awareness of candidates with implications for a digital contract that is evolving between candidates and organizations.

**Technology Impacts to Cybervetting**

In order to understand cybervetting, it is important to briefly explain key historical website steps that have provided the opportunity for this technology to begin. The internet was invented in 1969 by the Advanced Research Projects Agency Network (ARPANET), which helped establish the first electronic bulletin board system (Saqib, 2016). Once this foundation of modern social networking was created, many websites followed: Compuserve (1969), Six Degrees (1997), AOL (1997), Google (1998), Napster, (1999), LinkedIn (2003), Facebook (2004), and the list goes on (Boyd and Ellison, 2008).

Boyd and Ellison (2008) defined social networking sites as (1) allowing people to “construct a public or semi-private profile with a bounded system, (2) articulate a list of other users with whom they share a connection, and (3) view and traverse their list of connections and
those made by others” (p. 211). Landers and Schmidt (2016) suggested that social networking sites are slightly different from social media. Specifically, they indicated the definition for social networking sites include a “broader set of social technologies which may not meet all the definitional elements of social network sites” (Landers & Schmidt, 2016, p. 5).

Similarities between search engines and social media/networking, including how they both depend upon links, rankings, visibility, and are the outcome of relations between other material. Both are completely dependent upon the internet and how technology is designed to bring information to people (Crestodina, 2017). The distinction between these two definitions is not significant enough for this research, so they are used interchangeably.

There has been a paradigm shift in employee recruitment as social networking/media developed into a trusted and reliable resource for employees. Likewise, organizations are increasingly using this forum because of the convenience (ease of use with just a click on a computer), reduced costs from advertising or sourcing, and competitive nature of recruitment which leads firms to use the latest technology to gain an edge over their peers (Nagendra, 2014).

After reviewing research from several fields, including social sciences, law, human resources (HR), and economics, it became apparent that cybervetting is so new that the depth of research in this area is still limited. Davison et al. (2011) stated they found almost no completed research in this area. Other researchers have also noted the lack of studies and suggested more be conducted (Boyd & Ellison, 2008; Leonardi, Huysman, & Steinfield, 2013). As this dissertation was being written, more journal articles were being completed, but the literature on this topic remains limited. There are currently no completed studies on cybervetting in higher education. The growing prevalence of the internet, search engines, social networking, and social media has started to result in scholarly interest and expansion of research. The newness of this
topic explains why the number of directly applicable studies are limited, and why most were written within the last decade.

**The Growing Importance of Cybervetting**

Journal article after journal article quote surveys to demonstrate the growing importance of cybervetting in organizations (Acquisti & Fong, 2015; Carrillat, d’Astous, & Gregoire, 2014; Davison et al., 2011; Kroeze, 2015).

Existing research also illustrates that organizations are expanding their usage of the internet and social media resources. Most firms need to recruit and fill positions as quickly as possible. Technology firms have created software they suggest utilizes internet sources via social media/networking to screen or “cybervet” employment applicants to help reduce the amount of time it takes to fill a position (HireRight, 2017; Langer et al., 2017). This background information helps explain why recruiting new employees via talent acquisition methods such as cybervetting tools has greatly expanded.

One author has written several articles about cybervetting. Since her dissertation in 2010, Dr. Brenda L. Berkelaar has written more papers about this topic than anyone else. No other American researcher has written more than one article on the subject of cybervetting, nor have there been any groundbreaking large-scale research papers completed in the U.S. However, Berkelaar has been published an astonishing 30 research projects in the last seven years, six of which were related to cybervetting. Berkelaar’s work has been cited over 400 times (ResearchGate, 2018). Her publications include a thorough qualitative research study evaluating employers’ utilization of online information in the recruitment process, another semi-structured interview project about cybervetting’s influence within organizations, and cybervetting
transparency expectations. Similar to how this literature review cites her work several times, many of the directly related journal articles also reference Berkelaar’s research.

Berkelaar developed a theory surrounding digital social contracts in a 2014 paper. Digital social contract theory describes shifts in the historical, social contract that has been fading between employee and employer as it transforms into a digital-based agreement. The expectation, argued Berkelaar (2014), is that employees will share information, and employers will utilize this to create new opportunities for work. Berkelaar and Harrison indicated that “cybervetting also appears to affect social contracts, namely, the implicit expectations of how relationships work” (2017, p. 5). The digital surveillance enabled by cybervetting blurs the lines between personal and professional, and between an employee and an organization.

A study by Berkelaar and Buzzanell (2015) demonstrated how employers utilize social media information to evaluate job candidates. The researchers conducted 45 interviews with HR staff at all levels, at several different organizations and regions in the United States. The study reported that HR professionals acknowledged cybervetting, but more people mentioned googling others to obtain a fuller picture, rather than any specific approach. Berkelaar and Buzzanell (2015) found that the extra online information available to HR practitioners can reshape the recruitment process – for good or bad.

A study about the use of cyber or online assessments in the HR decision-making process further illustrated how company practices are moving far more swiftly than research can keep up with (Roth et al., 2016). Roth et al. (2016) discussed how HR professionals and even researchers do not understand cyber assessments well enough to conduct thorough studies. Due to the lack of previous studies, Roth et al. (2016) utilized multiple theories such as inferred informational model and image theory, which posits that dissimilar sets of images affect decisions. The results
of this research were that evaluators (hiring managers tend to react more strongly to negative images and remember them longer. Recommendations were to use extreme caution with assessments and ensure that they are only conducted by appropriately trained people.

Carrillat, d’Astous, and Gregoire (2014) claimed to be the first scholars to use social media in a recruitment experiment. If their claim is true, it further demonstrates the dearth of research in this area. In this case, the researchers focused on Facebook as a social media platform through which to recruit students to the top organizations in Canada. Self-determination and activation theories were utilized by sending electronic messages to participants and analyzing their reactions. The results suggested that HR should utilize entertaining messages that stimulate active processing and focus on organizational brand rather than company activities (Carrillat et al., 2014).

Reasons to Use Cybervetting

According to Morgan and Davis (2013), some organizations believe that cybervetting "oftentimes provides more insight into a candidate than an entire day's worth of formal interviews" (p. 3). One study found that two-thirds of companies believe that cybervetting helped them achieve their compliance or due diligence reference requirements (Berkelaar & Buzzanell, 2014). Additionally, employers may be highly motivated to monitor social media activity because of the potential reputational harm to a company (Davison et al., 2011).

Some organizations receive huge volumes of applications for each job posting. Social media cybervetting software can help these firms screen applicants much more quickly and therefore keep costs down (Jeske & Shultz, 2016; Kroeze, 2015). Having screened candidates in advance via cybervetting can help interviewers ask more specific questions or change the types of inquiry (Roth et al., 2016). Searching social media can also help source applicants while
confirming resume data (Kroeze, 2015). The current generation of workers only knows how to apply to jobs via the internet; the application, evaluation, and follow-up processes all happen online (Charney, 2017). One study even conducted a survey that investigated how firms used social media to recruit new hires, which led to recommendations for organizations to leverage these options even more (Carrillat et al., 2014).

Organizations have many reasons to utilize cybervetting, and in many cases, it is an excellent tool for companies to use. While this might be true when done effectively, there is great controversy about this type of screening. Literature that explored the issues with cybervetting is reviewed next.

**Challenges of Cybervetting**

Social media recruitment can pose challenges as well as benefits. For example, colleges that cannot afford to utilize social media are potentially at a competitive disadvantage. For example, LinkedIn recruitment services cost over $45k annually for a small school, and over $75k for larger schools (LinkedIn, 2019). A quick Google search for “social media policy” at .edu sites produced 283,000 results, and without the .edu, it was about 4,450,000,000 (Google, 2019). Examining a sample of the results suggested that while some sources were actual college policies, others were simply talking about college social media policies. A preliminary test survey of small colleges in the New England Small College Athletic Conference (NESCAC) found that approximately 50 percent had social media policies or guidelines, which also meant that half of these institutions did not have well-prepared policies in one of the fastest growing recruitment areas. For NESCAC schools that did have policies, many described general social media activities, and only two offered suggestions about reviewing applicant information available through cybervetting sources.
Social media organizations have extensive information about most American citizens, and recruitment websites have all our applicant information. Acquisti and Fong (2015) confirmed, “the online disclosure of certain personal traits can influence the hiring decisions of U.S. firms” (p. 1). A legal summary about these issues by Morgan and Davis (2013) reviewed a college case titled Gaskell v. Univ. of Kentucky (2010) in which a potential scientist was turned down when a faculty committee interviewer distributed an email outlining the candidate’s religious views, as taken from his website. The University could have had a policy against it, but because an employee who sat on the hiring committee was involved in disseminating questionable personal data taken from social media, a wrongful discrimination charge is working its way through the courts (Morgan & Davis, 2013). This example illustrates the risk of cybervetting and then misusing the results of social media data in recruiting.

Privacy and Cybervetting

In 2013, Sanders published an article with the provocative title, “Privacy is Dead: The Birth of Social Media Background Checks” (p. 1). Sanders’ (2013) argument was that cybervetting is the equivalent of a social media background check, and posited that the misuse of social media, social networking sites by credit reporting agencies and employers, plus a lack of compliance with the Fair Credit Reporting Act, have all co-conspired to destroy personal privacy. While the death of privacy through cybervetting may be an effective attention-getting headline, this section examines if it might be true and its effects.

The most famous legal precedent related to privacy is the Fourth Amendment. Amendment IV states, “The right of the people to be secure in their persons, houses, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place
to be searched, and the persons or things to be seized” (U.S. Constitution, 1996, p. 22). The Fourth Amendment may suggest that a person on the internet in their home has a reasonable belief that the information they share is protected. However, when a person shares information on the internet, it leaves their house, and any expectations for privacy appear to be broken or negated. Once a person shares information on the internet, they are choosing to give up some level of privacy.

The First Amendment of the Constitution stipulates, “Congress will make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances” (U.S. Constitution, 1996, p. 21). Many organizations that offer search engines, social networking, or social media encourage people to share information. These organizations try to motivate people to utilize their right to free speech to share more information than ever because it is critical to these websites’ success (Mosteller & Poddar, 2017). However, cybervetting has gotten caught in the crosshairs between the right to free speech and the right to privacy.

In 1890, the Harvard Law Review published an article on privacy, suggesting the home needs to be considered a private castle. This idea has stood the test of time (Warren & Brandeis, 1890). However, technology and the use of the internet is challenging these privacy basics. While the preceding article and the First Amendment demonstrate privacy and free speech rights have been critical to the historical underpinnings of a democratic society, “a necessary corollary to free speech is the right to information” (Marsoof, 2001, p. 130).

There have been numerous Supreme Court cases on free speech or privacy issues. However, there have been less than a handful where free speech and privacy issues intersect in a
technology-related case. Spokeo, Inc. v. Robins was a court case that could have been a simple determination about enforcing accurate reporting under the Fair Credit Reporting Act (FCRA). Instead, the Supreme Court concluded that this was a privacy case that needed lower courts to evaluate whether intangible harm was involved and therefore, whether the case had any standing (Ing, 2017). Therefore, violations of similar privacy issues will require showing clear evidence of financial injury and harm.

In Packingham v. North Carolina, the Supreme Court’s ruling about a convict accessing social networking sites used language that inferred the internet is a public space (Harvard Law Review, 2017). If search engines, social networks, and social media information sharing are determined to be in the public sphere, then free speech principles could prevail, and accessing digital data is not protected under the First Amendment.

The U.S. has seen significant data breaches in recent years. Examples include Yahoo (3 billion users affected), Starwood Hotels (500 million affected), Equifax (close to 150 million affected), Target (94 million affected), and J. P. Morgan Chase (76 million affected) (Armerding, 2019). Despite the news about these types of consumer data breaches, there are a variety of different reactions to these types of events. For example, a large number of people say they are concerned about privacy, yet very few do anything about it even when given the tools such as restricting access to their social media accounts (Palmatier & Martin, 2019). “People want access to all the information around them, but they also want control over their information,” noted Brandenburg (2008, p. 601).

Sharing information on the internet has become a social norm (Rizk, 2013). Research has shown that when people feel they have control over their digital data, they tend to share the information with organizations they trust (Mosteller & Poddar, 2017). This research suggests
that organizations, like colleges, who obtain permission from candidates to check their online
data will gain trust from the applicants who provide their permission. When people are in
control of their data and choose to grant permission to a business, it stands to reason that they
trust the organization to utilize the information in ways that could help them. Sharing data in this
way is similar to the digital social contract discussed by Barkelaar (2014).

Privacy issues also need to be balanced with employers’ need to ensure they are not
accused of negligent hiring for not cybervetting an applicant (Abril, Levin, & Riego, 2012).
Employers can cybervet applicants’ online information if it is available to the public. However,
the terms for using many online organizations stipulate that the use is not for commercial
purposes (Abril, Levin, & Riego, 2012). Commercial restrictions could interfere with
corporately organized cybervetting but may not be enforceable since the courts have implied that
information shared on the internet is for public use. As is the case with any application process,
the employer must review all legal information in their overall assessment of a candidate –
including information gained from cybervetting.

Despite the increase in cybervetting, the privacy of shared information on the internet
remains an open concern. “The protection of individual privacy has long been considered a
fundamental human right by jurisdictions such as the European Union, but the United States
offers no such protection” (Ghosh, 2019, p. 3). To avoid potential privacy issues, some people
are even creating a data double in which they provide an exceptionally clean web version for
employers that is open to the public, while retaining their real social networking self with an
alternative name and the strongest privacy settings that are only shared with a small, personal,
well-known group (Backman & Hedenus, 2017).
In summary, the use of search engines, social networks, and social media has led to an expansion of opportunities for sharing and cybervetting, along with corresponding concerns about privacy and free speech. Monitoring the direction that society, courts, and policymakers take privacy, and free speech issues are important as cybervetting continues to evolve.

Most people understand that reference checking is part of the process when applying for positions. What many do not understand are the activities that may occur when an employer cybervets. Part of cybervetting is the practice of an organization reviewing social media/networks to learn any potentially detrimental information about candidates (Mikkelson, 2010). One important feature of the FCRA is that background checks have strict disclosure requirements, whereas cybervetting is so new that there are very few clear guidelines on its usage. Although there are some factors where FCRA applies to background related checks, there are also some differences, as shown in Table 4. This table shows that there are many items regulated by FCRA. Most notably, as it applies to this research, the FCRA requires that organizations inform candidates before conducting cybervetting, but this regulation does not apply to private individuals.

Table 4

*Background Checks & Fair Credit Reporting Act (FCRA) Compliance*

<table>
<thead>
<tr>
<th>Background Check</th>
<th>Does FCRA Apply?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reference Check (personal or professional)</td>
<td>No</td>
</tr>
<tr>
<td>Criminal (state or federal)</td>
<td>Yes</td>
</tr>
<tr>
<td>Motor Vehicle</td>
<td>Yes</td>
</tr>
<tr>
<td>Sex Offender (state or nationwide)</td>
<td>Yes</td>
</tr>
<tr>
<td>Financial &amp; Credit</td>
<td>Yes</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>----------------------</td>
<td>------------</td>
</tr>
<tr>
<td>Degree &amp; Salary Verification</td>
<td>No</td>
</tr>
<tr>
<td>Internet Review</td>
<td>Yes (if organization)</td>
</tr>
<tr>
<td>Internet Review</td>
<td>No (if done privately)</td>
</tr>
</tbody>
</table>

SHRM (2016) stated that 36 percent of organizations are using social media to pull from other public media profiles, but only two of five organizations allow candidates to explain any concerning information found. This trend could conflict with the Fair Credit Reporting Act (FCRA). Interestingly, one might never find out about screening actions unless a complaint is filed and then would need to ask for this type of information.

**Digital Awareness and Job Recruitment**

A growing area of research surrounding social media cybervetting is applicant impression management or digital awareness. Digital awareness refers to when applicants respond differently based on how they think they should appear online. This area of research also explores applicant opinions about employers who mine data about them on the internet (e.g., do they believe this is acceptable or do they rate their potential employer lower because cybervetting was not disclosed effectively?). Information available on the internet is generally considered public, yet the question remains: should it be used for hiring purposes, and do people know it could be used without their knowledge? (Landers & Schmidt, 2016).

A study by Priyadarshini, Kumar, and Jha (2017) focused on “uncovering the perception of job seekers about social media recruitment and selection process” (p. 1). This study utilized group interviews and interpretive phenomenological analysis to focus on candidates’ perceptions of organizations based on how they rated a company’s social media site. The results showed that
the more helpful information people find on a company website, the more likely they are to explore the organization further.

Unfortunately, for some employers, social media data can be cryptic and limited (Roth et al., 2013). With inaccurate data, the integrity of the search can come into question. Applicant feelings about evaluation technology are dependent upon the variable being measured (McCarthy et al., 2017). If applicants are aware that cybervetting will happen and feel the screening process is transparent, they are less likely to perceive it as unfair (Suen, 2018). Having limited, untrue, inappropriate, or negative feelings about information gained from cybervetting can lead to challenging risks for employers. To help minimize the risks just mentioned, employers can utilize multiple sources to limit “impression management” of an individual’s “digital career” (Berkelaar & Buzzanell, 2015).

Even with all the news about data being stolen, sold, or utilized without our knowledge, candidates are frequently unaware that their digital profile can influence a hiring outcome (Harrison & Budworth, 2015). On the flip side, candidates who know their data may be used in the hiring process may adjust it to create a better impression of themselves (Harrison & Budworth, 2015; Davison et al., 2011). When candidates become more aware that their online information is being mined for a job, it is possible that they will remove this data, which could eventually limit the amount available (Roth et al., 2016).

After completing the initial literature review, three major areas emerged as items to explore more in this research. Specifically, the growth of cybervetting, the legal framework, and the associated potential discrimination risks. These were the initial pillars of the study. A semi-gothic college column visualization of the baseline and pillars of how this study began is shown in Figure 1.
Figure 1. Initial Conceptual Framework

Summary

The literature review summarized key research about digital social contract theory, what leads employers to utilize cybervetting, and the risks and benefits of cybervetting. As this review highlighted, this is a new field of inquiry without a long history of scholarly work focused on it. Almost every journal article advocates for more research to be conducted in this new area of study. This review also confirms there is momentum building in this field of research, yet there remain opportunities for more specific studies.

There do not appear to be any studies showing the validity of cybervetting, analyzing its protocols, or that offer a clear, consistent approach to cybervetting. These factors, accompanied by differing viewpoints about the application of this new technology by employers, is why the
researcher felt it was important to lend a voice to the developing body of research. This research attempted to fill some of the gaps in the literature surrounding social media cybervetting in HR departments at colleges. The next chapter will explain the qualitative research that was conducted to help fill these gaps.
Chapter 3: Methodology

Discrimination can be hidden in plain sight. Banaji and Greenwald (2013) demonstrated that even good people have hidden biases. Ross (2014) stated that if you are human, you are biased. “Biases and stereotypes inform workplace interactions and why it is important for organizations to consider these effects” (Turner, 2018, p.32). Since cybervetting is the process of evaluating an applicant’s digital data, there is much potential for unconscious or hidden bias in the recruitment process. Therefore, organizations, job seekers, and scholars should strive to understand the pros and cons of cybervetting (Jeske & Shultz, 2016). The literature review demonstrated the need for additional research to learn how practitioners are utilizing social media cybervetting. Previous scholarly work is limited at best, and few, if any, studies have examined cybervetting at colleges. The purpose of this qualitative case study was to learn how cybervetting is being used in the employee recruitment process at small Northeastern liberal arts colleges.

Research Design and Rationale

This research was conducted within Northeastern’s Doctorate of Law and Policy (DLP) program, and the time-frame of the program aligned well with the case study approach. A mixed-method approach was strongly considered, but ultimately it would have taken more time than the DLP was designed for. Richards and Morse (2013) suggested that a case study is the best selection for a small number of structured interviews that illustrate a larger picture. The case study has long been valued in law and policy research (Crowe et al., 2011). Hancock and Algozzine (2017) suggested asking several key questions to help determine if a case study approach should be used for a project. For example, they asked, “Does the research topic address a question or questions that focus on describing, documenting, or discovering
characteristics of an individual, a group of individuals, an organization, or a phenomenon?” (Hancock & Algozzine, 2017, p. 6). The answer to this question, among others they posed, were all answered positively; therefore, the case study was an appropriate methodology to for this research. Case studies are also useful for new areas of inquiry such as this one, as noted by Rowley: “[case studies are] particularly well suited to new research or research areas for which existing theory seems inaccurate” (2002, p. 16).

According to Seidman (2013), the “primary way a researcher can investigate an educational organization, institution, or process is through the experience of the individual people, the ‘others’ who make up the organization or carry out the process” (p. 9). This describes why interviews were the best method of exploring the central questions of this study. Albers (2017) suggested that one can get a good view of the big picture from qualitative research. These examples demonstrate that in-depth interviews are the best approach to learning what is happening in reality. This type of approach links extremely well with a qualitative case study. By conducting interviews with individual HR directors, the study analyzed the use of cybervetting on small liberal arts campuses. The following questions were developed and used in a case study interview format:

1. How are small colleges utilizing cybervetting in their recruitment processes?
2. Do small colleges have cybervetting policies, and how are they implemented?
3. What do HR Directors understand about potential cybervetting discrimination risks such as those mentioned above?
4. Can interview responses accompanied by research help develop potential best practice recommendations?
Positionality

I was motivated to pursue this type of research due to an extensive history working in the HR profession, interest in recruitment, and because of my observations of the impact of rapidly changing technology on the HR field. My personal experience as an HR practitioner with financial services and counseling background in corporate and academic settings heavily influences my worldview. Understanding how this educational and professional history affects my perspective, I have endeavored to minimize biases in this project. At the same time, I have used my institutional knowledge as an HR professional to ask effective questions and successfully code responses to illuminate the research findings.

My style is to think of the world pragmatically. Cresswell and Cresswell (2018) mention that a pragmatic approach prefers the freedom of choice, so it is not committed to one system. Therefore, although I might normally prefer a mixed method approach because it can offer more flexibility, a pragmatic search for the best understanding of a problem kept bringing me back to a qualitative approach for this research dilemma.

Participant Selection

Purposeful, semi-structured case study interviews with 12 HR directors from Northeast liberal arts colleges with student populations between 1,500 and 2,500 were selected. HR Directors were selected because of their broad responsibilities overseeing recruitment functions and likely understanding about cybervetting activity and potential risks. Those colleges with lower than 1,500 students indicate fewer resources and smaller needs to recruit, which means they are not as likely to consider cybervetting options. Schools with an enrollment rate higher than 2,500 indicate different needs, greater resources, and a significantly different profile. Since the goal of this study was to learn more about small liberal arts institutions, the sample of
institutions with between 1,500 and 2,500 students in the Northeast provided 87 colleges that fit this demographic. From the list of potential colleges, a further breakdown of HR directors from New England Small College Athletic Conference (NESCAC) and Consortium of Liberal Arts Colleges (CLAC) schools was determined. Once size, location, and the duration of the HR director’s tenure were factored in, a final list of 23 colleges qualified for consideration in this case study. The general demographics of HR directors at these colleges varied greatly. The group ranged in age from late 20s to 60s, represented all genders, and showed racial and ethnic diversity. All of the HR directors had earned a Bachelor’s degree, and many possessed a Master’s degree or higher. Specific demographic information for the participants is found in Chapter 4.

Participants were recruited via an email invitation that was approved by Northeastern University’s Institutional Review Board (IRB). The Northeastern email invitation explained the purpose of the study and invited them to participate in a phone interview for 60-90 minutes. If they agreed to participate, a more extensive Institutional Review Board (IRB) approved message about informed consent was sent before the interviews took place. It is common for thesis manuals to suggest that researchers select from a population “to which the student has access” (DLP, 2018, p. 9). This research study selected subjects among two professional groups [NESCAC and CLAC] that were likely to be willing to participate in this study. Their willingness to participate may have increased because the topic interested them, because of the affiliation they had with other small college HR directors, mutual participation in the HR field, or professional courtesy.

All participants sought for interviews were HR directors. All colleges identify their HR Directors and their email address on their website, or it is available on the College and
University Personnel Association (CUPA) website. Although it was not challenging to find contact information on each HR director, it was still challenging to get enough people to participate. The goal was to interview 8-12 HR Directors, dependent upon response rate. If more directors volunteered than were needed, they would have been invited on a first come, first served basis. If volunteers responded to the invitation after the deadline for participation or the study exceeded size limits, the researcher’s response was grateful, and the volunteer was told that if a slot were to open up, they would be contacted with another invitation. Since HR directors are extremely busy, it was challenging for people to commit the extra time. As such, this study required patience to wait for openings in schedules and regular follow-up.

The data collected was generally not considered risky information by any of the participants. Although some HR directors were careful not to disparage any colleagues by name, all participants were assured that their comments would be coded and confidential with summarized results.

**Instrumentation**

A preliminary list of more than 200 interview questions was developed. This initial draft included closed and open-ended options. These sample questions were sourced from other surveys found during the literature review, pilot interviews, professor recommendations, advisor comments, and constant refinement.

Initial pilot interviews were conducted with known HR professionals. Ultimately, all potential questions were culled to 14 main questions, each with sub-questions, that led to 38 total inquiry points. Ultimately, all questions were open-ended, but the demographic section was designed to elicit one-word answers. After refining the set of questions, additional pilot interviews with two recently retired college HR directors and one HR director not affiliated with
colleges were conducted. These discussions helped establish a baseline for how to ask these types of questions and assess how to work within the time constraints of the 60-90 minutes allotted for final interviews. These experts in the HR field also assisted in providing useful preliminary information regarding their personal experiences with cybervetting.

**Data Collection**

The first step in the data collection process was to gather social media policies from each of the participating colleges. Asking colleges to share information about their institutional policies regarding social media recruitment appeared to be a low-risk area. Nonetheless, it was possible that a college may not have wanted information shared, which could have the potential to impact an employee negatively. Policy guidelines are publically available on each colleges' website. The policy results are summarized in this research so as not to identify specific colleges. Learning about standard operating procedures for each college helped establish how to approach interviews with the HR Directors. The policies helped understand how different colleges suggested employees approach cybervetting, even if they did not use that label.

Researchers are better off preparing for the interviews as well as the logistics, so that was an important part of preparation before conducting interviews. The book *Interviewing as Qualitative Research* indicated that the interviewing “technique isn’t everything, but it is a lot” (Seidman, 2013, p. 81). Yin (2018) provided similar feedback, suggesting the interviewer remain adaptive so that important information is not overlooked in the effort to follow a predetermined question path or prepared interview guideline.

An email campaign to qualifying HR Directors was launched on February 16, 2019, and completed on April 13, 2019. A total of 164 emails were sent, which includes follow-up and interview scheduling confirmation messages. An IRB approved informed consent form was
emailed before meetings, and informed consent was confirmed prior to proceeding with the interviews. Some meetings needed to be rescheduled multiple times due to shifting organizational needs at the HR Directors institution. In two cases, HR Directors agreed to participate, but continual scheduling challenges on their part led to them not making the final group. Multiple respondents indicated that the email address required by IRB kept going to their spam folder. Two interviews had to be split into multiple meetings due to a rush request the participant experienced during the first session while another interview needed to be swiftly completed towards the end due to changing time constraints of the HR Director’s schedule.

The risks involved in this study were minimal because HR directors are knowledgeable interviewers and leaders at their institutions. All identities remained confidential and were coded with pseudonyms to minimize risks of confidentiality being broken. Participants were told that they were not eligible for any financial rewards for participating. The results of this research will be compiled into a cybervetting best practice guide, and participants will be offered a copy when it is completed. Having a clear understanding of cybervetting usage in small colleges, risks associated, and what organizations may consider best-practiced approaches may be helpful to them.

Each interview started with a review of the study, and each participants’ informed consent was obtained. All interviews were conducted on a high quality conferencing speakerphone and recorded on a Sony IC digital recorder model ICD UX560. As interviews were conducted, notes about the responses were taken. Since interviews were conducted over the phone, it was impossible to note any visual observations, so listening cues were very important. Hesitations were clarified, questions that were not answered, were asked again, and
pauses that did not appear to be a natural part of the discussion were followed-up on or probed with further discussion.

The recordings were submitted to Temi, an automated speech to text recognition software, to create a transcript from each interview. Once a Temi transcript was available, the original recording was listened to, and corrections were made to the transcript when the electronic transfer did not recognize a word or phrase correctly.

**Data Analysis**

Once all the interviews were conducted, analysis in the form of coding transcripts was initiated. Part of this process included looking for patterns. According to Saldaña (2016), patterns in qualitative research can be characterized as:

- “Causation
- Correspondence
- Difference
- Frequency
- Sequence
- Similarity” (p. 7).

The first step taken in the data analysis stage was to manually code interview notes by hand. Holistically coding the data was initiated to become familiar with what the preliminary concepts were and the amount of data that was surfacing from interviews. Holistic coding is a process that, “applies a single code to a large unit of data in the corpus, rather than line-by-line coding, to capture a sense of the overall contents and the possible categories that may develop” (Saldaña, 2016, p. 294).

Through the holistic coding of interview notes, a determination was made that the volume of data was going to be significant. This pointed to the need for NVivo software to effectively manage and analyze the volume of data being produced. NVivo is a “qualitative data analysis
software (QDAS) program which facilitates the analysis of qualitative data in terms of coding relevant text and illustrations” (Adu, 2019, p. 221). NVivo was effectively utilized to create codes, nodes, and references from the data.

Interview transcripts were utilized to create codes, which are “a word or short phrase that symbolically assigns a summative, salient, essence-capturing, and/or evocative attribute for a portion of language-based or visual data” (Saldaña, 2016, p. 4). The maker of NVivo, QSR International, defines a “node” as, “a collection of references about a specific theme, place, person or other area of interest” (2019, p. 10). QSR’s NVivo further defines “references” as a “displays of the name of the source that was coded at the node—including coding information” [e.g., the number of references that were coded and the percentage of the source that the coding represents] (QSR, 2019, p. 13).

The next part of the coding process in this research used NVivo coding which, “uses words or short phrases from the participants own language in the data records as codes” (Saldaña, 2016, p. 294). During NVivo coding, the coder determines an element that appears to be connected to a theme and captures that word or words and places them into a “case” that can be analyzed. Table 5 shows an example of NVivo coding for a superordinate theme (“cultural framework”), a subtheme, code (“hiring manager”), and an excerpt taken from a text that is sentence length or longer.

Table 5

*Example of Nivo Coding for a Superordinate Theme: Cultural Framework*

<table>
<thead>
<tr>
<th>Subtheme</th>
<th>NVivo Code</th>
<th>Text In-Vivo Code Taken From</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stakeholders</td>
<td>“hiring manager”</td>
<td>“We don't want a hiring manager making a determination based on something they read on social media.”</td>
</tr>
</tbody>
</table>
Simultaneously, initial coding was implemented, which “breaks down qualitative data into discrete parts, closely examines them, and compares them for similarities and differences (Saldaña, 2016, p. 295). The NVivo and initial coding showed in Table 6 produced 886 codes and 2,785 references. This data illustrated how many codes surfaced for each interview that could have been further refined. References represent “the number of times empirical indicators were dropped into a particular case” (Adu, 2019, p. 243).

Table 6

Semi-Structured Interview Transcript Data into Codes & References

<table>
<thead>
<tr>
<th>Participant</th>
<th>Transcript Pages</th>
<th>NVivo Codes</th>
<th>NVivo References</th>
</tr>
</thead>
<tbody>
<tr>
<td>College 1</td>
<td>28</td>
<td>122</td>
<td>626</td>
</tr>
<tr>
<td>College 2</td>
<td>24</td>
<td>89</td>
<td>326</td>
</tr>
<tr>
<td>College 3</td>
<td>24</td>
<td>70</td>
<td>241</td>
</tr>
<tr>
<td>College 4</td>
<td>19</td>
<td>68</td>
<td>151</td>
</tr>
<tr>
<td>College 5</td>
<td>18</td>
<td>82</td>
<td>319</td>
</tr>
<tr>
<td>College 6</td>
<td>21</td>
<td>48</td>
<td>129</td>
</tr>
<tr>
<td>College 7</td>
<td>18</td>
<td>64</td>
<td>144</td>
</tr>
<tr>
<td>College 8</td>
<td>21</td>
<td>73</td>
<td>207</td>
</tr>
<tr>
<td>College 9</td>
<td>18</td>
<td>70</td>
<td>157</td>
</tr>
<tr>
<td>College 10</td>
<td>15</td>
<td>67</td>
<td>165</td>
</tr>
<tr>
<td>College 11</td>
<td>21</td>
<td>70</td>
<td>180</td>
</tr>
<tr>
<td>College 12</td>
<td>14</td>
<td>63</td>
<td>140</td>
</tr>
<tr>
<td>Total</td>
<td>241</td>
<td>886</td>
<td>2,785</td>
</tr>
</tbody>
</table>
Once the NVivo and initial coding were completed, pattern coding was completed, and themes were established. Pattern coding is the organization of the coding concepts into sets or constructs and the attribution to these items. Finally, key elements in the data were “themed,” meaning “an extended phrase or sentence that identifies what a unit of data is about and/or what it means” was created (Saldaña, 2016, p. 297). Once this was completed, three main themes surfaced: Technology Drivers (509 NVivo references), Emerging Risks (377 NVivo references), and Cultural Frameworks (240 NVivo references).

One final stage of coding was initiated to double check codes that were manually created. One of the advantages of utilizing NVivo is that the software offers algorithmic analysis solutions that are much more difficult to be done by hand. NVivo has the capability to examine all the transcript data, and through modern technology, the software (through auto coding) can provide a list of the terms it deducts could be included in a coding analysis. Although the NVivo algorithm tends to capture more nouns than action-oriented verbs, this is another method of confirming researchers coding pathways. The auto coding method can also help check for coder bias. For example, if a researcher created significant codes, but the auto-coding found completely different results, then further inquiry would be warranted. By utilizing holistic coding by hand, visual NVivo and initial coding in NVivo, thematic recoding into the most important study elements, and finally auto coding in NVivo, coding methods were triangulated and analyzed to ensure coding bias was minimized. Nonetheless, research bias always remains possible.

**Trustworthiness**

In recent papers (Amankwaa, 2016; Barusch, Gringeri, & George, 2018), credibility, transferability, dependability, and confirmability principles were traced back to Lincoln and
Guba’s groundbreaking book *Naturalistic Inquiry* (1985). These principles remain guiding lights for many social science researchers trying to ensure their work is trustworthy. Creswell & Creswell (2018, p. 200) offered the following definitions based on these principles, and for which variations were strived for in this study:

- “Prolonged engagement—lengthy and intensive contact with the phenomena (or respondents).
- Triangulation (cross-checking) of data—by use of different sources and methods.
- Peer debriefing—exposing oneself to a disinterested professional peer to “keep the inquirer honest,” assist in developing working hypotheses, develop and test the emerging design, and obtain emotional catharsis.
- Negative case analysis—the active search for negative instances relating to developing insights and adjusting the latter continuously until no further negative instances are found; assumes an assiduous search.
- Member checks—the process of continuous, informal testing of information by soliciting reactions of respondents to the investigator’s reconstruction of what he or she has been told or otherwise found out and to the constructions offered by other respondents or sources, and a terminal, formal testing of the final case report with a representative sample of stakeholders.
- An external audit, requiring both the establishment of an audit trail and the carrying out of an audit by a competent external, disinterested auditor. That part of the audit that examines the process results in a dependability judgment, while that part concerned with the product (data and reconstructions) results in a confirmability judgment” (p. 200).

Once the study was underway, demonstrating integrity by asking meaningful questions, listening well, and coding effectively were all equally important. Effectively utilizing computer
technology can help inform others about the trustworthiness of the data collection process. Finally, verifiable data and analysis that is both accurate and meaningful is an important part of the equation (Morrow, 2005; Williams & Morrow, 2008). Of course, doing everything possible to minimize bias is critical.

**Ethical Procedures**

Many U.S. colleges, including Northeastern University, have an Institutional Review Board (IRB) that follows the Belmont Report and federal regulation 45 CFR 46 to all research that involves human subjects. Expectations from the Belmont Report suggest starting with six principles when considering a research study: valid research design, researcher competence, identifying consequences, ensuring the sample matches the study, establishing informed and voluntary consent, and safeguarding participants from any harm. This research study received IRB approval.

As a doctoral researcher, competence in one’s field of study is crucial. For this study, clear expectations were set to identify any consequences that may arise as a result of the research being conducted. In choosing a realistic number of HR directors from liberal arts colleges in the Northeast as interviewees for this case study, the sample matched the goal of this project. Each of these participants was provided with an IRB approved page about informed consent before the interviews were conducted, ensuring no inappropriate manipulation was used in the recruitment process. By maintaining the confidentiality of participants, the golden rule of ensuring no harm came to participants was preserved.

Miles, Huberman, and Saldaña (2014) indicated that good research should include the following:

- Benefits, costs, and reciprocity – who benefits, bears the costs or gets paid.
• Analysis implications – any results that could impact participants negatively.
• Honesty and trust – are we being completely honest or have a hidden agenda.
• Ownership of data and conclusions – confidentiality surfaces and rewards.

This study reflected all these characteristics of good research because the benefits were intrinsic, and the results have evolved into a best practice guide.

Since we all have biases, being aware of the potential for interview bias creeping in was a natural consideration before, during, and when analyzing the case study interviews. In The Survey Research Handbook, the authors suggest that there are also several interviewing errors to avoid (Alreck & Settle, 1985, p. 96):

• “Interrogation Error – different questions to different participants
• Response Option Error – changing the message about responses to participants
• Scale Interpretation Error – using or defining question rankings differently
• Recording Error – trying to write verbatim leads to errors
• Interpretation Error – the more interviewers, need to make judgments, the more problematic it gets.
• Controlling Interviewer Error – changes in the way interviewer’s present information needs to be controlled.”

Another risk factor that could have surfaced was if a college knowingly discriminated. If this was condoned by HR, then disclosing this information could have posed an ethical dilemma for the interviewee. Santos, Pais, Cabo-Leitao, and Passmore (2017) mention that ethical risks associated with social networking recruitment have increased along with its growing usage. In fact, according to Santos et al., (2017, p. 106), “each advantage seems to bring with it an ethical concern.” This was discussed in the legal section of Chapter 1.
One last resource that was reviewed as part of the ethical evaluation of this study was a book by Ingham (2003), which provided a list of items that reinforce the Belmont items to guide researchers considering the many potential ethical minefields. After reviewing this list, this research was found to be on strong footing through its completion.

**Summary**

This chapter reviewed the methodology used in this qualitative research study. More specifically, this chapter highlighted the case study interview approach with HR Directors at small liberal arts colleges in the Northeast. Twelve interviews were conducted to focus on learning more about social media cybervetting practices in the employee selection process. The research goal was to answer how these colleges are utilizing cybervetting, what policies they employ, and their knowledge around associated risks. The chapter also discussed methods of data analysis.

The results of this study will provide a framework for future researchers of cybervetting in colleges. Likewise, the research results have provided the groundwork for establishing a best practice guide surrounding cybervetting that can help HR practitioners going forward.
Chapter 4: Results

This qualitative case study was designed to learn more about the use of cybervetting in small liberal arts colleges in the Northeastern United States. It sought to analyze what human resource directors know about cybervetting usage at their colleges and their awareness of the risks or rewards of utilizing this new technology. One goal of the study was to create a document outlining best practice models that HR directors could implement at their institutions. Another purpose of this study was to add to the limited knowledge surrounding the new phenomenon of cybervetting (Berger & Zickar, 2016; Brown & Vaughn, 2011). The newness of cybervetting means that there is limited research on the subject; based on the literature review, this appears to be the first qualitative study about cybervetting use among small liberal arts colleges. This chapter includes a detailed explanation of the study’s results in written and table format. It begins with a detailed description of the study’s participants. Next, it presents the results of policy document analysis, and then the results of the interview analysis.

The overarching research question was “What is the lived experience of human resource directors in small Northeastern colleges in the practice of employment recruitment using cybervetting tools, especially as it relates to the potential for discrimination as an outcome of cybervetting?”

The following sub-questions helped answer the main research question:

- How are HR directors in small colleges utilizing cybervetting in their recruitment selection process?

- Do small Northeastern colleges have cybervetting policies and if so, what do they say, and how do colleges ensure compliance?
- How much is known by HR directors at small colleges about the risks of cybervetting?
- What are the best practice approaches small colleges are taking with cybervetting?

Two recorders were utilized just in case there were any technical issues, and this proved important twice. The total number of interview transcript pages was 241; each interview ranged from 14 to 28 pages in length. This provided many pages of rich data to review and analyze. In addition to the interviews, policies related to social media and/or cybervetting were collected and reviewed for each college. Table 7 shows the overall data elements for the study.

Table 7

<table>
<thead>
<tr>
<th>Source Types</th>
<th>Number of Colleges</th>
<th>Pages</th>
</tr>
</thead>
<tbody>
<tr>
<td>Interviews</td>
<td>12</td>
<td>241</td>
</tr>
<tr>
<td>Policies/Guidelines</td>
<td>12 (reviewed 12; 9 had them)</td>
<td>33</td>
</tr>
</tbody>
</table>

Participants

The participants interviewed for this research were all HR directors, but some had slightly different titles based on organizational structures. For example, one was the HR Director but also had the title of Assistant Vice President. Of the 12 HR Directors, three were Vice Presidents, two were Associate Vice Presidents, one was an Assistant Vice President, and six were called Director or Chief HR Officer. Table 8 illustrates the interviews in order of occurrence, which was largely based upon participant scheduling needs. The table also includes demographic information such as age, number of years in human resources, gender, and race/ethnicity. The demographic information presented is also analyzed in comparison with
national averages with data from College and University Professionals Association (CUPA) and DataUSA.

Table 8

*Participant Demographics*

<table>
<thead>
<tr>
<th>Participant</th>
<th>Title</th>
<th>Age</th>
<th>HR Years</th>
<th>Gender</th>
<th>Race/Ethnicity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Interview 1</td>
<td>Director</td>
<td>40s</td>
<td>27</td>
<td>Male</td>
<td>White</td>
</tr>
<tr>
<td>Interview 2</td>
<td>Assoc. VP</td>
<td>60s</td>
<td>27</td>
<td>Female</td>
<td>African American</td>
</tr>
<tr>
<td>Interview 3</td>
<td>Director</td>
<td>50s</td>
<td>24</td>
<td>Male</td>
<td>White</td>
</tr>
<tr>
<td>Interview 4</td>
<td>CHRO</td>
<td>60s</td>
<td>32</td>
<td>Male</td>
<td>White</td>
</tr>
<tr>
<td>Interview 5</td>
<td>VP</td>
<td>50s</td>
<td>31</td>
<td>Female</td>
<td>White</td>
</tr>
<tr>
<td>Interview 6</td>
<td>Assoc. VP</td>
<td>60s</td>
<td>40</td>
<td>Male</td>
<td>White</td>
</tr>
<tr>
<td>Interview 7</td>
<td>VP</td>
<td>50s</td>
<td>13</td>
<td>Female</td>
<td>White</td>
</tr>
<tr>
<td>Interview 8</td>
<td>VP</td>
<td>50s</td>
<td>30</td>
<td>Female</td>
<td>African American</td>
</tr>
<tr>
<td>Interview 9</td>
<td>Director</td>
<td>50s</td>
<td>26</td>
<td>Female</td>
<td>White</td>
</tr>
<tr>
<td>Interview 10</td>
<td>AVP</td>
<td>40s</td>
<td>25</td>
<td>Female</td>
<td>Hispanic</td>
</tr>
<tr>
<td>Interview 11</td>
<td>Director</td>
<td>40s</td>
<td>26</td>
<td>Female</td>
<td>Hispanic</td>
</tr>
<tr>
<td>Interview 12</td>
<td>AVP</td>
<td>40s</td>
<td>25</td>
<td>Female</td>
<td>African American</td>
</tr>
</tbody>
</table>

A CUPA study completed in 2016 illustrated that the percentage of racial/ethnic minorities in college administrator jobs is approximately 14 percent (Boggs, 2016). The participants in this study were much more diverse than national averages, as five out of the 12 participants, or 42 percent, identified as an underrepresented minority. Data from CUPA’s Data-On-Demand (2019) showed chief HR officers (their equivalent title to director) have an average age of 54 years old. According to DataUSA (2019), the average age of HR Directors is 44.6, and the percentage of women in these positions is approximately 60 percent. Using the midpoint of
each age range, the age of participants in this study was older than the national average. However, at 53.3 years of age, participants were very similar in age to the CUPA survey numbers.

The study participant demographics point to a very experienced group of HR professions, averaging almost 27 years of experience. The percentage of women in this study was 66 percent, which is very similar to national averages for HR directors. Table 9 confirms that study participants reflected national averages in terms of age and gender as noted above, but on average, were almost nine years older and 28 percent more diverse than national averages.

Table 9

*Demographics Summary Statistics*

<table>
<thead>
<tr>
<th>Age Range</th>
<th>Number of Participants</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>20s</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>30s</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>40s</td>
<td>4</td>
<td>33%</td>
</tr>
<tr>
<td>50s</td>
<td>6</td>
<td>50%</td>
</tr>
<tr>
<td>60s</td>
<td>2</td>
<td>17%</td>
</tr>
<tr>
<td><strong>Average Age = 53.3</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Gender</th>
<th>Number of Participants</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Male</td>
<td>4</td>
<td>33%</td>
</tr>
<tr>
<td>Female</td>
<td>8</td>
<td>67%</td>
</tr>
<tr>
<td>Other</td>
<td>0</td>
<td>0%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Race/Ethnicity</th>
<th>Number of Participants</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>White/Caucasian</td>
<td>7</td>
<td>58%</td>
</tr>
<tr>
<td>African American</td>
<td>3</td>
<td>25%</td>
</tr>
<tr>
<td>Hispanic</td>
<td>2</td>
<td>17%</td>
</tr>
</tbody>
</table>

**Average number of years in the HR profession**
26.92
Policy Data Analysis

In addition to data collected from interviews with HR directors, social media, and cybervetting policies were sourced from participants’ publicly-available college websites or were requested during the interview process. A policy analysis was conducted for each institution’s social media policies to determine what were actual policies that employees were required to follow, and what were guidelines that recommended, but did not mandate, certain approaches. Policies and guidelines were further reviewed to assess directions provided about cybervetting or using social media resources during the recruitment process.

The purpose of this data collection and analysis was to understand further the colleges that have policies versus guidelines or colleges that do not provide any guidance. What an organizational policy states, or does not state, can reveal a lot about how the institution addresses related issues (Ragan & McMillan, 1989). Combining the policy analysis with interviews was another method to confirm what the interviewer was being told versus what was written into official documents. For example, in some cases, HR directors thought that their college had policies governing the usage of cybervetting, but when they looked at their college’s documentation, they found that firm policy didn’t exist. This helped inform the recommendations made from the outcomes of this study.

Guidelines are generally issued from a campus’s communications department, which is responsible for managing internal and external communications and marketing the college. Results from the policy review, shown in Table 8, revealed that 75 percent (nine out of twelve) colleges reviewed did not have any policies surrounding social media usage on campus. However, 50 percent (six out of twelve) did have guidelines that provided basic instructions surrounding expectations for how employees should utilize social media to enhance college
branding. Most policies or guidelines suggested employees must be clear if they are representing the college or themselves when providing news or updates. One HR director indicated that her college did not have a written policy or guideline, but the website for this institution did have basic guidelines for social media use.

Figure 2 shows the number of participating colleges with a cybervetting related policy. HR Directors have been identified by their college name to provide a pseudonym. College 12 was the only college with a policy that specifically addressed cybervetting activity (see Table 10). This school’s policy included information about using social media in the recruitment process. This policy instructed search committee members not to search social media profiles when evaluating candidates. If requested by people participating in searches, HR was offered as a resource to conduct a social media search (e.g., cybervetting) to provide business-related information for the search committee.

Table 10

*Participating College Social Media (SM) and Cybervetting Policy Review*

<table>
<thead>
<tr>
<th>Participant</th>
<th>Policy</th>
<th>Guideline</th>
<th>Cybervetting Addressed</th>
</tr>
</thead>
<tbody>
<tr>
<td>College 1</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>College 2</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>College 3</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>College 4</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>College 5</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>College 6</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>College 7</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
</tr>
</tbody>
</table>
Table 11 illustrates the typical wording found in social media guidelines and policies in the participant locations.

Table 11

| College 8 | No  | Yes | No |
| College 9 | No  | No  | No |
| College 10 | Yes | No  | No |
| College 11 | No  | Yes | No |
| College 12 | Yes | No  | Yes |

Figure 2. Policy Review

No colleges used the term “cybervetting,” and instead used the term “social media.”

Table 11 illustrates the typical wording found in social media guidelines and policies in the participant locations.

Table 11

College Policies on Social Media (SM)

<table>
<thead>
<tr>
<th>Subtheme</th>
<th>Policy Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Social Media Guidelines</td>
<td>Define terms and conditions of use</td>
</tr>
<tr>
<td></td>
<td>Personal versus college use</td>
</tr>
<tr>
<td></td>
<td>Social media sites the college promotes</td>
</tr>
<tr>
<td></td>
<td>How to establish a department site</td>
</tr>
<tr>
<td></td>
<td>Responsiveness needs of social media</td>
</tr>
<tr>
<td></td>
<td>Professional expectations for posts</td>
</tr>
</tbody>
</table>
Coworker and supervisor posts are prohibited
Cannot violate policies against discrimination
Copyright and intellectual property rights
Personal responsibility for SM activity conducted
Adhere to applicable College policies and procedures
Postings need to ensure no violations of FERPA

Social Media Policy
Electronic communications of all types are governed
Confidential and proprietary data is prohibited
Copyright, privacy, fair use, and all laws must be followed
Only Communications can speak on behalf of College
Should not search private social media
Will not require disclosure of private SM info
HR can conduct a social media search upon request
Reserves the right to request topics be avoided

**Interview Analysis**

This liberal arts culture played an influential role in determining if and how HR Directors in this study implemented cybervetting technology. College HR Directors mentioned examples of cultural influencers, such as academic freedom, protecting faculty when they cybervet; free speech elements that permit a range of behavior that may not be acceptable elsewhere (political examples), and a collaborative environment that tends to offer guidelines rather than strict policies.

**Themes Derived From the Data Analysis**

Each HR Director was asked 14 central questions, and almost every question had possible subset questions based upon interviewee responses. Each of these questions was coded using holistic and initial coding methods, as well as NVivo software. A re-coding in NVivo was redone via what Miles, Huberman, and Saldaña (2014) described as “data condensation” (p. 12) or refinement into pattern and theme codes. Multiple coding provided an ability to gain
additional insights into the data, such as gaining a clearer understanding that the culture of liberal arts was a more significant theme than anticipated.

The results from all this coding consolidated the findings into three central themes with 1,126 coded references and twelve subthemes. The three themes were: Technology Drivers (509 NVivo references), Emerging Risks (377 NVivo references), and Cultural Frameworks (240 NVivo references). The first theme, cultural frameworks, is related to how the unique environments of liberal arts colleges impact the institution and HR directors’ approaches to cybervetting. The next theme, technology drivers, address technological innovations resulting in cybervetting as a recruitment assessment option on college campuses. Finally, the third theme, emergent risks, surrounds the risks associated with cybervetting, and learning what colleges think about these risks. Figure 3 illustrates what Saldaña indicated is an example of how to visualize the “Trinity of Concepts” that coding reveals in a research project (Saldaña, 2016, p. 275).

![Figure 1. Trinity of Themes.](image-url)
Theme 1: Cultural Frameworks

All the institutions studied were liberal arts institutions with long histories and unique campus cultures. The liberal arts culture has enabled these organizations to survive and thrive over decades with highly regarded reputations intact. However, multiple participants stated that the culture at their campus resulted in the creation of guidelines rather than policies, coaching rather than disciplining for inappropriate use of cybervetting, and partnering with everyone to ensure a sense of community that engages all stakeholders on all levels. Bradley (1985) mentioned liberal arts colleges’ emphasis on fostering the mind through meaningful, challenging conversations. Work by Bradley (1985) and Hawkins (1999) also discussed the emphasis on academic freedom, which incorporates considerations of free speech. Free speech, privacy, and cybervetting themes may disconnect from faculty, so these will need to be reconciled at times.

The three subordinate themes that are part of the cultural frameworks theme are: a) liberal arts style; b) stakeholders; and, c) types of searches. Table 12 provides quotes from study participants that further highlights this culture and the related subthemes.

**Subordinate Theme A: Liberal Arts Style.** A liberal arts college appears to be a microcosm with a unique style with values that tend to be different from other colleges. HR directors did not always state this overtly. However, they frequently made statements like the one contributed by College 11: “We always give people the freedom to use their own judgment. We do not want to be telling people exactly what to do.”

**Subordinate Theme B: Stakeholders.** Stakeholders in this research are people that have a strong interest or participate in recruitment functions. Search committees and hiring managers are examples. A strong example of this was offered by College 12, who stated, “I think that people would love to have more information to decide if this person is going to work
in our culture or not.” This quote speaks directly to how the importance of culture at these institutions.

**Subordinate Theme C: Types of Searches.** Liberal arts colleges can be like small cities. The positions on any college campus range from entry-level and continue to the top tier. The interviewed HR directors tended to cybervet more with experienced exempt candidates. For example, College 1 suggested the position they filled the most was, “high-level searches like a director search.”

Table 12

*Comments on Theme 1: Cultural Frameworks*

<table>
<thead>
<tr>
<th>Subtheme</th>
<th>Participant Quotes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Liberal Arts Style</td>
<td>“It's important for us to want to partner with folks and be a good business partner with the search, so we don't necessarily want to come across as saying do this or else.” [College 1]</td>
</tr>
<tr>
<td></td>
<td>“We also want to give people the freedom to use their own judgment. We don't want to be telling people exactly what to do.” [College 11]</td>
</tr>
<tr>
<td></td>
<td>“We are in a time, particularly in higher ed, where it's not a work place anymore. It is a community.” [College 11]</td>
</tr>
<tr>
<td>Stakeholders</td>
<td>“What we've seen in the past is if you have five people on the search committee, they're all Googling.” [College 1]</td>
</tr>
<tr>
<td></td>
<td>“Social media chair or hiring manager will take the candidates, and they will redact any information that will point to ethnicity, gender, any information that can bias people one.” [College 11]</td>
</tr>
<tr>
<td></td>
<td>“I think that people would love to have more information to decide if this person is going to work in our culture or not.” [College 12]</td>
</tr>
<tr>
<td>Types of Searches</td>
<td>“But, as we get into salaried exempt and even in the lower level professional, the assistant director, we are finding that LinkedIn, in particular, has become more and more effective for us.” [College 5]</td>
</tr>
</tbody>
</table>
Theme 2: Emergent Risks

Cybervetting in the employee recruitment process has several inherent risks. Under the theme of emergent risks, there are four subordinate themes: a) discrimination b) policy v. guidelines; c) candidate evaluation; and, d) cybervetting risks.

**Subordinate Theme A: Cybervetting Risks.** One risk of cybervetting is associated with the subjective nature of the hiring process, and how that cybervetting contributes to that. For example, College 12 stated, “I just think so much of it is so subjective that it may, in fact, create more problems than it solves.” Other participants were worried that not selecting someone who was “Googled” could turn up in a Google Analytics report that a candidate could then use to sue the college.

**Subordinate Theme B: Discrimination.** Perhaps the most significant risk is how hidden bias can influence hiring. Specifically, HR personnel may see items via cybervetting that are discriminatory, but these things cannot be unseen after they are viewed. As College 3 stated, these risks can cover many areas, “It even can be age-based disparate impact, race-based, gender-based, etc.” This concern reflects results found in the literature review; researchers have warned about the risk of discrimination.

**Subordinate Theme C: Policy vs. Guidelines.** Without clear guidelines, people can view items that are prohibited from being utilized in an employment context. For example, pictures can easily provide information about race, color, national origin, gender, age, or
disability – and there are laws again making hiring decisions based on any of these attributes (Mikkelsen, 2010). Once a hiring manager or search committee member has seen this information, it cannot be unseen. Even though HR directors knew there were risks for not having a policy, they acknowledged they do not have any, and their legal counsel is unaware of this lack. For example, College 9 stated, “We don’t [have any policies or guidelines]…counsel would probably cringe at that but we don’t.”

**Subordinate Theme D: Candidate Evaluation.** Applicants who apply for employment at colleges are assessed in order to be hired. Assessment can take place through interviewing, testing, or cybervetting. College 8 stated they would use anything they could to, “verify that you’re a good candidate.” Cybervetting helps to review candidate background information to aid this assessment but not without the same risks mentioned in the previous subthemes in this section – but predominantly, discrimination concerns.

Interviews and policy reviews revealed in this study demonstrated that people at every college in this sample utilized cybervetting in the recruitment process. On the other hand, all but one college in the sample did not have any policies governing the utilization of cybervetting techniques. In some cases, the act of cybervetting helped reduce risks and streamline the hiring process. For example, one college found information that prevented someone from being hired; in this case, the potential employee had violated certain laws that would have ultimately prohibited them from being considered.

Organizations successfully described their reference and separate formal background check release forms. However, none of the colleges in this study had applicants sign release forms enabling the college to conduct cybervetting. A cybervetting release could likely be addressed with minor language changes in their existing forms, yet most of those interviewed
had not contemplated this idea. Although most candidates are not aware that their Fair Credit Reporting Act (FCRA) rights could be violated through organizational checks, it is a risk that could be mitigated with simple changes to existing release forms.

Chapter five will discuss how to balance the costs and benefits of cybervetting. Table 13 illustrates the themes and subthemes derived from the participant interviews. These quotes demonstrate that HR directors were worried about the risks of cybervetting, yet may not have the policy tools to help mitigate these risks.

Table 13

Comments on Theme 2: Emergent Risks

<table>
<thead>
<tr>
<th>Subtheme</th>
<th>Participant Quotes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cybervetting Risks</td>
<td>“Who gets to decide whether information is good or bad or how it should influence our decisions in the hiring process. I just think so much of it is so subjective that it may in fact create more problems than it solves.” [College 12]</td>
</tr>
<tr>
<td></td>
<td>“Is there something that they're seeing that because of their own implicit bias, they're using that information, which they shouldn't, in which they're making an employment decision? That's our biggest worry.” [College 5]</td>
</tr>
<tr>
<td></td>
<td>“It's because you Googled me that you didn't interview me because you saw ‘whatever’ and as a result of that, I'm now going to sue you because I didn't get interviewed or didn't get hired.” [College 5]</td>
</tr>
<tr>
<td>Discrimination</td>
<td>“I've have heard from phone and search committees in which people are like, okay, let's make sure that we get us a black woman to talk to.” [College 11]</td>
</tr>
<tr>
<td></td>
<td>“It even can be age based disparate impact, race-based, gender based, etc.” [College 3]</td>
</tr>
<tr>
<td></td>
<td>“I really agree that especially African American people are much more vulnerable to bias. And social media reveals their race.” [College 6]</td>
</tr>
<tr>
<td>Policy v. Guidelines</td>
<td>“Well, they are not supposed to Google people. Now whether or not they do, I don't know.” [College 2]</td>
</tr>
</tbody>
</table>
“I can tell you that in human resources there is no guidance on social media in terms of any employment practice.” [College 3]

“We don't (have any policies or guidelines). I am sure our in-house council would probably cringe at that, but we don't.” [College 9]

<table>
<thead>
<tr>
<th>Candidate Evaluation</th>
<th>“May not be accurate, but if you're going to use it, you need to use it for all candidates.” [College 4]</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>“I Googled, and I have this information that came up and of course now that we know we can't un-know so I had to then go back to the search firm and say, okay, this is concerning.” [College 8]</td>
</tr>
<tr>
<td></td>
<td>“I just want to verify that you're a good candidate.” [College 8]</td>
</tr>
</tbody>
</table>

**Theme 3: Technology Drivers**

Modern technology collects large quantities of individual data daily. Algorithms developed by numerous firms create different ways to produce this data on a variety of platforms. For example, search engines like Google use algorithms to search the world wide web with over two million searches per day (Ardor Seo, 2019). Burke (2013) stated that social media involves media that is uploaded, such as a video slideshow or newsletter. The challenge is that websites like LinkedIn and Facebook, while typically considered social networking, have now added social media to their platform. As long as people and organizations utilize these data sources in an employment context, cybervetting will be happening. This study’s participants cited social networking sites as the most frequently used tool; schools were particularly reliant on LinkedIn for screening job applicants. The subordinate themes that were found as part of the technology drivers theme are: a) social media; b) website usage; c) LinkedIn; d) cybervetting technology; and, e) leverage technology.

**Subordinate Theme A: Social Media.** Social media was mentioned a great deal as standing in for social networking and search engines as well. For example, College 1 mentioned
they “look at any social media…so we may do a quick Google search and see what comes up.”

This is an example of how wide a net can be cast by people cybervetting others.

**Subordinate Theme B: Website Usage.** This was another term used to describe the sources for cybervetting. College 12 indicated, “Everyone has access to the Internet so they can look up whoever they want.” The pace of internet growth has been significant, so more people are constantly using different websites to cybervet.

**Subordinate Theme C: LinkedIn.** All participants mentioned LinkedIn as a cybervetting tool that they are using on their campus. Certain directors did not think of LinkedIn as a cybervetting tool, but their actions of using it to screen or research a person before they decide to interview or hire is, in fact, cybervetting. College 11 even went so far as to say, “We have also worked with our supervisors to make sure that they understand the power of LinkedIn.”

This study has confirmed that all the colleges in the sample of Northeastern U.S. small liberal arts colleges are using technology to cybervet potential candidates in the recruitment and hiring process for their institutions. Quotes in Table 14 are just a small sample of what HR Directors mentioned during interviews. From these quotes, it is evident that college employees involved in search process are leveraging cybervetting technology source candidate information from a variety of websites, social media, Google, and “whatever happens to be out there” (College 5, 2019).

Certain HR Directors within this study believe that people should know that people are cybervetting their data – wherever it may come from that is open to the public. However, the results show that LinkedIn is an overwhelming favorite among this group. HR Directors felt that risks associated with this type of cybervetting are less risky because the candidate places the
information there with full knowledge that the information is likely to be utilized by potential employers. Some HR Directors utilize LinkedIn like an executive recruiter would, while many see the data available as another reference they can use to confirm what the candidate has shared.

Table 14

Comments on Theme 3: Technology Drivers

<table>
<thead>
<tr>
<th>Subtheme</th>
<th>Participant Quotes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cybervetting</td>
<td>“Many faculty members have their own websites, and they will just go out and Google somebody and look at their LinkedIn or look at whatever happens to be out there.” [College 5]</td>
</tr>
<tr>
<td>Technology</td>
<td>“Several times search committee leaders, found something that they did not feel was fitting of someone who would have stewardship over students.” [College 6]</td>
</tr>
<tr>
<td></td>
<td>“There's a couple managers out there that they're tech savvy and they do their own search.” [College 9]</td>
</tr>
<tr>
<td>Social Media</td>
<td>“Potentially look at any social media that may present itself. So we may do a quick Google search and see what comes up.” [College 1]</td>
</tr>
<tr>
<td></td>
<td>“If a person across very, straight laced and their web profile shows them as a party animal, I think sometimes when there's that disconnect, it at least should raise some red flags.” [College 4]</td>
</tr>
<tr>
<td></td>
<td>“I think more the sophisticated the candidate the more they recognize (my old adage is) everything you say, post or otherwise can and will be used against you or for you in every circumstance.” [College 5]</td>
</tr>
<tr>
<td>Website Usage</td>
<td>“As we get to rely more on more on social media to pursue candidates and to assess them in any way, then I think that we need to have a conversation up front with the candidate about how that information is going to be used.” [College 11]</td>
</tr>
<tr>
<td></td>
<td>“I think that people have an expectation that if you are creating a profile and making it public you want people to use it to get to know you and decide if they are attracted by how you are.” [College 11]</td>
</tr>
</tbody>
</table>
“Everyone has access to the Internet so they can look up whoever they want.” [College 12]

**Leverage Technology**

“Somehow social media was looked at for this individual and that triggered that they were actually a wanted, sex offender from another state.” [College 4]

“The more information we have about candidates, the more I think we can make a good decision.” [College 1]

“The social media aspect may provide more information than the criminal background check that might help us either include or exclude the candidate from further consideration.” [College 4]

**LinkedIn**

“We have also worked with our supervisors to make sure that they understand the power of LinkedIn and that they use their own social media platforms to promote the job.” [College 11]

“LinkedIn profile - I think would certainly be something we’d look at simply because we see it as being a different kind of SM, it's specific to recruiting and employment.” [College 10]

“LinkedIn has all kind of presentations of certain skill sets and then sometimes they have people who are confirming or commenting on those skill sets.” [College 2]

“We've been almost using LinkedIn, like a search firm. [College 1]

**Hesitations Regarding Cybervetting**

While this research was underway, it appeared as if the older participants in the study were noticeably more hesitant to consider adopting technology tools in the recruitment process. The three oldest HR Directors were not interested in trying to learn more about cybervetting options. Two of these participants indicated they intended to retire in the next few years so were not interested in making any changes to their current recruitment practices. One director stated,
“Maybe because I'm old, I just don't know that I would think that social media presence would ever trump the ability to meet somebody one on one and interact with the person and have a conversation” (College 6, 2019).

As this trend was investigated further, it was found that a younger HR Director was also adamant against the use of cybervetting. All the HR directors expressed concerns about the risks that cybervetting posed. As the interviews progressed, it became clear how HR Directors felt about cybervetting, and their risks led to their willingness to explore options to utilize this new option. Some directors communicated a lack of interest due to the limited efforts they were willing to make towards new practices. Other HR Directors felt strongly about discrimination risks associated with cybervetting. Overall, it became very clear that it is the HR director’s role, and their approach can have a great influence on how cybervetting is adopted at these colleges.

For colleges where the HR Director believed in the value of cybervetting, it also appeared that efforts were being made to utilizing cybervetting elements and to educate others about the best way to mitigate risks. HR Directors who were more worried about risks communicated the negative parts associated with cybervetting. Likewise, participants uninterested in learning new information about cybervetting were also more likely not to be positive about using this type of tool in recruiting.

**Description of the Findings**

To summarize the themes is to lead to statements that represent the findings of the study. To begin this process, a combination summary of themes in Table 15 shows examples of findings for the three major themes.
Table 75

*Findings related to Themes*

<table>
<thead>
<tr>
<th>Theme</th>
<th>Meaning</th>
<th>Empirical Indicator</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cultural Framework</td>
<td>Liberal arts colleges have their own unique culture.</td>
<td>Participants stated that their decisions were determined in part by working in a liberal arts institution with cultures that developed and been reinforced over a long period.</td>
</tr>
<tr>
<td>Technology Drivers</td>
<td>Cybervetting utilizes technology to source information about potential candidates.</td>
<td>All 12 colleges in this sample utilized Google or social media options such as Facebook and LinkedIn.</td>
</tr>
<tr>
<td>Emergent Risks</td>
<td>Cybervetting poses potential discrimination risks.</td>
<td>Almost every college (11 of 12) indicated they were concerned about discrimination that can happen through cybervetting.</td>
</tr>
</tbody>
</table>

This study found six important results about how cybervetting is being managed on these 12 campuses. The findings showed that cybervetting is happening and LinkedIn is the most popular website used for this practice. A liberal arts culture that promotes autonomy may contribute to the lack of the development of policies governing cybervetting. When participants were asked if their campus had a candidate cybervetting release or included this type of language in their regular application release, all responded no and added this was a topic they would have to explore.

**Finding One: Cybervetting is Happening**

Although the term cybervetting is not commonly known or used by HR directors, the activity described by each college confirmed that these colleges were utilizing cybervetting tools to recruit and hire new employees.
Finding Two: A Liberal Arts Culture Influences Cybervetting Practice and Policies

Even though most colleges acknowledged that hiring managers and committees may use cybervetting in risky ways, they tried to maintain strong collaborative communities and were hesitant to institute policies or discipline misuse of risky cybervetting activity.

Finding Three: Cybervetting Policies are not Prevalent

Most colleges had general social media policies or guidelines, but only one of the 12 colleges interviewed stipulated anything about using social media in the hiring process or cybervetting.

Finding Four: HR Director's Attitude Influences Adoption

When HR Directors believed that cybervetting activity was overly risky, they did not pursue options to overcome these risks or to adopt any parts of cybervetting. HR Directors can influence policy, and those who expressed strong risk aversion to cybervetting could prevent policies from being enacted – even if they worried that unregulated cybervetting was happening on their campus.

Finding Five: Candidate Cybervetting Release Acknowledgments are Nonexistent

Colleges typically had thoroughly documented release forms related to references or background checks. This research study discovered that none of the participating colleges included stipulations about checking social media or cybervetting candidate information. This could lead to an FCRA violation. HR Directors were not aware if their executive search firms employed a release form that included information about cybervetting.

Finding Six: LinkedIn is an Important Cybervetting Tool.

LinkedIn was utilized by all the colleges interviewed. LinkedIn was viewed as a more acceptable cybervetting tool because candidates enter their own personal information, and it is
readily available to the public. More candidates are advocating prospective employers examine their LinkedIn account as part of the evaluation process.

Figure 4 shows the key themes that emerged from data analysis. The three themes produced by the data are different from the themes identified in the literature review. The original conceptual framework remains a part of the fabric of the new themes.

**Figure 2.** Themes that emerged from data analysis.

**Summary**

The purpose of this research was to learn if and how twelve liberal arts colleges in the northeastern U.S. might be utilizing cybervetting practices. To answer key questions about cybervetting use, a policy review showed that only one college had a policy that encompassed cybervetting activity. Three other colleges had social media policies, but these were general marketing approaches. Six of the 12 schools had guidelines that also provided information about

---

**FINDINGS**
1. Cybervetting is alive and well at these colleges.
2. Liberal arts culture lends to how cybervetting is adopted.
3. Cybervetting policies are limited.
4. HR Directors can influence adoption.
5. Releasas to approve cybervetting are non-existent.
6. LinkedIn is viewed as the least risky cybervetting source.
how to market the college and functions being held there. Interviews were conducted for 60-90 minutes with twelve HR Directors. The results of these meetings led to a thematic coding analysis with NVivo software. A trinity of central themes, each with several subthemes, emerged from the coding: cultural framework, emergent risks, and technology drivers. The thematic analysis led to six key findings. A discussion of these findings, along with recommendations and conclusions, are included in Chapter 5.
Chapter 5: Discussion

Internet use has increased from zero to over four billion users in just a few decades (Cairns, 2018). As a result of the historically low unemployment rate of 3.6 percent in the U.S., a war for talent has erupted (Bureau of Labor Statistics, 2019). Increased internet usage, together with this talent war, has led organizations to recruit candidates in creative new ways via the internet. Cybervetting, or the use of internet technology to produce information that evaluates potential new hires, has become a tool that employers can use to achieve a competitive edge in the competition or war for talent (Appel, 2015; Landry et al., 2017).

This study adds to the limited knowledge surrounding the new phenomenon of cybervetting (Brown & Vaughn, 2011; Berger & Zickar, 2016). In particular, this is the first qualitative study about cybervetting utilization among small liberal arts college HR Directors. The purpose of this chapter is to summarize a qualitative case research study that explored whether cybervetting is a valuable new tool for human resource recruiting in small liberal arts colleges in the Northeast, or if cybervetting poses unnecessary risks to HR departments. Specifically, this research sought to analyze what HR Directors know about cybervetting usage at their colleges and their awareness of the risks or rewards of utilizing this advanced technology. This chapter discusses the findings as they relate to the study’s research questions. The main ideas from each preceding chapter will be reviewed, such as the problem statement, literature review, research design, findings, conclusions, limitations encountered, and implications for how the results can be utilized going forward. After discussing these findings, this chapter will offer recommendations that could help colleges minimize risks and maximize the potential of this important option. It will discuss practical best practice protocols that HR directors could implement at their institutions.
Literature Review

The legal review of the literature found that U.S. legislation and court decisions have a long history of statutes and cases regarding discrimination. Even though the research found well-documented risks involved with cybervetting, there have not been any recruitment related cybervetting court cases to date. These results demonstrate there is a clear gap in the literature to be addressed in future discussions.

Even though there have not been any legal statutes enacted specifically addressing cybervetting, a patchwork approach of state and federal agencies have started taking actions in this area. The EEOC’s enforcement of the Civil Rights Act of 1964 preventing discrimination based on sex, national origin, race, color, and religion could appear to be a significant risk involved in cybervetting, so steps to minimize these risks need to be considered. The National Labor Relations Board (NLRB) has weighed in about cybervetting and put organizations on notice not to take any employment/recruitment actions that could limit employee communications rights.

There have not been any District or Supreme Court cases directly related to cybervetting. State courts have started to wade into this field, particularly regarding privacy issues, but only to prevent employers from asking candidates for password information. Perhaps the closest related court case thus far has been Spokeo v. Robins, which involves the Fair Credit and Reporting Act (Ing, 2017). The Fair Credit Reporting Act (FCRA) was enacted to protect individual’s background information from being misused. It applied to financial loan decisions most often. However, FCRA also applies to criminal background checks, and there is an argument that this also extends to cybervetting. An FCRA connected cybervetting case has not happened, yet it
may just be a matter of time. Due to the growing use of cybervetting, the legal landscape seems poised to deal with cybervetting and its risks.

The literature review revealed that social networks are not a new phenomenon. However, the internet has led to dramatic changes to digital social networking, social media, and search engines that have changed the world in recent years. Social networking, social media, and search engine growth have created increased opportunities for cybervetting. The SHRM reported that 84 percent of companies are utilizing social media/networking to recruit (SHRM, 2017). The activity that SHRM identifies in their survey of social media use incorporates cybervetting activity. Compelling reasons for the growth of cybervetting include the efficiency gained by leveraging technology to perform time-consuming database search of records more quickly (Langer et al., 2017). Resumes often include inaccurate information, so looking for discrepancies online can reduce risks of hiring the wrong person (Aldrich, 2007). Hiring someone who behaves inappropriately at work can lead to a complaint of negligent hiring by an organization if they could have learned the information via cybervetting (Pate, 2012).

Even though cybervetting presents exciting new potentials for HR departments, there are many risks associated with this practice. Social networking, search engines, and social media all offer opportunities to see information that might be discriminatory. Figure 5 illustrates how a search engine, social network, social media, or a combination could be used as a funnel of information when cybervetting.
An examination of six theories was conducted before deciding upon just one. All six theories had merit in their own right. However, only one theory had been used in research surrounding cybervetting. Digital Social Contract Theory was successfully used in cybervetting research. The digital link between employees providing their online information to be considered for employment opportunities is too strong a match not to utilize in the exploration of this research.

Cybervetting enables people in hiring roles at organizations to view digital profiles. Harrison & Budworth (2015, p. 1), suggest that “job seekers digital profile influences employment-related outcomes, namely recommendations on hiring and salary.” However, some applicants may not be aware that they are being cybervetted. Williams, Lepak, & King (2003), suggest that applicants who find it easier to apply electronically are more likely to be attracted to work at an organization. Calvasina, Calvasina, & Calvasina (2014) state that a human resource management report (hrmreport.com, 2013) found that Miller Beer saved almost two million
dollars by using LinkedIn to hire new job candidates. Both of these examples illustrate the concepts surrounding a digital social contract at work – if the company makes it easier to apply, the employee offers electronic information to review in return for the chance to be hired.

The digital social contract suggests that potential employees should provide digital visibility in exchange for their employability (Berkelaar, 2015). The growth of LinkedIn and the increasing utilization of this tool by colleges appears to demonstrate that applicants are providing their information, and at least the colleges in this study are using that information to hire them. Given the small sample size, it makes it difficult to say definitively, the results of this study do seem to provide a linkage to the digital social contract that is a foundational theory. More research should be completed with a digital social contract theoretical framework to better understand these linkages.

The summary of findings included the discovery that all the colleges were conducting cybervetting activity with LinkedIn being the leading example. Only one of the twelve colleges had a policy, and none employed an applicant release for cybervetting. Finally, the study found that the liberal arts culture and the HR Director are critical to the adoption of cybervetting activity.

The overarching research question asked: “What is the lived experience of human resource directors in small Northeastern colleges in the practice of employment recruitment using cybervetting tools, especially as it relates to the potential for discrimination as an outcome of cybervetting?” Four sub-questions were developed to obtain specifics to answer this question.

**Discussion of Findings**

NVivo coding of all the participant interviews led to the discovery of three central themes to this study. The first theme, cultural frameworks, surfaced out of the strong liberal arts
influences each institution involved possessed. Subthemes that were part of this cultural driver were the actual liberal arts style, stakeholders, and types of searches. Even though the study purposely selected liberal arts institutions, that choice was as much about the population size and belief that the institutions would have access to a certain level of resources for recruiting. The fact that the liberal arts culture was so dominant among many of the participants was not expected.

Managing risks is a core job function for human resources leaders, so it was not a surprise to learn that participants in this study were concerned with cybervetting risks. As a result, emergent risks became one of the central themes of the study. The HR directors made many comments about the emergent risks associated with cybervetting. Subthemes included discrimination, policy and guideline issues, candidate evaluation items, and directly related cybervetting risks.

Technology drivers became the final central theme. Subthemes in this area included website usage, leveraged technology, social media, LinkedIn, and cybervetting technology. Googling and social networking was filtered throughout these subthemes, particularly in the social media and cybervetting technology areas. HR participants tended to lump search engine and social networking into social media. The literature review confirmed this same approach. When combining all these themes together Figure 6 illustrates the final themes found in this research and updates themes in the original Figure 1 which surfaced from the literature review but before the study was completed.
Figure 6. *Final Theme Analysis*

Beyond the theme results were the six key research findings. A summary reviewing the key six findings is found in Table 16 and then discussed in further detail.

Table 16

*Findings Summary*

<table>
<thead>
<tr>
<th>NUMBER</th>
<th>FINDING RESULT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Finding One</td>
<td>Cybervetting is Happening on These College Campuses</td>
</tr>
<tr>
<td>Finding Two</td>
<td>A Liberal Arts Culture Influences Cybervetting Practice and Policies</td>
</tr>
<tr>
<td>Finding Three</td>
<td>Cybervetting Policies are not Prevalent</td>
</tr>
<tr>
<td>Finding Four</td>
<td>HR Director's Attitude Influences Adoption</td>
</tr>
<tr>
<td>Finding Five</td>
<td>Candidate cybervetting Release Acknowledgments are Nonexistent</td>
</tr>
<tr>
<td>Finding Six</td>
<td>LinkedIn is an important cybervetting tool.</td>
</tr>
</tbody>
</table>
Although neither HR Directors nor their customers explicitly used the term cybervetting, this research confirmed that it is happening on their campuses. Cybervetting is a new term, and HR directors may not be using it due to a lack of education or focus on this practice on campuses. All twelve colleges in this study were utilizing cybervetting tools like LinkedIn, Google, or Facebook in some way. LinkedIn was being utilized by all the colleges for recruiting, and most have a LinkedIn college page. LinkedIn has over 500 million subscribers and a goal to grow to three billion (Foundation.com, 2019). Several of the colleges had costly subscriptions (up to $50k annually) to have higher levels of access to LinkedIn recruitment tools that allow even greater cybervetting. Many wished they had more recruitment staff and funds to utilize LinkedIn or similar resources effectively.

Only one of the twelve colleges had a policy that discussed cybervetting, but even at that college, the word cybervetting was not used. Instead, its policy stated, “a search committee should not examine or search private social media user profiles when evaluating candidates for employment” (College 12, 2019). Compliance was acknowledged as a dilemma for all colleges. Directors admitted they did not have any way to police their policies, guidelines, or unwritten expectations. Many participants described their liberal arts institution as having an environment where they could advise, but not strictly enforce rules, regarding cybervetting approaches.

None of the colleges told job candidates that the school might conduct cybervetting activity. Eleven of the twelve HR directors were worried about disparate impacts from cybervetting, so they were well aware of the risks of discrimination involved in utilizing this technology. All the colleges described the need for HR consulting or coaching activity to assist hiring managers or search committees with cybervetting related activity to help minimize risks.
The only college with a social media policy included a best practice approach for those who decide to use cybervetting. This policy requires search committees to contact HR to conduct cybervetting by stating, “Human Resources staff, upon request, may conduct a social media search and provide business related information to hiring managers” (College 12, 2019).

**Limitations**

Limitations can be numerous for a study such as this. However, these limitations were evident from the outset, which helps neutralize them in the best way(s) possible. Likewise, given the limited research in this area, it was clear during the literature review that additional research was going to be needed. Fortunately, this research is helping build a better understanding of the current cybervetting usage among these colleges.

The study participants did not use Cybervetting as a term. As a result, each conversation required a minor explanation to ensure participants were clear about the topic and related questions. Each participant understood the activity involved in cybervetting, but the term was not part of their typical frame of reference. Since the HR Director did not use or have immediate knowledge about the term, it demonstrates that more education and training will be needed for HR staff and search committee members.

The small sample size of twelve only allows the results to apply to this group. Limiting colleges studied to liberal arts permitted a focused approach yet does not enable results to apply towards other categories of colleges and universities. Likewise, the results here cannot even provide a glimpse outside academia.

Earlier in the study, unconscious or hidden bias was discussed. HR Directors seemed like a natural choice to be interviewed before embarking on this research yet reflects potential researcher bias. Likewise, HR Directors demonstrated through the ways they adopt or do not
choose to support cybervetting that they have a bias, which could have also crept into answers they provided. Since everyone has bias, according to Ross (2014), it is completely possible that researcher bias could have crept into the interviews, coding, and paper. Seeking input from, and having periodic reviews of work by other researchers during each stage of this process, was employed to minimize these risks.

The topic of cybervetting has not been studied extensively, so there are limitations surrounding available sources and corresponding data. Even though the research is in short supply about cybervetting, it is extremely limited on digital social contracts. As an untested theory, utilizing it in this paper as the theoretical foundation, could be seen a risky stretch.

**Recommendations for Future Research**

Cybervetting is a new technology that is being increasingly utilized by HR departments. Therefore, additional research is needed to understand the implications of this new technology. The literature review and an interview with the leading expert (Dr. Brenda Berkelaar) on the topic, revealed that no other research about recruitment cybervetting has yet been conducted. Since cybervetting is just one tool in the toolbox for HR professionals, all recruitment strategies need to be considered in the talent acquisition process.

In the future, studies may want to examine the HR Director's attitude towards cybervetting compared to the pace of policy adoption. HR department approach towards sourcing and cybervetting was not a significant part of this study so other research may want to look for additional synergies between sourcing and evaluating candidates.

Additional research about generational differences regarding cybervetting could be helpful. For example, younger people consider themselves digital natives (they have not known a life without the internet) while other generations may still not have the internet at home. Does
cybervetting impact these groups differently? It would be helpful to have studies surrounding regular staff, HR generalists or business partners, recruiters, faculty, and search committees versus individual hiring managers. Understanding more about how academic institutions cybervet would be helpful. At these schools, who are doing the cybervetting (are we assigning people, any committee members, HR designees, exempt staff, or anyone that is curious)? When are these groups conducting cybervetting activity—at the beginning of the search to source and vet new candidates, only when a person becomes a finalist, or before a person becomes a finalist? Finally, what type of data is being examined? Are there specific data points being sought, verification of resume data, only looking for red flags, looking for items to inquire about during the interview, or just checking for items that did not surface during the interview?

**Implications and Recommendations for Practice**

Since the technology that facilitates cybervetting is relatively new, there is an opportunity to develop best practice choices for colleges and other organizations that use cybervetting in hiring practices. A variety of best practice recommendations surfaced from this research. These are important for organizations to consider to be able to legally defend their choices to use or not use cybervetting. The following discussion of best practices was developed from analyzing existing literature and this study’s data.

**Recommendation 1: Create Universal Language Around Academic Cybervetting**

Since cybervetting is not a commonly used word, even in Human Resource circles, more effort needs to be made to create clear definitions. Recommended definitions could be shared in writing with leading HR forums. When people talk about cybervetting actions, they often say “Google” or “conduct a social media background check.” It would be ideal if more education
were available in HR areas so that professionals in the field could use a common language to describe cybervetting.

**Recommendation 2: Develop Sample Policy Language**

Only one college in this study had a social media policy. Three others had guidelines. Policies generally establish requirements and have the weight of enforcement. Guidelines are more closely associated with recommendations but not requirements. All colleges who do not have a policy should consider adopting one. A sample policy should be created and offered as an example for colleges to benchmark from. Even those colleges who do have a policy may want to review the sample to determine if their documents could be strengthened.

**Recommendation 3: Train HR Staff**

Beyond educating HR and others about terms, additional education is needed about cybervetting approaches. Methods, screening information (personal v. public), disseminating confidential information, etc. Almund, Duckworth, Heckman, & Kutz (2011) found that HR staff was not always competent enough with technology, so additional training is important. Not all information is equal and contrary to what some may feel, the internet is not always correct. A video with key principles, risks, and best practice concepts could be offered to the College and University Personnel Association or HR directors to use for team training purposes.

**Recommendation Four: Authorize HR to Cybervet for Campus**

If staffing models permit, HR can help standardize how and when cybervetting is conducted through a new service. Jeske and Shultz (2016) suggested that HR Directors can be biased, so the need for them to be trained is important if they are going to help guide campus-wide cybervetting. While very challenging to prevent certain college populations from cybervetting, if HR staff can demonstrate their expertise and are the primary people specially
trained to conduct cybervetting, others may start deferring to HR more frequently. For certain campuses, progressive coaching may be appropriate (e.g., reeducation about policy and risks; repeat offenders receive more significant coaching) for people who violate this policy may be warranted.

**Recommendation Five: Create Applicant Release Language and Form**

Many colleges who participated in this study had a general release that allows references to be checked and a different release for specific criminal background checks. However, none had an agreed-upon method to alert applicants they may cybervet them. This may only require slight modification for some institutions. Language that has been legally approved should be provided to help guide institutions with this new approach. If an executive search firm is cybervetting on behalf of the college, they should also be instructed to utilize the applicant release.

**Recommendation Six: Cybervet Finalists Only**

Cybervetting everyone who applies or interviews for a position is unnecessary. Selective cybervetting minimizes risks of people suggesting they were not selected because of the cybervetting.

**Recommendation Seven: Conduct Full Background Checks on Finalists**

Many organizations already conduct background checks. Adding the cybervetting part of the background check can be as simple as updating disclosures. Conducting a full background check that includes a cybervetting component for exempt positions being offered a job is another option to consider.

Implementing as many of these best practices as possible will help minimize risks for colleges. All the HR Directors in this study were worried about potential discriminatory risks
associated with cybervetting. Some directors were so worried that they worked to prevent cybervetting activity on their campus. However, even those who tried to prevent cybervetting recognized that it was likely happening on their campus. Some did not understand that cybervetting procedures could be established to minimize risks more than their current approach. Providing HR departments with examples of social media best practices, such as those shown in Table 17, could help colleges safely and effectively implement this new technology.

Table 87

Cybervetting Best Practice List

<table>
<thead>
<tr>
<th>ITEM</th>
<th>CURRENT</th>
<th>BETTER</th>
<th>BEST</th>
</tr>
</thead>
<tbody>
<tr>
<td>Policy</td>
<td>Only 1 college</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Release</td>
<td></td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Common Language</td>
<td></td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Train HR Staff</td>
<td></td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>HR Provides Cybervetting Services</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Train All Staff</td>
<td>Certain colleges educated</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Only Cybervet Finalists that are likely to be extended an offer</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Enforce Policies Through Progressive Coaching</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Conduct Full Background Checks on Finalists for Exempt Roles</td>
<td>Some colleges conduct these but not cybervetting checks which are available</td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

Cybervetting is here to stay. HR directors can demonstrate their expertise by becoming educated and then training their team and search committees about cybervetting. Leading their
institutions to manage the risks associated with new cybervetting tools effectively is in the best interest of both applicants and the organization. Fully disclosing the process to applicants provides the transparency that applicants appreciate and that liberal arts institutions value.

Ultimately, this study found that cybervetting was not the best nor the worst new practice that has happened to HR in recent times, but that it does require adjustments to limit previously identified discrimination risks. The research demonstrated that there are significant gaps in the literature, and it is hoped that this helps continue the work of others in better understanding the budding field of research on cybervetting.
References


Berkelaar, B. (2010). In P. M. Buzzanell, B. D. Sypher, G. Bertoline, & S. Matei (Eds.), Cybervetting: Exploring the implications of online information for career capital and human capital decisions.


doi:10.1080/00909882.2016.1192287

doi:10.1080/00909882.2014.954595


doi:10.1177/0893318914554657


Crestodina, A. Social vs. search: 9 differences between social media and SEO. Retrieved from www.orbitmedia.com/blog/social-media-seo/


Northeastern University. DLP: Doctorate in Law & Policy Department.


HireRight. (2017, Apr 19,). 10th annual HireRight employment screening benchmark report; *Business Wire*.


doi:10.1016/j.bushor.2009.09.003

doi:10.1108/13287261211232126


Larson, E. New York sues Trump administration for records on labor-law rollback.

Law, S. A. (2002). *In the name of federalism: The supreme court's assault on democracy and civil rights*. 


Morgan, H., & Davis, F. (2013). *Social media and employment law summary of key cases and legal issues*.


Orange, E. (2011). The emerging digital lifestyle: From social networking to location-based mobile applications, our digital devices are increasingly shaping our lives. 45, 37+. Retrieved


Recruiting and marketing are top benefits of social media. (2010). *HR Focus, 87*(1), S1.


35 percent of employers less likely to interview applicants they can’t find online, according to annual CareerBuilder social media recruitment survey. (2015). Retrieved from https://www.careerbuilder.com/share/aboutus/pressreleasesdetail.aspx?sd=5 percent2f14 percent2f2015&id=pr893&ed=12 percent2f31 percent2f2015
Appendix A

Recruitment Script Email

Dear "Participant" (personalized),

My name is Mark Crosby and I am a doctoral student in Northeastern University’s Law and Policy program. I am conducting research to study the experience of HR directors of small Northeastern liberal arts colleges in using social media in the employee recruitment and hiring evaluation process. As an HR director myself, I am familiar with the challenges faced in our profession with new ways to vet potential hires.

I am asking you to participate in an interview for this study because I believe you have valuable insight from your role as an HR professional at your college. I would like to interview you over the phone for approximately one hour. Your identity will not be revealed as a participant in the study. The outcomes of the study will likely benefit our profession and will help us advance hiring policies and procedures in the small college. A best practice guide is a possible outcome of this study. I would really value your contribution to this effort.

If you would agree to participate in the telephone interview, at your convenience, please send a reply to this email. Could you let me know if you have been in your institution for at least two years?

With gratitude,

Mark Crosby, SPHR, SHRM-SCP
crosby.m@husky.neu.edu

Follow-up email

Dear Participant,

Thank you for taking the time to talk with me recently as part of my doctoral research study on the uses of social media in the small college hiring process. Your contributions to this research effort are valuable.
I’ve attached a transcript of our interview. You’ll notice I have used a pseudonym in order to protect your identity and keep your participation confidential. If you would look over the transcript, checking for any errors, it would be most appreciated. If you could notify me within 7 days of your approval of the transcript, I can move forward to incorporating it in my analysis.

Thank you,
Mark Crosby

Appendix B

Informed Consent

Northeastern University, College of Professional Studies, Law and Policy Department

Name of Investigators: Dr. Golnoosh Hakimdavar, Principal Investigator; Mark Crosby, Student Researcher

Title of Project: Social Media Cybervetting in Employee Hiring: A Case Study of the Use of Social Media in Hiring Practices and Policies of Small Northeastern Liberal Arts Colleges

Request to Participate in Research
We would like to invite you to take part in a research project. You are being asked to participate because we believe you have valuable insight from your role as an HR professional at your college. The purpose of this research is to learn the HR Director perspective regarding the use of social media in the employee recruitment and selection process.

As an experienced professional, it is unlikely that you would be a minor but I need to mention to all potential participants that this study requires the following: You must be at least 18 years old to be in this research project. Given the depth of knowledge needed to answer the questions in this survey, it is important for participants to be at their current college for at least one year.

The study will take place by phone and will take about 60 but no longer than 90 minutes. If you decide to take part in this study, we will ask you to answer a series of questions about social media usage and discuss your thoughts and recommendations.

The possible risks or discomforts of the study appear to be minimal since we are only trying to better understand social media usage in the recruitment process. It is possible that questions will be uncomfortable when answering sensitive examples. Interviews will be summarized rather than showing any individual results.
There are no direct benefits to you for participating in the study. Your answers may help us learn enough about social media usage at colleges that can lead to creating a list of best practices.

Your part in this study will be handled in a confidential manner. Only the researchers will know that you participated in this study. Any reports or publications based on this research will use only group data and will not identify you or any individual as being of this project.

The decision to participate in this research project is up to you. You do not have to participate and you can refuse to answer any question. Even if you begin the study, you may withdraw at any time.

You will not be paid for your participation in this study. If the study results in creating a best practice guide, and you are interested in receiving a copy, we would be happy to send you one.

If you have any questions about this study, please feel free to call Mark Crosby at 207-660-5958 or Crosby.M@husky.neu.edu, the person mainly responsible for the research. You can also contact Dr. Hakimdavar at 857-337-9072, the Principal Investigator.

If you have any questions about your rights in this research, you may contact Nan C. Regina, Director, Human Subject Research Protection, Mail Stop: 560-177, 360 Huntington Avenue, Northeastern University, Boston, MA 02115. Telephone: 617.373.4588, Email: n.regina@northeastern.edu. You may call anonymously if you wish.

You may keep this form for your records.

Thank you.

Mark

Mark Crosby
Appendix C

Interview Questions

Introduction: As you know, my doctoral study is focusing on the use of social media in small college hiring practices. This is a practice referred to as cybervetting and it involves using a social media tool as part of the approach to determine a candidate’s suitability for a particular position. It could be LinkedIn, Facebook, Instagram, and so forth. I’d like to ask you a few questions about how cybervetting comes in to play in the human resources practices at your small college. My goal is to help small colleges develop some best practice models.

1. Please share with me what types and sources of information you utilize in conducting candidate evaluation and the final selection process.
   a. Does your organization use any websites?
   b. Does your organization vet candidates through recruitment technology, background check agency, or executive search firm? If so, please tell me more about your process.

2. How do people in your organization use information from the internet or social media to qualify or disqualify potential candidates?
   a. Are there any reasons you might not use social media?

3. Do you think social media tools are useful in the hiring process? What benefits do you see from their use? What drawbacks come from using them, if you do?
4. Do you have any written policies regarding the use of social media tools in the hiring process?
   a. If so, how did you develop them?
   b. If not, do you have plans to develop them?
   c. What was the impetus for these policies if you have them?
   d. Do the policies work? Do they regulate social media / cybervetting at your institution?

5. Are you worried about the use of protected class information when people are vetting candidates via social media at your college? If so, is there anything that can be done? If not, what system do you have in place to make you feel confident that protected class information is not being compromised?

6. Do you think that information gathered on social media sites is a valid predictor of a candidate’s job performance? Can you tell me more about what leads you to believe this?

7. Tell me more about the kind of release/consent you utilize with candidates. How do you distinguish between traditional reference calls, formal background checking, and social media vetting?

8. I have a series of questions here that asks about how social media might impact your hiring process. First I’ll ask: What social media items might impact a hiring decision during the vetting process? Can you tell me more about your thought process?

   The following may be asked as follow up questions if the participant does not touch on these areas in his/her answer.

   a. Do you evaluate online writing skills before selecting candidates, during the interview process, or during the final vetting process?
   b. How often does a person’s writing or online comments help understand their motivations or the quality of their application with you?
   c. What might a picture in an online profile tell you about a person’s qualifications for the job?
   d. How would you evaluate a person who does not have an online identity or internet access?
   e. What would you do or advise if an applicant’s social media account illustrated inappropriate behavior (drinking, partying, drugs, etc.)
   f. Have you had instances when someone on your campus “Googled,” “Facebooked,” or utilized other social media to learn information about a job applicant which resulted in a discovery that you had to act upon?
   g. What social media information has led you or your organization to not hire someone?
   h. Is HR consulted in these instances to determine an appropriate action?
i. Would your organization ever (and how would you) coach or reprimand staff or faculty for misusing applicant social media information?

9. What are your impressions of how candidates think we are vetting their background information? Do you think candidates are aware that employers are looking at their online information as a result?

10. Do you wish you had more information available about candidates during the vetting process? If so, what would be helpful?

11. Do you have any worries about the potential for disparate impact (e.g., unintentional discrimination) when using social media for recruiting purposes?

12. Do you have any best practice recommendations regarding cybervetting that you can share for this research?

13. Does your organization vet candidates through recruitment technology, background check agency, or executive search firm? If so, please tell me more about your process.

14. Please help us with some quick demographics.

   a. What is your age range: 20s, 30s, 40s, 50s, 60s, 70s?
   b. What do you identify as your gender?
   c. What do you identify as your race/ethnicity?
   d. How many years in the HR profession?