POLICY PROPOSAL - *HANDBOOK*
TITLE 2, CHAPTER 1, SECTION 1.5
Officers of the Nevada System of Higher Education

Additions appear in ***boldface italics***; deletions are [~~stricken~~ and bracketed]

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1.5.5 Vacancy in the Office of President

~~(a) As used in this Section, "Officer in Charge" means the person who has been designated by the President of each institution to be the officer in charge in the temporary absence or vacancy in the Office of President.~~

~~(b) The President of each institution shall maintain on file with the Chancellor, in writing, the designation of campus authority consisting of a list of three persons currently serving the institution, that are, in the order listed, deemed to be the officer in charge should a temporary absence or a vacancy occur in the position of President. The list shall include the name, title and contact information for each person. If the person listed first is unavailable at the time of the temporary absence or vacancy, the next person listed in order shall serve as the officer in charge. If the persons listed first and second are unavailable at the time of the temporary absence or vacancy, the third person listed shall serve as the officer in charge.~~

~~(c) When a vacancy occurs in the position of President of a member institution, the institution's officer in charge shall exercise the powers of the President until an acting or interim President is appointed by the Board.~~

~~(d) Whenever a vacancy occurs or is about to occur in the position of President of a member institution, the Chancellor, in consultation with the Chair of the Board, shall recommend to the Board the appointment of an acting or interim President. Prior to making the recommendation of an acting or interim President, the Chancellor and Chair of the Board shall first meet with major constituencies, including the representatives of faculty and classified senates or their equivalents, and student government representatives of the institution to receive their suggestions and input for the appointment of an acting or interim President. Additional constituencies may include, but are not limited to, provosts, vice presidents and other executive staff, campus employees, faculty, students, presidential advisory board members, foundation trustees and community representatives.~~

~~(e) At the time the Board considers the Chancellor's recommendation for the appointment of an acting or interim President, the Board shall also determine whether a search shall be conducted, or if an interim President shall be appointed to a specified term of one to three years.~~

1) If the Board determines to conduct a search, the Board will appoint an acting President. If an acting President is appointed, the acting President serves as the President of the institution until a person is permanently appointed as President following a presidential search. An acting President will not be eligible for consideration as a candidate for the permanent appointment as President. The Board shall determine whether to conduct a national, regional, in-state or other search for a permanent President.

2) If, by an action approved by an affirmative vote of not less than two-thirds of the Board, the Board determines to appoint an interim President to a specified term, an acting President will not be appointed. The Chancellor's recommended candidate for acting President may be considered by the Board for appointment as the interim President. If the Board appoints an interim President, the interim President will be appointed to a specified term of one to three years. At any time prior to the expiration of the interim President's specified term, the Board may approve a decision to conduct a search.

3) An interim President must serve at least a year before the Board may consider making the appointment permanent and the Board shall, at a public meeting, first allow and consider input from the institution's major constituencies. Prior to the last year of the term of an interim President appointed to a multi-year term, or prior to the end of the year of an interim President appointed to a one-year term, the Board may conduct a periodic evaluation of the interim President consistent with the Board policy governing periodic evaluation of NSHE Presidents.

If at any time during the term of an interim President, the Board determines not to appoint the interim President to the permanent position, the Board may direct that a search be conducted in the manner provided for in this Section 1.5.5. The interim President will not be eligible for consideration as a candidate for the permanent position. The Board shall determine whether to conduct a national, regional, in-state or other search for a permanent President.

(f) If the Board determines to conduct a search, a Regents' Presidential Search Committee composed of four to six members of the Board of Regents shall be appointed by the Chair of the Board for the purpose of recruiting and recommending a nominee or nominees to the full Board of Regents for consideration by the Board for appointment to the position. The Chair of the Board shall appoint the chair of the Regents' Presidential Search Committee. The Chair of the Board of Regents shall also appoint institutional advisory members to the Committee from the member institution involved to include: (i) five faculty members nominated by the senate; (ii) up to three administrators; (iii) one classified employee nominated by the classified employees' organization, if any, or if the search is at DRI, one technologist nominated by the technologists' organization, if any; (iv) one undergraduate student representative and one graduate student representative nominated by the appropriate student government as applicable to the institution involved; and (v) one alumnus. The Committee Chair may also appoint such other persons as advisory members to the Committee as may be

deemed necessary. The affirmative action officer of the member institution involved, if any, shall be an ex officio advisory member of the Committee. The institutional advisory members of the Committee serve as non-voting members to advise the voting members of the Regents' Presidential Search Committee on matters being considered.

(g) The Regents' Presidential Search Committee will oversee the details of the search. The budget for the search shall be established by the Chair of the Board in consultation with the Chancellor and Chief of Staff to the Board of Regents and shall take into consideration the institutional finances. The Chancellor shall, in accordance with direction from the Committee, either directly, or in consultation with a Search Consultant, if one is hired, be responsible for the initial screening process to determine candidates for consideration by the Committee. The Regents' Presidential Search Committee shall meet at the call of the chair of the Committee to discuss the qualifications of applicants recommended after the initial screening process and to hear the recommendations of the institutional advisory members of the Committee. The Committee will interview and evaluate candidates, after which the Regents' Presidential Search Committee will select its nominee or nominees for consideration by the full Board of Regents for appointment to the position. If the Board determines not to appoint the nominee(s) recommended by the Regents' Presidential Search Committee, it may direct the Committee to continue the search process and to recommend an additional nominee or nominees for consideration by the full Board of Regents.

The Board Office shall provide staff assistance to the Committee.

(h) The Board shall determine whether the Committee shall be aided by a Search Consultant. If the Board determines that the services of a Search Consultant would be helpful, a Search Consultant shall be selected by the Chancellor, the Chief of Staff to the Board of Regents, and the Chief General Counsel. The Search Consult shall (i) assist the Committee in the performance of its search, (ii) attend all meetings of the Committee, (iii) help the Committee in defining general parameters for the search, (iv) prepare and present a leadership profile for the Committee's approval at its first meeting regarding the qualifications sought for the President position, and (v) obtain at the first Committee meeting approval from the Committee on the publication and on-line locations where advertising for the President position will be placed.

(i) All costs associated with a Presidential search, including the costs of a Search Consultant, shall be paid by the institution that has the vacancy.

(j) By affirmative vote of not less than two-thirds of the members of the Board, the Board may authorize deviations from the processes defined in this policy.]

(a) As used in this Section, "Officer in Charge" means the person who has been designated by the President of each institution to be the officer in charge in the temporary absence or vacancy in the Office of President.

(b) The President of each institution shall maintain on file with the Chancellor, in writing, the designation of campus authority consisting of a list of three persons currently serving the institution, that are, in the order listed, deemed to be the Officer in Charge should a temporary absence or a vacancy occur in the position of President. The list shall include the name, title, and contact information for each person. If the person listed first is unavailable at the time of the temporary absence or vacancy, the next person listed in order shall serve as the Officer in Charge. If the respective persons listed first and second are unavailable at the time of the temporary absence or vacancy, the third person listed shall serve as the Officer in Charge.

(c) When a vacancy occurs in the position of President of a member institution, the institution's Officer in Charge shall exercise the powers of the President until an acting, interim, or permanent President is appointed by the Board.

(d) Whenever the Board Chair determines that a vacancy has occurred or is about to occur in the position of President of a member institution, or whenever the President of a member institution notifies the Board Chair and Chancellor of the President's resignation (which may be effective at a later date), the Chancellor, in consultation with the Board Chair and Vice Chair, shall recommend to the Board the appointment of an acting or interim President, or the commencement of a search without appointing an acting or interim President in the case of a resignation or vacancy that will become effective at a later date.

Prior to the Chancellor making a recommendation to the Board of an acting or interim President, or the commencement of a search without appointing an acting or interim President in the case of a resignation or vacancy that will become effective at a later date, the Chancellor, Board Chair, and Vice Chair shall first meet with major constituencies of the institution, including the representatives of faculty and classified senates or their equivalents, and student government representatives of the institution to receive their suggestions and input regarding the appointment of an acting or interim President, or the commencement of a search without appointing an acting or interim President. Additional constituencies may include, but are not limited to, provosts, vice presidents and other executive staff, campus employees, faculty, students, presidential advisory board members, institutional advisory council members (as applicable), foundation trustees, and community representatives.

1) <u>Acting President</u>: If the Chancellor makes a recommendation to the Board for the appointment of an acting President, the specified term of the acting President shall not exceed twelve (12) months and a search for a permanent President will be conducted. The acting President will not be eligible for consideration as a candidate for the appointment of a permanent President.

During a meeting at which the Board considers the appointment of an individual for acting President, the Board will have an opportunity to interview the candidate. Any such interview questions shall be pertinent to the role and responsibilities of President and shall be submitted to the Chief of Staff to the Board and the NSHE Chief Human Resources Officer for approval no less than seven (7) days before the meeting. At this meeting, the Board shall also consider:

- ***a) when to commence the search for a permanent President;***
- ***b) the general timing of the search;***
- ***c) whether to conduct a national, regional, or in-state search; and***
- ***d) whether to engage the services of a Search Consultant to assist the Presidential Search Committee, as provided in Section 1.5.5(f).***

2) <u>Interim President</u>: If the Chancellor makes a recommendation to the Board for the appointment of an interim President, the specified term of the interim President shall be one to three years. An interim President may only be appointed by an affirmative vote of not less than two-thirds of the Board.

During a meeting at which the Board considers the appointment of an individual for interim President, the Board will have an opportunity to interview the candidate. Any such interview questions shall be pertinent to the role and responsibilities of President and shall be submitted to the Chief of Staff to the Board and the NSHE Chief Human Resources Officer for approval no less than seven (7) days before the meeting.

An interim President must serve at least one year before the Board may consider making the appointment permanent, and the Board shall, at a public meeting, first allow and consider input from the institution's major constituencies. Prior to the last year of the term of an interim President appointed to a multi-year term, or prior to the end of the year of an interim President appointed to a one-year term, the Board may conduct an evaluation of the interim President consistent with the Procedures and Guidelines Manual, Chapter 2, Section 2, governing Executive Evaluations.

If, at any time during the term of an interim President, the Board determines not to appoint the interim President to the permanent position, the Board may direct that a search be conducted in the manner provided for in this Section 1.5.5. During the search process, the interim President is eligible to apply for the permanent position.

During a meeting at which the Board considers whether a search will be conducted, the Board shall also consider:

- ***a) when to commence the search for a permanent President;***
- ***b) the general timing of the search;***
- ***c) whether to conduct a national, regional, or in-state search; and***

d) whether to engage the services of a Search Consultant to assist the Presidential Search Committee, as provided in Section 1.5.5(f).

3) <u>No Acting or Interim Appointment</u>: If the Chancellor makes a recommendation to the Board for the commencement of a search without appointing an acting or interim President, in the case of a resignation or vacancy that will become effective at a later date, the Board shall consider during the meeting at which the Board considers the Chancellor's recommendation:

a) when to commence the search for a permanent President;
b) the general timing of the search;
c) whether to conduct a national, regional, or in-state search; and
d) whether to engage the services of a Search Consultant to assist the Presidential Search Committee, as provided in Section 1.5.5(f).

(e) Upon a determination by the Board to conduct a search for a permanent President, a Regents' Presidential Search Committee composed of between four to six members of the Board of Regents shall be appointed by the Board Chair, in consultation with the Vice Chair, for the purpose of recruiting and recommending a nominee or nominees to the full Board of Regents for consideration by the Board for appointment to the position. The chair of the Regents' Presidential Search Committee shall be appointed by the Board Chair.

The Board Chair shall also appoint institutional advisory members to the Regents' Presidential Search Committee from the member institution involved to include: (i) five faculty members nominated by the senate; (ii) up to three administrators, one of whom serves as the institution's chief diversity officer or equivalent; (iii) one classified employee nominated by the classified employees' organization, if any, or if the search is at DRI, one technologist nominated by the technologists' organization, if any; (iv) one undergraduate student representative and one graduate student representative nominated by the appropriate student government as applicable to the institution involved; and (v) one alumnus. The Committee Chair may also appoint up to seven such other persons as advisory members to the Committee as may be deemed necessary. The affirmative action officer of the member institution involved, if any, shall be an ex officio advisory member of the Committee. The institutional advisory members, not to exceed twenty, shall serve as non-voting members to advise the voting members of the Regents' Presidential Search Committee on matters being considered.

The Regents' Presidential Search Committee shall be provided staff assistance by the Chief of Staff to the Board and other Board Office staff, the NSHE Chief General Counsel (or legal counsel designated by the NSHE Chief General Counsel after consultation with the Board Chair), and such other assistance as the Committee may request.

(f) If the Board has determined to engage the services of a Search Consultant to assist the Regents' Presidential Search Committee, the Chief of Staff to the Board shall, in consultation with the Chancellor and the Chair of the Regents' Presidential Search Committee, select at least three possible Search Consultants for consideration by the Regents' Presidential Search Committee at its first meeting, and the Committee shall select a Search Consultant at that meeting.

The Search Consultant shall: (i) assist the Committee in the performance of its search, (ii) attend all meetings of the Committee, (iii) help the Committee in defining general parameters for the search, (iv) prepare and present a leadership profile which includes the qualifications sought in a permanent President for approval by the Committee at its second meeting, and (v) obtain at the second meeting approval from the Committee of the publications and on-line locations where advertising for the President position will be placed.

(g) The Regents' Presidential Search Committee will oversee the details of the search. The budget for the search shall be established by the Board Chair, in consultation with the Chancellor, Chief of Staff to the Board, and Chair of the Regents' Presidential Search Committee, and shall take into consideration the institution's finances.

The Chancellor and the Chair of the Regents' Presidential Search Committee shall, in accordance with direction from the Committee, either directly, or in consultation with a Search Consultant, if one is hired, be responsible for the initial screening process to determine candidates for consideration by the Committee. The Regents' Presidential Search Committee shall meet at the call of the Committee Chair to discuss the qualifications of applicants recommended after the initial screening process and to hear the recommendations of the institutional advisory members to the Regents' Presidential Search Committee. The Regents' Presidential Search Committee will interview and evaluate candidates, after which the Committee will select a nominee or nominees for consideration by the full Board of Regents for appointment to the position.

If the Board determines not to appoint a nominee recommended by the Regents' Presidential Search Committee, it may direct the Committee to continue the search process and to recommend an additional nominee or nominees for consideration by the full Board of Regents at a future meeting.

(h) All costs associated with a Presidential search, including the costs of a Search Consultant, shall be paid by the institution that has the vacancy.

(i) By affirmative vote of not less than two-thirds of the members of the Board, the Board may authorize deviations from the processes defined in this policy.

PROPOSED REVISIONS – *PROCEDURES & GUIDELINES MANUAL*
CHAPTER 2, SECTION 1
Appointments and Vacancies of System Officers

Additions appear in ***boldface italics***; deletions are [~~stricken~~ and bracketed]

Section 1. Appointments and Vacancies of System Officers

A. Resignations from the Office of Chancellor or President of a member institution shall be addressed to the Chair of the Board of Regents, and to the Chancellor in the case of a President's resignation. The Chair of the Board of Regents shall accept such resignations only in writing, and the Chair of the Board of Regents shall notify promptly the Board of Regents of such resignations.

B. The Chancellor shall notify the other members of the Board of Regents if a vacancy has occurred or is about to occur in the Office of President of a member institution ***(***in cases where the vacancy in question is caused by other than a resignation***)***. The Chair of the Board of Regents shall notify the other members of the Board if a vacancy has occurred or is about to occur in the Office of Chancellor ***(***in cases where the vacancy in question is caused by other than a resignation***)***.

C. In accordance with Handbook Section 1.5.4(d), whenever a vacancy occurs or is about to occur in the Office of Chancellor, or when the Chancellor notifies the Chair of the Board of Regents that the Chancellor has resigned, the Chair and Vice Chair of the Board of Regents shall present a recommendation to the Board of Regents for an acting or interim Chancellor.

D. In accordance with Handbook Section 1.5.4, in the case of a vacancy in the Office of Chancellor and an action by the Board to commence a search, the Chair of the Board of Regents will appoint a Regent Chancellor Search Committee and the Board of Regents shall determine if a search firm will be hired. The Chancellor Search Committee will oversee the details of the search. The budget for the search shall be established by the Chair of the Board of Regents in consultation with the Chief of Staff to the Board of Regents, Chancellor, Chief General Counsel, and Chair of the Chancellor Search Committee.

E. In accordance with Handbook Section 1.5.4(i), if the Board determines to engage the services of a Search Consultant, the Chief of Staff to the Board of Regents shall, in consultation with the Chair of the Chancellor Search Committee and the Chancellor, and in accordance with applicable Board policies and procedures, select at least three possible Search Consultants for consideration by the Chancellor Search Committee at its first meeting. The Chancellor Search Committee shall select the Search Consultant at its first meeting.

[~~F. As of December 1, 2005, the total costs of presidential searches will be the obligation of the System institution requiring the search. Excluded are any costs for travel by System staff or the Board of Regents as required by the search process.~~]

F. ***In accordance with Handbook Section 1.5.5(d), whenever a vacancy occurs or is about to occur in the Office of President, or when a President notifies the Chair of the Board of Regents that the President has resigned, the Chancellor, in consultation with the Board Chair and Vice Chair, shall present a recommendation to the Board of Regents for an acting or interim President, or the commencement of a search without appointing an acting or interim President (in the case of a Presidential resignation or vacancy that will become effective at a later date.)***

G. ***In accordance with Handbook Section 1.5.5(d), in the case of a vacancy in the Office of President, and at the time the Chancellor makes a recommendation to the Board of Regents for the appointment of an acting president or the commencement of a search without appointing an acting or interim President, the Board of Regents shall consider: i) when to commence the search for a permanent President; ii) the general timing of the search; iii) whether to conduct a national, regional, or in-state search; and iv) whether to engage the services of a Search Consultant to assist the Presidential Search Committee, as provided in Handbook Section 1.5.5(f).***

H. ***Upon a determination by the Board of Regents to conduct a search for a permanent President, a Regents' Presidential Search Committee composed of between four to six members of the Board of Regents shall be appointed by the Board Chair, in consultation with the Vice Chair. The Board Chair shall also appoint the advisory members to the Regents' Presidential Search Committee, as provided in Handbook Section 1.5.5(e).***

I. ***In accordance with Handbook Section 1.5.5(f), if the Board of Regents determines to engage the services of a Search Consultant, the Chief of Staff to the Board of Regents shall, in consultation with the Chair of the Presidential Search Committee and the Chancellor, and in accordance with applicable Board of Regents policies and procedures, select at least three possible Search Consultants for consideration by the Presidential Search Committee at its first meeting. The Presidential Search Committee shall select the Search Consultant at its first meeting.***

J. ***As provided in Handbook Section 1.5.5(g), the Presidential Search Committee will oversee the details of the search. The budget for the search shall be established by the Chair of the Board of Regents, in consultation with the Chief of Staff to the Board of Regents, Chancellor, Chief General Counsel, and Chair of the Presidential Search Committee, and all costs shall be paid by the institution that has the vacancy, as provided in Handbook Section 1.5.5(h).***

[~~G~~]***K***. In the case of a vacancy in the position of provost at a member institution, unless an exception is approved by the Board of Regents, the institution shall conduct a national search for the purpose of recruiting and screening candidates for the position for consideration of appointment by the institution's President. As used in this paragraph, "provost" means the second highest ranking executive and administrative officer of the University or state college.