

BOARD OF REGENTS BRIEFING PAPER

1. AGENDA ITEM TITLE: Code Amendments, Officers of the Nevada System of Higher Education

MEETING DATE: September 11-12, 2025

2. BACKGROUND & POLICY CONTEXT OF ISSUE:

In April 2024, the Board of Regents approved substantive amendments to the process for addressing a vacancy in the office of Chancellor. A chancellor search was successfully conducted in 2024-25 under the revised provisions. That search also served to identify a few remaining areas within the policy that would benefit from additional clarity and refinement.

3. SPECIFIC ACTIONS BEING RECOMMENDED OR REQUESTED:

Approve the proposed amendments to the NSHE Code concerning the process for addressing a vacancy in the office of Chancellor.

4. IMPETUS (WHY NOW?):

The proposed amendments address feedback received following the 2024-25 chancellor search. Future chancellor searches will benefit from the proposed process improvements.

Pursuant to Title 2, Chapter 1, Section 1.3.3(a) of the NSHE Code, “[a]t least 30 calendar days before consideration by the Board, proposed amendments shall be circulated to the Chancellor, each System institution President, and each senate for review and comment.” This policy proposal was circulated to the named stakeholder groups on August 8, 2025. Additional feedback received through circulation was incorporated into the proposal which was then recirculated to the named stakeholder groups.

5. CHECK THE NSHE STRATEGIC PLAN GOAL THAT IS SUPPORTED BY THIS REQUEST:

- ☐ Access (Increase access to higher education)
- ☐ Success (Improve student success)
- ☐ Close Institutional Performance Gaps
- ☐ Workforce (Meet workforce needs in Nevada)
- ☐ Research (Increase solutions-focused research)
- ☐ Coordination, Accountability, and Transparency (Ensure system coordination, accountability, and transparency)
- ☒ Not Applicable to NSHE Strategic Plan Goals

6. INDICATE HOW THE PROPOSAL SUPPORTS THE SPECIFIC STRATEGIC PLAN GOAL

N/A

7. BULLET POINTS TO SUPPORT REQUEST/RECOMMENDATION:

- Further clarifies the process to be followed in the event of a vacancy in the office of Chancellor.
- Addresses how the Board shall proceed when a search committee recommends more than one candidate for possible appointment.
- Is responsive to feedback received following the 2024-25 chancellor search and comments received following circulation of the proposed amendments.

8. POTENTIAL ARGUMENTS AGAINST THE REQUEST/RECOMMENDATION:

The chancellor search conducted in 2024-25 was successful and no changes to the policy are needed.

9. ALTERNATIVE(S) TO WHAT IS BEING REQUESTED/RECOMMENDED:

None noted.

10. RECOMMENDATION FROM THE CHANCELLOR'S OFFICE:

The Chancellor's Office recommends approval of the proposed amendments to the NSHE Code.

11. COMPLIANCE WITH BOARD POLICY:

- ☐ Consistent With Current Board Policy: Title # _____ Chapter # _____ Section # _____
- ☒ Amends Current Board Policy: Title # 2 Chapter # 1 Section # 1.5.4
- ☐ Amends Current Procedures & Guidelines Manual: Chapter # _____ Section # _____
- ☐ Other: _____
- ☐ Fiscal Impact: Yes _____ No x
Explain: _____

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]

1.5.4 Vacancy in the Office of the Chancellor.

- (a) As used in this Section, "Officer in Charge" means the person who has been designated by the Chancellor to be the officer in charge in the temporary absence or vacancy in the Office of Chancellor.
- (b) The Chancellor, in consultation with the Board Chair, shall maintain on file with the Chair of the Board of Regents, in writing, the designation of three persons currently serving in the System Office, 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 Chancellor. 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 Chancellor, the officer in charge shall exercise the powers of the Chancellor until an acting, [~~or~~] interim, ***or permanent*** Chancellor 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 Chancellor (other than arising from the resignation of the Chancellor), or whenever the Chancellor notifies the Board Chair that the Chancellor has resigned (which resignation may be effective at a later date), the Board Chair shall, at the next regular or special meeting of the Board, ~~ask the Board to consider~~ ***request direction from the Board on*** whether [~~it will request recommendations for~~] ***to recommend*** an acting Chancellor or [~~an~~] interim Chancellor. ***In the case of a resignation or vacancy that will become effective at a later date,*** [~~the~~] the Board may commence a search for the position of Chancellor without appointing an acting or interim Chancellor [~~in the case of a resignation or vacancy that will become effective at a later date.~~] If the Board Chair reasonably determines that the vacancy in the position of Chancellor or the resignation of the Chancellor will occur or become effective at a later date, the present Chancellor shall serve as Chancellor until the vacancy or resignation, as the case may be, becomes effective.

Within sixty (60) days of the Board's request, the Chair and Vice Chair of the Board shall recommend to the Board an individual for [~~the~~]

appointment ~~[of an]~~ **as the** acting or interim Chancellor. ***If circumstances preclude a recommendation from the Chair and Vice Chair within sixty (60) days, the Chair and Vice Chair shall request an extension of time and/or seek additional direction from the Board regarding the recommendation of an acting or interim Chancellor.***

Prior to making the recommendation of an acting or interim Chancellor, the Chair and Vice Chair of the Board shall first meet with major constituencies of the NSHE (other than members of the Board of Regents), including presidents and faculty senate chairs, to receive their suggestions and input for the appointment of an acting or interim Chancellor. Additional constituencies may include, but are not limited to, provosts, vice presidents, faculty and other institution staff, vice chancellors and other system staff, student leadership, institution advisory board members, foundation trustees, community and legislative representatives.

During a meeting at which the Board considers the appointment of an individual for acting or interim Chancellor, the Board will have an opportunity to interview the candidate. Any such interview questions shall be pertinent to the role and responsibilities of Chancellor ***and shall be submitted to the Chief of Staff to the Board and the NSHE Chief Human Resources Officer for approval no less than five (5) business days before the meeting.***

- (e) **Acting Chancellor:** If an acting Chancellor is appointed, the specified term shall not exceed twelve (12) months, during which time the Board shall conduct a search pursuant to subsection (f). An acting Chancellor shall not be eligible for consideration as a candidate for the permanent appointment as Chancellor.

Interim Chancellor: If an interim Chancellor is appointed, the Board shall determine whether a search will be conducted ***pursuant to subsection (f)***, or if an interim Chancellor will be appointed to a specified term of one to three years.

An interim Chancellor may only be appointed for a specified term of one to three years by an affirmative vote of not less than two-thirds of the Board. At any time prior to the expiration of the interim Chancellor's specified term, the Board may decide to conduct a search for a permanent Chancellor. Any such search shall be conducted in the manner provided in this Section 1.5.4. An interim Chancellor must serve at least one year before the Board may consider making the appointment permanent. At the time it considers making the appointment permanent, the Board shall, at a public meeting, first allow and consider input from the NSHE's major constituencies. Before considering whether to make the interim appointment permanent, the Board may, in accordance with the Board policy governing Chancellor evaluations, conduct a periodic evaluation of the interim Chancellor's performance.

- (f) Any time a Chancellor search is conducted, the Board shall determine when to commence the search, ~~[the general timing of the search]~~, whether to conduct a national, regional, or in-state search, and whether to engage the services of a Search Consultant to assist the Chancellor Search Committee, as provided in Section 1.5.4(i). An ad hoc Regents' Chancellor Search Committee composed of four to six members of the Board of Regents shall be appointed by the Board Chair, in consultation with the Board Vice Chair, for the purpose of recruiting and recommending a nominee or nominees to the Board of Regents for appointment to the position. The Chair of the Board ~~[in consultation with the Vice Chair]~~ shall appoint the Chair of the Regents' Chancellor Search Committee. The Committee shall be provided staff assistance by the Chief of Staff to the Board of Regents and Chief General Counsel (or legal counsel designated by the Chief General Counsel after consultation with the Chair of the Board), and such other assistance as the Chancellor Search Committee may request.
- (g) Before it makes its recommendation or recommendations to the Board for the position of Chancellor, the Committee shall consult with an advisory committee consisting of ~~[the Presidents of the respective System institutions]~~ the chair of the Council of Faculty Senate Chairs, the chair of the Nevada Student Alliance, the president of the NSHE Classified Council executive board, ~~[the chair of the Inclusion, Diversity, Equity and Access Council]~~ and ~~[any]~~ **up to six** other NSHE or community representatives as determined by the Board Chair and Vice Chair. ~~[The System designated affirmative action officer shall serve as an ex officio member of the advisory committee.]~~ The advisory members, not to exceed ~~[twenty]~~ **nine**, shall serve as non-voting members to provide input on matters being considered.
- (h) The Regents' 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. The Chair of the Chancellor 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. **Such screening should be conducted in accordance with direction from the Regents' Chancellor Search Committee and in consultation with the Chief of Staff to the Board and the Search Consultant, if one is hired.** The Regents' Chancellor Search Committee shall meet at the call of the Chair of the Committee to discuss qualifications of applicants recommended after the initial screening process and to hear the recommendations of the members of the advisory committee. The Regents' Chancellor Search Committee will interview and evaluate candidates, and thereafter will select ~~[its]~~ **a** nominee or nominees for **consideration by the full Board of Regents for** appointment to the position.

If more than one nominee is recommended by the Regents' Chancellor Search Committee, the Board will have an opportunity to interview the candidates during a meeting at which the Board considers the appointment of an individual as Chancellor. The Chair of the Chancellor Search Committee, in consultation with the Chief of Staff to the Board and Search Consultant, if one is hired, shall develop no more than three (3) interview questions to be asked of all candidates.

If the Board determines not to appoint ~~[the nominee(s)]~~ **a nominee** recommended by the Regents' Chancellor 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.]~~

- (i) The Board shall determine whether the Committee shall be aided by a Search Consultant at the time it determines the scope of the search for the position of Chancellor. 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, 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.
- (j) 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 Chancellor search, (iv) prepare and present a leadership profile for the Committee's approval ~~[at its second meeting]~~ regarding the qualifications sought for the Chancellor position, and (v) obtain ~~[at the second Committee meeting]~~ approval from the Committee on the publication and on-line locations where advertising for the Chancellor position will be placed.
- (k) By an 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.