

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 May 2024, the Board of Regents approved substantive amendments to the process for addressing a vacancy in the office of President of a member institution. Two presidential searches were successfully conducted in 2024-25 under the revised provisions. Those searches 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 President.

4. IMPETUS (WHY NOW?):

The proposed amendments address feedback received following the 2024-25 presidential searches, and it is anticipated that the Board will make a decision at the September 11-12, 2025, quarterly meeting regarding the current vacancy in the office of President at Nevada State University. Future presidential 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 President of a member institution.
- 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 presidential searches and comments received following circulation of the proposed amendments.

8. POTENTIAL ARGUMENTS AGAINST THE REQUEST/RECOMMENDATION:

The presidential searches conducted in 2024-25 were 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 # 1.5.5
- ☐ 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]

1.5.5 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 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. ***In the event the Chancellor determines that an alternate Officer in Charge should be appointed to exercise the powers of the President, the Chancellor, in consultation with the Board Chair, may appoint an alternate 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 ***in the case of a resignation or vacancy that will become effective at a later date.*** 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) Acting President: 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 Chancellor may use the services of an executive placement firm for acting leadership positions in higher education to identify a candidate for recommendation to the Board.*** 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)]~~ ***five (5) business*** 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;]~~
- ~~[e]~~***b)*** whether to conduct a national, regional, or in-state search; and
- ~~[d]~~***c)*** whether to engage the services of a Search Consultant to assist the Presidential Search Committee, as provided in Section 1.5.5(f).

- 2) Interim President: 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)]~~ ***five (5) business*** 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 ***including representatives of faculty and classified senates or their equivalents, and student government***. 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;]~~
- ~~[e]~~**b)** whether to conduct a national, regional, or in-state search;
and
- ~~[d]~~**c)** whether to engage the services of a Search Consultant to assist the Presidential Search Committee, as provided in Section 1.5.5(f).

- 3) No Acting or Interim Appointment: 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;]~~
- ~~[e]~~**b)** whether to conduct a national, regional, or in-state search;
and
- ~~[d]~~**c)** 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]~~ **four academic** faculty members nominated by the **faculty** senate **and one administrative faculty member nominated by the administrative faculty committee or equivalent**; (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]~~ **six** 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]~~ **eighteen**, 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 Chair of the Regents' Presidential Search Committee shall ~~be~~^{in accordance with direction from the Committee, either directly, or in consultation with the Chancellor and 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' Presidential Search Committee and in consultation with the Chancellor and the Search Consultant, if one is hired.*** 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 more than one nominee is recommended by the Regents' Presidential 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 President. The Chair of the Presidential Search Committee, in consultation with the Chancellor 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 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.