

**NEVADA SYSTEM OF HIGHER EDUCATION
PROCEDURES AND GUIDELINES MANUAL**

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CHAPTER 2

APPOINTMENTS AND EVALUATIONS

Section 1. Appointments and Vacancies of System Officers

- a. In the case of a vacancy in the Office of Chancellor, the Chair of the Board of Regents will appoint a Regent Chancellor Search Committee. The Chancellor Search Committee will oversee the details of the search and determine if a search firm will be hired. The budget for the search shall be established by the Chairman of the Board of Regents in consultation with the chief executive officer of the Board and the director of Human Resources.
- b. In case of a vacancy in the Office of Chancellor, the Chair of the Board of Regents shall present a recommendation to the Board of Regents for an interim Chancellor.
- c. Resignations from the Office of Chancellor or President of a member institution shall be addressed to the Chairman of the Board of Regents. The Chairman of the Board of Regents shall accept such resignations in writing.
- d. The Chancellor shall notify the Board of Regents of a vacancy in the Office of the President of a member institution in cases where the vacancy is caused by other than a resignation. The Chairman of the Board of Regents shall notify the other members of the Board of a vacancy in the Office of Chancellor in cases where the vacancy is caused by other than a resignation.
- e. As of December 1, 2005, the total costs of president 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 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.

(B/R 6/84, 3/04; Added 6/05; A 1/06, 12/09, 6/13)

Section 2. Executive Evaluations

1. ANNUAL EVALUATION OF NSHE PRESIDENTS (Board Approved 10/03)

- A. The purpose of the annual evaluation is to provide ongoing, constructive feedback so that Presidents may know how the Chancellor and the Board view their areas of strength as well as areas that may be improved upon. It also provides an opportunity for the President and Chancellor to discuss personal and institutional goals for the next evaluation period.
- 1) The President will prepare an annual confidential Self-Evaluation Report, addressing the areas of review as described in subsection B. The timeframe for the annual self-report shall be the prior calendar year.
 - 2) The Chancellor reviews the President's self-evaluation and prepares a confidential written evaluation assessing the President's performance against the goals set for the prior calendar year. The emphasis of the annual evaluation shall be on an analysis of areas for future focus and improvement.
 - 3) The Chancellor meets with the President to review the written evaluation and to agree on personal and institutional goals for the following evaluation period.
 - 4) If the Chancellor recommends a change to the President's contract a summary of the evaluation and the new evaluation goals will be provided to the Board of Regents. (These are public documents.) The Board will discuss the findings of the annual review at a meeting in an open personnel session and consider the contract recommendations.
 - 5) A copy of the confidential written evaluation, signed by both the Chancellor and President, is retained in the President's personnel file, along with a copy of the President's confidential annual self-evaluation report.
- B. The following format and evaluation criteria are based on principles developed by the Association of Governing Boards of Universities and Colleges for formative reviews and shall be considered in the annual evaluation of NSHE Presidents.

1. GOALS AND ACHIEVEMENTS

- i. Discuss the goals you set for yourself and your institution last year along with a description of your efforts to meet them.
- ii. Discuss any other personal and institutional achievements that you, your senior management team, or your faculty are especially pleased to have accomplished. Include achievement in meeting institutional goals for the upward mobility of underrepresented groups (faculty, staff, and students).
- iii. Discuss any disappointments, frustrations, or problems you may have experienced during the past year, especially those that are likely to persist.

- iv. Discuss in a thoughtful way your relationships with the Board of Regents; your faculty, staff, students, alumni, and community leaders; and any other appropriate stakeholders or organizations.

2. CHALLENGES AND OPPORTUNITIES

- i. Outline your institution's principal challenges and opportunities as you see them.
- ii. List evaluation goals you propose for yourself and your institution for the next year. These goals should focus on, but are not limited to, meeting institutional and System-wide strategic goals in the following areas:
 - a. Academic Administration;
 - b. Academic Advancement;
 - c. Budgetary and Personnel Management;
 - d. Access and Diversity;
 - e. Research and Workforce Development; and
 - f. Internal Communication, External Relations and Fund-raising.
- iii. Provide any other thoughts, ambitions, or plans you have as President.

3. OTHERS

- i. Attach any other information or materials that will help assess your institution's achievements and progress over the past year or so.
- ii. If you wish, discuss your desires or plans for professional growth.

2. PERIODIC EVALUATION OF NSHE PRESIDENTS

A comprehensive, periodic assessment of the performance of each President in four key areas will be conducted in the next-to-last year of each contract period. The purpose of the periodic evaluation is to provide constructive feedback on measurable performance metrics assessed over a period of time so that Presidents may know how colleagues, Regents, and key leaders in the community view their efforts, including areas of strength as well as areas that may need improvement.

- 1.) The President being evaluated shall prepare a written self-evaluation based upon the four areas of evaluation described in subsection 3. The self-evaluation shall be submitted to the Chancellor and provided to the Evaluation Committee.
- 2.) The Chancellor shall appoint an Evaluation Committee composed of not more than four individuals knowledgeable with the institution, including one senior faculty member. The Chancellor shall appoint one member to serve as Chair of the Committee. The Committee shall conduct the evaluation using the evaluation metrics described in subsection 3. The Committee shall be provided with the prior evaluation(s) of the President, if any, together with any interim annual evaluations.

- 3.) In advance of the evaluation, the Evaluation Committee and the Chancellor shall meet to review and discuss prior evaluations, the details of the current evaluation and any issues that may be raised during the evaluation process. The Chancellor shall provide the Committee with a list of stakeholders to be interviewed. The list shall consist of a wide variety of individuals, internal and external to the institution, who are knowledgeable about the President's work and shall include student leaders. The President shall be permitted to submit a list of potential interviewees. The Chancellor shall select the names to be forwarded from the President's list. The list shall be divided by the Chair among the four committee members. Appropriate accommodations will be made for the Evaluation Committee members to conduct interviews at institutions with multiple campus sites.
- 4.) The evaluation process will include the opportunity for a representative sample of vice presidents, deans, academic and administrative department heads, faculty, students, and community and alumni leaders to be interviewed, and may also include a faculty survey submitted in compliance with the provisions of this section. With the exception of the results of a faculty survey, the Evaluation Committee shall not accept anonymous materials, as part of the evaluation process.

The faculty senate may conduct a survey of faculty regarding the performance of the President. The survey shall address the Performance Metrics for the Periodic Evaluation of the Performance of NSHE Presidents set forth in Subsection 3. Within the scope of the Performance Metrics, the survey may also seek input regarding the effectiveness of the relevant institutional offices or departments. In preparing the survey and the final survey report, the faculty senate shall consult with the institution's general counsel to ensure the questions in the survey and the final survey report do not seek or contain comments about the performance of individuals other than the President. The final survey report must be provided to the Evaluation Committee.

The Chancellor shall establish guidelines in consultation with the faculty senate regarding the process, timeline, and notification schedule in order to obtain constructive feedback from the faculty.

- 5.) Prior to conducting interviews with institution constituents, the Evaluation Committee will meet with the President for the purpose of reviewing strategic plans, goals, objectives, resource allocation policies, major challenges and successes, and the President's own assessment of the interval being appraised. The Committee shall review the President's self-evaluation with the President and allow the President to discuss any relevant facts with the Committee.
- 6.) At the conclusion of this meeting, the Committee members shall disperse to meet with the assigned interviewees. The Committee shall also conduct an open forum for students. During the course of conducting the interviews, the Committee shall meet at the call of the Chair to review the interviews conducted so far and to discuss common thoughts and themes that have emerged from stakeholder input.

- 7.) At the conclusion of the interviews and student forum, the Committee shall meet with the President to discuss what its members have heard, including strengths and weaknesses of the President in the four areas of evaluation described in Subsection 3 and will recommend areas for future focus and improvement. The President shall be provided an opportunity to clarify points the President believes should be made.
- 8.) The Committee shall prepare a written report within two weeks of the Committee's final meeting with the President, with each member contributing a portion of the report as assigned by the Committee Chair. The Chair shall combine the individual member contributions into a final version of the report.
- 9.) The Committee Chair shall meet with the President to review the final evaluation report in order to correct any factual errors but other than such corrections, no changes may be made to the evaluation. The Committee Chair shall then deliver the final evaluation report to the Chancellor for transmittal to the Board.
- 10.) As soon as practical after the submission of the final evaluation report, the Chancellor will present an evaluation of the President, which shall include the final evaluation report, at a regularly scheduled meeting of the Board of Regents where the President will participate in an open personnel session to review the findings of the periodic evaluation. The open personnel session will take place on the first day of the meeting of the Board of Regents.
- 11.) At the conclusion of the periodic evaluation process, in an open personnel session on the second day of the meeting, the Board Chair may recommend contract terms and conditions for approval by the Board of Regents.
- 12.) A copy of the Chancellor's evaluation, the Evaluation Committee's report and a copy of the President's self-evaluation will be retained in the President's personnel file. All these documents are public documents.

3. PERFORMANCE METRICS FOR PERIODIC EVALUATION OF NSHE PRESIDENTS

The periodic presidential evaluation shall be conducted with reference to the following criteria.

Part 1. FUNDAMENTAL PRODUCTIVITY

- A. Academic Completion – Student Success. The NSHE is a performance oriented system. Student success as reflected in academic completion is a key Board policy each President embraces. A President shall be evaluated based on:
 1. Graduation rates;
 2. The total number of degrees and certificates awarded; and
 3. Year to year persistence rates.

- B. Enrollment – Student Access. While the NSHE has moved from an input to an output formula, performance growth cannot occur without attracting more students. In addition, Nevada needs more graduates so serving more Nevadans remains important. A President shall be evaluated based on enrollment, including online enrollment.

NSHE has a fundamental commitment to equity and diversity. The President shall separately state institutional progress with respect to critical underserved populations, including minority groups and low income students, indicating efforts to close attainment gaps where they exist among populations.

NSHE community colleges serve a diverse student body and have more part time students. The Chancellor shall develop and utilize as a component of the evaluation a completion metric which reflects the complex mission of a community college.

- C. Grants/Contracts/Special Events/ Research and Development/Gifts. Funding is a challenge all institutions face. A major focus of every President is leading an institution that secures alternative funding sources. The sources include attracting grants, contracts and gifts. The goal is to diversify sources of college revenue through community partnerships.

A President shall separately state funding attainments in each of the following categories, giving the institution's baseline for the applicable evaluation period for each:

1. Grants and contracts;
2. Special events;
3. Research and development; and
4. Gifts.

The Chancellor shall develop data dashboards for reporting annual performance for the metrics in Part 1 that shall be reported to the Board and posted on the NSHE website.

Part 2: INSTITUTIONAL WELL-BEING AND MANAGEMENT EFFECTIVENESS

- D. Entrepreneurship. Closely related to the metrics in Part 1 C is encouraging innovation and entrepreneurship throughout the institution. A President shall separately state steps the President and the institution have taken to encourage entrepreneurial activity.
- E. Campus Environment. As President, effectiveness as a leader echoes throughout the institution. A President shall detail any major initiatives or advancements to improve the campus environment under the President's leadership.

Part 3: INSTITUTIONAL RELATIONS TO EXTERNAL COMMUNITIES

- F. Collaboration. NSHE consists of multiple institutions, making relations with other member institutions critical. A President shall work closely with other member institutions to further the goals of student success. A President shall separately state collaborative relationships with member institutions and plans for the extension of these partnerships.

- G. Regent Strategic Directions. The Board has adopted Strategic Directions and expects full participation by all institutions in critical initiatives such as 15 to Finish, eLearning, Effectiveness and Efficiency, iNtegrate 2 and similar programs. The Chancellor shall review and evaluate the activity and commitment of a President in achieving implementation of critical Board priorities.
- H. Community Partnerships and Connections. Connecting with communities is crucial. This extends beyond fundraising to ensuring the health of critical relationships for the institution. A President shall describe how critical partnerships and community and business relationships have been maintained and extended.

Part 4: OTHER

If a President believes other factors than those covered herein fundamentally reflect on the President's performance, the President may briefly describe such efforts separately. In preparing a self-evaluation, the President may also bring to the attention of the Evaluation Committee such distinct aspects and missions of the President's respective university, college or institute as the President deems appropriate to fully convey the essential nature of presidential performance and institutional advancement.

In addition to the factors above, the Evaluation Committee may consider such additional indicators of presidential performance as it deems appropriate to present a complete picture of the President's performance including, but not limited to, relationship with the Board of Regents, promoting and sustaining diversity, budgetary matters, academic and general administration, management and planning including planning for deferred maintenance, and if applicable, oversight and management of intercollegiate athletics.

4. CRITERIA FOR THE ANNUAL AND PERIODIC EVALUATION OF THE CHANCELLOR (Board Approved 10/03)

A. INTRODUCTION

The principles for the evaluation of the Chancellor are similar to those for evaluating Presidents. However, they differ in that the Chancellor is the chief executive of the NSHE and is directly accountable to the Board of Regents. It follows, therefore, that the Chancellor's evaluation must be conducted by the Board.

B. SCOPE & FREQUENCY

The Chair of the Board of Regents is responsible for conducting two kinds of ongoing performance evaluation of the Chancellor:

1. An Annual Evaluation conducted by the Chair of the Board and

2. An extensive Periodic Evaluation to be conducted in the next-to-last year of each contract period by an Evaluation Committee of the Board.

In both instances, the Chair may be assisted by the Vice Chair as needed and may have a person from outside the NSHE with extensive experience in higher education for the periodic evaluation.

C. ANNUAL EVALUATION

The Chair of the Board of Regents is responsible for conducting the annual evaluation of the Chancellor, in compliance with the Nevada Open Meeting Law (OML), and in consultation with other members of the Board, will establish a performance program for the Chancellor for the upcoming year. The review will be based upon:

1. A progress report and self-evaluation by the Chancellor;
2. Invited input from individual Regents, institution Presidents, and senior System staff reporting to the Chancellor; and
3. Extensive personal consultation between the Board Chair and the Chancellor.

Comments from Regents will be received at an open meeting or by another process approved by the Vice Chancellor for Legal Affairs to insure compliance with the OML. The purpose of the annual evaluation is to identify the Chancellor's accomplishments and areas which may have required special attention during the past year, areas which may need special attention during the coming year, and to discuss his or her performance objectives for the coming year in light of the Board's priorities.

Procedure

An outline of the process to be used in conducting the annual evaluation of the Chancellor is as follows:

1. The Chancellor will prepare a self-evaluation report based on the Board's performance areas of review (subsection 5) and forward it to members of the Board of Regents.
2. The Chair will consult, in compliance with the OML as approved by the Vice Chancellor for Legal Affairs, with other Board members, institution Presidents, and senior system staff using the performance areas for review identified in subsection 5.
3. The Chair of the Board will prepare a written report to the Board. The Board will meet in an open personnel session with the Chancellor to consider the contents of the report and other matters believed pertinent to the Chancellor's evaluation.
4. A copy of the written evaluation, signed by both the Board Chair and the Chancellor, is retained in the Chancellor's personnel file, along with a copy of the Chancellor's annual self-evaluation report. The self-evaluation report and the written evaluation are public records.

D. PERIODIC EVALUATION

Prior to the final year of a Chancellor's multi-year contract, the Chair of the Board will convene an Evaluation Committee to conduct a more in-depth evaluation of the Chancellor's performance.

The Evaluation Committee shall consist of up to four - six members, including the Chair, Vice Chair, and immediate past Chair. Additional members may be appointed by the Chair. The Board may elect to engage the services of an external consultant to assist the Evaluation Committee in its work.

The purposes of the periodic evaluation are:

1. To give an expanded group of constituencies an opportunity to learn of the Chancellor's sense of progress and to provide their views regarding his/her performance; and
2. To give the full Board an appraisal of the Chancellor's performance in light of the NSHE's progress.

Procedure

An outline of the process to be used in conducting the periodic evaluation of the Chancellor is as follows:

1. The Chancellor will write a retrospective report describing his/her view of accomplishments, and areas that need improving. This report should address:
 - a. The performance areas outlined in the Board of Regents Bylaws and in subsection 5 of this performance evaluation policy, and
 - b. The annual performance program since the last periodic evaluation.
2. The Chancellor's retrospective report will be sent to major constituencies for their review and comment. The constituencies may include, but are not limited to, Regents, vice chancellors, other System executive staff and directors, Presidents, faculty senate chairs, student body presidents, public officers, and the Governor's staff. The review and comment by Regents will occur at an open meeting or by another process approved by the Vice Chancellor for Legal Affairs to insure compliance with the OML.
3. The Evaluation Committee will conduct interviews with a representative sample of major constituencies on the contents of the Chancellor's retrospective report and their assessment of the Chancellor's performance in the areas identified for review (subsection 5).
4. The Evaluation Committee will prepare a written report to the Board. The Board will meet in an open personnel session with the Chancellor to consider the contents of the report and other matters believed pertinent to the Chancellor's evaluation.
5. A copy of the written evaluation, signed by both the Board Chair and the Chancellor, is retained in the Chancellor's personnel file, along with a copy of the Chancellor's retrospective report. The written evaluation and the retrospective report are public records.

E. PRINCIPLES OF THE PERIODIC EVALUATION

1. The responsibility for evaluating the performance of the Chancellor rests with the Board of Regents and cannot be delegated to others.
2. The authority and responsibilities of a system Chancellor are different from those of an institution President. Therefore, a system Chancellor should be evaluated in terms of his/her performance in respect to system goals and objectives and not in terms of a model defined in terms of presidential performance expectations.
3. The Chancellor's retrospective report and the constituent interviews should constitute the primary elements of the evaluation process. The process should be open and inclusive in terms of input and consultation, while recognizing that it is not possible to involve all of the groups and individuals who may wish to provide input in the process. The Evaluation Committee shall not accept anonymous materials.

5. PERFORMANCE CRITERIA FOR EVALUATION OF THE CHANCELLOR (Board Approved 10/03)

- 1) Relations with the Board of Regents.
- 2) Relations with NSHE Institutions.
- 3) Relations with the Executive Branch.
- 4) Relations with the Legislative Branch.
- 5) Administrative and Management System-Wide Responsibilities.
- 6) Administration of the Chancellor's Office and Related Activities.
- 7) Decision Making and Problem Solving Abilities.
- 8) Relations with External Communities
 - a. State
 - b. Regional
 - c. National
- 9) Implementation of NSHE Master Plan Vision and Goals
(B/R 10/03; Added 6/05; A. 3/06, 8/08, 9/11, 3/12, 3/13, 6/13, 9/13, 6/15. 9/15)

Section 3. Rehire of a PERS Retiree (formerly CM 01-04)

1. The reemployment restrictions for Public Employees Retirement System (PERS) retirees can be waived in some cases to assist employers with the hiring of retirees in areas of critical labor shortage.

An exemption from PERS reemployment restrictions allows a retiree to return to employment with a participating public employer and continue to receive their retirement benefit at the same time. There will be no cap on earnings related to that employment for the retiree in a critical labor shortage position. The retirees will have the option to reenroll in PERS and continue to receive their retirement benefit.

The Board of Regents will make the determination for NSHE classified and professional positions based on the following criteria:

- Turnover – Turnover for the class or type of position has exceeded the State average in two out of the last three years.
- Recruitment – Recruitment (including out-of-state) has been open on a continuing basis for the last two months, producing less than five qualified and available applicants for each opening. The Board will consider the history and efforts to recruit for the position, including, without limitation, advertising, recruitment outside of this State and all other efforts made.
- Average length of vacancy exceeds the State average.
- Special Requirements – The difficulty in filling the position due to special circumstances, including, without limitation, special educational or experience requirements for the position; the position requires exceptional qualifications of a scientific, professional or expert nature; and/or the position requires a license or certification and there has been historical difficulty in recruitment.

In addition, the Board of Regents may consider if there is a known labor shortage in the field.

All applicants, including retirees seeking reemployment in areas of critical labor shortage, must meet the current minimum qualifications specified for the position. Persons applying for a classified position must be appointed under the provisions of *Nevada Administrative Code 284*.

2. Eligibility

Until it sunsets on June 30, 2015, the law allows retirees to apply for employment in positions deemed to be experiencing a critical labor shortage. Requests will not be approved for immediate rehiring into the same position of incumbent employees who elect to retire; consideration may be given on a case-by-case basis if a strong rationale can be presented that demonstrates how the position and the person meet the criteria noted in this procedure.

In order to be eligible for hiring into a position experiencing a critical labor shortage, the PERS employee must have retired with:

- (For regular members) 5 years of service at age 65, 10 years of service at age 60, and 30 years of service at any age.
- (For police and fire members) 5 years of service at age 65, 10 years of police/fire service at age 55, 20 years of police/fire service at age 50, and 25 years of police/fire service at any age.

Retirees who retired before full eligibility as described above:

- May return to employment under this statute when they reach the age at which they could have retired without early retirement reduction.

3. Procedure

Departments within a NSHE institution requesting approval of a position that conforms to this statute must complete a form, including approvals by appropriate institutional administrators, and submit it to the NSHE human resources officer. The department must also submit written findings for consideration of the Board of Regents on the form prescribed by the PERS (*NRS 286.523*). The NSHE human resources officer will make a recommendation to the Chancellor for placement on the Board of Regents agenda. Final approval of all such requests rests with the Board of Regents. The PERS must be notified pursuant to *NRS 286.523* within 10 days of the rehire of a retiree under these provisions.
(Added 6/05; A. 11/05, 12/09)

Section 4. Procedure For Recertifying a PERS Retiree

In accordance with *Nevada Revised Statutes 286.523(5)*, departments within a NSHE institution that are requesting the recertification of a PERS retiree hire must submit a request every two years. In recommending the redesignation of a position as one for which the critical labor shortage continues, the following criteria must be considered:

- A search was conducted and the incumbent was clearly the best candidate for the position.
- The position requires exceptional qualifications of a scientific, professional or expert nature and conducting a search would not produce a more qualified candidate than the incumbent.
- There is a known labor shortage in the field and conducting a search would be an unnecessary expenditure as the incumbent is clearly qualified for the position. Conditions in the market have not changed since the incumbent was hired.
- The position requires a license or certification that the incumbent possesses and a search would cause an unnecessary expenditure as the incumbent is clearly qualified for the position.
- The incumbent is uniquely qualified for the position and these skills cannot be duplicated in the market place.
- This appointment is short term and conducting a search would cause unnecessary expense to the institution.
- Other information that supports the recertification of the PERS rehire.

(Added 9/07)