

BOARD OF REGENTS  
BRIEFING PAPER

**Agenda Item Title: Request for Approval of Amendments to University of Nevada, Reno**

**Bylaws**

**BACKGROUND & POLICY CONTEXT OF ISSUE:**

The University of Nevada, Reno Faculty Senate has been working on updating its bylaws in light of changes in the Board of Regents Handbook. This process will continue and it is anticipated that the Faculty Senate will bring additional amendments forward for approval in the coming months as the result of recent changes made by the Board of Regents to its Handbook. In particular, the UNR Faculty Senate anticipates proposing bylaw amendment(s) for approval at the next Board of Regents meeting that would allow for grievance of annual evaluations; such amendments, if approved, would apply to annual evaluations for the 2006 calendar year.

**SPECIFIC ACTIONS BEING RECOMMENDED OR REQUESTED:**

President Glick requests approval of amendments to the University of Nevada, Reno bylaws.

**IMPETUS (WHY NOW?):**

Faculty Senate has been working on revising the bylaws. The amendments proposed for approval have been approved by Faculty Senate.

**BULLET POINTS TO SUPPORT REQUEST/RECOMMENDATION:**

- The amendments bring the bylaws into conformance with Board of Regents Handbook, except for the most recent changes.
- The amendments have been approved both by the Faculty Senate and the Faculty-at-large.

**POTENTIAL ARGUMENTS AGAINST THE REQUEST/RECOMMENDATION:**

None.

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

The amendments could not be approved and the bylaws would not reflect changes in the Board of Regents Handbook.

**COMPLIANCE WITH BOARD POLICY:**

- Consistent With Current Board Policy: Title #2 Chapter #1 Section #1.3.4
- Amends Current Board Policy: Title #\_\_\_\_\_ Chapter #\_\_\_\_\_ Section #\_\_\_\_\_
- Amends Current Procedures & Guidelines Manual: Chapter #\_\_\_\_\_ Section #\_\_\_\_\_
- Other: \_\_\_\_\_
- Fiscal Impact: Yes\_\_\_\_\_ No\_\_X\_\_  
Explain: \_\_\_\_\_



University of Nevada, Reno  
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*2006-07 Executive Board*  
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Robin Gonzalez, *Senate Manager*

January 2, 2007

TO: Milton Glick, President

FROM: Guy Hoelzer, Chair  
2006-07 Faculty Senate

SUBJECT: Request for Action  
Proposed Changes to UNR Bylaws

Over the past four years, the Faculty Senate's Bylaws and Code Committee has worked with UNR Counsel, Mary Dugan, to revise the UNR Bylaws to ensure compliance with the NSHE Code. The sections attached were approved by the Faculty Senate at several meetings throughout the 2005-06 senate year. The approved revisions were then passed by two votes of the faculty completed on March 9, 2006 and November 3, 2006. In addition, these sections have been approved by UNR Counsel.

The Faculty Senate requests your support in presenting the revised bylaws to the Board of Regents at its January 25-26, 2007 meeting.

Should you wish to discuss this further with the executive board, please contact Robin Gonzalez to arrange a meeting time.

Thank you.

c: J.H. Frederick  
M. Dugan  
J. Nichols

Deletions indicated by ~~strikethroughs~~

Additions indicated in **Bold**

Title 5 - UCCSN Governing Documents  
Chapter 7  
University of Nevada, Reno Bylaws

Part 2 - Organization of the University

Chapter I - UNITS AND DEPARTMENTS

5. UNITS OF THE UNIVERSITY

The University shall be divided into constituent parts, known as units, or by other appropriate designations hereinafter referred to as units, such as colleges, schools, divisions, and other units supporting the mission of the University. Each unit faculty shall develop Bylaws to govern its organizational and administrative structure and its personnel policies and procedures. Unit Bylaws are subordinate to and shall not conflict with the University bylaws. Bylaws of each unit shall be in force upon completion of the following ~~three~~ **four** steps: 1) **review by the Faculty Senate**; 2) approval by the faculty of the unit in a written secret ballot, with sufficient notice to allow all eligible faculty to participate; ~~2) 3)~~ **3)** approval by the dean or the designated administrator of the unit; and ~~3) 4)~~ **4)** approval by the President. Faculty approval of the initial adoption of bylaws requires a simple majority of those voting. Subsequent amendment of bylaws requires a two-thirds majority of those voting. Most recently approved unit bylaws shall be made available to faculty by being placed on file in the unit, the office of the Faculty Senate, and the office of the President.

6. DEPARTMENTS OF THE UNITS

Units as described in Section 5 may be divided into constituent parts known as departments, or by other appropriate designations, hereinafter referred to as departments. Each department's faculty shall develop bylaws, providing for its organizational and administrative structure, its personnel policies and procedures, and specific procedures for selecting, evaluating, and removing a chair. Alternatively, a department may adopt its unit's bylaws. In either case, all academic and administrative faculty shall have the protection of bylaws at the unit level or below. Department bylaws are subordinate to and shall not conflict with either its unit bylaws or the University bylaws. Bylaws of a department shall be in force upon completion of the following ~~three~~ **four** steps: 1) **review by the Faculty Senate**; 2) approval by the department faculty in a written secret ballot, with sufficient notice to allow all eligible faculty to participate; ~~2) 3)~~ **3)** approval by the dean or the designated administrator of the department's unit; and ~~3) 4)~~ **4)** approval by the President. Faculty approval of the initial adoption of bylaws requires a simple majority of those voting. Most recently approved department bylaws shall be made available to

faculty by being placed on file in the department, the department's unit, the office of the Faculty Senate, and the office of the President.

## 7. CHANGES IN ORGANIZATION

Before any recommendation is made by the President concerning the creation, abolition, transfer, or any substantial alteration in the mission, function, structure, or location of units, departments, or colleges, formal consultation shall occur with: 1) the faculty of that unit and other faculty that may be directly affected, 2) the dean or designated administrator concerned, and 3) the Faculty Senate. **Review by the Faculty Senate will be conducted in accordance with Faculty Senate Guidelines and Procedures for the Review of Changes in Organization.**

## Chapter II - THE PRESIDENT AND ADMINISTRATORS

### 10. EXECUTIVE VICE PRESIDENT AND PROVOST, VICE-PRESIDENTS AND OTHER ADMINISTRATORS

The President may be assisted in the conduct of the duties of the office by **the Executive Vice President and Provost (hereafter referred to as the provost)**, vice-presidents, and other administrators.

## Chapter III - FACULTY

### 14. FACULTY

The University faculty shall consist of all persons holding authorized professional positions as provided in Subsection 1.4.5 of the Code.

- a. For the purposes of these bylaws, **as defined in section 1.1 of the Code**, ~~“administrators” will refer to a subset of the category as defined in section 1.1.b of the Code~~ means **administrative** faculty employed in executive, **supervisory or support** positions, **as defined by the Board of Regents**.  ~~, specifically presidents, associate and assistant vice presidents, deans, associate and assistant deans and any other equivalent unclassified employee who reports directly to the chancellor, a president, a vice president or a dean.~~ **An administrator who is not otherwise employed with tenure serves in an administrative capacity at the pleasure of the appointing authority. Reassignment and removal from an administrative position will be in accordance with Code 3.4.6 and 5.4.8.**
- b. As defined in Section 1.1(a) of the Code, **“academic faculty” means instructional, research, and library faculty, as defined by the Board of Regents.**  ~~shall consist of those professional staff members who specifically create and disseminate scholarly information through teaching, research, or~~

~~providing library services closely and directly supportive of teaching and research. This term may also include other faculty members identified by the President, on a case by case basis, as needing the protection of academic freedom afforded by tenure.~~ **Tenured faculty are the subset of academic faculty who have been granted tenure. Tenure-track faculty are the subset of academic faculty on probationary status and eligible to be considered for tenure. Rank 0 and Rank I faculty are the subset of academic faculty in positions of any rank that are not eligible for tenure.**

~~c. For the purposes of these bylaws, “administrative faculty” will refer to a subset of the category of administrators defined in section 1.1.b of the Code. The term administrative faculty will mean those faculty who provide services to students, faculty, or administrators, outside the classroom or library services.~~

## 15. FACULTY RANKS

- a. Academic faculty – There are four ranks of academic faculty, designated for contract purposes by numbers, as follows: Professor (IV), Associate Professor (III), Assistant Professor (II), **Lecturer or Instructor (I)**. ~~Ranks equivalent to these identified by corresponding numbers may be assigned appropriate titles.~~ **Tenured and tenure-track academic faculty may be employed at rank IV, III, or II. As defined in Code 3.2.1, Rank 0 or Rank I positions are not eligible for appointment with, nor shall have, tenure under any circumstances. Faculty in Rank 0 may be employed at rank 0(IV), 0(III), 0(II), or 0(I).**
- b. Administrative faculty -- There are seven ranges of administrative faculty as follows: Ranges 1, 2, 3, 4, 5, 6, and 7. Appropriate titles may be assigned to administrative faculty in any range.
- c. Unranked faculty -- There shall be Rank Zero (0) positions for lecturers, or positions with appropriate titles, reserved for persons with special qualifications that do not fit criteria for the four ranks. (B/R 1/99)

## 17. GRADUATE FACULTY

The Graduate Faculty is composed of faculty members ~~elected to it by the Graduate Council~~ **appointed by their departments and/or programs**, in accordance with ~~its~~ **the department and unit** Bylaws.

## 18. EMERITUS FACULTY

~~There shall be an emeritus faculty composed of retired faculty promoted to this rank: 1) any member of the faculty may be considered for the rank of emeritus at retirement in accordance with regular personnel procedures; 2) any member of the faculty retiring after at least ten years of full-time service shall be recommended for emeritus status.~~

## Chapter IV - THE FACULTY SENATE AND THE GRADUATE COUNCIL

### Part 3 - Faculty Personnel Policies

#### Chapter I - FACULTY RIGHTS

##### **2526. ACADEMIC FREEDOM**

All members of the faculty and graduate fellows shall enjoy academic freedom ~~in the exercise of their profession and academic responsibilities as stated in Code Chapter 2~~ **Section 2.1. Institutions of higher education are conducted for the common good and not to further the interest of either the individual member of the faculty or the institution. The continued existence of the common good depends upon the free search for truth and knowledge and their free exposition (Subsection 2.1.1). Academic freedom is essential to these purposes and is applicable to both teaching and research (Subsection 2.1.2). The concept of academic freedom is accompanied by the equally demanding concept of academic responsibility. A member of the faculty is responsible for the maintenance of appropriate standards of scholarship and instruction (Subsection 2.1.3).**

##### **2930. ACCESS TO AND MODIFICATION OF FILES**

**Personnel and payroll files of University faculty are confidential. Personnel and payroll records may only be released pursuant to the written authorization of the faculty member or pursuant to a court order directing the release of the records that has been signed by a judge with jurisdiction over the matter, as set forth in Code Subsection 5.6.2.**

- a. **The faculty member shall have access to his or her official personnel and payroll files, and may grant access to such files to a representative with a written authorization from the faculty member. The following additional University personnel shall have access to a faculty member's an individual's personnel and payroll files solely for reasons germane to the performance of their official duties: the faculty member or the faculty member's duly authorized representative, the faculty member's supervisors, which may include department chairs, departmental chairs, deans, director, vVice pPresidents,**

**provost, the pPresident, and chancellor; institution payroll officers, institution personnel officers, which may include appointed disciplinary officers; System the UCCSN legal counsel, internal auditors, members of the Board of Regents; any regent, faculty senate chair; and confidential institution committees including but not limited to tenure and grievance committees. the Affirmative Action Officer of the University, official University personnel committees as authorized by the appropriate administrator, and, where applicable, the chair of the hearing subcommittee of the University Appeals Committee. (B/R 1/99) As stated in Code Subsection 5.7.2, alleged violations of the Nevada System of Higher Education Code or institutional bylaws are subject to grievance.**

- ~~b. Personnel files shall be treated as confidential, except as provided herein. However, the Nevada Open Records law may preclude personnel files from remaining confidential. (B/R 1/99)~~
- c. The following information in these personnel files is public information and must be disclosed to the public upon request: the employee's name, title, job description, compensation and perquisites, business address and business telephone numbers, beginning date of employment and ending date of employment.**
- ~~d.e. Nothing shall be permanently placed in or removed from any personnel file without notification to the faculty member and approval by the administrator in charge of it. If a member of the faculty objects to the inclusion, retention, or removal of any material in the individual's personnel file, the faculty member may make a request to the appropriate administrator for its removal or modification, retention, or inclusion. If this request is denied, the faculty member shall have the right to appeal the action of the administrator through the Grievance Procedures. **If this request is denied, allegedly resulting in an adverse impact on the employment conditions of a faculty member relating to alleged violations of the Nevada System of Higher Education Code or institutional bylaws (Code Subsection 5.7.2.), it is subject to grievance.**~~

## Chapter II - GRIEVANCES

### 31. SCOPE OF GRIEVANCES

A grievance is an act or omission to act by ~~a person or group~~ **the administration** of the University ~~acting in an official capacity~~ allegedly resulting in an adverse impact on the employment conditions of a faculty member relating to salary, promotion, appointment with tenure, or other aspects of contractual status, **or relating to alleged violations of the University and Community College Nevada System of Higher Education Nevada Code** or institutional bylaws. **Decisions of the Board of Regents are not**

subject to review by grievance procedures. Any decision which involves the nonreappointment to or termination of employment of faculty as provided in Subsections 5.4.2., 5.9.1, 5.9.2, 5.9.3, and 5.9.4 of the ~~University and Community College Nevada System of Higher Education Nevada Code~~ is not subject to review by grievance procedures. ~~including among other things, inadequate consideration being given to established criteria relating to any of the foregoing. A grievance may also arise from or relate to any alleged violation of the UCCSN Code, these University Bylaws, and/or any applicable unit or departmental bylaws. The within grievance procedure does not apply to alleged violations of Affirmative Action or Equal Opportunity policies which are covered by Title 4, Chapter 8, of the Board of Regents' Handbook. Grievances as defined herein are divided into two classes:~~

~~Class I.—Grievances concerning decisions on appointment with tenure, a salary increase, or promotion. (Subsections 5.2.3 and 5.2.4 of the Code.)~~

~~Class II.—All other grievances.  
(B/R 1/99)~~

### 3233. DEFINITIONS AND GENERAL PROVISIONS

- a. The person or group filing the grievance shall be known as the "petitioner" and the person or group whose decision, action, or failure to act is challenged shall be known as the "respondent."
- b. Although specific time limits are set forth in this chapter, action should be taken more expeditiously whenever possible, so that the issues involved in a grievance can be resolved by the end of the succeeding semester. (B/R 1/99)
- c. Any limitations on time set forth in this chapter may be changed by the mutual written consent of the petitioner and the respondent, but a reduction or an extension of time for hearings or any other time limitations ~~shall be approved is~~ **subject to approval** by the Chair of the ~~University Appeals Grievance Committee Faculty Senate~~ or, if a subcommittee has been appointed to hear a grievance, by the chair of such subcommittee.
- d. Unless both parties agree, and the ~~appeals grievance~~ subcommittee approves, no hearing shall be held during the summer recess, or during periods of authorized leave for concerned parties, including members of the ~~appeals grievance~~ subcommittee. In cases when a hearing is delayed to the succeeding semester, all time limitations shall continue on the date that instruction begins in the succeeding semester. (B/R 1/99)
- e. The petitioner and respondent have the right to consult with legal counsel, at petitioner's or respondent's own expense. However, legal counsel shall not participate in the grievance hearing.



### 3334. PROCEDURES FOR INITIATING A GRIEVANCE

#### a. ~~Class I Grievances~~

Petitioners initiating a ~~Class I~~ grievance **for denial of appointment with tenure, salary increase, or promotion, see 33a and 33b. For all other grievances, see 33b.**

**a. Petitioners initiating a grievance for denial of appointment with tenure, salary increase or promotion ~~or reappointment to employment~~ may** are first ~~required to~~ request reconsideration as provided for in Subsections 3.4.5, 5.2.3, and 5.2.4 of the Code as a part of the grievance procedure. ~~Any faculty member has the right to reconsideration of personnel decisions or failures to act. Personnel decisions or failure to act made at any level may, through the reconsideration process, be overruled at a higher level.~~

The petitioner ~~shall~~ **may** file a request for reconsideration of the ~~personnel action or decision~~ **denial of appointment with tenure, salary increase, promotion, or reappointment to employment** in accordance with Subsection 5.2.4 of the Code within 15 calendar days of the date he or she received written reasons for the action or decision. The request for reconsideration shall be submitted in writing to the petitioner's department chair, supervisor, or dean together with the reasons, arguments, and documentation supporting the request for reconsideration. The petitioner's department chair, supervisor, or dean **who rendered the negative decision** shall **promptly** ~~within 15 calendar days~~ direct the request for reconsideration through regular administrative channels up through the President's Office with recommendations for or against reconsideration of the decision. ~~for reversal or modification thereof. , except that final decisions on reconsideration of annual evaluations shall be made by the dean as provided in Section 42 of these Bylaws. Final action shall be taken within 30 calendar days by the president after receipt of the recommendations, except that if the President, after reconsideration, decides to recommend appointment with tenure, or decides that promotion to the position of associate professor (Rank III) or professor (Rank IV) should be granted, the final decision regarding tenure must be made by the Board of Regents. (B/R-1/99)~~

If the petitioner is dissatisfied with the President's decision after reconsideration, within 15 working days after the receipt of the President's decision, the petitioner may file a written Notice of Grievance **as described in 33b. Cases of reconsideration of non-appointment or non-reappointment are not eligible for grievance.**

**b. A petitioner may institute a grievance by filing a written Notice of Grievance** with the Chair of the ~~University Appeals Grievance Committee~~ **Faculty Senate within 15 working days from the date the petitioner gains knowledge of the decision, action, or failure to act act or omission to act being challenged.** ~~for the purpose of holding a hearing.~~ The Notice of Grievance shall contain ~~1) the class of grievance being initiated; 1)2) a brief statement of the decision, action or failure to act act or omission to act that is being challenged; 2)3) the reasons supporting the grievance; and 3)4) the remedy sought; and 5) if mediation is requested.~~ The chair of the ~~University Appeals Grievance Committee~~ **Faculty Senate** shall serve the Notice of Grievance on the respondent at the time it is filed. (B/R 1/99)

~~If the petitioner requests mediation in the Notice of Grievance, the Chair of the University Appeals Committee shall forward the Notice of Grievance for mediation, as described in section 37 of these Bylaws. In the event the petitioner is dissatisfied with the results of mediation, within five working days after receipt of written notice from the mediator that the mediation process is completed or is at a stalemate, the petitioner shall make a written request to the Chair of the University Appeals Committee for a hearing. A request for mediation shall suspend the time period specified in Section 38 of these Bylaws for choosing a hearing subcommittee or for holding a hearing. (B/R 1/99)~~

Upon completion of a hearing by the University Appeals **Grievance** Committee, the recommendation of the Committee shall be forwarded to the President for final decision.

Final action shall be taken by the President. However, the approval of the Board of Regents shall be required ~~for all promotions to the rank of associate professor or professor, or for appointment to tenure.~~ In cases requiring the Board of Regents' approval, the President may request an oral presentation to the Regents of the reasons for and against the personnel action before final decision.

~~b. Class II Grievances~~

~~If the grievance concerns a reversible decision, a petitioner initiating a class II grievance is first required to request reconsideration as a part of the grievance procedure. The provisions of section 35.a of these Bylaws shall govern the reconsideration. Otherwise, grievances shall be initiated by filing a Notice of Grievance with the Chair of the University Appeals Committee within 15 working days from the date the petitioner gains knowledge of the decision, action, or failure to act being challenged. The Notice of Grievance shall contain 1) the class of grievance being initiated; 2) a brief statement of the decision, action or failure to act that is being challenged; 3) the reasons supporting the grievance; 4) the remedy sought; and 5) if mediation is requested. The Chair of the University Appeals Committee shall serve the Notice of Grievance on the respondent at the time it is filed with the Chair of the University Appeals Committee.~~

~~If the petitioner requests mediation in the Notice of Grievance, the Chair of the University Appeals Committee shall forward the Notice of Grievance for mediation. In the event the petitioner is dissatisfied with the results of mediation, within five working days after receipt of written notice from the mediator that the mediation process is completed or is at a stalemate, the petitioner shall make a written request to the Chair of the University Appeals Committee for a hearing of the University Appeals Committee. A request for mediation shall suspend the time period specified in Section 38 of these Bylaws for choosing a hearing subcommittee or for holding a hearing. (B/R 1/99)~~

### 35. MEDIATION

- ~~a. There shall be a mediation process available to faculty for resolution of grievances. The university administration in consultation with the Faculty Senate shall provide a trained and impartial mediator from either inside or outside the university system.~~
  
- ~~b. Within five working days of receiving a request for mediation, the Chair of the University Appeals Committee shall arrange for the appointment of the mediator. The mediator shall attempt to resolve the grievance to the satisfaction of all parties involved. Mutually agreed upon resolutions shall be considered binding upon both the petitioner and the respondent. It shall be the duty of all university personnel to cooperate promptly with the appointed mediator in attempting to resolve the grievance. If the grievance has not been resolved to the satisfaction of all parties involved within 30 working days from the date the request for mediation was received by the Chair of the University Appeals Committee, then the grievance, at the request of the petitioner, shall be returned to the University Appeals ~~Grievance~~ Committee for a hearing.~~

(B/R 1/99)

### 3436. THE UNIVERSITY APPEALS GRIEVANCE COMMITTEE AND SUBCOMMITTEES

- a. There shall be a University Appeals **Grievance** Committee **which will be the pool of faculty from which will be selected members who will serve on subcommittees** whose responsibility shall be to hear and make recommendations on properly filed grievances as provided in this chapter. The Chair of the Faculty Senate shall serve as the Chair of the University Appeals **Grievance** Committee.
  
- b. The University Appeals **Grievance** Committee shall consist of members of the faculty designated as at least .50 FTE, **who have completed at least five years of employment at the university**, chosen by lot by the University Appeal **Grievance** ~~Committee~~ **Faculty Senate** Chair on the basis of the same

apportionment system used in electing representatives to the Faculty Senate. The Faculty Senate shall establish procedures to determine the appointment, replacement, and size of the University Appeals **Grievance** Committee membership. No member may serve more than three consecutive years, and a member may not be reappointed until a minimum of three years off the committee has passed.

- c. **There shall be a separate pool of senior faculty, the Grievance Subcommittee Chair pool, from which will be selected members who will serve as the chair of each subcommittee responsible for hearing a grievance.**
- d. **The Grievance Subcommittee Chair pool shall consist of senior members of the faculty who have completed at least ten years of employment at the university selected by the Faculty Senate in consultation with the Provost. The pool will consist of a minimum of 10 academic faculty and five administrative faculty. Members may stay in the pool until removed by the Provost in consultation with the Faculty Senate chair.**
- e. **Selection of the Grievance Subcommittee and Subcommittee chair – Within five working days from the receipt of the Notice of Grievance, the Faculty Senate Chair shall select, by lot, ~~thirteen~~ fifteen members of the Grievance Committee. These shall include ten academic faculty and ~~three~~ five administrative faculty, if the petitioner is an academic faculty member or five academic faculty and ten administrative faculty if the petitioner is an administrative faculty member. ~~ranked in the order chosen.~~ The Chair will also select 3 members of the Subcommittee Chair pool who shall all be academic faculty if the petitioner is an academic faculty member or all administrative faculty if the petitioner is an administrative faculty. These members may not include anyone from the same unit as either the petitioner or the respondent, nor may they include two members from the same department, nor may they include anyone with a clear conflict of interest. If the grievance concerns denial of appointment with tenure, the academic faculty must be tenured faculty. If the grievance concerns denial of an academic promotion to a higher rank, the academic faculty must be of that rank or above.**

Within five working days from receipt of the list, the petitioner and the respondent may each exercise up to three preemptory challenges, **for subcommittee members and one preemptory challenge each for Subcommittee Chair.** Of the remaining members, **if the petitioner is academic faculty,** the highest-ranked administrative faculty member and four highest-ranked academic faculty members shall constitute the ~~appeals~~ **Grievance** subcommittee. **If the petitioner is administrative faculty, the four highest-ranked administrative faculty and the highest-ranked academic faculty member shall constitute the Grievance subcommittee. The highest ranked remaining member from the Chair pool will serve as Subcommittee Chair. Highest rank will be determined first based on the rank/range of the faculty**

**member and second based on the years of service at the university.** The composition of academic and administrative faculty appointed to the ~~appeals~~ **Grievance** subcommittee **or the Subcommittee Chair** may be changed only by mutual **written** consent of the petitioner, the respondent and the ~~University Appeals Grievance Committee chair of the Faculty Senate.~~

- f. Once the subcommittee is constituted, the Chair of the ~~University Appeals Grievance Committee~~ **Faculty Senate** shall call a meeting of the Subcommittee as soon as possible. At the first meeting, the Subcommittee ~~shall elect a and~~ Subcommittee Chair, ~~and shall~~ schedule a hearing on the grievance as soon as possible. **The hearing shall be informal in nature.** Sufficient time must be allowed **for** all parties to prepare their evidence, ~~and.~~ All written materials to be considered shall be submitted at least ten working days before the hearing to the ~~University Appeals Grievance Committee~~ for distribution to the Subcommittee and to the adverse party. The Subcommittee shall hear the evidence presented at the hearing and shall reach its decision based solely on the evidence, written and oral, presented at the hearing. The hearing shall be informal in nature, and the legal rules of evidence shall not apply at the hearing, but the Subcommittee shall make every effort to consider only relevant and reliable evidence. The subcommittee may request additional information in order to render its decision if this information is related to information presented in the hearing. Either side may bring a colleague, who may serve as spokesperson, to the hearing. The colleague must be a UNR employee and may not be an attorney. Any party bringing a colleague must so advise the subcommittee chair in writing at least ten days prior to the hearing, and the subcommittee chair will in turn inform the adverse party.
- g. **The decisions of the subcommittee shall be in the form of recommendations and are advisory only.** The findings and ~~recommendations~~ **decisions** of the Subcommittee shall be **prepared by the Subcommittee Chair and** submitted in writing to the Chair of the ~~University Appeals Grievance Committee~~ **Faculty Senate**, who shall forward them to the President, the petitioner, and the respondent within ten working days of the hearing. The President shall then provide written notification of a decision within ~~ten working days of receipt,~~ **unless rare and unusual circumstances require a longer period, a reasonable time** to the Chair of the ~~University Appeals Grievance Committee~~ **Faculty Senate**, to the petitioner, and to the respondent. The Chair of the ~~University Appeals Grievance Committee~~ **Faculty Senate** shall then notify the members of the Subcommittee of the President's decision. ~~(B/R-1/99)~~

### Chapter III - PROFESSIONAL RESPONSIBILITIES EVALUATION AND PERSONNEL RECOMMENDATIONS

#### 35. PROFESSIONAL RESPONSIBILITIES

All personnel evaluations shall be made on the basis of written and specific professional responsibilities and performance expectations mutually agreed upon by the individual faculty member and the responsible agent within the department as specified by department bylaws. All specifications of professional responsibilities for a member of the faculty shall be in accordance with the mission and priorities of that person's department, as defined in Section 6 of these Bylaws. Any deviations from the mission and priorities described in the department bylaws must be justified and approved in writing by the dean and the President. The agreement shall be subject to appropriate annual review by the individual faculty member and the responsible agent within the department who shall make every effort to accommodate subsequent changes that may be desired by either party. If a member of the faculty and the responsible agent in the department are unable to reach an agreement about specified professional responsibilities, the matter may be subject to the grievance procedure outlined in these Bylaws. The agreed upon specification of professional responsibilities ~~may be~~ is subject to review by the dean or other appropriate administrators.

## 36. EVALUATION

Each faculty member shall be evaluated **in writing at least once annually by department chairs, supervisors or heads of administrative units** according to the above-specified professional responsibilities. **The performance evaluations of executive and supervisory faculty shall include consultation with the professional and classified staff of the administrative unit. All performance evaluations shall include a rating of (i) "excellent," (ii) "commendable," (iii) "satisfactory," or (iv) "unsatisfactory."** ~~in order to assess the quality of professional performance as unsatisfactory, satisfactory, commendable, or excellent.~~ An overall evaluation of "excellent" or "commendable" shall be considered meritorious. Each person shall submit documentation, as specified in department, unit, and University bylaws, for evaluation. The evaluation of each person shall carry a signed statement indicating that he or she has read the evaluation or has waived the right to read it. If the faculty member disagrees with any part of the evaluation, he or she may **request the peer review process as defined in Bylaw 37.** ~~submit a written rejoinder and/or request a peer evaluation as provided in the institution's bylaws written statement, which shall be attached to the written evaluation and will be retained in the faculty member's personnel file become a part thereof. Evidence of excellent performance as in specified in these Bylaws (Section 45) professional responsibilities shall be a requirement for tenure or promotion. If the peer evaluation results in a recommendation that the initial evaluation be changed, that recommendation shall be forwarded to the president or designee of the institution, who, at his or her discretion, may change the faculty member's evaluation by means of an addendum attached to the front of the evaluation stating how the evaluation is being changed and the reasons for the change. If the president or designee does not change the evaluation, the reasons shall also be stated by means of an addendum attached to the front of the evaluation. The president or designee shall sign the addendum and provide a copy to the faculty member.~~

All evaluations shall be initiated by the department and shall be made on the basis of equitable and uniform criteria. **Evaluations of instructional faculty shall include an assessment of teaching evaluations completed by their students.** Quality of performance for each area of professional activity shall be assessed according to procedures and criteria specified in department, unit, and University bylaws. For academic faculty, evaluations shall include peer review. For tenure-track faculty members, external peer review shall be required for promotion or tenure, as specified in unit and/or department bylaws. All evaluations ~~and reconsideration proceedings~~ **and any subsequent peer review processes** shall be conducted in accordance with principles of judicious review, here defined as careful and professional assessment of admissible evidence materials presented so as to insure a just and equitable recommendation. **Faculty shall, upon request, have access to materials used by the supervisor in writing the evaluation, including the results of, but not the originals of, student evaluations and comments, and in the case of administrative faculty whose evaluations include surveys, the results of, but not the originals or copies of, such surveys. In responding to such a request, the supervisor must ensure the anonymity of the students and the survey respondents. With the exception of the results of such student evaluations and comments and such surveys, anonymous materials shall not be considered by the supervisor. Faculty members receiving an overall rating of “unsatisfactory” on their evaluation shall be provided with constructive feedback in the written evaluation for improving their performance. This constructive feedback must include a written plan for improvement, which must be specific and must be provided at the time of the first “unsatisfactory” rating.**

### **37. PEER REVIEW PROCESS**

Board of Regents policy (ref. Title 4, Chapter 3, section 4.5) provides that "academic and administrative faculty who disagree with the supervisor's evaluation may submit a written rejoinder and/or request a peer evaluation as provided in the institution's bylaws. The supervisor's official evaluation and the faculty member's rejoinder and/or peer evaluation will be retained in the faculty member's personnel file."

#### **REJOINDER**

**If a faculty member disagrees with her/his evaluation, s/he may, within 10 working days after signing the evaluation, submit a written rejoinder. The dean/vice president will be responsible for placing the rejoinder in all applicable personnel files.**

#### **PEER REVIEW**

**Whether or not the faculty member submits a written rejoinder, s/he may, within 15 working days after signing the evaluation, file a request for peer review with the Faculty Senate office and shall provide copies of the request to the chair/supervisor and dean/vice president. Within 10 working days of receiving a request for peer review, the senate chair shall appoint a three-member faculty review committee.**

**The committee members shall be appointed as follows. One person shall be selected by the faculty member. One person shall be selected by the faculty member's chair/supervisor. The third person, who shall serve as chair of the review committee, shall be selected by the senate chair from a list of names provided by the Provost's Office. The senate office shall notify all concerned parties that the review committee has been convened.**

**The senate chair shall call a meeting of the committee within 10 working days of appointing the members. The committee shall conduct and conclude its review within 20 working days after its first meeting. The committee's charge shall be to: 1) review all written materials submitted by the faculty member and chair/supervisor and gather additional information from other parties as the committee chair deems necessary; and 2) submit a report and , if appropriate, new evaluation based on its conclusions. The report and, if applicable, new evaluation and all working papers from the committee shall be submitted to the dean/vice president.**

**a. Upon receipt of the committee's report and, if appropriate, new evaluation, the dean/vice president shall send copies to the faculty member and chair/supervisor and applicable personnel file, along with a notification stating that the peer review has been completed. The new evaluation will be retained in the faculty member's personnel file along with the supervisors' official evaluation and any written rejoinder made previously by the faculty member. If the peer evaluation results in a recommendation that the initial evaluation be changed, that recommendation shall be forwarded to the president or designee of the institution, who, at his or her discretion, may change the faculty member's evaluation by means of an addendum attached to the front of the evaluation stating how the evaluation is being changed and the reasons for the change. If the president or designee does not change the evaluation, the reasons shall also be stated by means of an addendum attached to the front of the evaluation. The president or designee shall sign the addendum and provide a copy to the faculty member.**

**b. Once the peer review process is complete, all documents and working paper concerning the peer review shall be retained in the dean/vice president's office. The dean/vice president shall send a memo to the Faculty Senate stating only whether or not the peer review committee's review did or did not result in a change in the evaluation and that the applicable documentation has been filed appropriately.**

**c. If the peer review committee revises the faculty member's evaluation as a result of the peer review, the dean/vice president may make changes with regard to merit.**

### **3839. PERSONNEL RECOMMENDATIONS**

All tenure, promotion, and annual evaluations shall be made on the basis of the person's professional performance in meeting the responsibilities specified in Section 35 39. All such evaluations shall be initiated at the department level and forwarded to the



appropriate administrator. After review, the administrator shall inform each faculty member of the final recommendation, within 15 calendar days from the date of making the recommendation. If the faculty member disagrees with the recommendation **regarding tenure, a salary increase, promotion or reappointment to employment**, he or she may ask for reconsideration through regular administrative channels as specified in the Code, Subsection 5.2.4 within 15 calendar days of the receipt of the written reasons. ~~However, in the case of all annual evaluations, request for reconsideration may not be forwarded beyond the dean. Further recourse is defined in Part 3 Chapter II of these Bylaws.~~

Any changes in title of an academic faculty member within Rank 0 status shall be subject to the same established personnel review procedures as used in changes in rank.

The Code (Subsections 5.11.1, 5.11.2) requires that procedures for annual evaluation shall be established in institutional bylaws. These evaluations provide a primary source for decisions concerning tenure, promotion, and salary increases. Therefore, each unit within the University is obligated to define further the procedures employed for the annual evaluation process as well as provisions for accountability.

The purpose of meritorious evaluations should be perceived by the faculty and administration alike not only as the rewarding of excellence, but as an opportunity for each faculty member to assess his or her performance within the academic community and to improve that performance with reference to specific and uniform written criteria applied by each department or appropriate unit in the evaluation process. Moreover, it is understood that a meritorious evaluation is a matter of academic record, a recognition of performance deserving of special note, regardless of the current availability of funds for direct merit award.

(B/R 1/99)

#### **3940. SCHEDULE FOR MERIT AND PROMOTION**

Departments shall observe the following schedule in evaluating faculty:

- a. Merit Increase - All members of the ~~academic~~ faculty (**administrators, administrative faculty, and tenured, tenure-track, and nontenure-track academic faculty**) shall be evaluated and **eligible faculty shall be** formally considered annually for merit increases. ~~There shall be a provisional allocation by the President of merit funds to the units, ordinarily on a per capita basis. In the event that merit funds were not available the previous year(s), the record of the previous evaluation period(s) shall also be considered in the awarding of merit increases.~~

~~A separate salary schedule shall be utilized for (Rank 0) administrative faculty for the purpose of determining salary increases resulting from meritorious evaluation.~~

- b. Promotion - A member of the academic faculty may request consideration by his or her department for promotion in any year. ~~If an instructor has the formal educational requirements of the next rank, he or she shall be evaluated in writing by the department and/or the dean regarding progress toward promotion no later than the end of the second full academic year in rank, and annually thereafter. An assistant professor~~ **A rank 0(I), rank 0(II), or rank II faculty member** shall be evaluated in writing by the department and/or the dean regarding progress toward promotion no later than the end of the third full academic year in rank, and annually thereafter. ~~An associate professor~~ **rank 0(III) or rank III faculty member** shall be evaluated in writing by the department and/or the dean regarding progress toward promotion no later than the end of the sixth full academic year in rank. The above specified times shall not be construed as a minimum time in rank before promotion. Any rank may be a terminal rank.
- c. ~~A separate salary schedule shall be utilized for administrative faculty for the purpose of determining promotions.~~ **Reclassification of administrative position** -- A ~~promotion~~ **reclassification** of an administrative faculty member is in recognition of the level of work and responsibilities assigned to that position. **A member of the administrative faculty may request reclassification of the administrative range of his/her current position at any time.**

#### Chapter IV - TENURE

#### 4243. JUSTIFICATION: TENURE AND ACADEMIC EXCELLENCE

~~The major purpose of tenure is to ensure a faculty committed to excellence. Tenure is a means to certain ends, specifically: 1) academic freedom for teaching, research, and of extramural activities; and 2) a sufficient degree of economic security to make faculty appointment at the University attractive to persons of ability. The objective of tenure is not to afford job security to persons who have performed satisfactorily or without incident, but rather to provide a substantial degree of security to those persons whose record of excellence convinces the University that their expected future performance justifies the degree of permanence afforded by tenure. See Code, Subsection 3.1.2.~~

**The major objectives of tenure are to provide a faculty committed to excellence and to provide a substantial degree of security to those persons who have exhibited excellent abilities, sufficient to convince the University of Nevada community that their expected services and performances in the future justify the privileges afforded by tenure. All tenured faculty have academic freedom and responsibilities as per the Code, Chapter 2 Section 2.1, Subsections 2.1.1, 2.1.2., and 2.1.3.**

#### 4344. ELIGIBILITY FOR TENURE

Except as provided in Chapter Three of the Code, full-time **and part-time (at least .5 FTE)** academic faculty in Rank II, Rank III, and Rank IV positions shall be eligible for

tenure. Administrators may be included in this condition of eligibility, but only in the capacity of academic faculty. Full-time academic faculty in Rank 0 or Rank I positions are not eligible for appointment with, nor shall have, tenure under any circumstances. See Code, Subsection 3.2.1.

#### **4445. PROBATIONARY PERIOD**

As provided in the Code, Section 3.3, academic faculty eligible for appointment with tenure must serve **in a probationary period in a member institution identified in Subsection 3.2.1 of the Code** ~~providing eligibility for tenure~~ before receiving such an appointment. Except as provided **in Subsection 3.3.1 of the Code herein**, the total probationary period for all academic faculty eligible for such appointment shall not exceed seven years of uninterrupted full-time employment in **Ranks I through IV** ~~as specified in Subsection 3.2.3(b) and 3.3.1(a) of the Code~~. At the discretion of the Board of Regents, an academic faculty member may be exempt from the requirement of serving a probationary period **and tenure shall be awarded on a case-by-case basis in negotiation with the president or his designee. Prior to recommending such an appointment, the president shall seek a recommendation from the appropriate faculty on whether an academic faculty member may be exempt from the requirement of serving a probationary period under procedures set forth in these bylaws.**

Upon the request of the academic faculty member and the approval of the President, **up to three years of uninterrupted full-time employment in a Rank 0 position may be counted towards completion of a probationary period for tenure in the event an academic faculty member employed in a Rank 0 position is subsequently appointed to a rank capable of conferring eligibility for appointment with tenure. Upon the request of the academic faculty member and the approval of the president, the probationary period may include up to three years of full-time employment at other accredited institutions of postsecondary education, including such institutions in the System, in positions equivalent to positions providing eligibility for appointment with tenure may be included in the probationary period.** ~~in tenure-track positions or their equivalent.~~ Such decision must be made at the time of initial employment.

After completion of a probationary period, an academic faculty member eligible for appointment with tenure shall not be reappointed at any rank unless such appointment is with tenure.

(B/R 1/99)

#### **4546. SCHEDULE FOR EVALUATION OF PROBATIONARY FACULTY**

- c. Recommendations and Appointment - As provided in Subsection 3.4.1 of the Code, **at the expiration of a probationary period, or at any time during a probationary period, academic faculty eligible for appointment with tenure may be recommended to the president for such appointment** ~~member of the faculty may request consideration by his or her department for tenure in any year~~

~~of the probationary period, including the terminal year, through regular personnel procedures for such appointment. Recommendations for appointment with tenure shall be made by the president to the Board of Regents. The president shall specifically identify those members of the academic faculty, other than those who teach, do research or provide library services, who are being recommended for tenure on the basis they need the protection of academic freedom afforded by tenure and the reasons for such recommendations. The board has final authority in making an appointment with tenure, and such appointment shall not be granted to any member of the academic faculty without an affirmative majority vote of the Board of Regents at a meeting of the board, a quorum being present.~~

**4647. STANDARDS FOR RECOMMENDING APPOINTMENT WITH TENURE**

- a. As provided in Subsection 3.4.2 of the Code, the consideration of a recommendation for appointment of an academic faculty member with tenure shall include the application of the **three standards and the ratings** contained in this subsection, which shall be applied in consideration of the conditions for appointment with tenure stated in Subsection 3.1.2 of the Code. **The burden of demonstrating that these standards have been met lies with the applicant for appointment with tenure. An academic faculty member being recommended for appointment with tenure must receive an "excellent" rating in one of the following two areas (1 or 2 below) and at least a "satisfactory" rating in the second. In standards one and two, an academic faculty member being recommended for appointment with tenure must receive an "excellent" rating in one of these standards and no less than a "satisfactory" rating in the other.**

(1) **Standard One: Teaching/Performance of Assigned Duties**

Either of the following:

(A)(i) If applying for tenure as a University instructor, a record of effectiveness as a teacher, including, but not limited to demonstrated teaching competence and efficiency in a classroom and/or laboratory, **and/or clinical setting**, the ability to communicate effectively with students, ~~interest and ability in advising students~~, and demonstrated skill in handling classroom and other duties related to teaching. (Such a record may include, for example, **a showing of the ability to impart knowledge, to excite students' interest in the subject matter, and to evoke response in students and to demonstrate competence in advising students.**)

(B)(ii) If applying for tenure as a ~~non-teacher~~ **member of the academic faculty whose role does not include instruction**, a record of effectiveness, efficiency, and ability to perform assigned duties.

(2) **Standard Two: Scholarly and Creative Activity**

Demonstrated continuing professional growth related to the academic faculty member's discipline or program area as shown by a record of scholarly research or creative activity resulting in publication or comparable productivity.

**(3)b. Standard Three: Service**

In addition to standards one and two, an academic faculty member being recommended for appointment with tenure must receive a "satisfactory" rating or better in the area of service, which may include, but not be limited to:

**(A)(1)** Membership and participation in professional organizations;

**(B)(2)** Ability to work with faculty and students in the best interests of the **academic community** University and the people it serves, and to the extent that the job performance of the academic faculty member's administrative unit may not be otherwise adversely affected;

**(C)(3)** Service on University or System committees;

**(D)(4)** Recognition among colleagues for possessing integrity and the capacity for further significant intellectual and professional achievement; and

**(E)(5)** Recognition and respect outside the System community for participation and service in community, state, or nationwide activity.

~~e. The burden of demonstrating that these standards have been met lies with the applicant for appointment with tenure.~~

~~b.d.~~ In rating applicants for appointment with tenure under the standards set forth in this subsection, the University shall rate applicants as (i) **"excellent,"** "unsatisfactory," (ii) **"commendable,"** "satisfactory," (iii) **"satisfactory,"** "commendable," or (iv) **"unsatisfactory."** ~~"excellent."~~ No other rating terminology shall be permitted **used in evaluating the applicant for appointment with tenure.**

~~c.e.~~ The standards **and the ratings** set forth in this subsection are the ~~minimum~~ standards **that must be used by the University and its administrative units** in recommending academic faculty for appointment with tenure. However, unit ~~or~~ ~~department~~ Bylaws may provide for ~~additional standards~~ **criteria within the ratings set forth in this subsection** for recommending academic faculty for such appointment. Such ~~additional standards~~ **criteria** must be consistent with the provisions of the Code and must not be less stringent than the standards provided therein.

**Any such criteria that are not published in adopted bylaws of the University or unit bylaws are void and of no effect whatever.**

**Recommendations for Tenure.** As stated in 3.4.3 of the Code, the president shall seek a recommendation concerning appointment with tenure for an academic faculty member under procedures, which shall be established in these bylaws. The procedures shall include a review of the faculty member's annual evaluations and any rejoinders to those evaluations and/or peer evaluations.

**4849. ANNUAL PERFORMANCE EVALUATION OF TENURED FACULTY**

- a. Declaration of Policy - As provided in Section **5.13** ~~5-12~~ of the Code, it is the policy of the UCCSN to expect the continued commitment of its faculty to excellence after the granting of appointments with tenure. Under this policy, tenured faculty will be encouraged to realize the **academic** ~~University~~ community's expectations to such excellence in their future services and performances. This policy shall be taken into consideration in the annual performance evaluation of tenured faculty, as provided in Section 5.11 of the Code. (B/R 1/99)
- b. Evaluation Procedure -
  - (i) If the annual performance evaluations provided for in Section 5.11 of the Code result in a tenured faculty member receiving an overall unsatisfactory rating for two consecutive years, a hearing shall be held for the purpose of determining if the tenured faculty member should be retained in employment.
  - (ii) **An overall “unsatisfactory” rating in two consecutive annual performance evaluations** ~~Failure of a tenured faculty member to maintain at least a satisfactory rating in two consecutive annual performance evaluations~~ as provided in this section shall be cause for termination of employment. Hearings to consider terminations initiated by this section shall be held by a special hearing officer and special hearing committee under Section 6.12 of the Code. All other provisions of Chapter 6 of the Code should be followed to the extent applicable. Notwithstanding the provisions of Subsections 6.12.4, 6.13.1, and 6.14.2 of the Code, the only option for recommendations or decisions upon the completion of the hearing or appeal process is the continuation or termination of employment of the tenured faculty member. If, after the hearing or appeal process is completed, the decision is made to continue the tenured faculty member's employment, the annual performance evaluations, which initiated the hearing, shall be revised to eliminate the unsatisfactory ratings. The burden of demonstrating that termination of employment should occur lies with the administrative authorities of the University. (B/R 1/99)

- (iii) The provisions of this section shall not apply to administrators who hold tenure as academic faculty members at the university as long as they continue as administrators. Only the performance of such administrators of their assigned administrative duties shall be evaluated under Section 5.11 of the Code. Commencing five years after such administrators are discontinued as administrators, the provisions of this section shall be applied to them as tenured faculty members. (B/R 1/99)
- (iv) After the completion of the annual performance evaluations provided for in Section 5.11 of the Code, the President shall submit an annual report to the Board of Regents detailing the process and outcomes of the annual performance evaluations.

#### Chapter V - NONREAPPOINTMENT, DISMISSAL, TERMINATION, AND CHANGES IN CONTRACTUAL STATUS

#### 54. NONREAPPOINTMENT OF NONTENURED FACULTY

Notification of nonreappointment of nontenured members of the faculty shall be made in accordance with the provisions prescribed in the Code, Subsections 5.9.1, 5.9.2 **and 5.9.3.**

In accordance with Section 39 these bylaws, when a recommendation or decision not to renew an appointment has first been reached, the faculty member involved will be informed of that recommendation or decision in writing by the body or individual making the initial recommendation or decision, and the faculty member may request written notice of reasons.

In accordance with Section ~~38~~ 39 of these bylaws, when a recommendation or decision not to renew an appointment has first been reached, the faculty member involved will be informed of that recommendation or decision in writing by the body or individual making the initial recommendation or decision, and the faculty member may request written notice of reasons.

#### **5556. DISCIPLINARY SANCTIONS FOR PROFESSIONAL EMPLOYEES**

**In accordance with Code 6.6.1 to 6.6.8, vice presidents, deans, directors and persons in equivalent positions shall have the authority to issue reprimands or warnings (as defined under 6.3.1 and 6.3.2) to faculty members and other professional employees under procedures stated in 6.6 of the ~~UCCSN~~ NSHE Code. Procedures under 6.6 differ from procedures established in Sections 6.7 to 6.14 of the ~~UCCSN~~ NSHE**

**Code. Code 6.6 procedures are to be used whenever possible, as an alternative to those in 6.7 to 6.14.**

**Code 6.6.3 provides the affected person with the option to request mediation. The guidelines for selecting the mediator will be jointly developed by the campus administration and Faculty Senate. Copies of the guidelines will be maintained in the office of the Faculty Senate.**

**5960. NOTICE AND APPEAL PROCEDURES FOR PERSONS TERMINATED FURLOUGHED OR LAID OFF BECAUSE OF FINANCIAL EXIGENCY OR CURRICULAR CHANGE**

~~Notice of the termination of a faculty member by reason of financial exigency or curricular change~~ **Notice of the furlough or layoff of a faculty member by reason of financial exigency or curricular reasons, except for notice of non-reappointment to employment of faculty members given under Code Sections 5.4.2, 5.9.1, 5.9.2, or 5.9.3.** shall be in writing and, as provided by Subsection 5.4.7(f) of the Code, shall inform the faculty member of the following: the existence and extent of the financial exigency or the reasons for the curricular change, the procedures used to determine who should be terminated, the faculty member's right to reconsideration, the procedures for reconsideration, and the identity of the person or persons to whom a request for reconsideration should be directed.

**Chapter VI – APPOINTMENT OF ADMINISTRATORS AND SEARCH PROCEDURES**

**6263. APPOINTMENT OF ADMINISTRATORS**

**The appointment of the heads of administrative units below the level of vice president within the University, including department chairs, and all other persons reporting directly to the president shall be made by the president. In the process of making such an appointment, the president or his or her designee shall consult with faculty of the appropriate administrative unit. Persons appointed to such positions shall serve solely at the pleasure of the president. Department chairs as administrators shall be directly responsible to their supervisor or supervisors for the operation of their departments.**

**6869. FACULTY**

Recommendations for the appointment of new faculty shall originate in the department concerned and shall follow department and unit bylaws. The terms and conditions of employment shall be specified in the contract in accordance with the Code, ~~Subsections~~



~~5.4.1 through 5.4.4.~~ In recruiting and selecting academic and administrative faculty members, the objective shall be to conduct a thorough and appropriate search in an effort to hire the most suitable candidate for the position. **Prior to transferring a faculty member from one department to another, administrators must consult with the faculty of both departments.**