

BOARD OF REGENTS
BRIEFING PAPER

Agenda Item Title: CCSN Bylaw Revisions

BACKGROUND & POLICY CONTEXT OF ISSUE:

Updates and technical changes are made to Title 5, Chapter 1, Community College of Southern Nevada Bylaws. Obsolete language is deleted, the policy is streamlined, current terminology is used, and councils of the College are updated and summarized. Revisions were coordinated with NSHE staff.

SPECIFIC ACTIONS BEING RECOMMENDED OR REQUESTED:

Language in the attached policy document is added or deleted as noted in the draft.

IMPETUS (WHY NOW?):

Some of the impetus comes from the NSHE initiative to continually update the handbook and keep it current. Some of the impetus also comes from a number of councils at CCSN that are no longer functioning, and references to them should be removed from the bylaws. And finally, these changes recognize a CCSN employee group, administrative faculty council, among those councils at the College who may advise the President. The Faculty Senate at CCSN acted on these changes at its May 14, 2006 meeting.

BULLET POINTS TO SUPPORT REQUEST/RECOMMENDATION:

- Replaces "UCCSN" with "NSHE" throughout
- Uses current nomenclature of cabinet and councils
- Describes each advisory councils
- Deletes obsolete paragraphs on councils no longer functioning
- Adds language for an Administrative Faculty Council for policy input from this group of employees
- Streamlines the language of the policy without detracting from its substance

POTENTIAL ARGUMENTS AGAINST THE REQUEST/RECOMMENDATION:

More extended narrative and descriptive language may be desirable to some.

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

None.

COMPLIANCE WITH BOARD POLICY:

- Consistent With Current Board Policy: Title #____ Chapter #____ Section #____
- Amends Current Board Policy: Title #____ Chapter #____ Section #____
- X Other: Revises Title 5, Chapter 1
- Fiscal Impact: Yes____ No X
- Explain: _____

Chapter 1

COMMUNITY COLLEGE OF SOUTHERN NEVADA BYLAWS

CHAPTER ONE

Organization of Community College of Southern Nevada

Section 1.1 Authority and Definitions

1.1.1 Delegated Authority

The Board of Regents delegates to the Faculty of Community College of Southern Nevada the authority and responsibility to develop the College bylaws in accordance with the **Nevada System of Higher Education (NSHE) Code** and in matters where the **NSHE Code** is silent. **Any revisions in these bylaws require the recommendation of the President to the Board of Regents** (NSHE Code 1.3.4). (B/R 12/93)

1.1.2 Definitions

The term "Faculty" shall be defined consistently with that term as used in the **NSHE Code**. (B/R 12/93)

Section 1.2 Institutional Bylaws

1.2.1 Statement of Purpose

The Faculty of Community College of Southern Nevada may recommend policy for the College on matters involving the primary missions as specified in the **NSHE Code** 1.4.6. (B/R 12/93)

1.2.2 Organization of Bylaws

These Bylaws shall set forth organizational, educational, and faculty welfare policies and procedures.

1.2.3 Amendment of the Bylaws

1. An amendment to these Bylaws may be proposed by (1) any member of the Faculty, (2) the Faculty Senate, (3) the **President's Cabinet Administrative Council**, (4) the College President, (5) the Chancellor or (6) any member of the Board of Regents. The President shall refer all amendment proposals to the Faculty Senate and the **President's Cabinet Administrative Council** within 20

working days of submission for review.

2. Proposed Amendments shall be reviewed and recommendations prepared by the Faculty Senate and **President's Cabinet** ~~Administrative Council~~ within 30 calendar days. The President shall submit amendments, with Faculty Senate and **President's Cabinet** ~~Administrative Council~~ recommendations, to the Faculty for review within 20 working days of receiving these recommendations.

3. The proposed amendments shall be submitted to the College President after Faculty has had an opportunity to respond. Approval of the proposed amendments shall be consistent with the provisions of the NSHE Code . Approved changes in the Bylaws must be distributed by the President to the entire Faculty. If an amendment is rejected by either the College President or the Board of Regents, the Faculty shall be notified and informed of the rejections. The Faculty affirms the right to appeal directly to the Board of Regents **through the Faculty Senate (Chair)** following rejection or failure to respond by the President. (B/R 12/93)

Section 1.3 Administrative Structure of Community College of Southern Nevada (B/R 12/93)

1.3.1 Administrative Organization

The administrative organization of the College shall be determined by the College President, with approval of the Board of Regents **to the extent necessary under NSHE Code, Section 1.4.9**. An organizational chart of the administrative structure shall be available in all appropriate College documents, which shall include the Professional Staff Handbook. Proposed changes in the organizational structure shall be reviewed by the Faculty Senate and **President's Cabinet** ~~Administrative Council~~ . (B/R 12/93)

1.3.2 Chief Administrative Officer

The President of the college is the chief administrative officer, and shall report to the Chancellor and the Board of Regents. (B/R 8/98)

1.3.3 Vacancy in the Office of the President

Whenever a vacancy occurs or is about to occur in the position of College President, the Board of Regents shall appoint and select Search and Advisory committees as described in the NSHE Code 1.5.4. The Institutional Advisory Committee shall represent faculty, administrators, classified employees and students, as may be provided by the NSHE Code. (B/R 12/93)

Section 1.4 Faculty Senate

1.4.1 Authority

Each academic division shall be allotted three senators. Academic divisions with at least fifty full-time faculty shall be allotted an additional senator. For each additional twenty-five faculty, an additional senator shall be elected by the academic division. Academic faculty who are not assigned to a division shall be allotted one senator unless their number exceeds twenty, in which case they will elect two senators. (B/R 6/99)

1.4.2 Faculty Senate Organization

The Faculty Senate shall be organized according to Bylaws developed by the Faculty. These Bylaws shall be approved by majority vote of the voting academic and administrative faculty and are subject to final approval by the College President. Current Bylaws shall be published in all appropriate College documents.

1.4.3 Role of the Faculty Senate

The Senate shall make recommendations on behalf of the College faculty to the President and the Board of Regents on matters of Faculty rights and welfare and the College's primary mission, and serves as the primary policy recommending board for the College.

1.4.4 Senate Actions

1. Any actions or recommendations by the Senate requiring action or approval by the President or the Board of Regents shall be transmitted, in writing, to the President by the Senate Chairperson.

2. The College President shall respond in writing to these Senate actions or recommendations, in writing, within 20 working days. Transmittals requiring the approval of the Board of Regents will be processed according to the NSHE Code 1.4.8. (B/R 12/93)

Section 1.5 **Presidential** (Advisory Boards)~~Administrative Council~~

As the President may determine, other governing councils may be established and utilized as Advisory bodies for the President, such as:

President's Cabinet

The President's Cabinet represents, but is not limited to the Vice Presidents of the College, representatives of the Classified Council, the Administrative Faculty Council, and the Faculty Senate Chair and Chair-Elect.

Classified Council

The Classified Council represents those positions authorized by the state of Nevada under contract as CCSN Classified.

Administrative Faculty Council

The Administrative Faculty Council represents staff with a full-time administrative appointment at the level of director (?) and below.

Council of Chairs

The Council of Chairs represents all Academic Department Chairs in the College, and one representative for faculty in each division who are not represented by an elected Department Chair.

Academic Council

The Academic Council represents all Academic Division Deans in the College.

~~1.5.1 Purpose~~

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—The **President's Council** Administrative Council shall function to provide a forum for communication. It shall provide an opportunity for discussion of college-wide issues. It shall act as a recommending body to the President in the formulation of policies, regulations and procedures.~~

~~1.5.2 Organization~~

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—The **President's Council** Administrative Council shall be composed of all staff with a full-time administrative appointment at the Director level or above. (B/R 8/98)~~

~~Section 1.6 Classified Council~~

~~1.6.1 Purpose~~

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—The Classified Council of Community College of Southern Nevada shall serve as an advisory group to the College President. The Council shall be concerned with matters of classified personnel administration and employee relations, excepting matters of formal appeals and hearings. The Council shall receive, consider and make recommendations on matters of personnel administration, policies and procedures; provide a forum for hearing of classified employee suggestions, questions or complaints; but not individual appeals relating to disciplinary or classification matters; and to provide a means of communication for disseminating information to classified employees of the College.~~

~~1.6.2 Organization~~

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The Classified Council represents those positions authorized by the State of~~

~~Nevada under contract as CCSN classified. The matters of representation, elections, officers, etc., are spelled out in the Classified Council By-Laws.~~

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~~Section 1.7 The College Coordinating Council~~

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~~1.7.1 Purpose~~

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~~The College Coordinating Council's mission is to make operational recommendations to the President. (B/R 8/98)~~

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~~1.7.2 Organization~~

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~~The Chair of the Faculty Senate and the Senior Vice President for Academic Affairs are co-chairs of the College Coordinating Council. The College Coordinating Council is composed of the two co-chairs, the Vice President of Finance and Administration, the Immediate Past Faculty Senate Chair, the Faculty Senate Chair-Elect, the Chair of the Faculty Senate Budget Committee, the Chair of the Council of Department Chairs, the Student Government President, the Classified Council President, an administrator at large appointed by the Senior Vice President, and one faculty member at large appointed by the Senate Chair. (B/R 8/98)~~

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~~Section 1.8 The Princeton Group~~

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~~1.8.1 Purpose~~

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~~The Princeton Group is a strategic planning group to provide a forum for the exploration and development of long range planning of new directions for the College. (B/R 8/98)~~

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~~1.8.2 Organization~~

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~~The Chair of the Faculty Senate and the Vice president for Academic Affairs are co-chairs of the Princeton Group. The Princeton Group is composed of the two co-chairs, the College Coordinating Council, the Administrative Council, the Immediate Past Faculty Senate Chair, the Faculty Senate Chair-Elect, all members of the Council of Chairs, the Student Government President, and the Classified Council President. (B/R 6/99)~~

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~~Section 1.9 The Council of Chairs~~

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~~1.9.1 Purpose~~

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~~The Council of Chairs serves in an advisory capacity to the President on matters~~

~~affecting departmental operations. (B/R 8/98)~~

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~~1.9.2 Organization~~

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~~The Council of Chairs is composed of all Academic Department Chairs in the College and one representative elected by those faculty in each division who are not organized by department and is chaired by an elected member of the Council. The Vice President of Academic Affairs and the Faculty Senate Chair serve as ex-officio members. (B/R 6/99)~~

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CHAPTER TWO

Section 2.1 Procedures Relating to Educational Policy

2.1.1 Purpose

The purpose of this chapter is to describe institutional policies and procedures relating to professional personnel recruitment, curriculum and other educational matters.

Section 2.2 Curriculum and Instruction

2.2.1 Teaching Schedule

Each member of the faculty is responsible for recommending his or her teaching schedule to the appropriate administrator before the beginning of a new semester.

2.2.2 Instructional Workload

Faculty will be assigned specific courses or assignments by the appropriate administrator according to the workload policy developed by the Faculty Senate, approved by the College President, and published in the Professional Staff Handbook.

2.2.3 Course Development

The Faculty Senate shall recommend procedures for curricular development and review of courses and programs. The Faculty shall also develop evaluation procedures consistent with curricular goals and the College's primary mission. Changes to the curriculum shall be reviewed by the Curriculum Committee and the Academic Standards Committee and approved by the appropriate administrators. ~~The Academic Standards Committee will make recommendations regarding program reviews and issues of educational goals and standards.~~

2.2.4 Curricular Concerns

Faculty concerns involving educational and curricular matters will be processed through appropriate college governance channels.

Section 2.3 Recruitment for Professional Positions

2.3.1 Institutional Committee

Whenever a vacancy occurs for a professional position, an institutional recruitment and screening committee shall be appointed by the President according to procedures identified in the Professional Staff Handbook, which procedures by reference thereto, are made a part of these Bylaws. This committee shall operate in accordance with relevant Federal guidelines, institutional personnel policies, and the College Affirmative Action Plan. Institutional personnel policies and the College Affirmative Action Plan shall be developed and periodically reviewed by appropriate administrators in cooperation with Faculty.

Section 2.4 Professional Personnel Development

2.4.1 Programs

The Faculty shall be involved in planning, implementing and evaluating all faculty development programs. Staff development programs shall be based on the needs of the participants. Such programs may include, but not be limited to, seminars, workshops, in-service programs, tuition reimbursement, travel opportunities, and teacher exchange programs.

2.4.2 Performance Expectations

It shall be the responsibility of the Faculty to determine performance expectations in harmony with College goals. The Faculty shall be substantially involved in the development and implementation of evaluation methods. The procedures for the annual evaluation of Faculty are contained in the Professional Staff Handbook.

Section 2.5 Other Educational Policies and Procedures

2.5.1 Operational Needs

In keeping with the priorities of excellence in instructional support services, the faculty should regularly make recommendations on operational needs to the appropriate administrator.

2.5.2 Budget Planning

The Faculty Senate Chairperson shall advise the President in the preparation of the biennial college budget. A copy of the completed College budget proposal shall be forwarded to the Faculty Senate.

2.5.3 Conditions of Employment

All specifications for employment, including but not limited to, hiring, tenure process, non-reappointment, and curricular or financial exigency are governed by the NSHE Code. (B/R 8/98)

2.5.4 College Committees

1. All members of the Faculty are expected to be available to serve on college-wide, Faculty Senate standing, departmental and ad hoc committees as part of their professional responsibility.

2. The College President shall consult the Faculty Senate when making appointments to committees that deal with Faculty concerns. Representatives of College-wide committees shall submit progress reports when requested to both the Faculty Senate Chairperson and the College President.

CHAPTER THREE

Section 3.1 Policy and Procedures Relating to Faculty Welfare

3.1.1 Purpose

The purpose of this chapter is to describe policies and procedures, or their sources, relating to Faculty welfare and rights not generally covered by the NSHE Code. (B/R 12/93)

Section 3.2 Employee Conditions

3.2.1 General Procedures

The Faculty, in compliance with policies established by the Board of Regents or set forth in the NSHE Code, shall develop policies and procedures relating to tenure and grievances. Such policies shall be submitted to the College President for approval. (B/R 12/93)

3.2.2 Specific Procedures

1. The College President shall seek recommendations concerning appointment with tenure for Faculty members under the procedures specified in the NSHE Code, with the following additional procedures. (B/R 12/93)

2. The College President shall receive a recommendation regarding the granting of tenure from a peer review committee, the department chair, the appropriate dean, and the appropriate vice president. The peer review committee shall be constituted of three tenured academic faculty members. The department chair will select a faculty member, the candidate for tenure will select a faculty member, the department chair and the faculty member will mutually agree on a committee member. The third member shall be from the candidate's discipline, if possible. If a faculty member from the candidate's discipline is not available, the third member shall be from a cognate discipline. If the candidate for tenure is not a member of a department, the person elected to represent her/him in the council of Chairs shall perform the role of a department chair. If such person is a candidate for tenure, the president or her/his designee and the Senate chair shall meet to develop appropriate procedures. (B/R 6/99)

3. In order to protect tenured Faculty from termination based on arbitrary, capricious or unreasonable policies or procedures, the provisions of the NSHE Code 5.12.2 shall be scrupulously adhered to by all concerned in those instances where NSHE Code 5.12.2 is applicable. (B/R 12/93)

4. The primary emphasis of faculty evaluation shall be for developmental and constructive purposes.

5. Whenever disciplinary procedures are invoked against Faculty, the provisions of the NSHE Code , Chapter Six shall apply. If a Special Hearing Committee is formed, the general chair of the committee shall be determined prior to the start of the proceedings. The general chair shall have access to the College President with regard to the committee recommendations. (B/R 12/93)

6. Conflict Resolution

a. Intent

Faculty are encouraged to resolve conflicts informally. (B/R 5/90)

b. Grievance Procedures

(1) Faculty of the College who feel aggrieved because of an action or an omission of an action resulting in an adverse impact on employment conditions, except those conditions specifically excluded by the NSHE Code , institutional Bylaws, shall follow these grievance procedures. Professional staff who feel aggrieved on the basis of discrimination or denial of promotion, pay, or merit, should consult with the Human Resources Director regarding procedures to follow. (B/R 12/93)

(2) Within 10 working days of the alleged event-giving rise to the grievance, the aggrieved faculty member shall request in writing an informal mediation conference with the administrator responsible for the alleged grievance. (B/R 5/90)

(3) If the grievance is not resolved as a result of the first conference, the aggrieved faculty member shall request in writing within ten working days following the first conference, a second level mediation conference with the involved parties and the administrator's supervisor. (B/R 5/90)

(4) If the grievance is not resolved as a result of the second conference, the aggrieved faculty member must submit a Grievance Statement to the supervisor of the administrator responsible for the alleged grievance within ten working days following the second level conference, with a copy to the administrator responsible for the alleged grievance. The supervisor of the administrator responsible for the alleged grievance must respond in writing with a decision on the grievance within ten working days after receipt of the Grievance Statement. (B/R 5/90)

(5) If the faculty member remains dissatisfied with the outcome of the grievance after step 4 and the next level of supervision is not the President, within ten working days after the decision referred to in step 4 is made, the Grievance Statement shall be submitted to the next higher level of administration for review and the decision which shall be made within ten working days after submission of the Grievance Statement. This step may be repeated for successive levels of administration until the faculty member is satisfied or the next level of administration is the President. (B/R 5/90)

(6) If the faculty member remains dissatisfied with the outcome of the grievance after the prior step, the aggrieved employee shall submit the Grievance Statement to, and request in writing a conference with, the President of the College within ten working days of the conclusion of the previous step. (B/R 5/90)

(7) The President of the College shall make a decision within twenty working days of receipt of the Grievance Statement. The president may appoint an administrator not involved in the dispute to act as a fact finder. The President is the final authority on all grievances. The President will forward his/her decision in writing to the aggrieved faculty member and to the administrator responsible for the alleged grievance. (B/R 5/90)

c. Processing Grievances

(1) It is the responsibility of the Associate Vice President for Human Resources to maintain a supply of Grievance Statement Forms. (B/R 12/93)

(2) If at any stage of the grievance procedure, the grievant does not take the

next step within the time allotted, the grievance shall be resolved in accordance with the decision of the administrator at the last step. (B/R 5/90)

(3) If an administrator does not respond within the specified time limit, the faculty member can declare that resolution was not achieved at that step and proceed with the next step in the procedure. (B/R 5/90)

(4) Grievances shall be processed as rapidly as possible. The number of days indicated at each level shall be considered a maximum and both the faculty member and administrators shall make every effort to expedite the process in a shorter period of time. The parties may mutually agree in writing to extend any of the time periods. (B/R 5/90)

(5) Grievance Statements and responses shall be copied to all parties previously involved in the process. (B/R 5/90)

(6) The aggrieved faculty member has the right to bring to any conference a colleague and/or to have the conference proceedings recorded. He/she may bring counsel to the conference with the President, who may determine the extent of participation permitted by counsel. (B/R 5/90)

(7) Faculty members and administrators have rights set forth in the United States Constitution, Federal laws, and the Nevada Revised Statutes. Nothing in the above procedures shall be interpreted to expand, reduce or otherwise modify such rights. (B/R 5/90)

3.2.3 Sabbatical Leave

Sabbatical leave requests shall be solicited each year from faculty by a duly appointed committee of the Faculty Senate. Said committee shall make recommendations to the President who in turn will make recommendations to the Board of Regents. Faculty will be granted sabbatical subject to the requirements of the Nevada Revised Statutes, the NSHE Code, the policies of the Board of Regents, and the Community College of Southern Nevada Bylaws. (B/R 12/93)

3.2.4 Salary Policies

College-wide policies for Faculty salary placement and advancement shall be developed, and periodically reviewed by the Faculty Senate and Administrative Council, in compliance with NSHE policy, and submitted to the College President for adoption. The adopted salary policies shall be published in all relevant College documents. (B/R 12/93)

Section 3.3 Part-time Adjunct Faculty

3.3.1 Role

~~Adjunct Faculty are~~ Part-time faculty members who possess unique education and/or business and industrial experiences that are an asset to the instructional programs of the College.

3.3.2 Employment Procedures

Employment policies and procedures for **part-time adjunct** faculty shall be developed by the Deans in cooperation with the Affirmative Action Officer, appropriate administrators and Faculty. Such policies and procedures shall be reviewed by the Faculty Senate and appropriate recommendations made to the College President. (B/R 12/93)

3.3.3 Academic Information

The College President shall insure the publication of **a part-time an adjunct** Faculty Handbook describing regulations and procedures relevant to part-time instruction. (B/R 12/93)