

BOARD OF REGENTS
BRIEFING PAPER
Handbook Revision, Confidentiality of Employment Application Materials

BACKGROUND & POLICY CONTEXT OF ISSUE:

Current Board policy provides that information contained in employment application materials is confidential (*Title 2, Chapter 5, Section 5.6.3*) until acceptance of an employment offer. Based on the difficulty identified by the Equity, Diversity and Inclusion Council (EDIC) in obtaining sufficient and diverse applicant pools for positions at the institutions, EDIC recommends revising this confidentiality provision to allow the sharing of employment application materials among NSHE institutions for the purpose of employee recruitment.

During the April 10, 2012, meeting of the EDIC, members considered various options through which NSHE institutions could share application materials with other NSHE institutions. Based upon their discussion, the EDIC recommends including the following language in the application materials to allow applicants to affirmatively “opt in” to the sharing their information among institutions:

The Nevada System of Higher Education institutions are committed to expanding outreach to available candidates for similar positions throughout the System. By checking the box below, you consent to having your application information shared with other institutions within the System, and you may then be contacted about other available positions. You may also wish to search for other available positions in the System by going to the Nevada System of Higher Education “Careers” website at www.nevada.edu and navigating through the respective institution career links.

SPECIFIC ACTIONS BEING RECOMMENDED OR REQUESTED:

Amend *Title 2, Chapter 5, Section 5.6.3* of the *Handbook* to allow NSHE institutions to share applicant pool information for the purpose of employee recruitment if the applicant indicates permission to share such information. (See attached Policy Proposal.)

IMPETUS (WHY NOW?):

This proposal is a result of discussions with the EDIC which is working on initiatives to promote faculty diversity, promotion and tenure.

BULLET POINTS TO SUPPORT REQUEST/RECOMMENDATION:

Sharing employment application materials will broaden the size of the applicant pool for NSHE positions across the service areas and will help facilitate greater employment diversity among the institutions.

POTENTIAL ARGUMENTS AGAINST THE REQUEST/RECOMMENDATION:

None have been brought forward.

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

Maintain the current policy that does not explicitly allow the sharing of employment application materials among NSHE institutions.

COMPLIANCE WITH BOARD POLICY:

- Consistent With Current Board Policy: Title # _____ Chapter # _____ Section # _____
X Amends Current Board Policy: *Title 2, Chapter 5, Section 5.6.3*.
 Amends Current Procedures & Guidelines Manual: Chapter # _____ Section # _____
 Other: _____
 Fiscal Impact: Yes _____ No X _____
Explain: _____

POLICY PROPOSAL - HANDBOOK
TITLE 2, CHAPTER 5, SECTION 5.6.3
Confidentiality of Employment Application Materials

Additions appear in *boldface italics*; deletions are [~~stricken~~ and bracketed]

Section 5.6 Faculty Benefits

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- 5.6.3 *Except as otherwise provided in this section, [A]any information contained in employment application materials (e.g. letters of interest, curriculum vitae, application, employment and educational records, publications or work samples) submitted for consideration of employment within NSHE are confidential, except the position of Chancellor, during search processes until such time as a candidate accepts employment within NSHE. During search processes, such documents can only be released pursuant to the written authorization of the prospective professional staff member or a court order directing the release of the records that has been signed by a judge with jurisdiction over the matter. **Applications may be shared by NSHE institutions for the purpose of employee recruitment with the permission of the applicant.** Upon acceptance of an employment offer, information contained in the application materials as stated in 5.6.2 (b) shall become public records.*

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