

Title 2, Chapter 5; Amend Sections 5.2.3, 5.2.4, 5.7.2, 5.9.3 and 5.9.4, Add a New Section 5.9.5
0(new language in bold and italics)

5.2.3 Denial of Appointment with Tenure, Salary Increases, Promotion or Reappointment. A faculty member who has been denied appointment with tenure, a salary increase, promotion, or reappointment to employment, **or who has received a notice of termination** may, within 15 calendar days after notification of such denial **or termination**, provide a written request to the department chair, supervisor, or dean who rendered the negative decision asking for a statement in writing of the reasons for the denial **or notice of termination**. The response must be received by the faculty member within 15 calendar days after the appropriate administrator receives the written request for reasons.

5.2.4 Reconsideration of Personnel Action Denying Appointment with Tenure, Salary Increases, Promotion or Reappointment. Within 15 calendar days after receipt of the written reasons for denial of appointment with tenure, a salary increase, promotion or reappointment to employment, **or for the issuance of a notice of termination**, a faculty member may request reconsideration. ~~of such denial.~~ The request shall be submitted in writing to the faculty member's department chair, supervisor, or dean who rendered the negative decision together with the reasons, arguments and documentation supporting the request for reconsideration. The request for reconsideration shall be promptly directed through regular administrative channels with recommendations for or against reconsideration of the decision. Final action shall be taken within a reasonable time by the president after receipt of the recommendations, except that if the president, after reconsideration, decides to recommend appointment with tenure should be granted, the final decision must be made by the Board of Regents.

5.7.2 Scope of Grievance Procedures. A grievance is an act or omission to act by the respective administrations of the System institutions, 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~~ **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, 5.8.2, 5.9.1, ~~and 5.9.2,~~ **5.9.3 and 5.9.4** of the ~~University and Community College Nevada~~ **Nevada** System of **Higher Education Nevada Code**, or the furlough or lay off of faculty for financial exigency or curricular reasons is not subject to review by grievance procedures.

5.9.3 Notice of Termination for Non-Tenured Academic and Administrative Faculty hired on or after March 1, 2005, Except DRI

Except as provided in Subsections 5.4.2, 5.9.2 and ~~5.9.3~~ **5.9.4** of the ~~University and Community College Nevada~~ **Nevada** System of **Higher Education Nevada Code**, and unless otherwise provided in the contract of employment, ~~the employment of~~ non-tenured academic and administrative faculty hired on or after March 1, 2005, at the University of Nevada, Reno, the University of Nevada, Las Vegas, Nevada State College, Henderson, the Community College of Southern Nevada, Great Basin College, Western Nevada Community College, Truckee Meadows Community College and the special units may be given notice of termination by the appointing authority at any time after the commencement of employment.

5.9.4 Notice of Termination for Non-Tenured Administrative Faculty at the rank of Dean or above hired on or after March 1, 2005, Except DRI

Except as provided in Subsections 5.4.2, 5.9.2 and 5.9.3 of the ~~University and Community College Nevada~~ System of **Higher Education Nevada Code**, and unless otherwise provided in the contract of employment, ~~the employment of~~ non-tenured administrators of the rank of Dean or higher to include those who directly report to the Provost or President, hired on or after March 1, 2005, at the University of Nevada, Reno, the University of Nevada, Las Vegas, Nevada State College, Henderson, the Community College of Southern Nevada, Great Basin College, Western Nevada Community College, Truckee Meadows Community College and the special units may be given a notice of termination by the appointing authority at any time after the commencement of employment.

5.9.5 Effective Date of a Notice of Non-Reappointment or Notice of Termination

The effective date of a Notice of Non-Reappointment under Subsections 5.9.1 and 5.9.2, or a Notice of Termination under Subsections 5.9.3 and 5.9.4 is the date of delivery if hand-delivered, or if mailed, the date of mailing. Notices are deemed received on the date the notice is hand-delivered or the date the notice is mailed.