

Proposed Amendment

TITLE 2, Chapter 5, Section 5.8 Nevada System of Higher Education CODE

PERSONNEL POLICY FOR FACULTY

Additions in **boldface**; deletions [~~stricken~~ in brackets]

Section 5.8 Continuation and Termination of Faculty Appointments at Desert Research Institute (DRI)

5.8.2 Bridge Funding. Bridge funding defines conditions and mechanisms under which research faculty, otherwise in good scientific standing, who find themselves in serious financial circumstances, can be helped to bridge such temporary times. This process is intended to smooth out unpredictable and unavoidable fluctuations through an opportunity to recover stability through short-term changes of direction and fields of endeavor. Bridge funding is available to all research faculty but not available to Executive Directors and Vice Presidents and Rank 0 Faculty.

Faculty on bridge funding remain in good standing and are entitled to all faculty rights and privileges defined by the [~~UCCSN~~] **NSHE** and DRI. The faculty member will continue to accrue service days and is eligible for all funds within DRI. Bridge funding is not severance pay nor is it a benefit earned without further obligation. Bridge funding is available only to faculty in Professor ranks II, III, and IV and those in Research Associate ranks I, II, III, and IV. Bridge funding duration is based on service days, which are defined as one day for each calendar month of uninterrupted employment and are prorated as a percent of contract (i.e. 0.50 FTE is one half day per month). The maximum number of service days is one year. Rank days are: 20 working days for Rank I and II personnel, 40 working days for Rank III personnel and 60 working days for Rank IV personnel. Postdoctoral positions accumulate no rank or service days.

(a) Conditions. A faculty member will be placed on bridge funding by the Executive Director of their Research Unit if for three consecutive months the faculty member generates less than 50% of their appointment salary and benefits from all funding sources external to their research unit and approved for use (including but not limited to grants, contracts, other external funding, recharge centers, institutional project assignments, sabbatical leave, and other DRI funds). The Executive Director, with the faculty member approval, may seek a temporary waiver from the President of DRI so that the faculty member is not placed on bridge funding. Placement on bridge funding may be appealed by a faculty member to a DRI-wide committee established by the Faculty Senate and reporting to the President. If the committee finds and the President concurs that bridge funding was not justified, then the faculty member shall be reinstated with all service days restored.

Bridge funding shall not begin until after three consecutive months of reduced (<50%) funding. A recovery plan shall be negotiated by the faculty member and Research Unit

Executive Director (or designated representative) during the first two weeks of bridge funding. If the faculty member and the Executive Director are unable to reach concurrence on the recovery plan, the faculty member or the Executive Director may appeal to a DRI-wide committee established by the Faculty Senate and reporting to the President. If the faculty member does not follow the agreed upon recovery plan termination for cause may follow. Bridge funding shall be used to support faculty salary to further proposal development and other duties negotiated with the Research Unit or DRI Administration. Faculty receiving bridge funding shall meet all contract requirements and may change their appointment percentage with approval of the Research Unit Executive Director. The minimum level of appointment during bridge funding is 51% of a full-time equivalent position.

(b) Review of Recovery Plan. The faculty member and appropriate Executive Director will review the recovery plan before 50% of the bridge funding is spent. If they concur that the Recovery Plan is inadequate, then the plan shall be rewritten within two weeks. The approval and review mechanism that applies to the original recovery plan shall also apply to rewrites of the recovery plan.

(c) Extension and Service Days. While a faculty member is receiving bridge funding, any work performed to complete other funded responsibilities shall be charged to those sources. Expenditure of time not covered by these sources shall be charged to a bridge funding account. Bridge funding will be considered a pool of funds similar to any other account that a faculty member may use. It is up to the faculty member to manage these funds in a manner that best benefits him or her. Charges to accounts other than the bridge funding account shall extend the duration of bridge funding in an amount equal to the time charged to extramural sources. Time will be charged based on percent of effort, similar to other accounts. Use of bridge funding shall expend service days that a faculty member has accumulated based on length of service.

(d) Reinstatement. Bridge funding shall end and the faculty member will not face termination when 70% or more funding of salary and benefits of the desired contract has been demonstrated for the past nine months or upcoming nine months or more from all funding sources external to the research unit. Service days expended under bridge funding shall not be reinstated.

~~[(e) Notice of Nonreappointment. Notice of nonreappointment to employment of a DRI faculty member shall be as determined by combining a variable number of days for uninterrupted service and a fixed number of days for rank as follows:~~

~~The minimum notice for full-time employees shall be as follows:~~

- ~~1. — One college (Institute) working day of notices for each calendar month of uninterrupted employment for all Rank O and Rank I personnel;~~
- ~~2. — One college (Institute) working day of notice for each calendar month of uninterrupted employment plus 20 college (Institute) working days for Rank II personnel;~~

~~3. One college (Institute) working day of notice for each calendar month of uninterrupted employment plus 40 college (Institute) working days for Rank III personnel;~~

~~4. One college (Institute) working day of notice for each calendar month of uninterrupted employment plus 60 college (Institute) working days for Rank IV personnel;~~

~~5. There will be a minimum notice of 10 college (Institute) working days to any faculty member whose term of employment at the DRI is less than 10 calendar months of uninterrupted employment; and~~

~~6. The maximum amount of notice time that a faculty member can accrue shall not extend beyond 12 calendar months.]~~

(e) Notice of Nonreappointment. An executive director or vice president shall determine whether a professional contract of a DRI faculty member shall be given a notice of nonreappointment. A notice of nonreappointment must be approved by the President. Rank III research faculty with two total years of full-time employment and Rank IV research faculty with one total year of full-time employment at DRI are not subject to nonreappointment as a means for termination. The minimum notice for full-time employees shall be 1) one working day of notice for each calendar month of uninterrupted employment for all rank I associate track employees, 2) one working day of notice for each calendar month of uninterrupted employment plus 20 working days for rank II employees, 3) one working day of notice for each calendar month on interrupted employment plus 40 working days for rank III employees, and 4) one working day of notice for each calendar month of uninterrupted employment plus 60 working days for rank IV employees. All service days are prorated as a percent of contract (i.e. 0.50 FTE is one half day per month). Administrative Faculty (rank 0) employed by DRI after (July 1, 2005), will receive 60 working days of notice of nonreappointment. Administrative faculty already employed by DRI on or before July 1, 2005, may use 60 working days or their earned service days; whichever is larger as their nonreappointment notice. The maximum amount of notice that any faculty member can accrue shall not extend beyond 12 calendar months. The affected faculty member can request a review by a DRI-wide committee established by the Faculty Senate. The committee reports only to the President, who makes the final decision.

5.8.3 Termination of Faculty Appointments. Vice Presidents and Executive Directors, determine continuation and termination of appointments of personnel who report to them. Termination decisions shall be made in consultation with the President or appropriate Vice President as set forth in Chapter 5 of the [UCCSN] NSHE Code. Employment may be terminated for:

(a) Cause (Chapter [6] 8 of the [UCCSN] NSHE Code). Termination for cause involves any prohibited activity, listed in Section [6.2] 8.3 of [UCCSN] NSHE Code.

A decision resulting in the termination of a faculty member for cause may be appealed to the Board of Regents. See, Chapter [6] 8, Section[s] [6.4.2, 6.13 and 6.14] 8.4.6, [UCCSN] NSHE Code.