

# **UNIVERSITY OF NEVADA, LAS VEGAS BYLAWS**

**Revised April 15, 2025 – Zero Day Bylaws, Current Revision**

**(formerly Title 5 - NSHE Governing Documents - Chapter 6)**

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## **CHAPTER I - Organization of the University of Nevada, Las Vegas**

### **Section 1. Delegated Authority**

The Board of Regents delegates to the faculty of the University of Nevada, Las Vegas (UNLV) the authority and responsibility for organizing itself in accordance with institution bylaws and for recommending policy on matters of faculty welfare, on the rights of faculty under the Nevada System of Higher Education Code, and on faculty involvement in the University's primary missions of teaching, research, and public and community service. (See Chapter I, Section 1.3.4, 1.4.7, and 1.4.8 of the Nevada System of Higher Education Code.) (B/R 12/04)

### **Section 2. Purpose of the UNLV Bylaws**

#### **2.1 Contents of UNLV Bylaws.**

The UNLV Bylaws shall contain the current educational organization and faculty organization of the University of Nevada, Las Vegas; procedures for implementing statements of policy found in the Nevada System of Higher Education Code; statements of policy that relate to the authority and responsibility delegated to the faculty by the Board of Regents; and procedures for implementing these statements of policy. (See Section 1.3.4 of the Nevada System of Higher Education Code.)

#### **2.2 Interpretation of Bylaws.**

2.2.1 Questions of interpretation of these Bylaws shall be directed to the Faculty Senate Chairperson, who must render an interpretation with the advice and consent of the Faculty Senate Executive Committee. Prior to rendering its advice and consent, the Faculty Senate Executive Committee must consult with the University Bylaws Committee.

2.2.2 The Faculty Senate Chairperson must publish the interpretation within 30 days.

2.2.3 Any UNLV faculty member, including academic, administrative and executive, may submit a request for interpretation of these bylaws. (6/15)

#### **2.3 Amendment of UNLV Bylaws.**

An amendment to the UNLV Bylaws may be proposed by: 1) 20% of the total faculty of UNLV; or 2) the Faculty Senate voting majority approval on any suggestion; or 3) any NSHE Regent; or 4) the Chancellor; or 5) the UNLV president. Before going to the faculty for referendum, all proposals will be referred to the Faculty Senate for consideration and recommendation.

2.3.1 Faculty Approval. Faculty acceptance of the proposed amendment requires the approval of two-thirds of the total faculty voting.

2.3.2 Administrative Approval. After the proposed amendment is accepted or rejected by the faculty, the president must state his or her opinion on the amendment in writing within twenty calendar days. If the proposed amendment is recommended for approval by the president and approved by the Chancellor, the president shall immediately publish and distribute the change to make it effective. If the president recommends rejection of an amendment supported by the faculty, or if the president recommends approval of an amendment rejected by the faculty, the president shall notify the faculty of his or her decision and the reasons for his or her decision, and so note those reasons when he or she forwards the amendment to the Chancellor. In cases where the president's decision is at variance with the faculty recommendation, the faculty retains the right to present its case directly to the Chancellor. (5/12)

2.3.3 Changes in Organization of UNLV. Formal changes in Chapter I, Section 3 are not considered amendments to this

document. Such changes become effective by ratification by the Board of Regents in accordance with established procedures. (B/R 10/04)

### **Section 3.        Organization of UNLV**

(Please note: the Administrative Faculty Unit which was previously listed as section 3.1.12 consists of all the administrative faculty working in all of the organizational units listed in this section.)

#### **3.1        Office of the President**

3.1.1    Ombuds Office

#### **3.2        Executive Vice President and Provost**

3.2.1    Academic Affairs

3.2.3    Academic Resources

3.2.3    Decision Support

3.2.4    Faculty Affairs

3.2.5    Space Management

##### **3.2.6    Lee Business School**

3.2.6.1   Department of Accounting

3.2.6.2   Department of Economics

3.2.6.3   Department of Finance

3.2.6.4   Department of Management, Entrepreneurship, and Technology

3.2.6.5   Department of Marketing and International Business

3.2.6.6   MBA Programs

##### **3.2.7    School of Dental Medicine**

##### **3.2.8    College of Education**

3.2.8.1   Department of Counselor Education, School Psychology, and Human Services

3.2.8.2   Department of Early Childhood, Multilingual, and Special Education

3.2.8.3   Department of Educational Psychology, Leadership, and Higher Education

3.2.8.4   Department of Teaching and Learning

##### **3.2.9    Howard R. Hughes College of Engineering**

3.2.9.1   Aerospace Studies/Air Force ROTC Program

3.2.9.2   Department of Civil and Environmental Engineering and Construction

3.2.9.3   Department of Computer Science

3.2.9.4   Department of Electrical and Computer Engineering

- 3.2.9.5 Entertainment Engineering and Design
- 3.2.9.6 Department of Mechanical Engineering
- 3.2.9.7 Department of Military Science/Army ROTC

**3.2.10 College of Fine Arts**

- 3.2.10.1 School of Architecture
- 3.2.10.2 Department of Art
- 3.2.10.3 Department of Dance
- 3.2.10.4 Entertainment Engineering and Design
- 3.2.10.5 Department of Film
- 3.2.10.6 School of Music
- 3.2.10.7 Department of Theatre

**3.2.11 Graduate College**

**3.2.12 Honors College**

**3.2.13 William F. Harrah College of Hospitality**

**3.2.14 School of Integrated Health Sciences**

- 3.2.14.1 Department of Health Physics and Diagnostic Sciences
- 3.2.14.2 Department of Kinesiology and Nutrition Sciences
- 3.2.14.3 Department of Physical Therapy

**3.2.15 William S. Boyd School of Law**

**3.2.16 College of Liberal Arts**

- 3.2.16.1 Department of Anthropology
- 3.2.16.2 Department of English
- 3.2.16.3 Department of History
- 3.2.16.4 Department of Interdisciplinary, Gender, and Ethnic Studies
- 3.2.16.5 Department of Philosophy
- 3.2.16.6 Department of Political Science
- 3.2.16.7 Department of Psychology
- 3.2.16.8 Department of Sociology
- 3.2.16.9 Department of World Languages and Cultures

**3.2.17 University Libraries**

**3.2.18 Kirk Kerkorian School of Medicine at UNLV**

- 3.2.18.1 Brain Health
- 3.2.18.2 Emergency Medicine
- 3.2.18.3 Family and Community Medicine
- 3.2.18.4 Internal Medicine
- 3.2.18.5 Gynecologic Surgery & Obstetrics
- 3.2.18.6 Orthopaedics
- 3.2.18.7 Otolaryngology - Head & Neck Surgery
- 3.2.18.8 Pediatrics
- 3.2.18.9 Psychiatry and Behavioral Health
- 3.2.18.10 Plastic Surgery
- 3.2.18.11 Surgery

**3.2.19 School of Nursing**

**3.2.20 School of Public Health**

- 3.2.20.1 Department of Epidemiology and Biostatistics
- 3.2.20.2 Department of Environmental and Global Health
- 3.2.20.3 Department of Healthcare Administration and Policy
- 3.2.20.4 Department of Social and Behavioral Health

**3.2.21 College of Sciences**

- 3.2.21.1 Department of Chemistry and Biochemistry
- 3.2.21.2 Department of Geoscience
- 3.2.21.3 School of Life Sciences
- 3.2.21.4 Department of Mathematical Sciences
- 3.2.21.5 Department of Physics and Astronomy
- 3.2.21.6 Water Resources Management Program

**3.2.22 Student and Academic Success**

**3.2.23 Greenspun College of Urban Affairs**

- 3.2.23.1 Department of Communication Studies
- 3.2.23.2 Department of Criminal Justice

- 3.2.23.3 Hank Greenspun School of Journalism and Media Studies
- 3.2.23.4 School of Public Policy and Leadership
- 3.2.23.5 School of Social Work
- 3.3 **Athletics, UNLV**
- 3.4 **Business Affairs, Division of**
  - 3.4.1 Administration Technology Services
  - 3.4.2 Office of the Controller
  - 3.4.3 Delivery Services
  - 3.4.4 Facilities Management
  - 3.4.5 Financial Planning, Budget & Analysis
  - 3.4.6 Parking and Transportation Services
  - 3.4.7 Planning and Construction
  - 3.4.8 Purchasing and Contracts
  - 3.4.9 Quality Assurance and Financial Compliance
  - 3.4.10 Office of Real Estate
  - 3.4.11 Risk Management and Safety
- 3.5 **Diversity Initiatives, Office of**
- 3.6 **Economic Development, Office of**
- 3.7 **General Counsel, Office of**
- 3.8 **Government and Community Engagement, Office of**
- 3.9 **Human Resources**
  - 3.9.1 Benefits and Wellness
  - 3.9.2 Compensation and Classification
  - 3.9.3 Employee Relations
  - 3.9.4 Equal Employment and Title IX
  - 3.9.5 Organizational & Employee Development
  - 3.9.6 Talent Acquisition
- 3.10 **Information Technology, Office of**
  - 3.10.1 Client Services

- 3.10.2 Enterprise Applications
- 3.10.3 Enterprise Systems
- 3.10.4 Instructional Technology
- 3.10.5 IT Operations Center
- 3.10.6 Network Development and Engineering

**3.11 Integrated Marketing and Branding, Division of**

- 3.11.1 Brand Content
- 3.11.2 Integrated Graphic Services
- 3.11.3 Media Relations
- 3.11.4 Public Affairs
- 3.11.5 Web and Digital Strategy

**3.12 Philanthropy and Alumni Engagement, Division of**

- 3.12.1 Alumni Engagement
- 3.12.2 UNLV Foundation

**3.13 Police Services, University**

- 3.13.1 Dispatch
- 3.13.2 Office of Emergency Management
- 3.13.3 Patrol

**3.14 Research, Division of**

- 3.14.1 Office of Research Infrastructure
- 3.14.2 Office of Research Integrity
- 3.14.3 Office of Sponsored Programs

**3.15 Student Affairs, Division of**

- 3.15.1 Center for Academic Enrichment and Outreach
- 3.15.2 Student Health & Wellness
- 3.15.3 Student Life

**3.5 Administrative Faculty Unit.**

Nonacademic faculty shall be organized into an Administrative Faculty Unit according to its own bylaws. Amendment to the Administrative Faculty Bylaws may be submitted by any administrative faculty member to the Chair of the Faculty Senate Administrative Faculty Committee. Submitted amendments should include a full explanation of the amendment, a pro and con statement, and eight signatures of support from staff. After review by the Faculty Senate Administrative Faculty Committee, the full, precise text will be distributed to all administrative faculty members. A ballot vote on the



proposed amendment will be cast within three months of the submission of the proposed change. A two-thirds majority of the votes cast by the administrative faculty unit is required to approve the amendment. When the amendment is approved by the administrative faculty, it will be sent to the President of the University for approval. Upon presidential approval, it will be incorporated into the Administrative Faculty Committee Bylaws and become effective immediately.

(B/R 3/03)

## **Section 4. Faculty Organization**

### **4.1 Definitions.**

The faculty shall be composed of the following categories of positions within the University of Nevada, Las Vegas:

4.1.1 Academic Faculty. Authorized professional positions in the colleges, departments and units listed under Chapter I, Section 3.1 of the bylaws who are engaged in teaching, research, or the provision of library services, and those persons specifically identified by the president because of their need for the protection of academic freedom.

- A. Tenured Academic Faculty. "Tenured Academic Faculty" means members of the academic faculty who have been awarded tenure at the University of Nevada, Las Vegas.
- B. Nontenured Academic Faculty. "Nontenured Academic Faculty" means members of the academic faculty who are in tenure-track positions but who have not completed their probationary period.
- C. Nontenure-track Academic Faculty. "Nontenure-track Academic Faculty" means unranked members of the academic faculty who are not eligible to receive appointment with tenure and they will be designated Rank 0. (B/R 12/04)

4.1.2 Nonacademic Faculty. Authorized professional positions in the units listed under Chapter I, Section 3.2 of these Bylaws who are engaged primarily in activities supportive of the university's mission and who may also be affiliated with established academic colleges and/or departments. Nonacademic faculty may also perform such duties as teaching, research, consulting and community service.

4.1.3 Executive and Administrative Faculty. The president, Executive Vice President and Provost, vice presidents, deans, associate and assistant deans, and--where equivalent to deans--directors are considered administrators, as are any such other executive and administrative positions as may be defined by the Board of Regents, the Chancellor, or the president. (B/R 10/98)

4.1.4 Academic Council. The Academic Council shall consist of the deans of all academic colleges, the dean of libraries and such other persons as the Executive Vice President and Provost shall appoint. (B/R 10/98)

### **4.2 Assignment of Academic Faculty.**

Each faculty member in this category will be assigned to a department after consultation with the department. Each academic faculty member may be assigned to the graduate faculty in accordance with the Graduate College Bylaws.

4.2.1 Academic Faculty Policy Recommendations. All academic faculty members may make recommendations and may vote on all matters of educational policy that affect undergraduate programs of instruction, unless by the terms of the contract the faculty member is exclusively a member of the graduate faculty.

4.2.2 Graduate Faculty Policy Recommendations. Graduate academic faculty members may make recommendations and may vote on all matters of educational policy that affect graduate programs of instruction.

### 4.3 Tenure

Tenure represents a commitment by the university to support academic and intellectual freedom of the faculty, understood to be essential for excellent institutions of higher education. Tenure rewards achievement and commitment to continued excellence in teaching, scholarship, and service. The granting of tenure is acknowledgement by faculty and the University of significant contributions and sustained effectiveness within a discipline.

4.3.1 Eligibility. Only those faculty with appointments as academic faculty as defined in Chapter I, Section 4.1.1 who are in Rank II or above are eligible for tenure. Faculty placed in Rank 0 positions shall not be eligible for appointment with, nor shall have, tenure under any circumstances (NSHE Code, Chapter 3, Section 3.2). Administrators are eligible for tenure only in the capacity of academic faculty. (C 06/16)

- A. Faculty members with well-established careers or with tenure at another institution may be tenured at the time of initial appointment provided they: (1) meet the basic UNLV standards for tenure; (2) are recommended by a vote of those eligible to vote on tenure decisions according to the bylaws of the appropriate department; (3) receive written recommendations from the department chair, the dean of the college and the Executive Vice President and Provost; and (4) receive approval of the President of the University. (B/R 10/98) (C 06/16)
- B. Academic faculty members with well-established careers or with tenure at another institution occupying administrative positions may be tenured at the time of initial appointment but only in the capacity of academic faculty, provided they: (1) meet the basic UNLV standards for tenure; (2) are recommended by a vote of those eligible to vote on tenure decisions according to the bylaws of the appropriate department; (3) receive written recommendations from the department chair, the dean of the college and the Executive Vice President and Provost; and (4) receive approval of the President of the University. (B/R 10/98) (C 06/16)
- C. Interdepartmental Eligibility. Qualified academic faculty who are employed by more than one department shall be eligible for appointment with tenure in the department for which the terminal degree held by the faculty member is most appropriate. Such determination shall be made at the time of employment. In cases of disagreement, the Executive Vice President and Provost shall decide which department is most appropriate. (B/R 10/98)
- D. A Rank 0 faculty member may not be transferred into a tenure-track (Rank II or higher) position but must compete for such positions in accordance with Chapter III, Section 15 (Recruitment of Faculty). (C 06/16)

4.3.2 Tenure Standards and Procedures. The faculty of each department/school/ college shall establish criteria appropriate to the discipline(s) that define standards of performance and sustained effectiveness in 1) teaching or other assigned duties that do not include instruction, 2) research, scholarship, creative, clinical or entrepreneurial activity, and 3) service. In compliance with these bylaws and the NSHE Code, the unit will set standards of rigor and assessment procedures for recommendation to tenure. These guidelines will be presented to all tenure-track faculty at time of hire and will be the standard of evaluation for the granting of tenure.

4.3.3 Evaluative Process for Tenure Recommendations.

- A. The tenure dossier shall consist of the application compiled by the candidate, solicited external letters of review, and recommendations providing a summary of deliberations with vote tallies, when applicable.
- B. Only faculty who hold tenure at UNLV may vote on the application of a candidate for tenure and only once in the deliberative processes.
- C. At each academic level (department/school/college) tenured faculty will vote for or against tenure. A recommendation with voting tally will be added to the dossier before forwarding to the unit supervisor (chair/director/dean) who will also provide a recommendation supporting or opposing tenure. The dossier moves through applicable faculty and administrative channels to the University Tenure and Promotion Committee.

- D. In its deliberations, the University Tenure and Promotion Committee will assess comparable rigor of criteria and procedure across units. The Committee will include a recommendation with vote tally before forwarding to the Executive Vice President and Provost.
- E. After consideration of the entire dossier, the Executive Vice President and Provost will provide recommendations to the President. The Executive Vice President and Provost will notify each applicant of the decision of the President. The President will recommend successful candidates to the Board of Regents for approval.
- F. Candidates not recommended for tenure may request reasons for denial, request reconsideration, and file a grievance with the Faculty Senate Grievance Committee. (See Chapter III, Section 16.8 and 16.9 and NSHE Code, Chapter 5, Sections 2.3 and 2.4).

#### 4.3.4 Promotion with Tenure.

- A. An Assistant Professor who is granted tenure will concurrently be promoted to Associate Professor.
- B. Academic faculty hired at Associate Professor rank but not granted tenure will be expected to apply for tenure within the appropriate time frame. Promotion to Professor is not concurrent unless applied for and granted.

#### 4.3.5 Notice of Nongranteeing of Tenure. Notice of nonreappointment of nontenured faculty shall be given as defined in the Nevada System of Higher Education Code 5.9.1 (rev. 8/30/84) as follows:

"5.9.1 Minimum Notice of Nonreappointment. Except as provided in Subsections 5.4.2 and 5.9.2 of the Nevada System of Higher Education Code, and unless provided otherwise in an employment contract, notice of nonreappointment to employment of nontenured faculty at the University of Nevada, Reno, the University of Nevada, Las Vegas, Nevada State College, Henderson, College of Southern Nevada, Great Basin College, the Western Nevada College, the Truckee Meadows Community College and the special units shall be given: (B/R 12/04)

"(a) Not later than March 1 of the first academic or fiscal year of service, if the employment contract terminates at the end of that year, or if an employment contract for a one year appointment terminates during an academic or fiscal year, at least 90 calendar days in advance of its termination;

"(b) Not later than December 15 of the second academic or fiscal year of service, if the employment contract terminates at the end of that year, or if the second employment contract for a one year appointment terminates during an academic or fiscal year, at least 180 calendar days in advance of its termination;

"(c) At least 365 calendar days in advance of the termination of each succeeding employment contract of one academic or fiscal year's duration after the second year of service;

"(d) For employment contracts of less than one academic or fiscal year's duration, for a period of time which may be mutually agreed upon by the parties to such employment contracts, but, in all events, no less than 14 calendar days in advance of the termination of such contracts."

#### 4.3.6 Termination of Appointment.

- A. For Tenured Faculty. Termination of appointment with tenure for reasons other than financial or curricular exigency (Nevada System of Higher Education Code, Sections 6.2.1, 6.2.2) will be decided in accordance with Nevada System of Higher Education Code Sections 6.9 and 6.12.
- B. Mid Tenure Review - For Nontenured Faculty Before the End of the Probationary Period. In addition to the annual reviews conducted by chairs/directors and deans, every candidate will have a mid-tenure (pre-tenure) review at the mid-point of the probationary period. For the purposes of this review, the faculty committees who

will participate in the tenure decisions at the unit level will review the materials submitted by the candidate (including but not limited to annual reports, annual evaluations, and other appropriate materials) and advise the chair/director/dean of their opinion of the candidate's progress toward tenure in terms of the criteria set forth in the Code, the university, college and unit bylaws, and any officially sanctioned standards provided. The chair/director will report the determination of the committee to the faculty member and to the dean. If the committee or the chair/director/dean deems the progress toward tenure is not satisfactory, the committee and/or the chair/director/dean may recommend remediation or recommend non-reappointment. At the college/unit level, the committee that will participate in the tenure decision will review the materials submitted, along with the chair/director's assessment, and provide the dean with their determination about the progress of the faculty member toward tenure. The committee may suggest remediation or recommend non-reappointment. The dean may, after conferring with the chair/director and/or the faculty committees, recommend remediation or non-reappointment in a summary report to the Executive Vice President and Provost. When the likelihood of meeting tenure standards as defined in Nevada System of Higher Education Code Section 3.4.2 is negative, the member shall be notified in accordance with the Nevada System of Higher Education Code Sections 5.2.3, 5.2.4 and 5.9.1. (B/R 12/04)

#### **4.4 Faculty Bylaws.**

4.4.1 Department or Unit Bylaws Authorized. The faculty assigned to each department or unit must create bylaws to govern its internal operation. (B/R 12/04)

4.4.2 College or Unit Bylaws Authorized. The faculty of all departments within a college or unit constitute the college or unit faculty and shall create bylaws to govern its internal operation. The College Bylaw Committee shall periodically review unit bylaws and make appropriate recommendations to faculty. (B/R 6/08)

4.4.3 Graduate College Authorized. The graduate faculty within the University constitute the Graduate College and shall create bylaws to govern the internal operations of that college.

4.4.4 Approval of College, Department or Unit Bylaws. Any provision of college, department, or unit bylaws not consistent with the UNLV bylaws, and/or the NSHE Code, is invalid. All college, department, and unit bylaws are subject to approval by the president. (B/R 9/05)

4.4.5 Suspension of College, Department, or Unit Bylaws. Upon the recommendation of the College Dean and the Provost, the president may, in extraordinary circumstances, suspend a college, department, or unit bylaws, and place the affected unit in receivership, subject to sections (A) through (F) below.

- A. Prior to suspension, the president shall meet with the executive committee of the Faculty Senate, and inform them of the reasons for the suspension, the form of governance that will be used during the suspension, the requirements for return of normal faculty governance, and the expected length of the suspension;
- B. The president shall notify the affected faculty of the suspension, and provide them a summary of the information given to the Faculty Senate that protects the confidentiality of the affected individuals;
- C. Governance of the affected department shall be conducted in a manner that ensures equal treatment of all faculty; and recognizes that Chapter 2 of the NSHE Code, Academic Freedom and Responsibility, remains in force. Where possible, a tenured faculty member from another college should be assigned to observe the governance of the suspended unit;
- D. Suspension shall be for a period of one academic year, renewable as deemed necessary by the president. At the end of each academic year, the Campus Affairs committee of the Faculty Senate shall evaluate the progress of the department relative to the suspension, report to the president on the state of the department, and recommend whether or not suspension should be renewed. The president shall consult with the executive committee of the

Faculty Senate prior to a suspension;

- E. The college, department or unit shall continue to be governed by the UNLV Bylaws and the NSHE Code. However, the placing of the department in receivership shall not itself constitute a grievable act, provided sections (A) through (D) are followed;
- F. The Faculty Senate may, by vote of its members, request that the proposed renewal of a suspension for a fourth year be placed as an agenda item before the Board of Regents.(B/R 9/05)

#### **4.5 Faculty Senate Authorized**

The faculty of UNLV has representation in a Faculty Senate, which shall be governed by its own internal bylaws.

#### **4.6 Faculty Senate Committees Authorized**

Authority has been delegated by the President to the Faculty Senate to appoint members to the following standing committees and for these committees to function pursuant to their charges. The Senate shall create at least the following standing committees.

- 4.6.1 Academic Freedom and Ethics Committee
- 4.6.2 Academic Standards Committee
- 4.6.3 Admissions Committee
- 4.6.4 Faculty Senate Administrative Faculty Committee
- 4.6.5 Campus and Fiscal Affairs Committee
- 4.6.6 Curriculum Committee
- 4.6.7 DEI Committee
- 4.6.8 Faculty Senate Priority and New Program Committee
- 4.6.9 General Education Committee
- 4.6.10 Grievance Committee
- 4.6.11 Instructional Infrastructure Committee
- 4.6.12 Program Review Committee
- 4.6.13 Research Infrastructure Committee
- 4.6.14 Sabbatical and Faculty Development Leave Committee
- 4.6.15 Special Hearing Panel (B/R 12/04)
- 4.6.16 Technology Committee
- 4.6.17 University Bylaws Committee

4.6.18 University Tenure and Promotion Committee (B/R 12/04)

#### **4.7 Academic College Committees Authorized**

The academic faculty of each college shall create at least the following College committees:

4.7.1 College Curriculum Committee

4.7.2 Academic Standards Committee

4.7.3 College Bylaw Committee (B/R 6/08)

#### **4.8 Administrative Faculty Unit**

The Administrative Faculty Unit shall create at least the following committees:

4.8.1 Faculty Senate Administrative Faculty Committee (B/R 12/04)

### **Section 5. Definition of Regular Administrative Channels**

The regular administrative channels are from the department or unit in accordance with department or unit bylaws and/or procedure manuals, to the appropriate dean or director, to a vice president when appropriate, to the Executive Vice President and Provost, and to the president. (B/R 10/98)

## **CHAPTER II - Policies and Procedures Relating to Educational Policy**

### **Section 1. Purpose**

The purpose of this chapter is to contain the agreed-upon policy, statements and procedures for undergraduate educational policy at UNLV that are not included in the University of Nevada, Las Vegas catalog. The graduate faculty will provide similar levels of academic due process according to Graduate College Bylaws in dealing with all matters of educational policy that affect graduate programs of instruction. This chapter also contains the agreed-upon policy statements and procedures relating to the nonacademic faculty at UNLV, which are not included in other official university documents.

### **Section 2. Instruction - Course Offerings**

#### **2.1 Academic Faculty Course Recommendations**

The faculty of each department shall recommend the departmental courses to be taught each semester for University credit in accordance with departmental and college/school bylaws.

#### **2.2 Nonacademic Faculty Course Recommendations**

Those members of the nonacademic faculty who teach academic courses at UNLV must abide by the policies and procedures of the UNLV Bylaws and any applicable college/school and departmental bylaws or procedures.

### **Section 3. Instruction - Staffing Courses**

#### **3.1 Faculty Course Assignments**

The department chair/unit director of each department/unit, after consultation with the departmental/unit faculty and the dean in accordance with Title 4, Chapter 3, Section 3, the UNLV Workload Assignment Policy and Guidelines, college/unit bylaws, and the UNLV Faculty Course Assignment Policy will assign each faculty member specific courses. (B/R 6/07)

#### **3.2 Interdepartmental and Interdisciplinary Course Assignments**

Since departmental faculty members will be the instructional staff for nondepartmental courses and interdisciplinary courses, the chair of the department concerned will assign faculty to these courses after consultation with the appropriate dean. (B/R 10/98)

### **Section 4. Instruction - Initiation and Development of Specific Courses**

Each faculty member may initiate and develop specific courses and recommend their approval in accordance with the UNLV Bylaws, Chapter II, Section 5.

### **Section 5. Instruction - Review and Approval of Specific Courses**

#### **5.1 Course Approval by Administrative Units**

Specific courses relating to departmental, college, or special programs of study (including cross-listed courses) must be approved by the appropriate administrative units as specified in the appropriate bylaws.

#### **5.2 Interdepartmental or Interdisciplinary Course Approval**

Specific courses relating to nondepartmental or interdisciplinary courses must be approved by the departments and colleges providing the staff.

5.2.1 Interinstitutional, Interdepartmental or Interdisciplinary Course Approval. Specific courses relating to department, college or special programs of study (including cross-listed courses, and/or courses offered at NSHE Community Colleges) for which transfer credit is to be granted, must be approved by the appropriate administrative units as specified in the appropriate bylaws. (B/R 12/04)

#### **5.3 Procedures for Course Approval, Deletion or Changes**

Approval, deletion or change of specific courses by the total faculty is to be obtained by the following procedures:

5.3.1 Department or Program Faculty Approval. The department or program faculty will approve any specific courses.

5.3.2 Department Chairs Process Course Deletions, Changes or Additions. Each department or designated program chair will process all approved deletions, changes or additions to the course title, number, description, hours of credit, prerequisites, etc., in accordance with college bylaws. (B/R 10/98)

5.3.3 College Curriculum Committee Recommendations. College Curriculum Committees will deal with recommendations in accordance with the appropriate bylaws.

5.3.4 Forwarding of Course Change Recommendations. Accepted proposed changes from the various departments or colleges will be forwarded to the Faculty Senate Curriculum Committee by the appropriate college representative as specified in the appropriate bylaws.

5.3.5 Faculty Senate Curriculum Committee Approval. The Faculty Senate Curriculum Committee may approve or reject all deletions, changes or proposed courses.

5.3.6 Resolution of Objections to Proposed Course Changes. The Faculty Senate Curriculum Committee may resolve conflict by hearing statements from the department proposing the course and any unit objecting to the course prior to making its recommendation for approval or rejection.

5.3.7 Implementation of Course Changes. If and when a course has been approved, deleted, or changed by the Faculty Senate Curriculum Committee, it may not be implemented into the program of any department or college unit until the addition or change is recorded in Student Enrollment Services. Such addition or change may not be implemented until the effective date. (B/R 12/04)

## **Section 6. Instruction - Review and Approval of all Curricular Programs of Study**

### **6.1 Curricular Approval by Department or Colleges**

All curricular programs of study to be offered by each department or college must be approved by the department or college as specified in the departmental or college bylaws.

### **6.2 Interdisciplinary Curriculum Approval**

Curricular programs of study that are interdisciplinary in nature must be approved by the curriculum committees of the departments and colleges concerned supplying the staff and facilities.

### **6.3 Procedures for Curriculum Changes**

New curricular programs of study or changes within a program of study must be approved as follows:

6.3.1 Department Faculty Approval. The department faculty will approve any new program.

6.3.2 Department Chairs Submit Curriculum Changes. Each department chair will submit any departmentally approved description of the program of study, the requirements, electives, name of person responsible for coordination, and justification of the program to the College Curriculum Committee in accordance with college bylaws. (B/R 10/98)

6.3.3 College Curriculum Committee Recommendations. The College Curriculum Committee will deal with recommendations in accordance with the appropriate bylaws.

6.3.4 Forwarding of Curriculum Change Recommendations. Accepted proposed programs of study from the various departments or colleges will be forwarded by the college to the Faculty Senate Curriculum Committee by the appropriate college representative.

6.3.5 Faculty Senate Curriculum Committee Recommendations. The Faculty Senate Curriculum Committee may recommend the approval or rejection of the proposed program of study.

6.3.6 Resolution of Objections to Proposed Curriculum Changes. The College and Faculty Senate Curriculum Committees may resolve conflicts by hearing statements from the department and college proposing the program of study and any departments objecting to the program of study.

6.3.7 Review by Faculty Senate Priority and New Program Committee. The Faculty Senate Priority and New Program Committee shall periodically review all academic programs and shall establish a priority list for all proposed academic programs. With the approval of the Faculty Senate it shall publish criteria for implementation of proposed academic programs. (B/R 10/98)



6.3.8 Presidential Approval of Curriculum Changes. If approved by the Faculty Senate Curriculum Committee and the Faculty Senate Priority and New Program Committee, the recommendation for the proposed program of study is submitted to the Executive Vice President and Provost and then to the president. The program will be implemented upon acceptance by the president and the Board of Regents in accordance with the approved date and procedure. (B/R 3/03)

## **Section 7. Budget Recommendations**

### **7.1 Academic Budgets**

Each academic department or academic unit shall make budget recommendations in accordance with college/school/unit bylaws to be forwarded to the Executive Vice President and Provost. (B/R 12/04)

### **7.2 Nonacademic Budgets**

Nonacademic units whose budgets are not under the direction of the Executive Vice President and Provost shall make budget recommendations in accordance with university policy through the appropriate administrative channels. (B/R 10/98)

## **Section 8. Research and Creative Activity**

### **8.1 Research Encouraged**

All faculty members are strongly encouraged to engage in research and/or creative activity that will make them more effective in their positions within the university.

### **8.2 Academic Department Research Funding Encouraged**

Department chairs should recommend departmental funding to encourage academic faculty members in undertaking research and/or creative activity. (B/R 10/98)

### **8.3 Nonacademic Faculty Unit Research Funding Encouraged**

Supervisors of the nonacademic faculty units should recommend funding (which may include staff support) to encourage nonacademic faculty members in undertaking research and/or creative activity.

### **8.4 Academic Freedom Applicable**

The principles of academic freedom and responsibility apply in the research function of a university and its faculty as well as in the teaching function. See Chapter 2 of the Code. (B/R 12/04)

## **Section 9. Community Service**

Faculty members are encouraged to participate in community service in the areas of their expertise or interest, so long as such community service does not unreasonably interfere with their institutional responsibilities.

## **Section 10. Selection of Members of System and Institutional Committees**

### **10.1 System Committees**

The members of the University System committees are appointed by the Chancellor. (Nevada System of Higher Education Code, Chapter I, Section 1.4.11.)

## **10.2 Campus Committees**

The president may appoint faculty members to committees. The president has delegated authority to the Faculty Senate to appoint and/or elect members to the standing committees of the Faculty Senate listed in Chapter I, Section 4.6, and for these committees to function pursuant to their charges. (B/R 12/04)

### **10.3 Institutional Advisory Committee to Assist the Presidential Search Committee**

The Institutional Advisory Committee shall consist of 5 faculty members who have been nominated to the Chair of the Board of Regents. These nominees shall be elected from each college, the library, and the administrative faculty unit. Three administrators shall be nominated by the administration, a senator elected by the Faculty Senate, one graduate student elected by the Graduate Student Association, one student shall be nominated by the CSUN Senate and one alumnus shall be nominated by the executive committee of the Alumni Association Board of Directors. Such other persons as may be deemed necessary may be included by the Chair of the Board of Regents. The affirmative action officer shall serve ex-officio. This committee and the Presidential Search Committee shall review all applications for the position and shall meet jointly at the call of the chair of the Presidential Search Committee to discuss the qualifications of applicants and the recommendations of the Institutional Advisory Committee before the Presidential Search Committee schedules candidate interviews. The committees may jointly interview and evaluate candidates, after which the Presidential Search Committee shall meet to select its nominee or nominees for consideration by the Board of Regents. (B/R 10/98)

### **10.4 Recruitment and Screening Committee for Vice Presidents and the Vice President of Student Affairs, and Director of Athletics. (B/R 10/01)**

10.4.1 Executive Vice President and Provost. The president shall convene a recruitment and screening committee which shall consist of one elected member from each college and the library, one elected member of the Academic Council, a senator elected by the Faculty Senate, one graduate student elected by the Graduate Student Association one alumnus shall be nominated by the executive committee of the Alumni Association Board of Directors, and one undergraduate student elected by the CSUN Senate. (B/R 10/98)

10.4.2 Other Vice Presidents. The president shall convene a recruitment and screening committee which shall consist of one faculty member chosen from among the units or departments reporting to the vice president in question, two academic faculty members elected by the Faculty Senate, two members of the nonacademic faculty elected by the Administrative Faculty Unit, one elected member of the Academic Council, one graduate student elected by the Graduate Student Association, one student elected by the CSUN Senate, one alumnus shall be nominated by the executive committee of the Alumni Association Board of Directors, and any nonvoting members selected by the president. (B/R 10/98)

10.4.3 Vice President of Student Affairs. (B/R 10/01) The president shall convene a recruitment and screening committee which shall consist of five members of the Student Services faculty elected by the Student Affairs faculty, one academic faculty member elected by the Faculty Senate, one member of the nonacademic faculty elected by the Administrative Faculty Unit, one administrator elected by the Academic Council, one graduate student elected by the Graduate Student Association, one student elected by the CSUN Senate, one alumnus shall be nominated by the executive committee of the Alumni Association Board of Directors, and any nonvoting members selected by the president. (B/R 3/03)

10.4.4 Director of Intercollegiate Athletics. The president shall convene a recruitment and screening committee which shall consist of six members of the athletics faculty elected by the athletics faculty, one graduate student elected by the Graduate Student Association, one student elected by the CSUN Senate, one nonacademic faculty member elected by the Administrative Faculty Unit (excluding athletics), one academic faculty member elected by the Faculty Senate, one member elected by the Intercollegiate Athletic Council, one alumnus shall be nominated by the executive committee of the Alumni Association Board of Directors, and such nonvoting members as the president and/or committee shall appoint. (B/R 10/98)

### **10.5 Recruitment and Screening Committee for Deans and Directors of Schools.**

10.5.1 Academic Deans and Directors of Schools. The Executive Vice President and Provost shall convene a recruitment

and screening committee which shall consist of six faculty members elected by the college faculty in accordance with college bylaws, one dean or director appointed by the Executive Vice President and Provost from the Academic Council (ex-officio and non-voting), one graduate student elected by the Graduate Student Association, one student democratically elected by the CSUN Senate, and any nonvoting members selected by the Executive Vice President and Provost. For schools that are part of colleges, four members of the committee shall be elected from among the school faculty and two members shall be elected from outside the school but within the college. The Executive Vice President and Provost may appoint an interim dean only after consulting with the faculty of the college/school. Such consultation shall be in accordance with unit bylaws and established policies and procedures. (11/09) (B/R 10/98)

10.5.2 The Graduate Dean. In recruiting and screening candidates for the Graduate College deanship, the Executive Vice President and Provost shall convene a recruitment and screening committee which shall consist of graduate faculty members, one each elected by the graduate faculty of each college in accordance with college bylaws; a senator elected by the Faculty Senate, one dean or director appointed by the Executive Vice President and Provost from the Academic Council (ex-officio and non-voting); a graduate student elected by the Graduate Student Association, and any nonvoting members selected by the Executive Vice President and Provost. (B/R 12/04)

#### **10.6 Recruitment and Screening Committee for the Dean of Libraries**

The Executive Vice President and Provost shall convene a recruitment and screening committee which shall consist of six professional librarians elected from the library faculty, one member of the library classified staff elected by the library classified staff, two faculty members elected by the Faculty Senate, a member of the Academic Council elected by the Council, one graduate student elected by the Graduate Student Association and one student elected by the CSUN Senate. (B/R 10/98)

#### **10.7 Recruitment and Screening Committee for the Museum Director**

The Executive Vice President and Provost shall convene a recruitment and screening committee which shall consist of six members of the museum faculty elected by the museum faculty, two faculty members elected by the Faculty Senate, one member of the Academic Council elected by the Council, one graduate student elected by the Graduate Student Association and one student elected by the CSUN Senate. (B/R 10/98)

#### **10.8 Selection of Department Chairs, Associate/Assistant Deans, and School Directors**

Except as provided in Section 10.8.5, the department chairperson or school director is the person, regardless of contractual title, who prepares the annual evaluations of academic faculty in a department. Chairs and directors are appointed by the president in accordance with Chapter 1, Section 1.6 of the NSHE Code. (11/09)

- A. The departmental or school faculty shall nominate the chairperson/director, including external candidate, by vote according to departmental or school bylaws.
- B. In the event the departmental or school faculty is unable to nominate a chairperson, the appropriate dean shall nominate the chairperson after giving faculty of the department or school and related departments no less than two working days prior notice of that nomination.
- C. In the event that the candidate for chairperson nominated by the faculty is unacceptable to either the dean or the provost, the department or school shall be provided the opportunity to either nominate another candidate, or make its case directly to the president. If the department or school is unable to nominate a chairperson acceptable to the president, the appropriate dean shall nominate the chairperson after giving faculty of the department or school and related departments no less than two working days prior notice of that nomination.
- D. The dean may nominate an interim chair from outside the department or school for a period of one academic year.

- E. No search for an external chair shall be conducted without prior notice to the department or school faculty of no less than two working days.
  - F. The dean may appoint an associate/assistant dean, permanent or interim, from within the college or school only after establishing an equitable, documented process for consulting with the faculty of the college/school. Such consultation shall be in accordance with unit bylaws and established policies and procedures. The dean shall elicit and utilize feedback from unit faculty for the annual evaluation of associate/assistant deans. (11/09 & 4/17) (B/R 6/06)
- 10.8.1 Term of Office. The initial term of office of a chair shall be three (3) or 5 (5) years, with the possibility of renewal for terms of three (3) years. (B/R 6/06)
  - 10.8.2 Qualifications. The department chair or school director shall be a tenured member of the faculty, with a rank of IV or III. Exceptions may be made only by the express written consent of the dean and the Executive Vice President and Provost. (B/R 3/03)
  - 10.8.3 Method of Appointment. The name of the nominee for the department chairship or school director shall be forwarded by the dean, through channels, for appointment by the president. (B/R 10/96)
  - 10.8.4 Procedures for Removal from Office. Department chairs or school directors may be removed from office during their terms by the president. The Executive Vice President and Provost, deans, or departmental or school faculty, in accordance with unit bylaws, may seek removal of a chair. (B/R 10/98)
  - 10.8.5 Directors Equivalent to Deans. A director of a school, where equivalent to a Dean, is exempt from this section, and subject to the sections of the Bylaws related to College Deans. (B/R 6/06)

## **Section 11. Admissions Policy**

Alternative Admissions Process. Students who do not meet the regular admissions criteria outlined in the Board of Regents Handbook, Title 4, Chapter 16, may submit a petition to the Office of Enrollment Management for consideration through the alternative admissions program, as provided in Chapter 16. The Faculty Senate Admissions Committee shall consider each petition, and only students whose petition is approved by the Committee may be admitted. In addition to the criteria outlined in Chapter 16, the Admissions Committee may create other criteria, including, but not limited to, a sliding scale of grade point average and test scores which will be applied equally to all potential admits. The Committee shall publish, in an easily accessible manner, a guide containing the criteria it considers.

## **Section 12. Course Attendance Policy**

Instructors may set course attendance requirements in their syllabi, which may include consequences for absences that are not in conflict with the Board of Regents, institutional, or unit policies governing student absences. All institutional and unit policies shall take into consideration absences in courses where specialized accreditation or the coursework's nature may necessitate the student's presence. Students are expected to attend the classes in which they are enrolled unless absent for approved activities or other reasons allowed under policy. It is the student's responsibility to consult with the professor in advance, or as soon as possible, regarding any absence and to arrange for the completion of all missed coursework, if permitted by policy and established course requirements. (4/17) (B/R 6/07)

## **CHAPTER III – Policies and Procedures Relating to Faculty Rights and Duties**

### **Section 1. Purpose**

The purpose of this chapter is to set forth the agreed-upon policy statements and procedures relating to faculty rights and duties at UNLV.

### **Section 2. Workload for Faculty**

#### **2.1 Individual Workloads**

Individual workloads will be determined for a member of the faculty in accordance with the mission and priorities of that person's department as specified in the bylaws of the college and department thereof.

#### **2.2 For Academic Faculty**

The workload responsibilities for academic faculty shall be listed wherever applicable under the following categories:

- A. Instruction, e.g., classroom and laboratory teaching, practicum and extension teaching, preparation, evaluation of students' performance, direction of independent study, theses and dissertations, consultations with students enrolled in classes, and student advisement.
- B. Research, scholarly and creative work related to the members' discipline, aimed at specific results, e.g., books, articles, reports, and artistic creations or performances.
- C. Public, community and University service including research, consultation, administration, or other services directed toward the University or community welfare.

#### **2.3 For Nonacademic Faculty**

Each academic support unit shall establish the scope of each employee's professional responsibilities and the performance standards thereof. These responsibilities may vary according to fluctuating work-related institutional and student needs and may include, but may not be limited to, the following areas:

- A. Unit meetings
- B. Student advisement and counseling
- C. Committee work
- D. Research, writing and creative activity
- E. Community service
- F. Instruction as requested
- G. Unit supervisor
- H. Other institutionally-related program coordination
- I. New student orientation
- J. Employee counseling
- K. Curatorial duties
- L. Chair of Administrative Faculty Committee

M. Independent study

(B/R 3/03) (C 06/16)

## **2.4 Workload for All Faculty**

All specified professional responsibilities and performance expectations shall be discussed by the individual faculty member and the department chair or supervisor as specified by department and college bylaws.

2.4.1 By mid-semester faculty members shall be consulted and notified of course assignments for the following semester. (C 06/16)

2.4.2 In the event the chair or supervisor changes course assignments for any reason, the change shall be explained in writing in appropriate detail and shall be distributed to all affected faculty and the dean. (C 06/16)

2.4.3 Any grievances shall proceed through normal administrative channels. (C 06/16)

## **2.5 Workload Policy**

In recognition of the fact that there is a great diversity among Units as to the specific nature of their work, UNLV workload assignment policies and guidelines are intended to provide the basic principles on which faculty workload assignment and distribution decisions are based. A committee of the faculty of each Department, School or equivalent Unit selected pursuant to Unit bylaws shall develop a Workload Policy consistent with these guidelines, except for Departments, Schools, Programs, or equivalent Units that choose to defer in writing to their governing College, Division or equivalent Unit's Workload Policy. A committee of the faculty of each College, Division or equivalent Unit selected pursuant to Unit bylaws shall develop a Workload Policy consistent with the University guidelines. (B/R 6/06)

## **Section 3. Terminal Degree**

Each academic department or where appropriate, college or school has the responsibility periodically to recommend to the Executive Vice President and Provost what degree should be accepted as a terminal degree in its professional area. (B/R 10/98)

## **Section 4. Employment Standards for Nonacademic Faculty**

Each nonacademic faculty unit has the responsibility periodically to recommend to the appropriate administrator the minimum standards of educational/professional background or professionally related experience required for performance of nonacademic faculty responsibilities.

## **Section 5. Individual Faculty Responsibilities**

Each academic unit shall establish guidelines to ensure that all-academic faculty maintain a predictable number of office hours during the regularly scheduled semesters. Office hours shall be posted and the faculty shall be available to students, colleagues, and others during these times. (B/R 5/93)

### **5.1 For Academic Faculty**

It is understood that all academic faculty members will fulfill their individual obligations:

A. To their students by meeting classes as scheduled, evaluating academic performance fairly, counseling students;

- B. To their departments and university by carrying through with the workload commitment in accordance with college bylaws;
- C. To their profession and discipline to attain the terminal degree and to continue their professional development;
- D. To the university community.

## **5.2 For Nonacademic Faculty**

It is understood that nonacademic faculty members shall fulfill their individual obligations:

- A. To their unit and university by carrying through with their professional responsibilities in accordance with university and unit bylaws or procedure manuals and the Nevada System of Higher Education Code;
- B. To counsel, teach and work with students;
- C. To continue their professional growth and development;
- D. To encourage and support the development of their staff and unit.

## **Section 6. Personnel Recommendations for Academic Faculty**

### **6.1 Academic. Department/Unit Personnel Procedures Authorized**

The faculty of each

academic department/unit shall establish its own procedures and criteria for all personnel recommendations in accordance with college/school and departmental/unit bylaws.

6.1.a. Only tenured and tenure-track faculty, as well as faculty in residence, research

faculty, clinical faculty, and lecturers (hereinafter referred to as non-tenure track) may attend or serve on departmental/unit personnel committees at which recommendations for promotion, tenure, merit or annual evaluations will be made, or vote in such meetings, subject to the exceptions below detailed. Excluded from serving are department or school chairs and directors, assistant and associate deans, deans, vice and associate provosts, and provost and all other executive faculty as defined in the Board of Regents handbook, University Bylaws, or as designated by the President.

6.1.b. Only tenured faculty may vote on applications for tenure.

6.1.c. Only tenured faculty of a rank equal to or higher than that to which the applicant aspires may vote on applications of tenured faculty for promotion.

6.1.d. All academic faculty of an equal or higher rank to which the applicant aspires may vote on applications of non-tenure track faculty for promotion.

6.1.e. Individual academic faculty members applying for tenure or promotion may not serve on departmental/unit personnel committees, attend personnel committee meetings at which recommendations for promotion, tenure, merit or annual evaluations will be made, or vote in such meetings.

6.1.f. It shall be the responsibility of those in attendance to write a detailed report specifying majority and minority opinions. The administrative procedures of each department/unit and college/school shall ensure that the input of administrators is a formalized part of the process. Unit chairs or directors may call a meeting of the personnel committee

within a reasonable time after recommendations have been made and only for clarification of the personnel committee report to the unit chair or director.

## **6.2. Academic College/School Personnel Procedures Authorized**

The faculty of each academic college or school shall establish its own procedures and criteria for all personnel recommendations in accordance with college, school, and institutional bylaws.

6.2.a. College/School personnel committees must be comprised of elected representatives from the college or school. Only tenured faculty and promoted faculty in residence, promoted (associate or full) faculty in residence, promoted research faculty, promoted clinical faculty, and senior lecturers (hereinafter referred to as promoted non-tenure track) may serve on college/school promotion and tenure personnel committees. Excluded from serving are department or school chairs and directors, assistant and associate deans, dean, vice and associate provosts, and provost and all other executive faculty as defined in the Board of Regents handbook, UNLV Bylaws, or as designated by the President.

6.2.b. Only tenured faculty may vote on applications for tenure.

6.2.c. Only tenured faculty of a rank equal to or higher than that to which the applicant aspires may vote on applications of tenured faculty for promotion.

6.2.d. All academic faculty of an equal or higher rank to which the applicant aspires may vote on applications of non-tenure track faculty for promotion.

6.2.e. Individual academic faculty members applying for tenure or promotion may not serve on college/school personnel committees, attend personnel committee meetings at which recommendations for promotion, tenure, merit or annual evaluations will be made, or vote in such meetings.

6.2.f. It shall be the responsibility of those in attendance to write a detailed report specifying majority and minority opinions. Deans or directors may call a meeting of the personnel committee within a reasonable time after recommendations have been made and only for clarification of the personnel committee report to the dean or director.

## **6.3 Personnel Recommendations Transmitted Through Channels**

All personnel recommendations shall be transmitted through regular administrative channels as defined in the UNLV Bylaws, Chapter I, Section 5.

## **6.4 Notification of Personnel Action Denials**

In all personnel matters, the individual involved will be notified if, for any reason, the recommendation concerning the individual is turned down as it is being transmitted through the administrative channel. The department concerned will also be notified. (B/R 2/92)

## **6.5 Reasons for Personnel Action Denials**

In accordance with the Nevada System of Higher Education Code, Chapter 5, Section 5.2.3, a faculty member may request the reasons for denial of appointment with tenure, salary increases, promotion or reappointment. (Salary increases include merit awards.) Also see UNLV Bylaws, Chapter III, Section 16.8.

## **6.6 Reconsideration of Personnel Action Denials**

In accordance with the Nevada System of Higher Education Code, Section 5.2.4, a faculty member may request reconsideration of any personnel action denying appointment with tenure, salary increases, promotion or reappointment. (Salary increases include merit awards). Also see UNLV Bylaws, Chapter III, Section 16.9.



## **6.7 Grievances**

Any academic faculty member has the right to file a grievance personnel decisions which may result in adverse impact on the employment conditions relating to promotion, salary increases (including merit), and appointment with tenure. This does not apply to nonreappointment of a probationary faculty member. The Faculty Senate Grievance Committee process may be initiated only after the faculty member has requested reconsideration and the request has proceeded through regular administrative channels to the Executive Vice President and Provost. (See Chapter I, Sections 4.6.6 and 4.6.11 and Chapter III, Section 20. Also see Nevada System of Higher Education Code, Chapter 5, Section 5.7.) (B/R 3/03)

## **6.8 Faculty Members to be Advised of Recommendations**

The Executive Vice President and Provost shall advise the faculty member of the recommendations of the department and dean. The Executive Vice President and Provost shall also advise the faculty member that instructions for grievance are available from the Faculty Senate. (B/R 3/03)

## **6.9 Recommendation to the President**

After the Faculty Senate Grievance Committee has made its recommendation, the recommendation shall be forwarded through the Executive Vice President and Provost to the president, who shall make the final recommendation. (B/R 3/03)

# **Section 7. Personnel Matters for Nonacademic Faculty**

## **7.1 Components of Personnel Matters**

Personnel matters for nonacademic faculty members shall include, but shall not be limited to, the following:

- A. Title
- B. Salary
- C. Step/grade
- D. Contract period
- E. Assignment of duties
- F. Promotion
- G. Merit salary increases
- H. Equity salary increases

7.1.1 Procedures and Criteria. The nonacademic faculty members of each nonacademic faculty unit shall establish their own procedures and criteria for all personnel matters in accordance with university and unit bylaws or procedure manuals.

7.1.2 Personnel Matters Transmitted Through Channels. All personnel matters shall be transmitted through regular and appropriate administrative channels as defined in the UNLV Bylaws, Chapter I, Section 5.

7.1.3 Nonacademic Faculty to be Advised of Actions. As the personnel matters concerning them are reviewed and processed through the appropriate administrative channels, nonacademic faculty members shall be notified of each administrative action or change taken.

7.1.4 Reasons for Personnel Action Denials. In accordance with the Nevada System of Higher Education Code, Chapter 5, Section 5.2.3, a nonacademic faculty member may request the reasons for denial of salary increases, promotion, or reappointment. (Salary increases include merit awards.)

7.1.5 Reconsideration of Personnel Actions. In accordance with the Nevada System of Higher Education Code, Chapter 5, Section 5.2.4, a nonacademic faculty member may request reconsideration of any personnel action denying salary increases, promotion, or reappointment. (Salary increases include merit awards.)

7.1.6 Grievances. See Chapter III, Section 13 and Section 20. (B/R 3/03)

## **Section 8. Annual Evaluation of Academic Faculty and Nonacademic Faculty (B/R 3/03)**

### **8.1 Guidelines and Procedures**

Each department or unit shall establish written guidelines, procedures and criteria for annual evaluation of faculty in scholarship, service and teaching or position effectiveness as appropriate. Guidelines shall include description of minimal duties, the failure to perform any of which shall be seen as nonfeasance of duty which will result in an unsatisfactory rating overall. These may include, but are not limited to, meeting classes regularly, preparation of current class materials, holding office hours, availability for university and community service, and progress in scholarly research or creative activity as required for the rank and academic field of the evaluatee. Performance of minimal duties will not preclude unsatisfactory ratings concerning quality of performance. (See Chapter III, Section 8.2.)

### **8.2 Evaluation Rating Terms.**

8.2.1 Annual evaluations for all untenured faculty shall include ratings across a four-point scale, comprised of excellent, commendable, satisfactory, and unsatisfactory, as set forth in the NSHE Code, in the areas of teaching and research, scholarship, creative, clinical or entrepreneurial activity, and service, or other duties if the assigned workload includes such, and an overall rating across the same four-point scale.

8.2.2 Annual evaluation for tenured faculty shall include an overall rating of either satisfactory or unsatisfactory, as set forth in the NSHE Code, based upon the assigned workload.

8.2.3 Separate from annual evaluations, progress toward tenure and/or promotion shall be assessed every three years, as applicable. Faculty requesting promotion to rank IV shall be entitled to a narrative appraisal prepared in consultation with the appropriate faculty based on the standards and procedures of the unit. Progress assessments may consider annual evaluations but annual evaluations may not be supplanted by these assessments.

8.2.4 Department chairs may negotiate individual role statements with faculty within the parameters of unit workload policies, evaluation, and promotion and tenure standards. Such role statements shall be referenced in annual evaluation, progress evaluations, and attached to tenure and promotion dossiers.

### **8.3 Evaluation by Administrator**

The department chair or supervisor shall write an annual evaluation and present it to the faculty member for review. For tenure track faculty, the department chair shall meet with the tenured faculty and thereafter incorporate in the chair's annual evaluation the sense of the tenured faculty on the progress of the candidate towards tenure and promotion. If the faculty member disagrees with the evaluation, then he or she (a) within thirty calendar days after notification, may submit a written rejoinder to the evaluation to be incorporated therewith, and (b) within fifteen calendar days after notification, may request in writing to the college dean or appropriate vice president the formation of a committee of peers to conduct a separate annual evaluation. Each college or unit shall establish in its Bylaws procedures for forming an elected peer review committee, and any operational guidelines deemed necessary. In the case of academic faculty, the elected peer review committee shall consist of tenured faculty members regardless of rank. The peer review committee shall be constituted within fifteen calendar days after receipt of a request for peer review. The peer review committee shall be provided the same materials used by the department chair or supervisor in the annual evaluation of the faculty member as well as the original evaluation and any subsequent peer evaluation file (Section 8.4). The committee's purpose shall be to conduct a separate annual evaluation and file a report, which either recommends upholding or changing the administrator's original

evaluation. The committee shall complete its work no later than the end of the faculty member's contract period. If the peer evaluation results in a recommendation that the initial evaluation be changed, that recommendation shall be forwarded to the president or designee who may change the faculty member's evaluation by 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. The supervisor's evaluation, the faculty member's rejoinder, and the peer evaluation report will be retained in the faculty member's personnel file. (B/R 6/08) (4/17)

#### **8.4 Peer Evaluation File**

Each evaluatee, within thirty calendar days after notification, may establish a Peer Evaluation File to include materials the evaluatee judges to be pertinent to the matter being evaluated. Departments shall establish categories of evidence to be included. The department and higher levels of review shall use this file in addition to other sources. (B/R 10/96)

#### **8.5 Specifications for Improvement**

If an annual evaluation identifies unsatisfactory performance or finds significant need for improvement, a proposed remedial course of action and a reasonable time limit must be added to the evaluation for mutual collegial benefit, and be undertaken during the period before the next evaluation. Both the evaluatee and the department will thus have on record the force and content of the shortcoming. In principle this allows a wide range of evaluations and of warnings. (B/R 4/99)

### **Section 9. Faculty Personnel Files**

#### **9.1 Definition and Purpose**

The University shall maintain an official master personnel file for each member of the faculty, which shall be the exclusive file for personnel decisions. All other files, information, notes, and records maintained in the department, unit, university administrative office, or supervisor's office shall be considered part of the master personnel file. All provisions regarding files noted herein shall apply to all information that is maintained.

#### **9.2 Supervision of Files**

All such files shall be maintained, supervised, and kept in a secure, locked place by the appropriate administrators: department files by the chair, unit files by the dean or director, university files by the Human Resources Office. (B/R 3/03)

#### **9.3 Contents of Files**

Each personnel file shall contain any information pertinent to an evaluation of the faculty members' work and normally will include, but not be limited to, biographical and personal information, evidence of a faculty member's academic and professional accomplishments, and personnel evaluations by department chairs, deans or directors. No anonymous material except duly authorized student evaluations and the results of surveys and comments properly obtained for the purpose of evaluation of administrative performance per the requirements of Title 5, Chapter 6, Chapter III, Section 14.3 shall be placed in the file. (B/R 6/07)

#### **9.4 Access to Files**

The following university personnel shall have access to an individuals' personnel file: (1) the faculty member or the faculty member's duly authorized representative, (2) department chair(s) or unit supervisors, (3) dean of the faculty member's college or unit, (4) university president, (5) Executive Vice President and Provost, (6) university legal counsel, (7) university Affirmative Action Director, (8) official university personnel committees as authorized by the appropriate administrator, and (9) where applicable, the chair of the Faculty Senate Appeals Committee, Faculty Senate Grievance Committee, or Special Hearing. (B/R 3/03)

9.4.1 A log sheet listing name, date, and reason for access shall be maintained by the custodian of all records and files maintained above the departmental level for each faculty member.

9.4.2 The materials in all personnel files shall be confidential; that is, they shall not be shared nor discussed with any person not listed in Section 9.4, except as may be provided herein or where access to such files is required by law or court order. (B/R 3/03)

### **9.5 Modification of Files**

Nothing shall be permanently placed in or removed from the master personnel file without notification to the faculty member and approval by the administrator in charge of it.

9.5.1 If a faculty member objects to the inclusion, retention, or removal of any material in his or her personnel file, the faculty member may make a written request to the appropriate administrator for its removal, modification, or retention. If this request is denied, the faculty member shall have the right to file a grievance concerning the action of the administrator through established grievance procedures. (B/R 3/03)

9.5.2 A faculty member may include, rebut, or comment upon any information in his or her own personnel file without a written request to do so.

## **Section 10. Guidelines for Academic Faculty Salary Increases**

### **10.1 Guidelines for Salary Increases**

General areas, which might be used to evaluate the performance of an individual faculty member in making recommendations for salary increases, are as follows:

- A. Advising and counseling students
- B. Committee work
- C. Comparisons with other faculty members in similar positions and circumstances within the Nevada System of Higher Education
- D. Creative activity or research productivity
- E. Evidence of continued professional growth
- F. Inequities due to current hiring practices
- G. Leadership activities in professional organizations
- H. Professional curatorial duties
- I. Service to the university as a department chair
- J. Teaching effectiveness
- K. Total length of service in academic life
- L. Total years in present rank

M. Voluntary community activity and public service for which no remuneration is received

N. Institutional special assignments

## **10.2 Annual Merit Recommendations**

An award of merit is expected to recognize the person who has (1) performed at least "satisfactorily" in the areas for which the person is evaluated and (2) is considered meritorious in at least one of those areas. Merit awards are specifically not to be confused with inequity adjustments. Among the many legitimate reasons to award merit are the following:

- A. To encourage exceptional academic faculty with excellent mobility to remain at UNLV;
- B. To reward exceptional performance in any of the several areas for which academic faculty are evaluated;
- C. To reward outstanding performance over a long period of time performance that may not have resulted in merit for any particular year;
- D. To allow for other specific or general exceptions, which to the evaluators represent some outstanding, reason for awarding merit.

10.2.1 The award of merit shall require a specific application and an evaluation process separate from annual or other evaluations made of faculty. Documentation submitted for annual evaluations may be used for merit evaluation. Unit administrators, including chairs, directors, and assistant and associate deans and chairs, must file applications through the faculty process to receive merit awards for teaching, research and non- administrative service.

10.2.2 The determination of the minimum standards for satisfactory and meritorious performance in teaching, research and service shall be made by an elected committee of the faculty of each department and/or college as specified in the unit bylaws, with the advice and consent of the dean. Where possible, the same standards shall be applied to all faculty within the college. Such standards shall take into account the variations in assigned workload present in the college.

10.2.3 Each unit may determine the process used to rank its faculty, except that a final ranked list shall be submitted to the dean from an elected faculty committee at the college level. Ranking of applicants for merit shall be based on the standards created under section 10.2.2 and all policies and procedures mandated by the Executive Vice President and Provost or President. The final ranking shall exclude those faculty who do not meet the minimum standards for an award of merit, which are satisfactory performance in all relevant evaluation areas and meritorious performance in at least one. No faculty member may be present during the presentation or ranking of their application for an award of merit.

10.2.4 The dean shall recommend the dollar amount of each award of merit for teaching, research and non- administrative service, in accordance with all policies and procedures mandated by the Executive Vice President and Provost or President. Where the award made by the dean differs from the final rankings presented by the committee, explicit reasons must be provided by the dean to the Executive Vice President and Provost. Reasons can include those outlined in Section 10.2A-D, input obtained from other sources deemed important by the dean, (e.g., chairs, departmental faculty committees, performance assessments by external constituencies, such as college awards, etc.) and/or specific knowledge of performance areas for a faculty member not reflected in the rankings. The President makes the final determination of the amount awarded to each faculty member, upon recommendation by the Executive Vice President and Provost.

10.2.5 The official date of notification of merit awards for the purpose of grievance shall be the later of (a) the first day of the Fall semester or (b) the day the merit list is released to the campus. The merit list shall be made available to all faculty. When responding to a request from a faculty member for the reasons they received a particular award of merit, or no award, the Dean shall include in the letter the ranking of the faculty member by the college committee and the reasons for that award, which must include any information provided to the Executive Vice President and Provost.(B/R 3/03)

10.2.6 Merit for administrative service shall be recommended at the discretion of the Dean, approved by the Executive Vice President and Provost and awarded by the President.

### **10.3 Statement of Reasons**

A faculty member who has been denied a salary increase may, within 15 calendar days after notification of such denial, 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. The response must be received by the faculty member within 15 calendar days after the appropriate administrator receives the written request for reasons. Faculty members also may request reconsideration of the denial (Nevada System of Higher Education Code, Chapter 5, Section 5.2.4 and UNLV Bylaws, Chapter III, Sections 6.5 and 16.9).

### **10.4 Grievances**

A faculty member who has been denied a salary or merit increase has the right to file a grievance concerning the decision to the Faculty Senate Grievance Committee once the reconsideration process has been completed through the administrative channels. (See UNLV Bylaws, Chapter I, Section 4.6.6 and Chapter III, Section 20.) (B/R 3/03)

## **Section 11. Guidelines for Nonacademic Faculty Salary Increases**

### **11.1 Annual Merit Salary Recommendations**

An award of merit is expected to recognize the person who has (1) performed at least "satisfactorily" in the areas for which the person is evaluated and (2) is considered meritorious in at least one of those areas. Merit awards are specifically not to be confused with inequity adjustments. Among the many legitimate reasons to award merit are the following:

- A. To encourage exceptional performance in any of the several areas for which a nonacademic faculty member is evaluated;
- B. To reward exceptional performance in any of the several areas for which a nonacademic faculty member is evaluated;
- C. To reward outstanding performance over a long period of time -- performance that may not have resulted in merit for any particular year;
- D. To allow for other specific or general exceptions, which to the evaluators represent some outstanding, reason for awarding merit.

### **11.2 Equity Salary Increases**

Nonacademic faculty members are entitled to equity salary adjustments based on salary and similar performances of other nonacademic faculty in similar positions and circumstances within the Nevada System of Higher Education.

### **11.3 Reconsideration and Grievances of Denial of Salary or Merit Increases**

See UNLV Bylaws, Chapter III, Section 13 and Section 20. (B/R 3/03)

## **Section 12. Guidelines for Promotion for Nonacademic Faculty**

### **12.1 Criteria for Promotion**

As specified in Chapter III, Section 7.1.1, of these Bylaws, each nonacademic faculty unit shall establish criteria for promotion based on established nonacademic faculty duties and responsibilities. It must be noted that there are inherent and

distinct differences between members of the nonacademic faculty and the academic faculty at UNLV. These inherent differences shall be reflected in the criteria used for consideration of promotion for nonacademic faculty members.

## **12.2 Areas of Evaluation for Promotion**

General areas, which might be used to evaluate the performance of an individual nonacademic faculty member in making recommendations for promotion, are:

- A. Advising and counseling students
- B. Committee work
- C. Comparisons with other nonacademic faculty members in similar positions and circumstances within the Nevada System of Higher Education
- D. Creative activity and/or research productivity
- E. Evidence of continued professional growth, education, training and/or experience
- F. Continuing Education services
- G. Leadership activities in professional organizations
- H. Professional curatorial duties
- I. Service to the university in an administrative capacity, whether acting or permanent
- J. Teaching effectiveness, when appropriate
- K. Total length of service in Nevada System of Higher Education employment
- L. Community service
- M. Institutional special assignments

## **12.3 Time Periods for Rank O (1) Promotion Considerations**

A nonacademic faculty member at Rank O (1) may be considered for promotion at any time and must be considered for promotion at the end of 3 years of service in this rank.

## **12.4 Time Period for Rank O (2) Promotion Considerations**

A nonacademic faculty member at Rank O (2) may be considered for promotion at any time and must be considered for promotion at the end of 5 years of service in this rank.

## **12.5 Time Period for Rank O (3) Promotion Considerations**

A nonacademic faculty member at Rank O(3) may be considered for promotion at any time and must be considered for promotion at the end of 8 years of service in this rank.

## **12.6 Equivalent Pay Scales for Nonacademic Faculty**

The appropriate pay scale for equivalent- ranked nonacademic faculty shall approximate the commensurate position in the academic ranks, i.e., Rank I Instructor, Rank II Assistant Professor, Rank III Associate Professor, and Rank IV Professor.

## **Section 13. Appeals for Nonacademic Faculty on Personnel Matters**

### **13.1 Right to Request Reconsideration**

Nonacademic faculty members have the right to request reconsideration of personnel actions denying salary increases, promotion or reappointment in accordance with the Nevada System of Higher Education Code (see Chapter 5, Section 5.2.4). (Salary increases include merit awards.)

### **13.2 Notice of, Request for Reasons, and Reconsideration of Personnel Action Denying Salary Increase or Promotion**

Each nonacademic faculty member denied a salary increase, reappointment, or promotion must be notified of such decision in writing within 15 calendar days of the decision. (B/R 3/03)

13.2.1 Written Request for Reasons of Denial. A nonacademic faculty member who has been denied a salary increase, reappointment, or promotion may, within 15 calendar days after notification of such denial, 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. The response must be received by the non-academic faculty member within 15 calendar days after the appropriate administrator receives the written request for reasons. (See Nevada System of Higher Education Code, Chapter 5, Section 5.2.3.)

13.2.2 Reconsideration of Denial. Within 15 calendar days after the receipt of the written reasons for the denial of salary increase, reappointment, or promotion, a non-academic faculty member may request reconsideration of such denial. The request shall be submitted to the faculty member's supervisor together with the reasons, arguments and documentation supporting the request for reconsideration. The request for reconsideration shall be promptly directed through regular channels with recommendations from each administrative level for or against reconsideration of the decision. Final action shall be taken within a reasonable time by the president after receipt of the recommendations. If the president decides to recommend promotion to Rank III or Rank IV, the final decision must be made by the Board of Regents. Except for denial of reappointment, if the denial is not reversed after reconsideration, the faculty member may petition the Faculty Senate Grievance Committee (UNLV Bylaws, Chapter I, Section 4.6.6 and Chapter III, Section 20.) (B/R 3/03)

## **Section 14. Evaluation of Administrators**

### **14.1 Purpose**

The purpose of the evaluations shall be improvement of the performance of administrators during their term of office.

### **14.2 Evaluation of the President.**

The president shall be evaluated at least once every three years according to procedures and criteria established by the Faculty Senate, in parallel with the Regent's three year review process. There shall be an assessment of the level of confidence in which the president is held by the faculty along with an assessment of the president's performance of assigned duties within the standards of effectiveness and efficiency.

14.2.a An ad hoc committee shall be established including the Chair of the Campus and Fiscal Affairs Committee, at least two additional members elected by the CFAC, the Chair of the Senate, and a representative of the President. If directed to do so by the Senate, this committee shall create a survey instrument that includes questions from prior evaluations, questions created to examine issues currently facing the campus, and questions created by the President. The instrument shall be sent for anonymous response to all academic and administrative faculty. The use of an off campus server is preferred. The committee shall prepare a report which shall go to the faculty and Regents through the CFAC and Faculty Senate.



### **14.3 Evaluation of Administrators Other Than the President.**

While acknowledging that administrators other than the President are subject to annual evaluations by their supervisors (Nevada System of Higher Education Code Chapter 5, Section 5.12), the Campus and Fiscal Affairs Committee shall develop procedures for allowing a periodic assessment of the level of confidence in which subordinate administrators are held by the academic and administrative faculty within the administrator's unit. These assessments must include an anonymous survey instrument, at a minimum, with additional assessment metrics deemed necessary by each college, department, or unit to effectively evaluate the administrator's performance of assigned duties within the standards of effectiveness and efficiency. This periodic assessment shall be solicited no less than once every three years, and, when available, it shall be given consideration in the annual evaluation written by the administrator's supervisor. (B/R 2/08)

14.3.a Vice Presidents. The CFAC shall develop, in cooperation with the Office of the President, a schedule for vice presidential evaluations, and a format for such evaluations. All academic and administrative faculty in the Vice President's unit shall be given the opportunity to participate in the evaluation. A report shall be made to the unit faculty, consistent with limitations on personnel matters.

14.3.b Deans. The CFAC shall develop, in cooperation with the Office of the Executive Vice President and Provost, a schedule for dean evaluations, and a format for such evaluations. All academic and administrative faculty in the Dean's unit shall be given the opportunity to anonymously participate in the evaluation. A report shall be made to the unit faculty, consistent with limitations on personnel matters.

14.3.c Vice, Associate, and Assistant Deans. The CFAC shall develop, in cooperation with the Office of the Executive Vice President and Provost, a schedule for vice, associate, and assistant dean evaluations, and a format for such evaluations. All academic and administrative faculty in the college or school shall be given the opportunity to participate in the evaluation. A report shall be made to the unit faculty, consistent with limitations on personnel matters.

14.3.d Department Chairs and School Directors. Each academic college shall, in its Bylaws, provide for annual input by department/school faculty into the dean's evaluation of department chairs and school directors. All academic and administrative faculty in the appropriate unit shall be given the opportunity to participate anonymously in their chair's or director's evaluation. A report shall be made to the unit faculty, consistent with limitations on personnel matters.

## **Section 15. Recruitment of Faculty**

### **15.1 Academic Departments Initiate Recruitment**

The faculty of the academic departments, the library and academic support units initiate the recruitment process by developing a written job description for each new position requested.

### **15.2 College Faculty Recommend Priority List**

The college faculty through the department chair shall recommend a priority list for all new positions requested. The dean or director of the college shall chair the meetings.

### **15.3 Faculty Senate Priority and New Program Committee Authorized**

The faculty of UNLV establishes the Faculty Senate Priority and New Program Committee. The committee members are to be selected in accordance with departmental, college and Faculty Senate bylaws. (B/R 10/98)

### **15.4 Faculty Senate Priority and New Program Committee Priority List**

The Faculty Senate Priority and Program Review Committee shall establish a priority list of all new positions requested by the academic units and submit the recommended priority list to the Executive Vice President and Provost, who shall forward it to the president. (B/R 10/98)

### **15.5 Administrative Approval for Recruitment**

After the administration has authorized the number of available positions, approval is given by the administration to the appropriate academic and nonacademic units to begin the recruiting process, with written notification to the Administrative Faculty Committee and Faculty Senate.

### **15.6 Search Committees**

Following administrative approval for recruitment, department or unit faculty shall elect faculty to search committees. The search committee will elect its chair and facilitate the recruitment and screening process according to unit bylaws.

### **15.7 Recommendations for Appointment**

Each academic and nonacademic faculty unit shall determine by vote which candidate or candidates they wish to recommend for appointment and submit their credentials and applications for employment through regular administrative channels for review. (6/15)

### **15.8**

Except as otherwise provided in Board of Regents policy, Title 4, Chapter 8, Section 7.2, all academic appointments must follow the procedures described in Chapter III, Section 15 (Recruitment of Faculty). The unit faculty may approve a suspension of all or a portion of Section 15 by no less than a majority vote of all eligible faculty in accordance with unit bylaws. (12/15) (B/R 3/03)

## **Section 16. Guidelines and Standards for Tenure, Promotion, or Appointment to Academic Rank**

### **16.1**

These guidelines and standards apply to the recommendation of tenure and/or academic rank, either through an internal process of promotion or tenure, or the hiring of a faculty member into academic rank.

16.1.1 Unless specified in writing by the unit appointing authority upon request by the candidate, an untenured Assistant or Associate Professor shall be evaluated for tenure and/or promotion based on the standard in place at date of hire.

16.1.2 A tenured applicant for Professor (Rank IV) shall be evaluated based on the standard in place at date of application.

16.1.3 When promotion to Professor (Rank IV) coincides with granting of tenure an applicant may choose to be evaluated under either standards in place at the time of hire, or standards in place at the time of application.

16.1.4 In rare instances, an individual who does not hold a terminal degree, but possesses exceptional professional experience and is held in high esteem within a discipline may apply for promotion based on the merits of this record. The application must show substantial evidence to support an exception to the requirement of a terminal degree. In any case of equivalence to a degree, the burden of proof rests on an applicant.

### **16.2 Peer Evaluation and Process.**

16.2.1 Each department, school, and college shall establish standards and criteria for peer evaluation of faculty eligible for tenure and/or promotion in compliance with the requirements of the NSHE Code, the UNLV Bylaws and its College or equivalent School Bylaws. Standards and criteria are created by the faculty of the unit and are subject to approval at the appropriate administrative channels and by the President. Criteria not detailed in the Code and pertinent Bylaws and approved by the President may not be used.

16.2.2 Standards for evaluation are 1) Teaching or equivalent non-teaching roles, 2) Research, scholarship, creative, clinical or entrepreneurial activity, and 3) Service.

16.2.3 Peer evaluation for tenure and promotion includes review of productivity by tenured external referees. An external referee shall be from outside the University with an academic rank that exceeds the applicant's and a demonstrated expertise in an appropriate field. Any exception to these parameters must be justified in the application. The applicant's unit will obtain at least four letters from external referees. At least two letters will be from persons selected from a list of names provided by the candidate, and at least two will be persons not suggested by the candidate. All letters received must be included in the application for promotion. All external review letters shall be obtained in accordance with guidelines created by the University Promotion and Tenure Committee.

16.2.4 The evaluative process for tenure and/or promotion begins with faculty of the unit where a faculty member is appointed. Evaluation by faculty presumes that faculty will use their experience and expertise in evaluating the quality of performance of an applicant for tenure and/or promotion. No faculty member may cast a vote at more than one level in this process.

16.2.5 At each academic level (department/school/college) a recommendation with voting tally is forwarded to the unit supervisor (chair/director/dean) who also provides a recommendation. The application moves through applicable faculty and administrative channels to the Faculty Senate University Tenure and Promotion Committee which ensures comparable rigor of criteria and procedure across units. The Committee forwards a voting tally and recommendation to the Executive Vice President and Provost who provides a recommendation to the President for a final decision.

16.2.6 Anomalous cases may be referred back to the colleges or school or department level.

### **16.3 Instructor (Rank I)**

The rank of instructor is used for appointments where the individual does not possess a terminal degree in the discipline or special field in which appointed. It is intended and expected that a person holding an appointment of instructor will complete the requirements for the terminal degree and be promoted to assistant professor. The time allotted for obtaining the terminal degree may be specified by each department but cannot exceed the six-year time period for probationary employees. If the terminal degree has not been obtained by this time, the individual shall not be considered for tenure or promotion.

### **16.4 Assistant Professor (Rank II).**

The individual will meet all of the following minimum qualifications:

16.4.1 Possession of the appropriate terminal degree except as detailed in Section 16.1.4.

16.4.2 Effectiveness as a teacher, or the promise of becoming an effective teacher, or a promise of effectiveness in other assigned duties when a faculty workload assignment does not include instruction.

16.4.3 On-going professional development as evidenced by involvement in research, scholarship, creative, clinical or entrepreneurial activities.

16.4.4 Potential to effectively mentor students and develop a commitment to their success.

16.4.5 Evidence of professional commitment, such as membership in professional organizations.

16.4.6 Willingness to meaningfully engage in the larger university community, indicating an ability to work with faculty and students in the best interests of the academic community.

### **16.5 Associate Professor (Rank III) and/or Tenure at Rank III.**

The individual will meet all of the following minimum qualifications such that the rating in each standard meets or exceeds requirements in the NSHE Code Section 3.4, and the UNLV Bylaws and the overall performance demonstrates excellence

and the promise of continued excellence, as defined in the appropriate unit bylaws:

16.5.1 Possession of the appropriate terminal degree except as detailed in Section 16.1.4.

16.5.2 Demonstrated effectiveness as a university teacher or, in the case of individuals with non-teaching backgrounds, promise of effectiveness as a university teacher or demonstrated effectiveness in other assigned duties when a faculty role statement does not include instruction. The evaluation of teaching shall include several metrics such as in-classroom peer reviews, pedagogical innovation or research, textbooks or course materials developed, display of breadth and depth of courses taught, evidence of effective mentoring of graduate or undergraduate students, including co-authorships, community engagement in teaching, and student evaluations.

16.5.3 Demonstrated effectiveness in research, scholarship, creative, clinical or entrepreneurial activity with due recognition for the different forms such productivity may take in the various disciplines. External metrics of impact, including peer-reviewed publications and citations, independent reviews, external indices, grant or other external funding, and community engagement, should be used consistently and as applicable. It is expected that an associate professor is on a trajectory to a strong national or international reputation in the appropriate field.

16.5.4 Demonstrated effectiveness in service, the evaluation of which may include, but not limited to professional commitment as demonstrated by membership and participation in professional or academic organizations, a record of community engagement outside the university, contributions to the university community through participation in various administrative, governance, and planning activities, and a demonstrated ability to work with faculty and students in the best interests of the academic community.

#### **16.6 Professor (Rank IV) and/or Tenure at Rank IV.**

The individual will meet all of the following minimum qualifications such that the overall performance demonstrates excellence and the promise of continued excellence, as defined in the appropriate unit bylaws:

16.6.1 Possession of the appropriate terminal degree except as detailed in Section 16.1.4.

16.6.2 Demonstrated excellence as university teacher or, in the case of individuals with non-teaching backgrounds, promise of excellence as a university teacher or demonstrated

excellence in other assigned duties when a faculty role statement does not include instruction. The evaluation of teaching shall include both student evaluations and additional metrics, such as in classroom peer reviews, recognition of the breadth and depth of courses taught, pedagogical innovation or research, evidence of effective mentoring of graduate or undergraduate students, including co-authorships, community engagement, textbooks or course materials developed, and commitment to student success. Full professors are expected to demonstrate greater impact with their students as specified in unit bylaws.

16.6.3 Demonstrated excellence in research, scholarship, creative, clinical, or entrepreneurial activity with due recognition for the different forms such productivity may take in the various disciplines. External metrics of impact, such as peer reviewed publications and citations, independent reviews, external indices, awards, patents, grants or other external funding, and community engagement, shall be used as applicable. It is expected that a professor will have established national or international prominence in the appropriate field.

16.6.4 Demonstrated effectiveness in service, the evaluation of which may include, but not be limited to, professional commitment as demonstrated by leadership in professional or academic organizations, a significant record of community engagement outside the university, a significant record of contributions to the university community through participation in various administrative, governance, and planning activities, and a demonstrated ability to work with faculty and students of the university in the best interests of the academic community.

## **16.7 Time Periods for Promotion Recommendations.**

16.7.1 An instructor may be considered for promotion any time upon completion of the terminal degree.

16.7.2 An assistant professor is normally considered for promotion in the sixth year but may be considered earlier in exceptional circumstances. Assistant professors must be considered for promotion after a period of not more than six years in this rank. (3/10)

16.7.3 An associate professor is normally expected to be in rank for five years prior to applying for promotion to professor. In exceptional circumstances an application for promotion may be considered earlier. (3/10)

16.7.4 In the evaluation of a candidate's qualifications for any promotion, any accomplishments relevant to the criteria for promotion occurring any time during the period since the last promotion may be considered.

## **16.8 Review of Academic Promotion Recommendations**

All academic promotion recommendations shall move through proper faculty and administrative channels from department or school to college to the Executive Vice President and Provost to the President. Except for Rank 0 faculty, the Executive Vice President and Provost shall provide the Faculty Senate Tenure and Promotion Committee with the promotion recommendations. The Tenure and Promotion Committee shall consult with the Executive Vice President and Provost to ensure comparable rigor of criteria for recommendations across units. Faculty members not recommended for promotion may request reasons for denial, request reconsideration, and file a grievance to the Faculty Senate Grievance Committee. (See Nevada System of Higher Education Code, Chapter 5, Section 5.2.3 and 5.2.4, and UNLV Bylaws, Chapter I, Section 4.6.6. and Chapter III, Section 20) (B/R 3/03) (C 06/16)

## **16.9 Statement of Reasons for Denial**

An academic faculty member who has been denied a promotion may, within 15 calendar days after notification of such denial, 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. The response must be received by the faculty member within 15 calendar days after the appropriate administrator received the written request for reasons. (See Nevada System of Higher Education Code, Chapter 5, Section 5.2.3.)

## **16.10 Reconsideration of Personnel Action Denying Appointment With Tenure, Salary Increase, Promotion, or Reappointment**

Within 15 calendar days after the receipt of the written reasons for denial of appointment with tenure, a salary increase, promotion, or reappointment, a faculty member may request reconsideration of such denial. The request shall be submitted to the faculty member's department chair or supervisor together with the reasons, arguments, and documentation supporting the request for reconsideration. The request for reconsideration shall be promptly directed through regular channels with recommendations from each administrative level for or against reconsideration of the decision. Final action shall be taken within a reasonable time by the president after receipt of the recommendations. If the president decides to recommend tenure or promotion to associate professor (Rank III) or professor (Rank IV), the final decision must be made by the Board of Regents. If the denial is not reversed after reconsideration, the faculty member may petition the Faculty Senate Grievance Committee, except in cases of denial of reappointment, which are not subject to grievance. (See also UNLV Bylaws, Chapter I, Section 4.6.6 and Chapter III, Section 20.) (B/R 3/03) (B/R 2/92)

## **Section 17. Faculty Benefits**

### **17.1 Fiscal Affairs Committee Authorized**

The academic and nonacademic faculty of UNLV shall establish a Fiscal Affairs Committee through the Faculty Senate in accordance with its bylaws.

## **17.2 Faculty Senate Salary Recommendations**

The Faculty Senate votes on the Fiscal Affairs Committee's recommendations and transmit its decisions, in accordance with its bylaws, to the Board of Regents through the president.

### **17.2.1 Functions of the Fiscal Affairs Committee**

The function of this committee is to (1) review present salary and fringe benefits, (2) gather comparative data, and (3) make recommendations for the adjustments to the Faculty Senate. (B/R 3/03)

## **Section 18. Guidelines for Rank 0 and Unranked Positions**

### **18.1**

Rank 0 academic faculty members typically do not conform to the general guidelines of academic rank as specified in Chapter III, Section 16. Rank 0 faculty members are not eligible for tenure but are eligible for promotion.

18.1.1 Instruction intensive faculty are generally assigned to teach 12 credit hours per semester but may receive reassigned time with the approval of the chair and dean.

A. Lecturer. The title of Lecturer is used for appointment at the professional level where a terminal degree is not required. Lecturers can be promoted to Senior Lecturers. (C 06/16)

B. Faculty in Residence. The title Faculty in Residence is used for appointment at the professional level for persons with a terminal degree. Faculty in Residence may be promoted in accordance with the general guidelines for academic rank as specified in Chapter III, Section 16.

### **18.2 Professor Emeritus**

The title "professor emeritus" is reserved as an honorary title for a professor who enters retirement with the respect and admiration of colleagues and students for contributions to the field of specialization and teaching. The qualifications for this title are measured in terms of the person's total contribution to the university based upon both achievement and service. This title is awarded by action of the Board of Regents following approval through regular administrative channels. Faculty members awarded this honorary title are entitled to privileges specified by the president.

### **18.3 Other Titles**

Other designations relating to full or part time, non-tenure-track special assignments or positions such as "affiliate professor," "adjunct professor," "part-time faculty," "research professor," "research associate," etc., are subject to the special terms appearing in their contracts or letters of appointment as approved by the president.

18.3.1 Affiliate Faculty. The titles "affiliate assistant professor," "affiliate associate professor," and "affiliate professor" are used for non-tenure-track appointments at the professional level for persons with special qualifications to teach advanced, specialized courses but who do not conform to the general guidelines of academic rank as specified in Chapter III, Section 16. Except under special circumstances, these titles are not intended for persons who are hired to teach introductory courses: rather, they are reserved for persons whose experience, training, and/or unusual talents make them uniquely qualified to teach specialized courses. Examples include eminent artists and musicians or prominent public figures or business leaders.

18.3.2 Adjunct Faculty. The titles "adjunct assistant professor," "adjunct associate professor," and "adjunct professor" are used for non-tenure-track appointments which may be identical to those of affiliate faculty, or for individuals who provide exceptional service to a unit in the areas of research or institutional service. Adjunct faculty provide their services on a volunteer basis for no remuneration.

18.3.3 Part-time Faculty. The title "part-time faculty" is used for non-tenure-track, temporary appointments for persons hired to teach courses on a part-time, per- credit-hour basis.

18.3.4 Research Faculty. The terms "research assistant professor," "research associate professor," and "research professor" are used at the professional level for non- tenure- track research appointments determined in accordance with the general guidelines for academic rank as specified in Chapter III, Section 16. The title "research associate" may include those appointees who have not yet achieved the terminal degree in their discipline. (B/R 10/94) (C 06/16)

18.3.5 Resident Faculty. The titles "resident" and "chief resident" are used for non- tenure track appointments of individuals who participate in medical or dental education as defined in the Board of Regents Handbook, Title 4, Chapter 7.

## **Section 19.        Layoffs or Furloughs**

### **19.1 Persons Subject to Layoffs or Furloughs**

All persons holding authorized professional positions are subject to lay-off or furlough due to financial exigency or curricular reasons as outlined in the Nevada System of Higher Education Code, Sections 5.4.5, 5.4.6 and 5.4.7.

### **19.2 Curricular Reasons Defined**

"Curricular reasons" refers to the bona fide discontinuance, reduction in size or reorganization of an administrative unit, project, program or curriculum for bona fide reasons pertaining to the missions of the University of Nevada, Las Vegas, resulting in the elimination of employment positions.

### **19.3 Layoffs or Furloughs for Financial Exigency**

Layoff or furlough of individuals holding an appointment with tenure, or of a probationary or special appointment before the end of the specified term, may occur because of a bona fide financial exigency.

### **19.4 Establishment of Faculty Advisory Committee**

In the event that the Board of Regents notifies the president of a possible financial exigency affecting the University of Nevada, Las Vegas, the president shall, within three college working days, convene the Faculty Advisory Committee to work with him or her in using all possible means to avert financial exigency. The Faculty Advisory Committee shall consist of the Executive Committee of the Faculty Senate, the Chair of the Faculty Senate Administrative Faculty Committee, and the Chair of the Faculty Senate Priority and New Program Committee. The president shall forward all recommendations of the Faculty Advisory Committee to the Chancellor. (B/R 3/03)

### **19.5 Financial Exigency**

Immediately upon the declaration of a bona fide financial exigency by the Board of Regents the following procedures shall be implemented by the president:

19.5.1 Establishment of Ad Hoc Financial Exigency Committee. The president shall create an Ad Hoc Financial Exigency Committee to prepare recommendations for a plan to implement the discontinuance or reduction in size of administrative units, projects, programs or curricula to include layoffs, if necessary, due to the financial exigency. Each such plan shall establish the criteria necessary for recommending and determining such actions.

19.5.2 Financial Exigency Plan Requirements. The plan shall take into consideration the affirmative action goals of the University, the responsibility of the University to continue to offer the appropriate range of programs or curricula to its enrolled students and the missions of the University. The plan shall set criteria for identifying the individuals whose appointments are to be terminated. These criteria may include considerations of length of service, tenure status, rank and merit.

19.5.3 Ad Hoc Financial Exigency Committee. The president shall establish an Ad Hoc Financial Exigency Committee, determine the number of persons to serve on the committee, and appoint one half of the membership. The Faculty Senate shall elect the other half of the committee membership. The president and the Faculty Senate shall mutually agree on the appointment of a tenured academic faculty member as chair, who will vote only in case of a tie. If the president and the Faculty Senate cannot agree on the appointment of a chair, the president shall appoint the chair. The plan recommended by the committee must be approved by the president.

19.5.4 Transmittal of Financial Exigency Plan. The plan, as approved by the president, must be submitted to the Chancellor within the published time limit agreed to by the president and the Chancellor.

## **19.6 Notice of Proposed Termination**

When a faculty member is given notice of proposed termination, the following procedures will apply:

19.6.1 Reconsideration. If the administration issues notice to a particular faculty member because of an intention to terminate the appointment because of financial exigency, the faculty member will have the right to reconsideration. This will include a full hearing before a faculty committee as provided in UNLV Bylaws, Chapter III, Section 19.12.

19.6.2 Order of Layoffs and New Appointments.

- A. The appointment of a faculty member with tenure will not be terminated in favor of a faculty member without tenure, except in extraordinary circumstances where a serious distortion of the academic program or the University's mission would otherwise result.
- B. If the president terminates appointments because of financial exigency, he or she will not at the same time make new appointments except in extraordinary circumstances where a serious distortion in the academic program or the university's mission would otherwise result. (B/R 10/98)

19.6.3 Transfers. Before terminating an appointment because of financial exigency, the president, with faculty consultation, will make every reasonable effort to place the faculty member in another suitable position within the University System.

19.6.4 Restriction on Replacements. In all cases of termination of appointment because of financial exigency, the place of the faculty member concerned will not be filled by a replacement within a period of two years, unless the released faculty member has been offered reinstatement in writing and has been given a reasonable time in which to accept or decline in writing (no less than 20 calendar days). The reappointment referred to herein shall be at the faculty member's previous rank or range, inclusive of all cost-of-living increases given during the layoff. All sick leave and other accrued benefits shall be restored at the level present at the time of the layoff.

## **19.7 Periodic Review of State of Financial Exigency**

A financial exigency, once declared, must be reviewed by the president every 180 calendar days or sooner if appropriate. Before making a recommendation to the Board of Regents on whether a state of financial exigency should be continued or declared ended, the president shall seek the advice of the Faculty Senate and shall obtain its recommendations concerning whether the state of financial exigency should continue or be declared ended. The Faculty Senate recommendations shall be forwarded to the Board of Regents along with the recommendations of the president.

## **19.8 Curricular Reasons for Termination**

A person holding an authorized professional position may be terminated for curricular reasons, which is the bona fide discontinuance, reduction in size or reorganization of an administrative unit, project, program or curriculum. When it is determined that a proposed change within a program of study may result in the displacement of faculty the following steps shall be implemented:



19.8.1. Notification of Proposed Layoffs. When the recommendations of the appropriate Faculty Senate Priority and New Program Committee, as outlined in Chapter II, Section 6.3.7 and 6.3.8 of these Bylaws, include the potential for displacement of faculty, prior to approval by the Executive Vice President and Provost (or other appropriate administrator in the case of nonacademic faculty), faculty potentially affected will be informed by their supervisor within three college working days of the proposed change, the proposed time schedule and the possible alternatives to termination for curricular reasons which may be available within the University or within other System institutions. (B/R 10/98)

19.8.2 Alternatives to Layoffs. Among the alternatives to termination for curricular reasons to be investigated jointly by each potentially affected faculty member's supervisor and dean and the appropriate vice president are:

- A. All reasonable steps will be taken to identify a suitable, alternative appointment within the University for each faculty member who may be displaced. In consultation with the Faculty Senate Priority and New Program Committee, the president and the appropriate vice president shall designate appropriate receiving departments throughout the University for each potentially affected faculty member. A displaced faculty member may be appointed to a vacancy in such a designated receiving department unless the department demonstrates that the displaced faculty member is not suitable for such vacancy or unless the threat of layoffs for curricular reasons is removed. (B/R 10/98)
- B. All reasonable steps should be taken to investigate suitable, alternative appointments within other System institutions and to facilitate communication between each affected faculty member and other System institutions, when requested to by said faculty member.
- C. A careful review and evaluation of administrative appointment, early retirement options, retraining programs, non-University employment opportunities, or other alternatives shall be conducted and discussed with the affected faculty member.

19.8.3 Faculty Senate Priority and New Program Committee Recommendations. The recommendations of the Faculty Senate Priority and New Program Committee and the additional findings regarding displacement of faculty for curricular reasons shall be considered by the appropriate vice president or dean who shall either return the recommendations to the Faculty Senate Priority and New Program Committee for reconsideration or approve said recommendations and forward them to the president for final disposition. (B/R 3/03)

19.8.4 Procedures for Reviewing Curricular Revisions. Any curricular program proposal which has completed the procedures outlined herein, has been approved by the Executive Vice President and Provost (or appropriate administrator in the case of faculty units), and which necessitates termination for curricular reasons shall be implemented according to the following steps: (B/R 10/98)

- A. The academic department to be affected shall formally consider the proposed change and make its recommendation to the pertinent academic unit committee.
- B. The pertinent academic unit committee shall formally consider the proposed change and make its recommendation to the academic unit faculty.
- C. The academic unit faculty shall formally consider and act upon the recommendation of the pertinent academic unit committee.
- D. The recommendation of the academic department and of the academic unit faculty shall be forwarded to the Faculty Senate and the Academic Council, each of which shall formally consider the matter and forward its recommendation to the president.
- E. The nonacademic faculty unit to be affected shall formally consider the proposed change and make its recommendation to the Administrative Faculty Unit.

- F. The Administrative Faculty Unit shall formally consider the matter and forward its recommendation to the president.

19.8.5 Grievances. A faculty member may file a grievance a proposed relocation or termination resulting from discontinuance and has a right to a full hearing as provided in UNLV Bylaws, Chapter III, Section 18.12. (B/R 3/03)

19.8.6 Order of Layoffs for Tenured Faculty. Tenured faculty on regular, continuing contracts will not be terminated in favor of retaining nontenured faculty except in extraordinary circumstances where a serious distortion of the program would otherwise result.

19.8.7 Order of Layoffs for Nontenured Faculty. Nonacademic faculty on regular, continuing contracts will not be terminated in favor of other nonacademic faculty whose length of service is shorter, except in extraordinary circumstances.

### **19.9 Restriction on Replacements**

If a faculty member is laid off for the above stated reasons, the faculty member's position will not be filled within a period of two years, unless a reasonable attempt to offer reappointment has been unsuccessful or reappointment has been offered in writing and the faculty member has not accepted the same in writing within 20 calendar days of receipt of the offer. The reappointment referred to herein shall be at the faculty member's previous rank or range, inclusive of all cost-of-living increases given during the layoff. All sick leave and other accrued benefits shall be restored at the level present at the time of the layoff.

### **19.10 RESERVED**

#### **19.11 Contents of Layoff Notices**

Notice of the layoff of faculty members for financial exigency or curricular reasons shall be in writing and shall furnish the faculty member with a reasonably adequate statement of the basis for the decision to layoff the faculty member, a reasonably adequate description of the manner in which the decision was arrived at and a reasonably adequate disclosure of the information and data upon which the decision was based. The notice shall also inform the faculty member of the right to reconsideration, the procedures for reconsideration and the identity of the person or persons to whom a request for reconsideration should be directed.

#### **19.12 Reconsideration Process**

Within 15 calendar days after receipt of the notice of layoff, the faculty member may request reconsideration of the decision to layoff, at which time the following provisions and procedures are applicable:

19.12.1 Order of Procedure. The reconsideration process may include:

A. RESERVED

B. The soundness of the educational/professional judgments and the criteria for identification for termination of the individual; but the recommendations of a faculty body on these matters will be considered presumptively sound.

C. Whether the criteria are being properly applied in the individual case.

19.12.2 Employment Review Committees. In the event decisions are made to layoff faculty members because of financial exigency or curricular reasons, the president shall establish one or more Employment Review Committees. The president shall determine the number of persons to serve on the committee(s), shall determine their terms of service and, in addition, shall choose one half of the membership of the committee(s) including one student. The Faculty Senate shall elect one half of the committee membership. The president and the Faculty Senate shall mutually agree on the appointment of a chair, who must be a tenured faculty member. If the president and the Faculty Senate cannot agree on the appointment of a chair,

the president shall appoint the chair. The chair shall vote only in case of a tie vote. No one who took part in making the specific recommendation to the president to layoff the faculty member requesting the reconsideration may be a member of the Employment Review Committee.

19.12.3 Contents of Request for Reconsideration. The request for reconsideration shall be submitted in writing to the president, together with the reasons, arguments and documentation supporting the request for reconsideration. The president shall immediately send the request for reconsideration, together with a copy of the notice of layoff, to the Employment Review Committee.

19.12.4 Hearings. The Employment Review Committee shall hold a hearing on the request for reconsideration within 15 calendar days of its receipt or, given the number of requests that may be received, as soon after that time limit as is feasible. The hearing shall be informal and nonadversarial in nature. The committee shall have the discretion to consolidate hearings.

19.12.5 RESERVED

19.12.6 Administration's Response. The University administration shall have an opportunity to respond to the contentions of the faculty member requesting reconsideration or to otherwise correct any erroneous or misleading information presented to the committee.

19.12.7 President's Decision. The Employment Review Committee shall forward its written recommendation to the president on the issue or issues presented by the request for reconsideration within 10 calendar days after the conclusion of the hearing. The president shall make a decision within 5 calendar days after receipt of the recommendation. The president's decision shall be final and shall be sent, in writing, to the faculty member requesting reconsideration.

19.12.8 Exclusive Means of Review. The review process involving financial exigency or curricular reasons shall be the exclusive means of review of such decisions.

### **19.13 Minimum Notice of Nonreappointment for Nontenured Faculty.**

19.13.1 Minimum Notice of Nonreappointment for Nontenured Faculty. Unless provided otherwise in an employment contract, notice of nonreappointment to employment of nontenured faculty shall be given:

- A. Not later than March 1 of the first academic or fiscal year of service, if the employment contract terminates at the end of that year, or if an employment contract for a one year appointment terminates during an academic or fiscal year, at least 90 calendar days in advance of its termination;
- B. Not later than December 15 of the second academic or fiscal year of service, if the employment contract terminates at the end of that year, or if the second employment contract for a one year appointment terminates during an academic or fiscal year, at least 180 calendar days in advance of its termination;
- C. At least 365 calendar days in advance of the termination of each succeeding employment contract of one academic or fiscal year's duration after the second year of service;
- D. For employment contracts of less than one academic or fiscal year's duration, for a period of time which may be mutually agreed upon by the parties to such employment contracts, but, in all events, no less than 14 calendar days in advance of the termination of such contracts. (Nevada System of Higher Education Code 5.9.1.);
- E. Faculty holding contracts under Nevada System of Higher Education Code 5.4.2, shall have the same minimum notice as specified in Nevada System of Higher Education Code 5.9.1;
- F. Nontenured faculty members must be given written reasons for nonreappointment and have the right to

reconsideration but not to grievance.

#### 19.13.2 Shortened Notice of Nonreappointment for Financial Exigency for Nontenured Faculty.

- A. Nonreappointment of a nontenured faculty member at the end of an existing employment contract by the University because of a financial exigency shall conform to the shortened notice of nonreappointment, given in Nevada System of Higher Education Code 5.9.2, except that if a financial exigency is such that adequate funds do not exist to pay the terminated faculty member's salary for such period, the notice of nonreappointment may be shortened to a period commensurate with the amount of funds reasonably available to make such payments. Notice of nonreappointment for financial exigency shall require at least 60-calendar days' notice, except as provided above.
- B. If a nontenured faculty member is not reappointed to employment under the shortened notice of nonreappointment because of financial exigency, the faculty member's position will not be filled by a new appointee within a period of two years, unless a reasonable attempt to offer reappointment has been unsuccessful or reappointment has been offered in writing and the faculty member has not accepted the same in writing within 20 calendar days of the receipt of the offer. The reappointment referred to herein shall be at the faculty member's previous rank and step or range. All sick leave and other accrued benefits shall be restored at the level present at the time of layoff.
- C. Faculty holding contracts under section 5.4.2(b) of the Nevada System of Higher Education Code shall receive the same shortened notice as specified in Nevada System of Higher Education Code 5.9.2. (B/R 6/89)

## **Section 20.       Grievances**

### **20.1 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 Nevada System of Higher Education Code or institutional bylaws. [NSHE Code Section 5.7.2] Grievances may not be filed by students.

### **20.2 Filing of Grievances**

A grievance, in the form of a petition and supporting documentation, must be filed with the Faculty Senate Office within 15 calendar days, not including any days the university is not in session between regular semesters, from the date the faculty member becomes aware of the grievable act, omission or violation and has exhausted all administrative remedies. When a reconsideration process as defined in the NSHE Code Section 5.2.4 leads to the grievance, the grievance may be filed only after formal notification of the decision to the faculty member by the President, Executive Vice President and Provost, or a Vice President, as applicable. For such grievances, the grievance must be filed within 15 calendar days, not including any days the university is not in session between regular semesters. The Faculty Senate shall determine the manner in which grievances are filed. A request for an extension of time to file a grievance shall be authorized by the Faculty Senate Chair, pursuant to the procedures contained in the Faculty Senate Bylaws. (5/17)

### **20.3 Grievance Committee**

The Grievance committee shall consist of 4 elected tenured faculty from each degree-granting college or school, four tenured librarians, and 18 representatives from the Administrative Faculty Unit. The President shall appoint two administrative representatives and two alternates.

### **20.4 Nature of Proceedings**

All grievance proceedings are informal in nature, advisory, and constitute recommendations to the President only. Final decisions in all grievances are made by the President. Due to their informal nature, grievance proceedings shall not be

recorded by any electronic or other means.

### **20.5 Definitions**

The person filing the grievance shall be known as the grievant, and the University administrator who made the decision in question shall be known as the respondent. For grievances related to tenure, promotion, merit, or other salary increase or contractual status, the respondent shall be the President, Executive Vice President and Provost, or a Vice President, as applicable, for academic faculty or administrative faculty serving in their unit.

### **20.6 Hearing Committees**

Each grievance shall be assigned to a Grievance Hearing Committee, which consists of five elected members of the Grievance Committee and an administrative representative selected by the Executive Committee of the Faculty Senate and approved by the Executive Vice President and Provost. The Executive Committee shall select a chair from the members. No member of the Hearing Committee may be from the same college or unit as the grievant or respondent.

### **20.7 Initial Grievance Procedures**

After the grievant has properly filed his/her petition and supporting documentation, the Faculty Senate Office shall notify the respondent of the grievance. The respondent shall have 15 calendar days to file a response with the Faculty Senate Office, not including any days the university is not in session between regular semesters. A request for an extension of time to respond to a grievance shall be authorized by the Faculty Senate Chair, pursuant to the procedures contained in the Faculty Senate Bylaws. Unless an extension of time for filing a response to the grievance has been granted, failure to timely respond shall be deemed a failure to object to the grievance by the respondent, and the Hearing Committee shall recommend by default in favor of the grievant. Upon receipt of the response, all documentation related to the grievance shall be forwarded to the Hearing Committee Chair.

### **20.8 Conduct of Hearing Committees**

Procedures for Hearing Committees shall be jointly agreed to by the Faculty Senate and the President, and will be contained in the Faculty Senate Bylaws.

**20.9** The Hearing Committee shall submit its final report to the Faculty Senate Office, which shall distribute copies to all parties and forward the report to the President, with copies to the Executive Vice President and Provost or Vice President from whose unit the grievance originated. (B/R 3/03)