

**NEVADA SYSTEM OF HIGHER EDUCATION
PROCEDURES AND GUIDELINES MANUAL**

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CHAPTER 2

APPOINTMENTS AND EVALUATIONS

Section 1. Appointments and Vacancies of System Officers

- a. In the case of a vacancy in the office of a President of a member institution, the Chair of the Board of Regents will appoint a Regent Presidential Search Committee. The Presidential Search Committee will oversee the details of the search and determine if a search firm will be hired. The budget for the search must be presented to the full Board of Regents for approval.
- b. The Chancellor, in consultation with the Chair of the Board of Regents, shall prepare a recommendation to the Board of Regents for an Interim President for the full Board's approval.
- a. In the case of a vacancy in the office of Chancellor, the Chair of the Board of Regents will appoint a Regent Chancellor Search Committee. The Chancellor Search Committee will oversee the details of the search and determine if a search firm will be hired. The budget for the search must be presented to the full Board of Regents for approval.
- c. In case of a vacancy in the office of Chancellor, the Chair of the Board of Regents shall present a recommendation to the Board of Regents for an Interim Chancellor.
- d. Resignations from the office of Chancellor or President of a member institution shall be addressed to the Chairman of the Board of Regents. The Chairman of the Board of Regents shall accept such resignations in writing.
- e. The Chancellor shall notify the Board of Regents of a vacancy in the office of the President of a member institution in cases where the vacancy is caused by other than a resignation. The Chairman of the Board of Regents shall notify the other members of the Board of a vacancy in the office of Chancellor in cases where the vacancy is caused by other than a resignation.
- f. As of December 1, 2005, the total costs of president searches will be the obligation of the System institution requiring the search. Excluded are any costs for travel by System staff or the Board of Regents as required by the search process.
(B/R 6/84, 3/04; Added 6/05; A 1/06)

Section 2. Executive Evaluations

1. ANNUAL EVALUATION OF NSHE PRESIDENTS *(Board Approved 10/03)*

- A. The purpose of the annual evaluation is to provide ongoing, constructive feedback so that Presidents may know how the Chancellor and the Board views their areas of strength as well as areas that may be improved upon. It also provides an opportunity for the President and Chancellor to discuss personal and institutional goals for the next evaluation period.
- 1) The President will prepare an annual confidential Self-Evaluation Report, addressing the areas of review as described in subsection B. The timeframe for the annual self-report shall be the prior calendar year.
 - 2) The Chancellor reviews the President's self-evaluation and prepares a confidential written evaluation assessing the President's performance against the goals set for the prior calendar year. The emphasis of the annual evaluation shall be on an analysis of areas for future focus and improvement.
 - 3) The Chancellor meets with the President to review the written evaluation and to agree on personal and institutional goals for the following evaluation period.
 - 4) If the Chancellor recommends a change to the President's contract a summary of his evaluation and the new evaluation goals will be provided to the Board of Regents. *(These are public documents.)* The Board will discuss the findings of the annual review at a meeting in an open personnel session and consider the contract recommendations.
 - 5) A copy of the confidential written evaluation, signed by both the Chancellor and President, is retained in the President's personnel file, along with a copy of the President's confidential annual self-evaluation report.
- B. The following format and evaluation criteria are based on principles developed by the Association of Governing Boards for formative reviews and shall be considered in the annual evaluation of NSHE presidents.

1. GOALS AND ACHIEVEMENTS

- i. Discuss the goals you set for yourself and your institution last year along with a description of your efforts to meet them.
- ii. Discuss any other personal and institutional achievements that you, your senior management team, or your faculty are especially pleased to have accomplished. Include achievement in meeting institutional goals for the upward mobility of underrepresented groups *(faculty, staff, and students)*.
- iii. Discuss any disappointments, frustrations, or problems you may have experienced during the past year, especially those that are likely to persist.

- iv. Discuss in a thoughtful way your relationships with the Board of Regents; your faculty, staff, students, alumni, and community leaders; and any other appropriate stakeholders or organizations.

2. CHALLENGES AND OPPORTUNITIES

- i. Outline your institution's principal challenges and opportunities as you see them.
- ii. List evaluation goals you propose for yourself and your institution for the next year. These goals should focus on, but are not limited to, meeting institutional and System-wide strategic goals in the following areas:
 - a. Academic Administration;
 - b. Academic Advancement;
 - c. Budgetary and Personnel Management;
 - d. Access and Diversity;
 - e. Research and Workforce Development; and
 - f. Internal Communication, External Relations and Fund-raising.
- iii. Provide any other thoughts, ambitions, or plans you have as President.

3. OTHERS

- i. Attach any other information or materials that will help assess your institution's achievements and progress over the past year or so.
- ii. If you wish, discuss your desires or plans for professional growth.

2. PERIODIC EVALUATION OF NSHE PRESIDENTS *(Board Approved 10/03)*

A comprehensive, periodic assessment of the performance of each President in 8 key areas will be conducted in the next-to-last year of each contract period. The purpose of the periodic evaluation is to provide constructive feedback on measurable performance criteria assessed over a period of time so that Presidents may know how colleagues, Regents, and key leaders in the community view their efforts, including areas of strength as well as areas that may need improvement.

- 1.) The President being evaluated shall prepare a written self-evaluation based upon the 8 areas of evaluation described in subsection 3. The self-evaluation shall be submitted to the Chancellor and provided to the Evaluation Committee.
- 2.) An Evaluation Committee comprised of at least six members shall be appointed by the Board Chair in consultation with the Chancellor. Voting members of the committee shall include three members selected from the Board of Regents, two members representing the community, and one student from the NSHE institution of the President being evaluated. Committee members representing the community may include foundation board members, alumni association board members, and local business leaders. The chair of the Board shall appoint one of the members as chair of the Evaluation Committee.

- 3.) An external consultant will be hired to staff the Evaluation Committee and facilitate the evaluation and will be referred to herein as the “evaluation consultant.” The evaluation consultant must have extensive experience in higher education and knowledge of the type of institution involved. The President being evaluated may submit a list of potential individuals to the Chancellor for consideration as the evaluation consultant. The Board Chair shall select the evaluation consultant based on recommendations of the Chancellor.

In advance of the evaluation, the Evaluation Committee chair, the Chancellor, the evaluation consultant, and President may discuss the details of the evaluation and any issues that may be raised during the evaluation process.

- 5.) The evaluation consultant will conduct interviews with a wide variety of individuals knowledgeable about the President's work. Appropriate accommodations will be made for the evaluation consultant to conduct interviews at institutions with multiple campus sites.
- 6.) The President being evaluated shall be permitted to submit a list of potential interviewees. The Chancellor will select those names to be forwarded from the President's list and other sources to the Evaluation Committee and the evaluation consultant. This shall normally consist of individuals external to the institution who may provide knowledgeable input about the President's performance.
- 7.) The evaluation process will include the opportunity for a representative sample of vice Presidents, deans, academic and administrative department heads, faculty, students, and community and alumni leaders to be interviewed by the evaluation consultant. The Evaluation Committee and the evaluation consultant shall not accept anonymous materials as part of the evaluation process.
- 8.) Prior to conducting interviews with institution constituents, the Evaluation Committee will meet with the President for the purpose of reviewing strategic plans, goals, objectives, resource allocation policies, major challenges and successes, and his/her own assessment of the interval being appraised.
- 9.) Based on the information collected through the evaluation process, the evaluation consultant will document the President's strengths and weaknesses in the 8 areas of evaluation described in subsection 3, and will recommend areas for future focus and improvement that will be considered by the Evaluation Committee.
- 10.) Prior to the end of the evaluation, the Evaluation Committee and the evaluation consultant will meet with the President and the Chancellor or his designee to review the preliminary results and to follow-up on any questions that may remain. The evaluation consultant will prepare a final report as directed by the Evaluation Committee.
- 11.) The final report will be provided to the Chancellor for transmittal to the Board of Regents and the President, along with a copy of the President's self-evaluation. The final report and the President's periodic self-evaluation are public documents.

- 12.) As soon as practical after the submission of the final evaluation report, the evaluation consultant will present the final report at a meeting of the Board of Regents where the President will participate in an open personnel session to review the findings of the periodic evaluation.
- 13.) At the conclusion of the periodic evaluation process, the Board Chair may recommend contract terms and conditions for approval by the Board of Regents.
- 14.) A copy of the Evaluation Committee's report and a copy of the President's self-evaluation will be retained in the President's personnel file.

3. PERFORMANCE CRITERIA FOR PERIODIC EVALUATION OF NSHE PRESIDENTS

(Board Approved 10/03)

A. BUDGETARY MATTERS & FISCAL MANAGEMENT

- i. Evidence of sound fiscal management, including the ability to address budgetary matters in a way that achieves a more efficient and effective use of resources.
- ii. Ability to allocate fiscal resources in a manner that is conducive to achieving institutional goals and objectives.
- iii. Ability to comprehend and evaluate fiscal and budgetary matters.
- iv. Ability to attract funds for the institution.

B. ACADEMIC ADMINISTRATION & ACADEMIC PLANNING

- i. Existence of well developed and widely understood institutional goals and objectives.
- ii. Ability to link planning, resource allocation, and evaluation functions and quality of judgment demonstrated in establishing priority in those areas.
- iii. Existence of a good academic program review procedure designed to serve as a basis for staff allocation and budgetary support, the evaluation of the quality of instruction, and to assist in college's institutional goals and objectives.
- iv. Ability to initiate curricular change in response to student and societal interests and needs.
- v. Awareness of educational ideas, trends, and innovations.

C. STUDENT AFFAIRS

- i. Evidence of formal and informal mechanisms for involving students in decision making.
- ii. Evidence of effective recruitment, admission, counseling, and placement programs.
- iii. Evidence of effective student retention efforts.
- iv. Ability to relate to students as individuals and groups.
- v. Evidence of sensitivity on the part of the President to individual differences and tolerance of and respect for such differences.

D. PERSONNEL MANAGEMENT

- i. Evidence of ability to relate to faculty and staff within a particular governance structure of the institution.
- ii. Effectiveness in forming, developing, and supervising and administrative network for making and implementing policies.
- iii. Evidence of the President's commitment to make personnel changes when those changes are necessary to further enhance the effectiveness of the institution.
- iv. Evidence of ability to select strong subordinates.

- v. Ability of the President to have trust and confidence in subordinates.
- vi. Evidence of ability to seek and use counsel of immediate subordinates.
- vii. Ability to determine those issues which are the proper responsibility of subordinates and those that require the action of the President.
- viii. Evidence of ability to delegate responsibility to subordinate managers and to support them in carrying out responsibilities.
- ix. Evidence of success in meeting institutional goals for hiring, mentoring, and promoting opportunities for the upward mobility of underrepresented groups (faculty, staff, and students).
- x. Evidence of ongoing procedure for evaluation of other members of the institutional management team.

E. DECISION MAKING AND PROBLEM SOLVING

- i. Ability to assume responsibility for decisions.
- ii. Sensitivity to individuals affected by decisions.
- iii. Ability to deal with reaction to unpopular decisions.
- iv. Ability to identify and analyze problems and issues confronting the institution.
- v. Ability to identify potential areas of conflict.
- vi. Ability to comprehend the inter-related nature of such factors as budgeting, curriculum, social and political realities, group interests and pressures, laws and rules and regulations having implications for the management of the institution.
- vii. Ability to initiate new ideas and change.
- viii. Ability to make decisions in critical situations and to handle crisis.
- ix. Ability to communicate ideas, information, and resources for decisions.
- x. Awareness of implications in decisions.
- xi. Ability to re-evaluate and if necessary retract decisions.
- xii. Where appropriate ability to involve institutional groups and individuals in support of decisions and in their implementation.
- xiii. Ability to surmount personal criticism.

F. EXTERNAL RELATIONS AND FUND-RAISING

- i. Ability to relate to and communicate with the community in which the institution is located.
- ii. Evidence of an active alumni program.
- iii. Evidence of an active fund-raising program.
- iv. Ability to meet the social obligations of a President.
- v. Ability to work with other executive officers in the System.
- vi. Ability to understand the role of politics and government offices in higher education.
- vii. Ability to relate to legislators, the governor's office, other state and federal agencies, and with other public officials on matters affecting the institution.
- viii. Ability to represent the institution to its various publics.
- ix. Evidence of leadership and involvement in the community (e.g., service on boards and committees).

G. RELATIONSHIP TO THE BOARD

- i. Effectiveness in keeping the Board of Regents informed of all relevant issues affecting or having bearing on managerial policies of the institution.
- ii. Effectiveness in keeping the Board of Regents abreast of local, state, and regional affairs affecting the institution.

- iii. Ability to identify for the Regents the problems confronting the institution and to assess alternate solutions and to recommend appropriate action.
- iv. Ability to carry out duties which has been or may be delegated or assigned to the President by the Board.
- v. Ability to review and analyze budgetary problems and to make effective presentations on the same to the Board.

H. PROGRESS TOWARD MASTER PLAN AND OTHER PERFORMANCE GOALS

- i. Evidence of progress toward meeting the Board's goal of increasing institutional quality through measurable improvements in:
 - 1. Student preparation and achievement
 - 2. Student assessment
 - 3. Academic programs and accreditation
 - 4. Capture rates
 - 5. Retention rates
- ii. Implementation of programs, courses, and services to meet the needs of working adults and under-represented groups.
- iii. Evidence of collaboration with other NSHE institutions on academic programs, services, and facilities.
- iv. Evidence of progress toward meeting the Board's goal of increasing efficiency through improvements in:
 - 1. Cost-saving measures
 - 2. Reallocation of resources to areas of high need
 - 3. Collaborative partnerships with other NSHE institutions and with external partners
 - 4. Space utilization
- v. Evidence of progress toward meeting the Board's goal of enhancing the economic development of the State of Nevada through:
 - 1. Federal research grants and contracts
 - 2. Workforce development projects and partnerships
 - 3. Collaborations with private sector businesses
 - 4. Increasing the number of graduates in skilled and high-demand fields
- vi. Evidence of progress toward meeting the Board's goal of increasing student access through improvements in the number and quality of:
 - 1. Undergraduate and graduate enrollments
 - 2. Minority enrollments
- vii. Evidence of progress towards performance goals established by the Chancellor in the annual evaluation of the President.

4. CRITERIA FOR THE ANNUAL AND PERIODIC EVALUATION OF THE CHANCELLOR (Board Approved 10/03)

A. INTRODUCTION

The principles for the evaluation of the Chancellor are similar to those for evaluating Presidents. However, they differ in that the Chancellor is the chief executive of the NSHE and is directly accountable to the Board of Regents. It follows, therefore, that the Chancellor's evaluation must be conducted by the Board.

B. SCOPE & FREQUENCY

The Chair of the Board of Regents is responsible for conducting two kinds of ongoing performance evaluation of the Chancellor:

1. An Annual Evaluation conducted by the Chair of the Board and
2. An extensive Periodic Evaluation to be conducted in the next-to-last year of each contract period by an Evaluation Committee of the Board.

In both instances, the Chair may be assisted by the Vice Chair as needed and may have a person from outside the NSHE with extensive experience in Higher Education for the periodic evaluation.

C. ANNUAL EVALUATION

The Chair of the Board of Regents is responsible for conducting the annual evaluation of the Chancellor, in compliance with the Nevada Open Meeting Law (NOML), and in consultation with other members of the Board, will establish a performance program for the Chancellor for the upcoming year. The review will be based upon:

1. A progress report and self-evaluation by the Chancellor;
2. Invited input from individual Regents, institution Presidents, and senior System staff reporting to the Chancellor; and
3. Extensive personal consultation between the Board Chair and the Chancellor.

Comments from Regents will be received at an open meeting or by another process approved by the Chief Counsel to insure compliance with the NOML. The purpose of the annual evaluation is to identify the Chancellor's accomplishments and areas which may need special attention during the past year, areas which may need special attention during the coming year, and to discuss his or her performance objectives for the coming year in light of the Board's priorities.

Procedure

An outline of the process to be used in conducting the annual evaluation of the Chancellor is as follows:

1. The Chancellor will prepare a self-evaluation report based on the Board's performance areas of review (*Appendix I*) and forward it to members of the Board of Regents.

2. The Chair will consult, in compliance with the NOML as approved by the Chief Counsel, with other Board members, institution Presidents, and senior system staff using the performance areas for review identified in Appendix I.
3. The Chair of the Board will prepare a written report to the Board. The Board will meet in an open personnel session with the Chancellor to consider the contents of the report and other matters believed pertinent to the Chancellor's evaluation.
4. A copy of the written evaluation, signed by both the Board Chair and the Chancellor, is retained in the Chancellor's personnel file, along with a copy of the Chancellor's annual self-evaluation report. The self-evaluation report and the written evaluation are public records.

D. PERIODIC EVALUATION

Prior to the final year of a Chancellor's multi-year contract, the Chair of the Board will convene an Evaluation Committee to conduct a more in-depth evaluation of the Chancellor's performance.

The Evaluation Committee shall consist of up to 4 - 6 members, including the Chair, Vice Chair, and immediate past Chair. Additional members may be appointed by the Chair. The Board may elect to engage the services of an external consultant to assist the Evaluation Committee in its work.

The purposes of the periodic evaluation are:

1. To give an expanded group of constituencies an opportunity to learn of the Chancellor's sense of progress and to provide their views regarding his/her performance; and
2. To give the full Board an appraisal of the Chancellor's performance in light of the NSHE's progress.

Procedure

An outline of the process to be used in conducting the periodic evaluation of the Chancellor is as follows:

1. The Chancellor will write a retrospective report describing his/her view of accomplishments, and areas that need improving. This report should address:
 - a. The performance areas outlined in the Board of Regents Bylaws and in Appendix I of this performance evaluation policy, and
 - b. The annual performance program since the last periodic evaluation.
2. The Chancellor's retrospective report will be sent to major constituencies for their review and comment. The constituencies may include, but are not limited to, Regents, Vice Chancellors, other System executive staff and directors, Presidents, Faculty Senate Chairs, Student Body Presidents, Public Officers, and the Governor's staff. The review and comment by Regents will occur at an open meeting or by another process approved by Chief Counsel to insure compliance with the NOML.

3. The Evaluation Committee will conduct interviews with a representative sample of major constituencies on the contents of the Chancellor's retrospective report and their assessment of the Chancellor's performance in the areas identified for review (*Appendix I*).
4. The Evaluation Committee will prepare a written report to the Board. The Board will meet in an open personnel session with the Chancellor to consider the contents of the report and other matters believed pertinent to the Chancellor's evaluation.
5. A copy of the written evaluation, signed by both the Board Chair and the Chancellor, is retained in the Chancellor's personnel file, along with a copy of the Chancellor's retrospective report. The written evaluation and the retrospective report are public records.

E. PRINCIPLES OF THE PERIODIC EVALUATION

1. The responsibility for evaluating the performance of the Chancellor rests with the Board of Regents and cannot be delegated to others.
2. The authority and responsibilities of a system Chancellor are different from those of an institution President. Therefore, a system Chancellor should be evaluated in terms of his/her performance in respect to system goals and objectives and not in terms of a model defined in terms of presidential performance expectations.
3. The Chancellor's retrospective report and the constituent interviews should constitute the primary elements of the evaluation process. The process should be open and inclusive in terms of input and consultation, while recognizing that it is not possible to involve all of the groups and individuals who may wish to provide input in the process. The Evaluation Committee shall not accept anonymous materials.

5. PERFORMANCE CRITERIA FOR EVALUATION OF THE CHANCELLOR (*Board Approved 10/03*)

- 1) Relations with the Board of Regents
- 2) Relations with NSHE Institutions
- 3) Relations with the Executive Branch
- 4) Relations with the Legislative Branch
- 5) Administrative and Management System-Wide Responsibilities
- 6) Administration of the Chancellor's Office and Related Activities
- 7) Decision Making and Problem Solving Abilities

8) Relations with External Communities

- a. State
- b. Regional
- c. National

9) Implementation of NSHE Master Plan Vision and Goals
(B/R 10/03; Added 6/05; A. 3/06, 8/08)

Section 3. Rehire of a PERS Retiree (formerly CM 01-04)

1. The reemployment restrictions for Public Employees Retirement System (*PERS*) retirees can be waived in some cases to assist employers with the hiring of retirees in areas of critical labor shortage.

An exemption from PERS reemployment restrictions allows a retiree to return to employment with a participating public employer and continue to receive their retirement benefit at the same time. There will be no cap on earnings related to that employment for the retiree in a critical labor shortage position. The retirees will have the option to reenroll in PERS and continue to receive their retirement benefit.

The Board of Regents will make the determination for NSHE classified and professional positions based on the following criteria:

- Turnover – Turnover for the class or type of position has exceeded the State average in 2 out of the last 3 years.
- Recruitment – Recruitment (*including out-of-state*) has been open on a continuing basis for the last 2 months, producing less than 5 qualified and available applicants for each opening.
- Average length of vacancy exceeds the State average.

In addition, the Board of Regents may consider the following additional criteria:

- Position requires exceptional qualifications of a scientific, professional, or expert nature.
- Position requires a license or certification and there has been historical difficulty in recruitment.
- There is a known labor shortage in the field.

All applicants, including retirees seeking reemployment in areas of critical labor shortage, must meet the current minimum qualifications specified for the position. Persons applying for a classified position must be appointed under the provisions of Nevada Administrative Code 284.

2. Eligibility

Until it sunsets in 2009, the law allows retirees to apply for employment in positions deemed to be experiencing a critical labor shortage. Requests will not be approved for immediate rehiring into the same position of incumbent employees who elect to retire; consideration may be given on a case-by-case basis if a strong rationale can be presented that demonstrates how the position and the person meet the criteria noted in this procedure.

In order to be eligible for hiring into a position experiencing a critical labor shortage, the PERS employee must have retired with:

- *(For regular members)* 5 years of service at age 65, 10 years of service at age 60, and 30 years of service at any age.
- *(For police and fire members)* 5 years of service at age 65, 10 years of police/fire service at age 55, 20 years of police/fire service at age 50, and 25 years of police/fire service at any age.

Retirees who retired before full eligibility as described above:

- May return to employment under this statute when they reach the age at which they could have retired without early retirement reduction.

3. Procedure

Departments within a NSHE institution requesting approval of a position that conforms to this statute must complete a form, including approvals by appropriate institutional administrators, and submit it to the NSHE Director of Human Resources. The Director of Human Resources will make a recommendation to the Chancellor for placement on the Board of Regents agenda. Final approval of all such requests rests with the Board of Regents. The Public Employees Retirement System of Nevada must be notified within 10 days of the rehire of a retiree under these provisions.

(Added 6/05; A. 11/05)

Section 4. Procedure For Recertifying a PERS Retiree

In accordance with Nevada Revised Statutes 286.523(5), Departments within a NSHE institution that are requesting the recertification of a PERS Retiree hire must bring forth a request every 2 years. In recommending the redesignation of a position as one for which the critical labor shortage continues, the following criteria must be considered:

A search was conducted and the incumbent was clearly the best candidate for the position.

The position requires exceptional qualifications of a scientific, professional or expert nature and conducting a search would not produce a more qualified candidate than the incumbent.

There is a known labor shortage in the field and conducting a search would be an unnecessary expenditure as the incumbent is clearly qualified for the position. Conditions in the market have not changed since the incumbent was hired.

The position requires a license or certification that the incumbent possesses and a search would cause an unnecessary expenditure as the incumbent is clearly qualified for the position.

The incumbent is uniquely qualified for the position and these skills cannot be duplicated in the market place.

This appointment is short term and conducting a search would bring unnecessary expense to the institution.

Other information that supports the recertification of the PERS rehire.
(Added 9/07)