

BOARD OF REGENTS
BRIEFING PAPER

Agenda Item Title: Best Practices for President Appointment and Search

Meeting Date: October 19, 2012

2. BACKGROUND & POLICY CONTEXT OF ISSUE:

The Board has asked that best practices be reviewed in regard to addressing vacancies in the office of president, including best practices in appointing president search committees.

3. SPECIFIC ACTIONS BEING RECOMMENDED OR REQUESTED:

This information is being presented for discussion purposes. No specific policy revisions will be approved at this meeting. Based on the discussion, the Board will provide directions to staff to bring proposed revisions to Board policy for consideration at a future meeting.

4. IMPETUS (WHY NOW?):

Four of the last six sitting NSHE Presidents have resulted from the hiring of the institution's provost or the interim president as the permanent president. Three of those four were hired after a comprehensive search was conducted and one was hired upon the Board waiving the Code requirement for a search.

The Board has asked that best practices be reviewed in regard to addressing vacancies in the office of president, including best practices in appointing president search committees.

Upon the vacancy in the office of president, Board policy requires the chancellor, in consultation with the Chair of the Board, to recommend an acting or interim president. It has been a long-standing practice that when a vacancy occurs or is about to occur in the position of president of a member institution, that the chancellor, in consultation with the Chair of the Board, will visit with the campus and its various stakeholders to help determine who the best possible person would be to serve as the acting or interim president. However, that practice is not codified.

Concerns have been expressed for commencing a national comprehensive search if the provost is appointed as an interim president and is being considered for appointment to the permanent position. Current Code provisions do not specify whether acting or interim presidents may be considered as candidates for permanent appointment in a search.

The Board has also expressed concerns that the president search committee may be usurping the Board's decision making process by recommending a single candidate for the permanent appointment of a president, rather than narrowing the field of candidates to three to five candidates for consideration by the full Board.

Additionally, because it has become more common that the provost of an institution is considered for appointment as an acting, interim or permanent president, Board members have asked for consideration of a policy requiring national searches for recruiting candidates when a vacancy occurs in the office of Provost.

5. BULLET POINTS TO SUPPORT REQUEST/RECOMMENDATION:

No recommendations have been presented. This information is being presented for discussion purposes.

Based on the discussion, the Board will direct staff to bring forward policy recommendations at a future meeting.

6. POTENTIAL ARGUMENTS AGAINST THE REQUEST/RECOMMENDATION:

None have been brought forward as yet.

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

Leave the policies as currently written.

8. COMPLIANCE WITH BOARD POLICY:

- Consistent With Current Board Policy: Title #____ Chapter #____ Section #____
- Amends Current Board Policy: Title # 2 Chapter # 1 Sections # 1.5.4 and 1.5.5
- Amends Current Procedures & Guidelines Manual: Chapter # 2 Section # 1
- Other: _____
- Fiscal Impact: Yes _____ No X _____
Explain: _____

POLICY PROPOSAL - HANDBOOK
TITLE 2, CHAPTER 1, SECTIONS 1.5.4 and 1.5.5
Vacancy in the Office of President and Acting Chancellor or President

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

1.5.4 Vacancy in the Office of President.

- (a) *As used in this section, "Officer in Charge" means the Provost at the University of Nevada, Reno, the University of Nevada, Las Vegas, and at Nevada State College, and the Vice President of the Desert Research Institute and of each Community College who has been designated by the President to be the Officer in Charge in the absence of the President in accordance with Board policy.*
- (b) *The President of Desert Research Institute and the President of each of the community colleges shall maintain on file with the Chancellor, the designation, in writing, of the Vice President that is deemed to be the Officer in Charge should a vacancy occur in the position of president.*
- (c) ~~Whenever~~ *When* a vacancy occurs ~~or is about to occur~~ in the position of president of a member institution, *the institution's Officer in Charge shall exercise the powers of the president until an Acting or Interim President is appointed by the Board.*
- (d) *As soon as practicable after a vacancy occurs in the position of president of a member institution, the Chancellor, in consultation with the Chair of the Board, shall recommend to the Board the appointment of an Acting President. Prior to making the recommendation of an Acting President, the Chancellor and Chair of the Board shall first meet with major constituencies to receive their suggestions and input for the appointment of an Acting President. Such constituencies may include, but are not limited to, provosts, vice presidents and other executive staff, campus employees, faculty, students, presidential advisory board members, foundation trustees and community representatives.*
- (e) *At the time the Board considers the Chancellor's recommendation for the appointment of an Acting President, the Board shall also determine whether a national search shall be conducted pursuant to paragraph (f) immediately, or if an Interim President shall be appointed to a specified term of one to three years.*
 - a. *If the Board determines to conduct a national search, the Board will appoint an Acting President. If an Acting President is appointed, the Acting President serves as the President of the institution until a person is permanently appointed as President following a presidential search. An Acting president*

will not be eligible for consideration as a candidate for the position of president.

b. If the Board determines to appoint an Interim President to a specified term, an Acting President will not be appointed. The Chancellor's recommended candidate for Acting President may be considered by the Board for appointment as the Interim President. If the Board appoints an Interim President, the Interim President will be appointed to a specified term of one to three years. Prior to the expiration of the Interim President's specified term, the Board shall either appoint the Interim President as the permanent President of the institution or shall conduct a national search. An Interim President must serve at least a year before the Board may consider making the appointment permanent and the Board will first consider input from the institution's major constituencies. If the Board determines not to appoint the Interim President to the permanent position, a national search will be conducted and the Interim President will not be eligible for consideration as a candidate for the permanent position.

(f) If the Board determines to conduct a national search, a Presidential Search Committee composed of six ~~three to five~~ members of the Board of Regents shall be appointed by the chair of the Board for the purpose of recruiting and screening and for recommending a nominee or ~~three to five~~ **unranked nominees **as finalists to be interviewed by the full** Board of Regents for **consideration by the Board for** appointment to the position. The chair of the Board shall appoint the chair of the Presidential Search Committee. The chair of the Board of Regents shall also appoint ~~an~~ Institutional Advisory **members to the** Committee from the member institution involved ~~composed of~~ **to include** five faculty members nominated by the senate, three administrators, one classified or technical employee nominated by the classified or technical employees' organization, if any, and, one undergraduate student representative and one graduate student representative nominated by the appropriate student government and one alumnus. The chair may also appoint such other persons to the Institutional Advisory **as advisory members to the** Committee as may be deemed necessary. The affirmative action officer of the member institution involved, if any, shall be an ex officio, ~~voting~~ **advisory** member of the Institutional Advisory Committee. **The institutional advisory members of the Committee serve as non-voting members to advise the voting members of the Presidential Search Committee on matters being considered.** (B/R 3/06)**

~~(b)~~ **(g) Both committees 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 shall be established by the Chair of the Board in consultation with the Chancellor and Chief Executive Officer of the Board. 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 members of the Committee before the Presidential Search Committee schedules candidate**

interviews. The committees ~~may jointly~~ **will** interview and evaluate candidates, after which the Presidential Search Committee ~~shall meet to~~ **will** select its nominee or **three to five unranked** nominees **as finalists to be interviewed by the full Board of Regents** for consideration by the **full** Board of Regents **for appointment to the position. If the Board determines not to appoint any of the candidates recommended by the Presidential Search Committee, it shall direct the committee to continue the search process and to recommend additional candidates for consideration by the full Board of Regents.**

(h) The Chancellor's Office shall be responsible for the search and screening process and shall provide staff assistance to the committees. The Chancellor shall hold ~~ex officio, nonvoting membership on both committees~~ and shall facilitate their interaction throughout the process.

(i) **The Board may authorize deviations from the processes defined in this policy.**

1.5.5 ~~Acting Chancellor or President.~~ During a vacancy in the position of chancellor , or president, the Board of Regents may appoint an acting chancellor . or president, as the case may be.

PROPOSED REVISIONS – PROCEDURES & GUIDELINES MANUAL
CHAPTER 2, SECTION 1

Appointments and Vacancies of System Officers

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

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 shall be established by the Chairman of the Board of Regents in consultation with the Chancellor and Chief Executive Officer of the Board.
- ~~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.
- ~~c.~~ **(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 shall be established by the Chairman of the Board of Regents in consultation with the Chief Executive Officer of the Board and the Chief Human Resources Officer.
- ~~d.~~ **(b)** 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.
- ~~e.~~ **(c)** 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.
- ~~f.~~ **(d)** 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.
- ~~g.~~ **(e)** 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.
- ~~h.~~ **(f)** *In the case of a vacancy in the position of Provost at a member institution, unless an exception is approved by the Board of Regents, the institution shall conduct a national search for the purpose of recruiting and screening candidates for the position for consideration of appointment by the institution's President. As used in this paragraph, "Provost" means the second highest ranking executive and administrative officer of the university or state college.*