

BOARD OF REGENTS BRIEFING PAPER

Item 1: Board of Regents Handbook & UNR Bylaws:

At its November, 2006 meeting, the Board of Regents adopted new language for the Handbook allowing for a single process to resolve disputes over merit and evaluation. The proposed changes to the UNR Bylaws bring the relevant sections into compliance with the added language in Title 2 of the Handbook.

Item 2: President Glick Requests Approval of Amendments to the University of Nevada, Reno Bylaws:

President Glick requests approval of amendments to the University of Nevada, Reno bylaws.

Item 3: Board of Regents Handbook (Continued):

Changes to the Board of Regents Handbook require changes to the UNR Bylaws so the two are congruent. The amendments proposed for approval have been approved by Faculty Senate and the faculty at-large.

Item 4: Board of Regents Handbook & UNR Bylaws:

- The amendments bring the bylaws into conformance with Board of Regents Handbook.

Chapter II - GRIEVANCES

33. PROCEDURES FOR INITIATING A GRIEVANCE

[Petitioners initiating a grievance for denial of appointment with tenure, salary increase, or promotion see 33a and 33b. For all other grievances, see 33b.]

a. Petitioners initiating a grievance regarding a disagreement with an annual evaluation rating or denial of salary increase may first request reconsideration as provided for in Subsections ~~3.4.5, 5.2.3, and 5.2.4~~ 5.12.3 and 5.16 of the Code as a part of the grievance procedure. In connection with review of merit pay, “denial of a salary increase” means review of the step or level of merit in accordance with Section 5.16 of the Code.

The petitioner may file a request for reconsideration regarding a disagreement with his or her annual evaluation rating or denial of salary increase, in accordance with Subsections } ~~5.2.4~~ {5.12.3 and 5.16 of the Code within 15 calendar days of the date he or she received written t'a6as1(ion. rdingafter w)7r2.4

decides to recommend appointment with tenure, the final decision regarding tenure must be made by the Board of Regents.

If the petitioner is dissatisfied with the President's decision after reconsideration, within 15 working days after the receipt of the President's decision, the petitioner may file a written Notice of Grievance as described in 33c [33b]. Cases of reconsideration of non-appointment or non-reappointment as provided in Subsections 5.4.2., 5.9.1, 5.9.2, 5.9.3, and 5.9.4 of the Nevada System of Higher Education Code are not eligible for grievance (Code 5.7.2).

Rationale: Reflects current language added to the Code in December, 2006. Code language provides that NSHE institutions may use grievance and reconsideration for review of adverse evaluation ratings and denial of salary. Also, inserts the Code reference for those not eligible for grievance.

c_b]. A petitioner may institute a grievance by filing a written Notice of Grievance with the Chair of the-Faculty Senate within 15 working days from the date the petitioner gains knowledge of the act or omission to act being challenged. The Notice of Grievance shall contain 1) a brief statement of the act or omission to act that is being challenged; 2) the reasons supporting the grievance; and 3) the remedy sought. The chair of Faculty Senate shall serve the Notice of Grievance on the respondent at the time it is filed.

Upon completion of a hearing by the University Grievance Committee, the recommendation of the Committee shall be forwarded to the President for final decision.

Final action shall be taken by the President. However, the approval of the Board of Regents shall be required for appointment to tenure. In cases requiring the Board of Regents' approval, the President may request an oral presentation to the Regents of the reasons for and against the personnel action before final decision. (B/R 1/99)

Chapter III - PROFESSIONAL RESPONSIBILITIES

or she has read the evaluation or has waived the right to read it. If the faculty member disagrees with [any part of the evaluation] the annual evaluation rating, he or she may submit a written rejoinder (Code 5.16) and/or may [the peer review process as defined in Bylaw 37] initiate a reconsideration and/or grievance through regular administrative channels as specified in Bylaw 33a.

All evaluations shall be initiated by the department and shall be made on the basis of equitable and

person, who shall serve as chair of the review committee, shall be selected by the senate chair from a list of names provided by the Provost's Office. The senate office shall notify all concerned parties that the review committee has been convened.

The senate chair shall call a meeting of the committee within 10 working days of appointing the members. The committee shall conduct and conclude its review within 20 working days after its first meeting. The committee's charge shall be to: 1) review all written materials submitted by the faculty member and chair/supervisor and gather additional information from other parties as the committee chair deems necessary; and 2) submit a report and , if appropriate, new evaluation based on its conclusions. The report and, if applicable, new evaluation and all working papers from the committee, shall be submitted to the dean/vice president.

a. Upon receipt of the committee's report and, if appropriate, new evaluation, the dean/vice president shall send copies to the faculty member and chair/supervisor and applicable personnel file, along with a notification stating that the peer review has been completed. The new evaluation will be retained in the faculty member's personnel file along with the supervisors' official evaluation and any written rejoinder made previously by the faculty member. If the peer evaluation results in a recommendation that the initial evaluation be changed, that recommendation shall be forwarded to the president or designee of the institution, who, at his or her discretion, may change the faculty member's evaluation by means of an addendum attached to the front of the evaluation stating how the evaluation is being changed and the

Any changes in title of an academic faculty member within Rank 0 status shall be subject to the same established personnel review procedures as used in changes in rank.

The Code (Subsections 5.11.1, 5.11.2) requires that procedures for annual evaluation shall be established in institutional bylaws. These evaluations provide a primary source for decisions concerning tenure, promotion, and salary increases. Therefore, each unit within the University is obligated to define further the procedures employed for the annual evaluation process as well as provisions for accountability.

The purpose of meritorious evaluations should be perceived by the faculty and administration alike not only as the rewarding of excellence, but as an opportunity for each faculty member to assess his or her performance within the academic community and to improve that performance with reference to specific and uniform written criteria applied by each department or appropriate unit in the evaluation process. Moreover, it is understood that a meritorious evaluation is a matter of academic record, a recognition of performance deserving of special note, regardless of the current availability of funds for direct merit award.