

NSHE CHANCELLOR SEARCH/NEVADA OPEN MEETING LAW REQUIREMENTS

The NSHE Code, Ch. 1, Sec. 5.1.4 sets forth the following process for a Chancellor search:

- 1) The Board shall determine whether to conduct a national, regional, in-state, or other search

5) Before it makes its recommendation or recommendations to the Board, the

II. Nevada Open Meeting Law (OML) sets forth the following requirements relevant to the Chancellor Search process.

If a “public body” participates in any part of the selection process for the position of public officer or for a person who serves at the pleasure of the public officer ... then all discussion of the appointment process must occur in a public meeting. NRS 241.030(5)(e).

The term “public body” means: “(d) A subcommittee or working group consisting of at least two persons who are appointed by a public body ... [if] [t]he subcommittee or working group is authorized by the public body to make a recommendation to the public body for the public body to take any action.” NRS 241.015 (4)(d)(2).

The Chancellor Search Committee is composed of between four and six Board members, and it is charged with making a recommendation to the full Board for action. Therefore, the Chancellor Search Committee is a “public body.”

The initial screening process is not subject to OML because it includes only a single Regent, and not others of the Regents' Chancellor Search Committee.

If two or more regents or other people appointed by the Board participate in the initial screening process for the Chancellor search, then the process must take place in a public meeting. NRS 241.015(4)(d)(2).

For this reason, the Board's current Chancellor search process provides that only one member of the Chancellor Search Committee is charged with the initial screening task.