

TITLE 2 - Nevada System of Higher Education CODE

CHAPTER 7

TENURE FOR STATE COLLEGE FACULTY

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Section 7.1 Declaration of Policy

7.1.1 Limited to State College Except as may be provided otherwise in this chapter, the provisions of this chapter are applicable to the faculty of the state college of the System only.

7.1.2 Conditions on Tenure. The major objectives of tenure are to provide a faculty committed to excellence and to provide a substantial degree of security to those persons who have exhibited excellent abilities, sufficient to convince the University of Nevada community that their expected services and performances in the future justify the privileges afforded by tenure.

Section 7.2 Eligibility for Tenure

7.2.1 Nevada State University.

- (b) Upon request of the academic faculty member and the approval of the president, up to three years of uninterrupted full-time employment in a Rank O position may be counted towards the completion of a probationary period for tenure in the event an academic faculty member employed in a Rank O position is subsequently appointed to a rank capable of conferring eligibility for appointment with tenure. Such decision must be made at the time of the subsequent appointment.
- (c) Academic faculty at Nevada State University who have been placed in Rank O positions may be given such academic titles as the member institution, at the president's discretion, may consider appropriate, but such academic faculty shall not be eligible for appointment with, nor shall have, tenure under any circumstances by reason of the granting of such academic titles.

Section 7.3 Probation

7.3.1 Probationary Period.

- (a) Academic faculty eligible for appointmentMC /P <</MCID 2 >>BDC 3.261 Td [(i)a]6 (nt)b

Section 7.4 Appointment with Tenure

7.4.1 Recommendations and Appointment . At the expiration of a probationary period or at any time during a probationary period, academic faculty eligible for appointment with tenure may be recommended to the president for such appointment through regular personnel procedures. Recommendations for appointment with tenure shall be made by the president to the Board of Regents. Except as otherwise provided for tenure upon hire in Section 7.3, the Board has final authority in making an appointment with tenure and such appointment shall not be granted to any member of the academic faculty without an affirmative majority vote of the Board of Regents at a meeting of the Board, a quorum being present.

7.4.2 Standards for Recommending Appointment with Tenure .

(a) The consideration of a recommendation for appointment of an academic faculty member with tenure shall include the application of the three standards and the ratings contained in this subsection, which shall be applied in consideration of the conditions for appointment with tenure stated in Subsection 7.1.2 of the Nevada System of Higher Education Code. The burden of demonstrating that these standards have been met lies with the applicant for appointment with tenure.

1. Standard One: Teaching or Other Professional Duties

An academic faculty member being recommended for appointment with tenure must receive an “excellent” rating in one of the following areas, whichever is applicable:

(A) If applying for tenure as a college instructor, a record of effectiveness as a teacher including, but not limited to, demonstrated teaching competence and efficiency in a classroom, laboratory, and/or clinical setting, the ability to communicate effectively with students, demonstrated skill in handling classroom and other duties related to teaching, mentoring, and student advisement. Such a record may include, for example, a showing of the ability to impart knowledge, to excite students’ interest in the subject matter, to evoke response in students.

(B) If applying for tenure as a member of the academic faculty whose role does not include instruction, a record of effectiveness, efficiency and ability to perform assigned duties.

In addition to standard one, an academic faculty member being recommended for appointment with tenure must receive at least a “satisfactory” rating in standards two and three:

2. Standard Two: Scholarship/Creative Activity

Demonstrated continuing professional growth in the academic faculty member's discipline or program area as shown by a record of scholarship and/or creative activity, including, but not limited to, creation, application, synthesis, or transmission of knowledge; cross-disciplinary collaboration; acquiring and sustaining faculty expertise; and, in appropriate fields or disciplines, visual, performing, and literary arts that express original ideas, interpretations, imaginations, thoughts, or feelings.

3. Standard Three: Service

Including, but not limited to:

- (A) Interest and ability in advising students;
- (B) Membership and participation in professional organizations;
- (C) Ability to work with the faculty and students of the member institution in the best interests of the academic community and the people it serves, and to the extent that the job performance of the academic faculty's administrative unit may not be otherwise adversely affected;
- (D) Service on college or System committees;
- (E) Recognition among colleagues for possessing professional integrity and the capacity for further significant intellectual and professional achievement; and
- (F) Recognition and respect outside the System community for participation in activities that use the faculty member's knowledge and expertise or further the mission of the institution, or that provide an opportunity for professional growth through interaction with industry, business, government, and other institutions of our society, within the state, the nation or the world.

- (b) In rating applicants for appointment with tenure under the standards set forth in this subsection, the applicable member institutions 1.217 07(t)-6.6 (i)2.6

- (c) The standards and the ratings set forth in this subsection are the standards that must be used by the applicable member institutions and their respective administrative units in recommending academic faculty for appointment with tenure. However, the applicable member institutions and their respective administrative units may provide in their respective bylaws for criteria within the ratings set forth in this subsection for recommending academic faculty for such appointment. Such criteria must be consistent with the provisions of the Nevada System of Higher Education Code and must not be less stringent than the standards provided in the Nevada System of Higher Education Code.

Any such criteria that are not published in adopted bylaws of the applicable member institutions and their respective administrative units, are void and of no effect whatever.

- 7.4.3 Recommendations for Tenure. The president shall seek a recommendation concerning appointment with tenure for an academic faculty member under procedures which shall be established in the member institution's bylaws. The procedures shall include a review of the faculty member's annual evaluations and any rejoinders to those evaluations and/or peer evaluations.
- 7.4.4 Notice of Tenure. When a member of the academic faculty has been granted appointment with tenure, the academic faculty member shall be informed immediately by the president in writing. Any defect in the notice or any misstatement of the Board of Regents' actions shall not create any enforceable legal obligations against, or on the part of, the University of Nevada.
- 7.4.5 Reasons for and Reconsideration of Denial of Appointment with Tenure. An eligible academic faculty member who has been denied appointment with tenure after being specifically considered for such appointment shall be entitled to reasons for, and the reconsideration of, such denial as provided in Subsections 5.2.3 and 5.2.4 of the Nevada System of Higher Education Code.
- 7.4.6 Tenure for Academic Faculty Occupying Administrative Positions. An administrator who is not otherwise ineligible for appointment with tenure qualifies for appointment with tenure but only in the capacity of academic faculty. Employment in an administrative position is a separate and distinct concept from employment as a member of the academic faculty. An administrator serves in an administrative position at the pleasure of the appointing authority. An administrator who also holds an appointment with tenure, whether granted during or before employment in the administrative position, may be removed from the administrative position without cause, reason or right of reconsideration of the action, but shall be reassigned in an appropriate capacity within the member institution in which the appointment with tenure was made.

7.4.7 Relinquishment of Tenure.

- (a) An appointment with tenure shall be made within a specific member institution identified in Subsection 7.1.1 of the Nevada System of Higher Education Code.
- (b) Except as otherwise provided in the Nevada System of Higher Education Code, in the event a tenured faculty member transfers employment from the member institution granting an appointment with tenure to another System institution, the faculty member shall be deemed to have relinquished appointment with tenure in the former entity and shall not carry over such appointment to the latter entity. This provision is also applicable to faculty members who have been employed with tenure in special units prior to July 1, 1983, who transfer employment to another System institution after July 1, 1983.
- (c) Notwithstanding the above provisions, a tenured faculty member may transfer employment with tenure to another System institution under the following conditions:
 - 1. The president of a member institution identified in Subsections 3.2.1, 4.2.1, and 7.1.1 of the Nevada System of Higher Education Code to which the tenured faculty member transfers approves appointment with tenure. Prior to making such an appointment, the president shall seek a recommendation from the appropriate faculty on whether an academic faculty member should be appointed with tenure. The president of each institution shall submit an annual report to the Board of Regents which shall include the name of any individual to whom tenure upon hire was granted, the department within which the individual was hired and whether the faculty of such department voted to approve such tenure upon hire. This report shall be presented to the Board of Regents at the first meeting of the board after the beginning of each fiscal year; or
 - 2. An administrative unit in which a tenured faculty member is employed is transferred to another System institution. Regardless of whether or not the System institution to which the administrative unit is transferred is authorized to make appointments with tenure, a tenured faculty member will continue to hold a tenured appointment under the same rights and obligations provided by the Nevada System of Higher Education Code for such appointment.

This provision is also applicable to faculty members who have been employed with tenure in special units prior to July 1, 1983.

