Proposed NSHE Code Change for Transfer of Administrators, Title 2, Chapter 5, Section 5.4.9b

After several iterations, the current version of the proposed Code change (bold lettering has been added to note key principles) is provided below. The policy is written with steps that must be done before Administrative Faculty are transferred (initiative approval by the Board of Regents, justification by the Chancellor, consultation) and limits on which institutions faculty can be transferred. To get a sense of where each of the NSHE Faculty Senates stand on the issue, the Council of Chairs would like a vote on the following questions:

1) Is it appropriate for the Chancellor to have final transfer authority provided there are limitations?

2) Is the policy acceptable as written with the specific limitations and procedures?

b. Transfer of Administrators.
The Chancellor may transfer an administrator to any NSHE institution or unit for shared services initiatives approved by the Board of Regents. For purposes of this section, the term “administrators” means administrative faculty employed in executive, supervisory or support positions, and excludes faculty in tenure-eligible positions and tenured faculty. Before making the decision to transfer an administrator, the Chancellor shall consult with the individual(s) that may be impacted, the president and the faculty senates of the institutions affected by the transfer. Before making a decision, the chancellor shall provide a written recommendation regarding the transfer of an administrator to the presidents and the faculty senates of the institutions affected by the transfer, and to the administrator(s) being recommended for transfer. The written recommendation shall address:

1. The business purpose for the transfer and the impact on services;
2. The consideration of alternatives;
3. The financial and budget impact of the transfer, including but not limited to the allocation of costs or savings between the institutions involved; and
4. Any specific and extraordinary impact on affected individuals.

The presidents, faculty senates and administrators proposed to be transferred shall have the opportunity to provide written input within thirty (30) calendar days after receipt of the Chancellor’s written recommendation. The Chancellor shall issue a written final decision providing a final version of the original justification as well as the final recommendation.

A copy of the written decision of the Chancellor shall be provided to the Board of Regents. The transferred administrator shall continue as a member of the faculty with all rights and privileges of the faculty of the System institution or unit to which the administrator is transferred. For the purposes of contract renewals and other notices, the Employee will retain his or her original NSHE hire date. Administrators shall not be transferred between northern institutions or northern offices (including but not limited to UNR, WNC, TMCC, GBC, DRI-north, System Administration/SCS-North) and southern institutions or southern offices (including but not limited to UNLV, NSC, CSN, DRI-south, System Administration/SCS-South), and between GBC and Reno/Carson City (UNR, WNC, TMCC and DRI-north, System Administration/SCS-North) institutions without the agreement of the employee. If an employee consents to transfer between northern and southern institutions, or GBC and Reno/Carson City institutions, moving expenses shall be provided in accordance with state law. Nothing in this section shall be interpreted as abrogating the notice of nonreappointment provisions of Sections 5.4.2, 5.8.2, 5.9.1, 5.9.2, 5.9.3, 5.9.4 and 5.9.6 of the NSHE Code. The decision of the Chancellor to transfer an administrator in accordance with this section is not subject to appeal. The transfer of an administrator in accordance with this section is not subject to statement of reasons, reconsideration or grievance under Sections 5.2.3, 5.2.4 and 5.7, respectively, of the NSHE Code.