

**Proposition:** Proposition 04-09/10

**Date Submitted:** 9/21/09

**Sponsors:** Chris Brown (A&S)

**Approved by ADC:** 9/15/09

**Proposed Committee  
Assigned:**

**Assigned Committee: University Affairs 10/22/09**

**Title:** Amendment to Section 5.96 Labeled “Searches for Academic Administrators” Policy Concerning Interim Faculty

**Proposal:** The language in the portion of Section 5.96 labeled “Searches for Academic Administrators” should be amended as indicated below.

**Rationale:** The change clarifies the role of the Board of Regents in hiring the NMSU president

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### **Proposed Language**

#### **5.96 Searches for Academic Administrators**

Guidelines and procedures for a search may be found in the *Search Committee Handbook*, copies of which are available in departmental offices or through the Office of Institutional Equity/ADA. Faculty members shall serve on search committees for academic administrative positions. They will be nominated and elected for this specific purpose. Also, the executive vice president and provost will inform the chair of the Faculty Senate about nonacademic administrative searches, and the chair may request similar faculty representation.

All academic administrative positions at the Department Head (or equivalent) or above level, including that of the University President, require a search to be filled permanently. A search at the Department Head (or equivalent) or Associate Dean levels may be done externally or internally. Searches for all positions at the Dean (or equivalent) or above level must allow external applicants. Internal candidates, including interims, are allowed to apply for any position. In all cases where external and internal candidates apply for the same position, these applicants will be treated equally. There is no assumed preference for internal applicants. **The provisions of this policy do not limit the Board of Regents when negotiating a contract for interim President.**

**Discussion:** Members of the Board expressed concern that Prop 11-08/09 would limit current and future Board's freedom to negotiate provisions in the contract of an interim president limiting the potential interim president's ability to apply for the permanent position. Such provisions have been routine (e.g., Dr. Conroy).

The Board's concern was sufficient that Prop 11-08/09 was withdrawn from the Consent Agenda and tabled. Subsequent negotiations resulted in the following compromise: Prop 11-08/09 would be taken off the table and passed and the policy manual would be amended to clarify the powers of the Board of Regents.

**Comments:** 1) The default would be to allow interim presidents to apply for president.  
2) The above is consistent with practice at NMSU. Ten of our 14 peers were contacted and it was found that nine have policies similar to the proposed policy.