



NEVADA FACULTY ALLIANCE

840 S. Rancho Dr., Suite 4-571
Las Vegas, Nevada 89106

Date: April 28, 2025
To: Assembly Committee on Education
From: Kent Ervin, Nevada Faculty Alliance, Director of Government Relations
Subject: Support for SB322(R1) and Possible Amendments for Consideration

The Nevada Faculty Alliance is in full support of [SB322](#) as amended in the Senate (Reprint 1). We thank Senator Taylor for putting forward this bill for professional development training requirements for NSHE Regents and Assemblymember Hansen for her co-sponsorship. [SB322\(R1\)](#) was passed unanimously by the Senate.

By putting into writing many of the training topics that are already part of the onboarding process for new Regents, and topics that are essential knowledge for Regents' fiduciary and oversight responsibilities, this bill can help build trust and transparency among the Regents, the Legislature, and the public.

While we support passage of SB322(R1) without further amendment, we offer two possible amendments for the consideration of the Committee. Conceptual amendment language is attached for each, along with additional background and rationales.

Suggested Amendment 1 For Consideration: Reporting on Training Requirement

At the Board of Regents meeting on April 24, Regents discussed SB322. Some Regents implied the intent of SB322 was punitive, and others expressed that they might have been "singled out" by the Legislature, as they were unaware that this bill was drafted corresponding to the current statute for K-12 Boards of Trustees in [NRS 386.327](#). To clarify that the intent is not punitive, our possible amendment would replace the "noncompliance" language that was taken from NRS 386.327 with a more neutral reporting requirement that preserves the intent of public accountability.

Suggested Amendment 2 For Consideration: Minimum Qualifications for Chancellor and Presidents

NSHE is proposing an amendment to modify [NRS 396.210](#) to eliminate any statutory minimum qualifications for the Chancellor of the System. We agree that the current statute has an anachronistic degree requirement, but we respectfully submit the attached alternative amendment that would ensure that both Chancellors and institutional Presidents have adequate academic backgrounds and experience to lead our large and complex system, universities, and colleges.

Thank you for your consideration.

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The [Nevada Faculty Alliance](#) is the independent statewide association of professional employees of the colleges and universities of the Nevada System of Higher Education. The NFA is affiliated with the [American Association of University Professors](#), which advocates for academic freedom, shared governance, and faculty rights, and the [American Federation of Teachers/AFL-CIO](#), representing over 300,000 higher education professionals nationwide. The NFA works to empower our members to be wholly engaged in our mission to help students succeed.

SUGGESTED AMENDMENT 1 to SB322(R1)

4/28/2025

Submitted by the Nevada Faculty Alliance for consideration

Conceptual language for amendment of paragraph 4 of section 1 of [SB322\(R1\)](#)

4. Upon completing ~~the training for professional development required~~ pursuant to subsection 1, a member of the Board of Regents must provide evidence of the completion of the training to the Secretary of the Board. On or before January 31 of each year, the Secretary shall prepare a report of the dates, topics and number of hours of documented training completed by each member of the Board of Regents during the previous calendar year and shall submit the report to the Board of Regents at the next regular meeting of the Board. ~~If a member fails to complete the training required pursuant to subsection 1, or fails to provide evidence of the completion of the training to the Secretary in accordance with this subsection, the Secretary shall:~~

- ~~—(a) Publish a notice of such noncompliance in a conspicuous manner on an Internet website maintained by the Board of Regents; and~~
- ~~—(b) Provide written notice of the noncompliance to the other members of the Board of Regents.~~

Background and Rationale:

At the April 24th meeting of the Board of Regents, Regent Byron Brooks questioned the deleted language. It was explained that this language is essentially the same as in the professional development training statute for K-12 school boards of trustees, [NRS 386.327\(3\)](#). This suggested revision preserves the intent of public accountability without using punitive-sounding “noncompliance” language.

SUGGESTED AMENDMENT 2 to [SB322\(R1\)](#)

4/28/2025

Submitted by the Nevada Faculty Alliance for consideration

Conceptual amendment language. Add new sections as follows:

Sec. 2.3 NRS 396.210 is hereby amended to read as follows:

1. After consultation with the faculty, the Board of Regents shall appoint a Chancellor of the System.
2. *After consultation with the faculty, the Board of Regents shall appoint the presidents of the Universities, State Colleges, and Community Colleges of the System.*
3. The Chancellor *and each president* ~~[shall have a degree from a college or university recognized as equal in rank to those having membership in the Association of American Universities.]~~ *must:*
 - (a) *Be a graduate of a fully accredited college or university with a terminal degree in the appointee's academic discipline or professional field;*
 - (b) *Possess at least 5 years' experience as a faculty member or administrator of an institution of higher education; and*
 - (c) *Possess any other minimum qualifications that the Board may determine.*

Sec. 2.5. The minimum qualifications of paragraph 3 of section 2.3 of this act shall not apply to a person who was initially appointed as Chancellor or president prior to October 1, 2025.

Background and Rationale:

The origin of [NRS 396.210](#) dates back to at least 1917, when statutes specified the duty of the Board of Regents to appoint the President of the University of Nevada and required the President to have a degree from a college or university “recognized as equal in rank to those having membership in the Association of American Universities [AAU].” It also required 5 years of experience as a college or university educator.

‘Equal in rank’ to an AAU member university is subject to interpretation and potential misuse in screening applicants. The AAU is a club whose members elect new members. *The degree requirement should be replaced with more modern and specific language.*

In 1957, the minimum experience requirement for the University President was deleted for reasons that are lost to history. *The experience requirement should be restored to ensure that the chief administrative officers of NSHE have sufficient academic credentials and knowledge.*

In 1969, when the University of Nevada was reclassified as a “System”, the title was changed from “President” to “Chancellor”. *The minimum requirements should apply to institutional presidents as well as the chancellor.*

For comparison, there are statutory minimum qualifications for chief executive officers appointed by the PERS Board ([NRS 286.160](#)) and the PEBP Board ([NRS 287.0424](#)), and for appointment of the Superintendent of Public Instruction ([NRS 385.160](#)), as listed on page 5.

Statutory History of NRS 396.210

1917

The powers and duties of the board of regents are as follows:

[. . .]

Fifth-To appoint a **president of the University of Nevada**, who shall have a **degree from a college or university** recognized as equal in rank to those having membership in the Association of American Universities, who has had at least **five years of practical experience** as an educator in a college or university of good standing, three years of which must have been during the five years immediately preceding the date of his appointment, who is familiar with the modern methods of imparting instruction in the United States, and who shall be endorsed as to moral character and qualifications as an educator by the president and faculty of three institutions of learning authorized by law to confer degrees. The word "faculty," as used in this section, shall be construed to mean any academic body of any college or university which shall include all department heads. A resolution adopted by any such faculty and signed by the president shall constitute a valid endorsement in the meaning of this act.

1945

The powers and duties of the board of regents are as follows:

[. . .]

Fifth-To appoint a **president of the University of Nevada**, who shall have a **degree from a college or university** recognized as equal in rank to those having membership in the Association of American Universities, who has had at least **five years of practical experience** as an educator in a college or university of good standing, three years of which must have been during the five years immediately preceding the date of his appointment, who is familiar with the modern methods of imparting instruction in the United States.

Pre-1957

396.210 1. The board of regents shall appoint a **president of the University of Nevada**.

2. The president shall:

(a) Have a **degree from a college or university** recognized as equal in rank to those having membership in the Association of American Universities; and

(b) Have had at least **5 years of practical experience** as an educator in a college or university of good standing, 3 years of which must have been during the 5 years immediately preceding the date of his appointment; and

(c) Be familiar with the modern methods of imparting instruction in the United States.

1957

396.210 1. After consultation with the faculty, the board of regents shall appoint a **president of the University of Nevada**.

2. The president shall have a **degree from a college or university** recognized as equal in rank to those having membership in the Association of American Universities.

1969

396.210 1. After consultation with the faculty, the board of regents shall appoint a **chancellor of the University of Nevada System**.

2. The chancellor shall have a **degree from a college or university** recognized as equal in rank to those having membership in the Association of American Universities.

1993

396.210 1. After consultation with the faculty, the board of regents shall appoint a chancellor of the system.

2. The chancellor shall have a degree from a college or university recognized as equal in rank to those having membership in the Association of American Universities.

Minimum Qualifications of Chief Executive Officers Appointed by Other State Boards

Public Employees' Retirement System Board

NRS 286.160 Persons employed by Board: Appointment; salaries; qualifications; other employment of Executive Officer prohibited; exceptions.

1. The Board shall employ an Executive Officer who serves at the pleasure of the Board. [...]

3. The Executive Officer must:

(a) Be a graduate of a 4-year college or university with a degree in business administration or public administration or equivalent degree.

(b) Possess at least 5 years' experience in a high level administrative or executive capacity, including responsibility for a variety of administrative functions such as retirement, insurance, investment or fiscal operations.

Public Employees' Benefits Program Board

NRS 287.0424 Executive Officer: Employment; unclassified service; delegation by Board of powers, duties and functions; qualifications; restrictions on other employment and participation in business enterprises and investments; salary.

1. The Board shall employ an Executive Officer, subject to the approval of the Governor. [...]

2. The Executive Officer must:

(a) Be a graduate of a 4-year college or university with a degree in business administration or public administration or an equivalent degree, as determined by the Board; and

(b) Possess at least 5 years' experience in a high-level administrative or executive capacity in the field of insurance, management of employees' benefits or risk management, including, without limitation, responsibility for a variety of administrative functions such as personnel, accounting, data processing or the structuring of insurance programs.

State Board of Education

NRS 385.150 Appointment; unclassified service; position within Executive Department. The Superintendent of Public Instruction:

1. Is appointed by the Governor from a list of three candidates submitted by the State Board and serves at the pleasure of the Governor.

2. Is in the unclassified service of the State.

3. Is in the Executive Department of State Government.

NRS 385.160 Qualifications. To be eligible to the Office of Superintendent of Public Instruction, a person shall:

1. Have attained the age of 21 years at the time of his or her appointment; and

2. Possess the knowledge and ability to carry out the duties required by this title and all other statutes and regulations governing K-12 public education.