

**BOARD OF REGENTS and its
AUDIT, COMPLIANCE AND TITLE IX COMMITTEE
NEVADA SYSTEM OF HIGHER EDUCATION**
Joe Crowley Student Union, Milt Glick Ballroom A
University of Nevada, Reno
87 West Stadium Way, Reno
Thursday, June 6, 2019

Members Present: Dr. Patrick R. Carter, Chair
 Mr. Trevor Hayes, Vice Chair
 Mrs. Carol Del Carlo
 Mr. Sam Lieberman
 Mr. Donald Sylvantee McMichael Sr.
 Ms. Laura E. Perkins

Others Present: Ms. Mistee A. Galicia, Deputy General Counsel, Healthcare Compliance
 Mr. Joe Sunbury, Chief Internal Auditor
 Mr. Bart J. Patterson, President, NSC

Student body presidents/representatives in attendance were: Mr. Alexander Lum sitting in for Ms. Nicola Opfer, NSSA President, NSC; Mr. Anthony Martinez, ASUN President, UNR; and Ms. Tamara Guinn, GSA President, UNR.

For others present please see the attendance roster on file in the Board Office.

Chair Carter called the meeting to order at 11:00 a.m. with all members present.

1. Information Only – Public Comment – None.
2. Approved – Consent Items – The Committee recommended approval of the consent items except Item 2b (Follow-Up: Intercollegiate Athletics, UNLV) which was heard separately.
 - 2a. Approved – Minutes – The Committee recommended approval of the following minutes:
 - February 15, 2019, special meeting minutes. *(Ref. A-2a(1) on file in the Board Office.)*
 - February 28, 2019, meeting minutes. *(Ref. A-2a(2) on file in the Board Office.)*
 - 2c. Approved – Follow-Up: Purchasing Card Program, TMCC – The Committee recommended approval and acceptance of the follow-up response to the audit report of TMCC Purchasing Card Program for the period January 1, 2017, through March 31, 2018. *(Ref. A-2c on file in the Board Office.)*

2. Approved – Consent Items – (Continued)

Regent Lieberman moved approval of the consent items except Item 2b (Follow-Up: Intercollegiate Athletics, UNLV) which was heard separately. Regent Del Carlo seconded. Motion carried.

(Consent item heard separately.)

- 2b. Approved – Follow-Up: Intercollegiate Athletics, UNLV – The Committee recommended approval and acceptance of the follow-up response to the audit report of UNLV Intercollegiate Athletics for the period July 1, 2016, through December 31, 2017. *(Ref. A-2b on file in the Board Office.)*

Chair Carter disclosed he was previously a student in the Gaming Innovation course at UNLV where he developed a casino game. If the game is marketed and sold, he will be required to pay remuneration to UNLV in the form of shared royalties pursuant to a standard contract that all students in the course were required to sign. He will receive no remuneration from UNLV. He disclosed the relationship under NRS Chapter 281A, as recommended by the Nevada Commission on Ethics. He will abstain from the vote.

Regent Lieberman moved approval and acceptance of the follow-up response to the audit report of UNLV Intercollegiate Athletics for the period July 1, 2016, through December 31, 2017. Regent Del Carlo seconded. Motion carried. Chair Carter abstained.

(Audit Summary on file in the Board Office.)

3. Approved – Thomas & Mack Center, UNLV – The Committee recommended approval of the report and institutional response to the UNLV Thomas & Mack Center audit for the period July 1, 2016, through December 31, 2017. *(Ref. A-3 on file in the Board Office.)*

Chair Carter disclosed he was previously a student in the Gaming Innovation course at UNLV where he developed a casino game. If the game is marketed and sold, he will be required to pay remuneration to UNLV in the form of shared royalties pursuant to a standard contract that all students in the course were required to sign. He will receive no remuneration from UNLV. He disclosed the relationship under NRS Chapter 281A, as recommended by the Nevada Commission on Ethics. He will abstain from the vote.

Chief Internal Auditor Joe Sunbury reviewed the *Audit Summary* and *Ref. A-3* and noted recommendations in the following areas:

- Contract management
- Payroll
- Enhanced controls in the ticket office and cash handling procedures

3. Approved – Thomas & Mack Center, UNLV – (Continued)

In response to a question from Regent Del Carlo, Chief Internal Auditor Sunbury stated the standard timeframe for follow-up is six months later. Some findings may have a component that takes time to put in place.

Regent Del Carlo moved approval of the report and institutional response to the UNLV Thomas & Mack Center audit for the period July 1, 2016, through December 31, 2017. Regent Lieberman seconded. Motion carried. Chair Carter abstained.

4. Approved – Purchasing Card Program, GBC – The Committee recommended approval of the report and institutional response to the GBC Purchasing Card Program audit for the period January 1, 2018, through September 30, 2018. (*Refs. A-4a and A-4b on file in the Board Office.*)

Chief Internal Auditor Sunbury reviewed the *Audit Summary* and *Refs. A-4a and A-4b* and noted recommendations in the following areas:

- Training
- Review controls by administrator

Chair Carter pointed out split transactions for the same vendor over a two-day period. This is a reoccurring problem at the institutions. Chair Carter requested a reminder be sent to the institutions.

Regent Del Carlo asked how large purchases are supposed to be handled. Ms. Sonja Sibert, GBC Vice President for Business Affairs, stated the transactions that were split involved a campus fiber upgrade project which required several needs over a span of two days. Purchasing card transactions have a limit of \$2,000 and \$5,000 dependent on the person's purchasing card. Larger purchasing card transactions should be handled at a higher level of authority. Purchase order requisitions are also used for large purchases.

Regent Del Carlo moved approval of the report and institutional response to the GBC Purchasing Card Program audit for the period January 1, 2018, through September 30, 2018. Regent Lieberman seconded. Motion carried.

5. Approved – Purchasing Card Program, NSC – The Committee recommended approval of the report and institutional response to the NSC Purchasing Card Program audit for the period January 1, 2018, through September 30, 2018. (*Ref. A-5 on file in the Board Office.*)

Chief Internal Auditor Sunbury reviewed the *Audit Summary* and *Ref. A-5* and noted recommendations in the following areas:

- Pilot of new report format
- Revision of purchasing card policy

5. Approved – Purchasing Card Program, NSC – (Continued)

➤ Merchant category codes and design

Regent Del Carlo moved approval of the report and institutional response to the NSC Purchasing Card Program audit for the period January 1, 2018, through September 30, 2018. Regent McMichael seconded. Motion carried.

6. Information Only – Internal Audit Departmental Updates and Emerging Risks, NSHE – Chief Internal Auditor Sunbury stated he will provide an update to the full Board of Regents on June 7, 2019, related to the incident management system that is now on the Nevada System of Higher Education webpage.

7. Information Only – Compliance Department Updates, NSHE – Director of Compliance Mistee A. Galicia provided an update on the Office of Civil Rights complaint received in the System Office and in that regard the Department continues to review barriers to accessibility. An audit tool has been implemented to evaluate web content at the System level to understand whether revisions need to be made. In addition, training has been implemented. She will report NSHE's effort to the Office of Civil Rights in December 2019.

UNLV has requested an open conversation on NSHE's accessibility policies. Regent Lieberman has agreed to help open the lines of communication.

Director of Compliance Galicia stated she is engaged in conversations with the UNLV School of Dental Medicine related to managing compliance issues.

Director of Compliance Galicia spoke with both Chair Carter and the Business Officers on separate occasions. They had discussions related to how to fund the Compliance Department. Several alternatives were discussed based on volume, activity, or an equal distribution model. A combination of activity-based and an equal distribution allocation model was chosen.

Campuses have been responsive to compliance inventories and are on target to provide by July 10, 2019. The NSHE Compliance Department Annual Work Plan will be presented in September 2019.

8. Information Only – Title IX Complaint Process, UNR – In response to a request from the Committee during its February 28, 2019, meeting, UNR Equal Opportunity and Title IX Director Maria Doucettperry presented a PowerPoint titled, "Equal Opportunity & Title IX: Every Member of the Pack Treated With Dignity and Respect" which provided an educational overview regarding the Title IX complaint process on the campus of UNR. *(Ref. A-8 on file in the Board Office.)*

8. Information Only – Title IX Complaint Process, UNR – (Continued)

In response to a question from Regent Del Carlo, Ms. Doucettperry stated trend analysis is completed periodically. Data is kept on the types of cases. Resources are offered to everyone, and in some instances may be in response to an incident that happened in the past, but the person has been triggered by something in the present.

Regent Del Carlo stated she had never heard of the protected class of genetic information as it relates to discrimination and asked how one might know another person's genetic information. Ms. Doucettperry said a pre-employment blood test, for example, may show that an individual carries a trait for a disease, which could potentially increase the cost of insurance for the employer. To deny employment based on the genetic information shown in the blood test would constitute discrimination.

In response to a question from Chair Carter, Ms. Doucettperry stated the policy has not been updated since prior to her arrival.

Director of Compliance Galicia stated there are expected changes to federal regulations; therefore, a decision should be made as to when to amend NSHE policy. Ms. Doucettperry did not believe waiting to update the policy was in the best interest of NSHE. Small changes can be made now.

9. Information Only – New Business – Regent Lieberman requested to see campus community feedback as it relates to how students and the campus community with disabilities are being served and how NSHE can serve them better.

10. Information Only – Public Comment – None.

The meeting adjourned at 11:49 a.m.

Prepared by:

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to the Board of Regents

Submitted for approval by:

Dean J. Gould
Chief of Staff and Special Counsel
to the Board of Regents

Approved by the Board of Regents at its September 5 & 6, 2019, meeting.