

**BOARD OF REGENTS and its
AUDIT, COMPLIANCE AND TITLE IX COMMITTEE
NEVADA SYSTEM OF HIGHER EDUCATION**

College of Southern Nevada
Building C, Room 133
700 College Drive, Henderson
Thursday, March 5, 2020

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

Others Present: Mr. Joe Sunbury, Chief Internal Auditor
 Mr. Joe Reynolds, Chief General Counsel

Ms. Stephanie Molina, GPSA President, UNLV, was in attendance.

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

Chair Carter called the meeting to order at 11:01 a.m. with all members present except Regent Perkins.

1. Information Only – Public Comment – Ms. Stephanie Molina requested that management practices of the UNLV Office of Equal Employment and Title IX, along with the UNLV Office of Student Conduct be examined. Policy and procedures of these offices are being ignored. For example, per policy and procedures, a respondent should be provided a hearing before any sanctions are given and then be given the option of an appeal. Per NSHE Code, if a respondent is suspended, then excluded from duties, he/she should be given written notice or if placed on a leave of absence should be afforded a hearing no later than ten days after the allegations to determine if sanctions are warranted. Student and employee processes are not followed at UNLV. Case information is only given upon request, and sanctions are being given without any due process as outlined in the policies. Ms. Molina reported the UNLV Office of Student Conduct threatened academic sanctions if she was to report an incident of dating violence, which is subject to Clery Act reporting, as stated in the *NSHE Board of Regents Handbook*. She reported the incident as interpersonal violence involving gaslighting by a former University employee, as well as verbal assault and threats by a non-NSHE affiliated person, sent by the former employee to an administrator who can be considered a "responsible employee" as described in the *NSHE Board of Regents Handbook*. They told her there was no point in taking action as the employee had already submitted a letter of resignation; however, two months after the incident, the employee is now making retaliatory allegations against her. At the same time, the University continues to ignore the emotional and psychological abuse that this former employee has subjected her to. She requested that the Committee recommend to the Board of Regents that correction of non-compliance of Title IX and student conduct

1. Information Only – Public Comment – *(Continued)*

policies and procedures at UNLV be examined and that the University ensure that employees are informed of reporting mandates.

Regent Perkins entered the meeting.

2. Approved – Consent Items – The Committee recommended approval of the consent items.

2a. Approved – Minutes – The Committee recommended approval of the December 5, 2019, meeting minutes. *(Ref. A-2a on file in the Board Office.)*

2b. Approved – Follow-Up: Foundation, TMCC – The Committee recommended approval and acceptance of the follow-up response to the audit report of the TMCC Foundation for the period July 1, 2017, through November 30, 2018. *(Ref. A-2b on file in the Board Office.)*

2c. Approved – Follow-Up: Grants Management, GBC – The Committee recommended approval and acceptance of the follow-up response to the audit report of the GBC Grants Management for the period January 1, 2018, through December 31, 2018. *(Ref. A-2c on file in the Board Office.)*

Regent Perkins moved approval of the consent items.
Regent McMichael seconded. Motion carried.

(Audit Summary on file in the Board Office.)

3. Approved – Change in Leadership, DRI – The Committee recommended approval of the report and institutional response to the DRI Change in Leadership audit for the period July 1, 2018, through June 30, 2019. *(Ref. A-3 on file in the Board Office.)*

Chief Internal Auditor Joe Sunbury reviewed the *Audit Summary* and *Ref. A-3* and noted the highlighted:

- Recommendations for general business practices, such as purchasing policies, expense transaction approvals, contracts, and hosting.
- Review of financial accounts, with 17 accounts containing a deficit balance.
- Periodic reviews to ensure accurate leave balances when a President departs.

Chair Carter noted automated controls to identify deficit account balance issues should be in place.

Regent Del Carlo moved approval of the report and institutional response to the DRI Change in Leadership audit for the period July 1, 2018, through June 30, 2019. Regent Perkins seconded. Motion carried.

4. Approved – Audit Exception Report – The Board approved the Audit Exception Report for the six months ended December 31, 2019. The Audit Exception Report is a compilation and status of the audit findings and activities of the Audit, Compliance and Title IX Committee for the six-month period. *(Ref. A-4 on file in the Board Office.)*

Chief Internal Auditor Sunbury highlighted a 5-year trend of decreasing unresolved findings across the NSHE.

Chair Carter stated he was happy to see the decrease in unresolved items.

In response to a question from Chair Carter, Chief Internal Auditor Sunbury stated there are many reasons an audit may go over its hours. There is an initial design of all audits that because of extenuating circumstances does not get executed. There is a trend of most audit departments to be timelier with deliverables.

Regent Del Carlo thanked Chief Internal Auditor Sunbury for condensing the report.

Regent McMichael moved approval of the Audit Exception Report for the six months ended December 31, 2019. Regent Del Carlo seconded. Motion carried.

5. Information Only – Internal Audit and Compliance Department Updates, NSHE – Chief Internal Auditor Sunbury provided a brief overview of the Incident Management System, including intake procedures to initial data/metrics from the first year.

Chair Carter stated the goal was to have a central point person to facilitate the complaints, and that has occurred.

In response to a question from Regent Del Carlo, Chief Internal Auditor Sunbury stated the Incident Management System was initially approved in December 2018, and it was presented to the Committee in June 2019.

6. Information Only – Title IX Updates, NSHE – Chief Internal Auditor Sunbury provided general remarks regarding the NSHE Title IX policy review. In addition, Chief General Counsel Joe Reynolds provided an additional perspective on the timing of updates with forthcoming changes to Title IX regulations.
7. Information Only – New Business – Regent Del Carlo requested that at a future meeting, Chief Internal Auditor Sunbury provide a report with details, trends, and the nature of the first year's data from the Incident Management System.
8. Information Only – Public Comment – None.

The meeting adjourned at 11:24 a.m.

Prepared by:

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Submitted for approval by:

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to the Board of Regents

Approved by the Board of Regents at its June 11-12, 2020, meeting.