

BOARD OF REGENTS BRIEFING PAPER

Bylaw Revision, Election of Officers

BACKGROUND & POLICY CONTEXT OF ISSUE

Currently, Title 1, Article IV, Section 2 of the *Bylaws of the Board of Regents* provides that the Chair and Vice Chair (hereinafter “Officers”) of the Board of Regents (the “Board”) shall be elected from among the members of the Board during the Board's last regular meeting of each calendar year and shall serve a one-year term from January 1 to December 31, of the following year.

The proposed amendment would establish that the Board's Chair and Vice Chair each serve one-year terms from July 1 to June 30 of the following year, which follows the Nevada System of Higher Education (“NSHE”) fiscal/academic calendar. This amendment is brought forward at the request of Regents Brown, Cruz-Crawford, and Downs, with the intent to better align the work of the Board with its responsibility to NSHE’s students, staff, and faculty, all of whom follow an academic calendar.

If the proposed amendment is adopted, it is important to note that pursuant to specific language brought forward by Regents Brown, Cruz-Crawford, and Downs when requesting this agenda item, the following will occur:

- An election of Board Officers will take place at the November 30-December 1, 2023, quarterly Board meeting. The newly elected Officers’ terms shall then commence on January 1, 2024, and end on June 30, 2024.
- As noted in the transitory language on the policy proposal document, this partial six-month term shall be excluded from the calculation of term limits prescribed in Title 1, Article IV, Section 2.
- An election of Board Officers will take place at the June 6-7, 2024, quarterly Board meeting, and thereafter at the last regular meeting of each of NSHE’s fiscal years. The newly elected Board Officers’ terms shall commence on each July 1st and end on June 30th of the following year.

If the proposed amendment is not adopted, it is important to note that the following will occur:

- An election of Board Officers will take place at the November 30-December 1, 2023, quarterly Board meeting, and thereafter at the last regular Board meeting of each calendar year.
- The newly elected Board Officers’ terms shall commence on January 1st and end on December 31st of 2024, and each successive year thereafter.

SPECIFIC ACTIONS BEING RECOMMENDED OR REQUESTED

Amend Title 1, Article IV, Section 2 of the *Bylaws of the Board of Regents* to provide that the election of Board Officers will occur at the last regular meeting of the NSHE fiscal year and the term of office for the Board Officers shall commence on July 1st and end on June 30th of the following calendar year, provided, however, that an election of Board Officers will take place at the November 30-December 1, 2023, quarterly Board meeting. The newly elected Officers’ terms shall then commence on January 1, 2024, and end on June 30, 2024.

IMPETUS (WHY NOW?)

This revision is brought forward for consideration upon the request of Regents Brown, Cruz-Crawford, and Downs, pursuant to Title 1, Article V, Section 7 of the *Bylaws of the Board of Regents*.

CHECK THE NSHE STRATEGIC PLAN GOAL THAT IS SUPPORTED BY THIS REQUEST:

- Access (Increase participation in post-secondary education)
- Success (Increase student success)
- Close the Achievement Gap (Close the achievement gap among underserved student populations)
- Workforce (Collaboratively address the challenges of the workforce and industry education needs of Nevada)
- Research (Co-develop solutions to the critical issues facing 21st century Nevada and raise the overall research profile)
- Not Applicable to NSHE Strategic Plan Goals

INDICATE HOW THE PROPOSAL SUPPORTS THE SPECIFIC STRATEGIC PLAN GOAL

The policy revision as presented herein does not directly impact the NSHE strategic plan goals adopted by the Board of Regents.

BULLET POINTS TO SUPPORT REQUEST/RECOMMENDATION

- Officer terms that run from July 1 to June 30 will better align the work of the Board with its responsibility to the students, staff, and faculty of the Nevada System of Higher Education, all of whom follow an academic calendar.
- Holding elections in June will allow newly elected Regents to participate in Officer elections within the first six months of their term. Under the current policy, new Regents must serve a full year before having an opportunity to vote to elect Board leadership.

POTENTIAL ARGUMENTS AGAINST THE REQUEST/RECOMMENDATION

- Officer terms that run from July 1 to June 30 do not align with regental terms, and will result in an increased need for emergency elections to fill vacancies when the regental term of a sitting chair or vice chair ends in December.
- Newly elected regents will serve at least one year prior to participating in an election for chair and vice chair, allowing them an opportunity to get to know the Board and its members for a full year before voting to elect Board leadership.

ALTERNATIVE(S) TO WHAT IS BEING REQUESTED/RECOMMENDED

Maintain the current policy whereby Board Officers serve a term for the calendar year.

RECOMMENDATION FROM THE CHANCELLOR’S OFFICE

The Chancellor’s Office has no formal position on the matter of the term of office for the Board Chair and Vice Chair and will support the current or revised policy as is the desire of the Board.

COMPLIANCE WITH BOARD POLICY:

- Consistent With Current Board Policy: Title # _____ Chapter # _____ Section # _____
- Amends Current Board Policy: *Title 1, Article IV, Section 2*
- Amends Current Procedures & Guidelines Manual: Chapter # _____ Section # _____
- Other: _____
- Fiscal Impact: Yes _____ No **X** _____
Explain: _____

POLICY PROPOSAL
TITLE 1, ARTICLE IV, SECTION 2
Election of Officers

Additions appear in *boldface italics*; deletions are [~~stricken~~ and bracketed]

Section 2. Election of Officers

The Chair and Vice Chair shall be elected from among the membership of the Board during the Board's last regular meeting of the [~~calendar~~] *NSHE fiscal* year and shall serve a one-year term commencing [~~January~~] *July* 1. The Chair may be elected to one additional consecutive one-year term. The Vice Chair may be elected to one additional consecutive one-year term. No person who has held the office of Chair for two consecutive one-year terms shall be elected to serve in that office until a period of two full [~~calendar~~] *NSHE fiscal* years has elapsed after the end of the second consecutive one-year term served. No person who has held the office of Vice Chair for two consecutive one-year terms shall be elected to serve in that office until a period of two full [~~calendar~~] *NSHE fiscal* years has elapsed after the end of the second consecutive one-year term served. In the event of a vacancy in office, the Board shall fill the vacancy for the remainder of the term by election no later than the next regularly scheduled meeting of the Board. A partial term served by a person elected to fill a vacancy in office shall not be counted as a full one-year term.

Transitory Note for Implementation Purposes Only - NOT for Permanent Codification

For purposes of initial implementation, a Board Officer election will take place at the November 30-December 1, 2023, quarterly Board of Regents meeting. Elected Board Officers will serve a six-month term commencing January 1, 2024, and ending June 30, 2024. Partial terms served shall be excluded from the calculation of term limits hereunder.

A subsequent Board Officer election will take place at the June 6-7, 2024, quarterly Board of Regents meeting, and thereafter at the last regular meeting of each NSHE fiscal year. Elected Officers shall serve a one-year term commencing on July 1, 2024, and ending on June 30, 2025, as provided herein.