

BOARD OF REGENTS
BRIEFING PAPER
HANDBOOK REVISION: MAINTENANCE OF BOARD POLICIES

BACKGROUND & POLICY CONTEXT OF ISSUE:

At this time the Board staff in performing its codification duties does not have the authority to make any non-substantive changes without Board approval.

SPECIFIC ACTIONS BEING RECOMMENDED OR REQUESTED:

Amend Board policy by creating a preliminary Handbook chapter concerning the codification of approved amendments to allow the Board Secretary to make non-substantive changes without Board approval (see attached policy proposal).

IMPETUS (WHY NOW?):

In recent months the volume of policy proposals brought before the Board for consideration has increased; included within those proposals have been non-substantive changes such as changing UCCSN to NSHE.

BULLET POINTS TO SUPPORT REQUEST/RECOMMENDATION:

This proposal will grant authority to the Secretary of the Board to make necessary non-substantive changes that would otherwise require Board approval and valuable committee time to review (e.g. changing UCCSN to NSHE or changing ARSA to SAAC).

POTENTIAL ARGUMENTS AGAINST THE REQUEST/RECOMMENDATION:

The proposal delegates Board authority to the Secretary of the Board.

ALTERNATIVE(S) TO WHAT IS BEING REQUESTED/RECOMMENDED:

Require that all Handbook revisions, regardless of substance, must be brought to the Board for approval.

COMPLIANCE WITH BOARD POLICY:

- Consistent With Current Board Policy: Title #____ Chapter #____ Section #____
- Amends Current Board Policy: *Title 4, Chapter 1, Section 8*
- Amends Current Procedures & Guidelines Manual: Chapter #____ Section #____
- Other:_____
- Fiscal Impact: Yes____ No____
Explain:_____

POLICY PROPOSAL
TITLE 4, CHAPTER 1, SECTION 8
Policy of the Board of Regents

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

Section 8. Policy of the Board of Regents

1. The Constitution of the State of Nevada provides for the control of the University of Nevada to be in a Board of Regents. This Board is a body corporate and is legally responsible for the final control of the University.
2. This Board of Regents adopts the policy that the function of a Board of Regents is advisory and legislative. Thus, the Board of Regents shall delegate whenever possible duties which are initiatory and executive.
3. It shall be the function of the Board of Regents to approve or reject policies proposed by the Administration. The Administration shall develop educational programs for consideration and the Board shall furnish the necessary legislation and authority for the administration to carry out these policies effectively.
4. ***In preparing and codifying Board policy, the Secretary of the Board is authorized to make the following non-substantive changes to all titles of the Handbook:***
 - a.) ***Correcting changes to names of organizations, departments, units, committees, and position titles;***
 - b.) ***Correcting grammatical errors; and***
 - c.) ***Correcting obvious typographical errors.***

The Secretary of the Board shall maintain a record of any non-substantive changes that are completed.

- 5[4]. Only in the most unusual circumstances should the Board of Regents concern itself with the details of administration. Upon the basis of recommendations and data presented by the Administration, the Board of Regents shall determine the general method in which various problems and administrative duties are to be solved or handled, and shall permit the Administration to apply the policies decided upon to single individual jobs or problems.

6[5]. Whenever a situation arises where no policy has been established in the past, the Chancellor shall analyze the situation and determine the issue upon which the Board needs to act. Thereupon, the Board of Regents shall settle policy with reference to the particular issue. After the Board of Regents has acted, the Chancellor shall apply the new policy to the particular cases. Where appropriate, the Council of Presidents shall be involved.

- a. During legislative sessions, when it becomes necessary to take a position on behalf of the Nevada System of Higher Education on proposed legislation to be heard by a legislative committee and (1) the Board has not yet taken a position on the bill and (2) the Board will not meet before the bill is heard by the legislative committee, the Chancellor, as the chief executive officer of the System, or his designee, may take a position on behalf of the System on the bill before the legislative committee. The Chancellor shall notify the members of the Board of the Chancellor's position on the bill before the bill is heard by the legislative committee. (B/R 3/93)
- b. In carrying out the provisions of (a) above, the Chancellor shall inform the legislative committee involved that the Board had not yet taken a position on the bill in question. (B/R 3/93)

7[6]. It shall be the policy of the Board of Regents to act as a unit. The Board of Regents controls the Nevada System of Higher Education as a body representing the people; the individual members have no authority singly.

8[7]. No member of the Board of Regents can bind the Board by word or action, unless the Board has, in its corporate capacity, designated such member as its agent for some specific purpose and for that purpose only.
(B/R 1/51)

9[8]. The use of the terms "Board of Regents of the Nevada System of Higher Education" and "The Nevada System of Higher Education" may not be used by any person, group or organization for any announcements, invitations and solicitations without the written permission of the Board of Regents of the Nevada System of Higher Education or the Board's authorized designee. (B/R 11/82)