

BOARD OF REGENTS  
BRIEFING PAPER

**1. Agenda Item Title:** *Handbook* Revision, Institutional Trade-Out Policy

**Meeting Date:** April 25, 2014

**2. BACKGROUND & POLICY CONTEXT OF ISSUE:**

The *Handbook* contains an Institutional Trade-Out Policy with a General Policy section applicable to trade-outs by any institution or branch of NSHE on behalf of itself or one of its colleges, departments, events centers, performing arts center, units, programs or other such entity. This policy is currently codified at Title 4, Chapter 24, Section 2 in the chapter on intercollegiate athletics. Until the Board meeting in June 2013, this Institutional Trade-Out Policy was codified at Title 4, Chapter 10, as part of the General Business Management provisions.

The provision was relocated to Title 4, Chapter 24 as part of that new chapter on Intercollegiate Athletics. At the time the chapter on Intercollegiate Athletics was created, the only existing trade-out policies were for UNLV and UNR athletic tickets. Because the focus was on Intercollegiate Athletics, the Institutional Trade-Out Policy was inadvertently transferred to the new Chapter 24 along with the Intercollegiate Trade-Out policies for the two universities. In reality, the Institutional Trade-Out Policy provision should have remained in Title 4, Chapter 10 since it is broader than just athletics and only the Intercollegiate Athletic Trade-Out Policy should have been transferred to the new Chapter 24.

**3. SPECIFIC ACTIONS BEING RECOMMENDED OR REQUESTED:**

Return the Institutional Trade-Out Policy to Title 4, Chapter 10. Leave the Intercollegiate Athletic Trade-Out Policy in Chapter 24.

**4. IMPETUS (WHY NOW?):**

The return of the Institutional Trade-Out Policy to its original Chapter 10 General Business Management location will restore this general provision to its appropriate place instead of keeping it in the chapter on intercollegiate athletics where it may be difficult to find. Also, as other kinds of trade-out policies are adopted, they should not be codified in a chapter devoted exclusively to intercollegiate athletic provisions.

**5. BULLET POINTS TO SUPPORT REQUEST/RECOMMENDATION:**

- The June 2013 relocation to Chapter 24 was inadvertent.
- Relocation to the original location in Chapter 10 will make finding the Institutional Trade-Out Policy simpler.

**6. POTENTIAL ARGUMENTS AGAINST THE REQUEST/RECOMMENDATION:**

None

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

Leave the Institutional Trade-Out Policy where it is currently located.

**8. COMPLIANCE WITH BOARD POLICY:**

- Consistent With Current Board Policy: Title # \_\_\_\_\_ Chapter # \_\_\_\_\_ Section # \_\_\_\_\_
- Amends Current Board Policy: Title # 4 Chapter # 24 Section # 2
- Amends Current Procedures & Guidelines Manual: Chapter # \_\_\_\_\_ Section # \_\_\_\_\_
- Other: \_\_\_\_\_
- Fiscal Impact: Yes \_\_\_\_\_ No X
- Explain: \_\_\_\_\_

**POLICY PROPOSAL - HANDBOOK**  
**TITLE 4, CHAPTER 24, SECTIONS 1-5**  
Institutional Trade-Out Policy

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

*DELETE SECTION 2*

**[Institutional Trade-Out Policy**

**1. General Policy.**

a. ~~A trade-out is defined as an agreement between an institution or branch of the NSHE on behalf of itself or one of its colleges, departments, events centers, performing arts centers, units, programs, or other such entity (hereinafter referred to as the "institution") and an individual, partnership, corporation, or other such entity for goods or services in exchange for anything of value from the institution, including, but not limited to, advertising, club memberships, sponsorships, or tickets to any event.~~

b. ~~Each institution shall adopt more specific trade-out policies in order to implement Board policy tailored to the circumstances of each entity that may make use of trade-outs. Institutional trade-out policies shall be in conformity with the Board of Regents' trade-out policy. The adoption, amendment, or repeal of institutional policy shall be on the recommendation of the president and approved by the Board of Regents. Minimally, the institution's policies must address the following areas: establishing new trade-outs; renewing trade-outs; multi-year trade-outs; non-renewal of trade-outs; audit/review; oversight and authorization; form(s) required; procedures for use of trade-outs.~~

c. ~~Institutional trade-out policies must be in compliance with all applicable laws, regulations, and Board of Regents' policies and must be in the best interest of the institution.~~

d. ~~All trade-out agreements must be in writing and approved by the president or his or her designee. The authority of a president's designee to execute trade-out agreements must be in writing and signed by the president.~~

e. ~~Trade-outs are to be used solely for the benefit of the institution and exclusively for business purposes. Any personal use or benefit from a trade-out is prohibited.]~~

*(B/R 6/13)*

*RENUMBER TITLE 4, CHAPTER 24, SECTIONS 3-5 AS SECTIONS 2-4*

**POLICY PROPOSAL - HANDBOOK**  
**TITLE 4, CHAPTER 10, *new* SECTION 33**  
**Institutional Trade-Out Policy**

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

***New Section 33. Institutional Trade-Out Policy***

***1. General Policy.***

*a. A trade-out is defined as an agreement between an institution or branch of the NSHE on behalf of itself or one of its colleges, departments, events centers, performing arts centers, units, programs, or other such entity (hereinafter referred to as the "institution") and an individual, partnership, corporation, or other such entity for goods or services in exchange for anything of value from the institution, including, but not limited to, advertising, club memberships, sponsorships, or tickets to any event.*

*b. Each institution shall adopt more specific trade-out policies in order to implement Board policy tailored to the circumstances of each entity that may make use of trade-outs. Institutional trade-out policies shall be in conformity with the Board of Regents' trade-out policy. The adoption, amendment, or repeal of institutional policy shall be on the recommendation of the president and approved by the Board of Regents. Minimally, the institution's policies must address the following areas: establishing new trade-outs; renewing trade-outs; multi-year trade-outs; non-renewal of trade-outs; audit/review; oversight and authorization; form(s) required; procedures for use of trade-outs.*

*c. Institutional trade-out policies must be in compliance with all applicable laws, regulations, and Board of Regents' policies and must be in the best interest of the institution.*

*d. All trade-out agreements must be in writing and approved by the president or his or her designee. The authority of a president's designee to execute trade-out agreements must be in writing and signed by the president.*

*e. Trade-outs are to be used solely for the benefit of the institution and exclusively for business purposes. Any personal use or benefit from a trade-out is prohibited.*