

BOARD OF REGENTS
BRIEFING PAPER
Entrepreneurial Leave – Universities and DRI

BACKGROUND & POLICY CONTEXT OF ISSUE:

At its June 2013 meeting, the Board of Regents approved an entrepreneurial leave policy under which the universities and DRI may establish policies that govern entrepreneurial leave for faculty engaged in entrepreneurial activity that advances research; supports the state’s economic development plan, technology transfer, commercialization, or the Knowledge Fund established pursuant to *Nevada Revised Statutes* 231.1592; or similar activities (*Handbook, Title 4, Chapter 3, Section 16*).

Members of NSHE’s Research Affairs Council recently noted the need to clarify the language authorizing entrepreneurial leave in relation to existing Board policy governing leave for compensated outside professional or scholarly services (*Title 4, Chapter 3, Section 9.2* of the *Handbook* applicable to the universities, and *Title 4, Chapter 11, Section 12.2* of the *Handbook* applicable to DRI). Specifically, the policy governing these services for university faculty provides that faculty members on 12-month contracts must take annual leave if providing outside professional or scholarly service during the standard work week (*Title 4, Chapter 3, Section 9.2* of the *Handbook*). A DRI faculty member is to perform compensated outside professional activities on his or her own time (*Title 4, Chapter 11, Section 12.2* of the *Handbook*). Staff recommends revising the provision governing entrepreneurial leave to clarify that any such entrepreneurial leave policies established by the universities and DRI are not subject to the leave policies (compensated or uncompensated) established under *Title 4, Chapter 3, Section 9.2* and *Title 4, Chapter 11, Section 12.2* of the *Handbook*).

SPECIFIC ACTIONS BEING RECOMMENDED OR REQUESTED:

Amend Board policy to clarify that entrepreneurial leave is not subject to the leave limitations governing outside professional or scholarly service. (See the attached policy proposal.)

IMPETUS (WHY NOW?):

This policy proposal is brought forward at the request of system staff to ensure there are no conflicts between the policies governing entrepreneurial leave and leave for certain professional or scholarship services that may overlap.

BULLET POINTS TO SUPPORT REQUEST/RECOMMENDATION:

- Clarifying the provisions governing entrepreneurial leave and leave for compensated outside professional or scholarly services will ensure the policies are applied consistently for and are easily understood by faculty, supervisors, and institutional administrators.

POTENTIAL ARGUMENTS AGAINST THE REQUEST/RECOMMENDATION:

None have been brought forward.

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

Retain the existing policy.

COMPLIANCE WITH BOARD POLICY:

- Consistent With Current Board Policy: Title # _____ Chapter # _____ Section # _____
- Amends Current Board Policy: Title # 4 Chapter # 3 Section # 16
- Amends Current Procedures & Guidelines Manual: Chapter # _____ Section # _____
- Other: _____
- Fiscal Impact: Yes _____ No X _____
- Explain: _____

POLICY PROPOSAL
TITLE 4, CHAPTER 3, SECTION 16
Entrepreneurial Leave

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

Section 16. Entrepreneurial Leave – Universities and DRI

The universities and Desert Research Institute may establish policies in consultation with institutional legal counsel that govern entrepreneurial leave for faculty engaged in entrepreneurial activity that advances research; supports the state's economic development plan, technology transfer, commercialization, or the Knowledge Fund established pursuant to *Nevada Revised Statutes* 231.1592; or similar activities. The policies shall provide for approval of such leave by the president and will not apply to the sabbatical leave authorized under *Nevada Revised Statutes* 284.345. ***Entrepreneurial leave is not subject to the limitations governing outside professional or scholarly service set forth in Section 9.2 of this chapter and Title 4, Chapter 11, Section 12.2.***