

BOARD OF REGENTS  
BRIEFING PAPER  
HANDBOOK REVISION: Technical Correction to Codification

**BACKGROUND & POLICY CONTEXT OF ISSUE:**

In September 1999 the Board approved a policy on employee charitable donations made through payroll deductions. That provision was inadvertently placed in the section of the *Handbook* concerning property. Staff recommends that for the purpose of clarity the provisions concerning employee charitable donations be removed from the section on property (*Title 4, Chapter 10, Section 23*) and be placed into a separate and new section applicable to charitable donations only (*Title 4, Chapter 10, Section 28*).

**SPECIFIC ACTIONS BEING RECOMMENDED OR REQUESTED:**

Amend *Title 4, Chapter 10, Section 23*, by removing the provisions on employee charitable donations and placing them into a new and separate section of *Title 4, Chapter 10*. (See attached Policy Proposal.)

**IMPETUS (WHY NOW?):**

The error in codification was discovered in a recent review of the *Handbook* done by staff.

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

- Corrects a codification error in the Board of Regents' *Handbook*; and
- Clarifies the existing section of *Title 4, Chapter 10* on property by removing the provisions on employee charitable donations that do not concern property.

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

None have been brought forward.

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

Leave the *Handbook* as currently codified.

**COMPLIANCE WITH BOARD POLICY:**

- Consistent With Current Board Policy: Title # \_\_\_\_\_ Chapter # \_\_\_\_\_ Section # \_\_\_\_\_
- Amends Current Board Policy: *Title 4, Chapter 10, Section 23*
- Amends Current Procedures & Guidelines Manual: Chapter # \_\_\_\_\_ Section # \_\_\_\_\_
- Other: \_\_\_\_\_
- Fiscal Impact: Yes \_\_\_\_\_ No  \_\_\_\_\_
- Explain: \_\_\_\_\_

**POLICY PROPOSAL**  
**TITLE 4, CHAPTER 10, SECTION 23**  
Property

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

**Section 23. Property**

1. Vandalism. The Chancellor shall establish procedures concerning the reporting and investigation of damage to NSHE institutional buildings, equipment, or other property.
2. Preliminary Plans. The Chancellor shall establish procedures concerning the presentation of preliminary construction plans to the Board of Regents.
3. Naming of Buildings. The Chancellor shall establish procedures concerning the naming of campus buildings.
4. Little Valley. That the area of land known as Little Valley shall be retained in perpetuity as a natural wildlife area and shall be used for no other purpose.
5. NSHE Capital Construction Process
  - a. Each institution will update its physical master plan every two years and provide the Chancellor and the Regents with a standardized statistical profile describing the physical dimensions of each campus operated by the institution. This profile will include the area (*gross square feet*) by type and age of facility. The Presidents will identify campus capital construction needs.
  - b. The Board of Regents will set priorities for the types of space (*classroom, class laboratory, research laboratory, office, and auxiliary space*) needed by the NSHE.
  - c. The Chancellor will apply appropriate NSHE space formulas, including growth in student FTE, to the campus data to determine the need for space in the Regents' priority areas. Based on the results of these calculations, the Chancellor will propose a capital construction list to the Council of Presidents.
  - d. The Presidents will review the list and participate in the construction of the capital request in priority order.
  - e. The Chancellor will forward a capital construction list to the Board of Regents for approval.

6. Agreement Between Nevada System of Higher Education and State Public Works Board.

The Chancellor shall establish procedures and divisions of responsibility regarding campus master planning, capital improvement programming, the project design process, construction projects, and for projects financed by non-appropriated funds.

7. Use of NSHE Facilities.

- a. Institutional facilities, including campus grounds, are provided primarily for the support of the regular educational functions of the institution and the activities necessary for the support of these functions. The institution's functions take precedence over any other activities in the use of institutional facilities.
- b. Freedom to speak and to hear will be maintained for students, faculty and staff, and University policies and procedures will be used to provide a full and frank exchange of ideas. An effort should be made to allow a balanced program of speakers and ideas.
- c. An invitation to speak at a NSHE institution does not imply that the NSHE or institution endorses the philosophy or ideas presented by the speaker.
- d. Institutional facilities may not be used for the purpose of raising monies to aid projects not related to some authorized activity of the institution or of institutional groups, and no efforts at conversion and solicitation by uninvited non-campus groups or individuals will be permitted on campus.

~~[e. The Board of Regents desires to provide employees the opportunity to contribute to worthy charitable organizations through payroll deduction in a manner which minimizes disruptions in the workplace, and which does not overburden campus resources. Charitable solicitation campaigns for payroll deduction may be limited to one or more charitable federations at each institution.~~

~~1. Each institution shall adopt a policy governing charitable solicitations by payroll deduction in accordance with the following guidelines:~~

- ~~a. Only federations with local presence representing 10 or more organizations will be allowed to conduct charitable campaigns. No individual organization will be granted access.~~
- ~~b. The organizations represented by the federation must be health, education, or human services agencies recognized under Section 501(c)(3) of the *Internal Revenue Code* and be eligible to receive tax deductible contributions under 26 U.S.C. 170.~~
- ~~c. The federation must distribute at least 70 percent of its total campaign income and revenue to the agencies it supports, and expend no more than 30 percent of its total income and revenue for management, fund-raising, public relations and related overhead costs.~~
- ~~d. The organizations represented by the federation must provide services, programs and/or support within the state of Nevada.~~

- e. ~~The federation must be audited annually by an independent certified public accountant, and must publish and make available to the general public an annual report of its activities, accomplishments and expenditures.~~
  - f. ~~The federation and each of its member organizations must operate without discrimination in regard to race, creed, color, age, sex, religion, national origin, handicap, disability or political affiliation.~~
  - g. ~~The federation must honor designated contributions to any 501(c)(3) organizations and may charge a processing fee not to exceed 5% plus an amount reflecting the institution's uncollectible rate from the previous year.~~
  - h. ~~Joint, concurrent or staggered campaigns by federations may be allowed if, in the opinion of the institution administration, they do not disrupt the workplace and do not overly burden the institution.~~
  - i. ~~Access to payroll deduction by an approved federation may be allowed if the deductions can be accomplished by the payroll system without cost to the institution.~~
  - j. ~~If, in the opinion of the President, a single campaign is in the best interest of the institution and the institution's employees have the opportunity to donate to member agencies of any other federation, then the President may limit the annual employee payroll deduction campaign to a single federated group. The selected federated group must provide for distribution of donations to agencies of other federations and to any 501(c)(3) organization. The selected federated group must provide reasonable representation in promotional literature and promotional activities for other federated groups that meet the requirements of e(1)a-g (above).~~
  - k. ~~Other requirements not inconsistent with these guidelines.~~
1. ~~The Chancellor shall prepare and publish one or more RFP's that include all the requirements set forth herein and other requirements not inconsistent herewith. The Chancellor shall recommend a charitable federation or federations to the Board of Regents to act as the campaign manager or managers for the annual payroll deduction campaigns at system institutions.~~
  2. ~~The policy is intended to govern charitable donations through payroll deduction only and does not in any way limit or affect the otherwise appropriate and approved access of organizations or groups to institution facilities.]~~

[f]8. Policy Statement Regarding Use of System Facilities for Political Events.

- a. The primary mission of NSHE and its institutions is to educate students. In that regard, we share a common interest in making public facilities reasonably available for first amendment activities, including political candidates and events. In allowing such use, NSHE and its institutions must use care to avoid the appearance of partisanship, i.e. that the institution favors any particular candidate or party.
- b. Single candidate events should generally be expected to pay standard facility use charges, together with any out of pocket costs, such as security, that the institution incurs as part of the event. The institution should seek advance payment of these estimated costs.

- c.* Recognized student clubs or faculty groups may sponsor candidate appearances/events if permitted by institution policy, which may result in waiver of facility use charges under institution policy. Any out of pocket costs incurred by the institution should still be paid. Student governments and institutional business or facilities officers should seek to track such appearances and encourage compliance with Section 7(b) above.
- d.* The institution may choose to host multi-candidate events as an educational service to the college or university community and the public. At the election of the institution, these events may be without charge to the candidates, whether for use of the facilities or security, as long as the institution makes its facilities available, if requested, on the same basis to all political parties.
- e.* In addition, NRS Chapter 293, Section 1 as applied to political parties may limit the fees that may be charged as follows: Upon application by a state or county central committee, if a room or space is available in a building that is open to the general public and occupied by the government of this State or a political subdivision of this State or an agency thereof, the public officer or employee in control of the room or space shall grant the use of the room or space to the state or county central committee without charge in a presidential election year for any purpose, including conducting precinct meetings, without charge during other years for the purpose of conducting precinct meetings and at a charge not greater than that made for its use by other groups during other years for purposes other than conducting precinct meetings.

[8]9. Disposal of Surplus Equipment

The Chancellor shall establish procedures concerning the disposal of surplus equipment.

[9]10. Equipment Inventory

The Chancellor shall establish procedures concerning the inventory of equipment.

**POLICY PROPOSAL**  
**TITLE 4, CHAPTER 10, new SECTION 28**  
**Employee Charitable Donations**

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

***Section 28. Employee Charitable Donations through Payroll Deductions***

- 1. The Board of Regents desires to provide employees the opportunity to contribute to worthy charitable organizations through payroll deduction in a manner which minimizes disruptions in the workplace, and which does not overburden campus resources. Charitable solicitation campaigns for payroll deduction may be limited to one or more charitable federations at each institution.***
- 2. Each institution shall adopt a policy governing charitable solicitations by payroll deduction in accordance with the following guidelines:***
  - a. Only federations with local presence representing ten or more organizations will be allowed to conduct charitable campaigns. No individual organization will be granted access.***
  - b. The organizations represented by the federation must be health, education, or human services agencies recognized under Section 501(c)(3) of the Internal Revenue Code and be eligible to receive tax-deductible contributions under 26 U.S.C. 170.***
  - c. The federation must distribute at least 70 percent of its total campaign income and revenue to the agencies it supports, and expend no more than 30 percent of its total income and revenue for management, fund-raising, public relations and related overhead costs.***
  - d. The organizations represented by the federation must provide services, programs and/or support within the state of Nevada.***
  - e. The federation must be audited annually by an independent certified public accountant, and must publish and make available to the general public an annual report of its activities, accomplishments and expenditures.***
  - f. The federation and each of its member organizations must operate without discrimination in regard to race, creed, color, age, sex, religion, national origin, handicap, disability or political affiliation.***
  - g. The federation must honor designated contributions to any 501(c)(3) organizations and may charge a processing fee not to exceed 5 percent plus an amount reflecting the institution's uncollectible rate from the previous year.***
  - h. Joint, concurrent or staggered campaigns by federations may be allowed if, in the opinion of the institution administration, they do not disrupt the workplace and do not overly burden the institution.***

- i. Access to payroll deduction by an approved federation may be allowed if the deductions can be accomplished by the payroll system without cost to the institution.*
  - j. If, in the opinion of the President, a single campaign is in the best interest of the institution and the institution's employees have the opportunity to donate to member agencies of any other federation, then the President may limit the annual employee payroll deduction campaign to a single federated group. The selected federated group must provide for distribution of donations to agencies of other federations and to any 501(c)(3) organization. The selected federated group must provide reasonable representation in promotional literature and promotional activities for other federated groups that meet the requirements of subsections 2(a-g).*
  - k. Other requirements not inconsistent with these guidelines.*
- 3. The Chancellor shall prepare and publish one or more RFP's that include all the requirements set forth herein and other requirements not inconsistent herewith. The Chancellor shall recommend a charitable federation or federations to the Board of Regents to act as the campaign manager or managers for the annual payroll deduction campaigns at system institutions.*
  - 4. The provisions of this section are intended to govern charitable donations through payroll deductions only and do not in any way limit or affect the otherwise appropriate and approved access of organizations or groups to institutional facilities.*