



University of Nevada, Reno

Brian Sandoval
President

MEMORANDUM

To: Board of Regents, Nevada System of Higher Education
Chancellor Melody Rose



From: President Brian Sandoval, University of Nevada, Reno

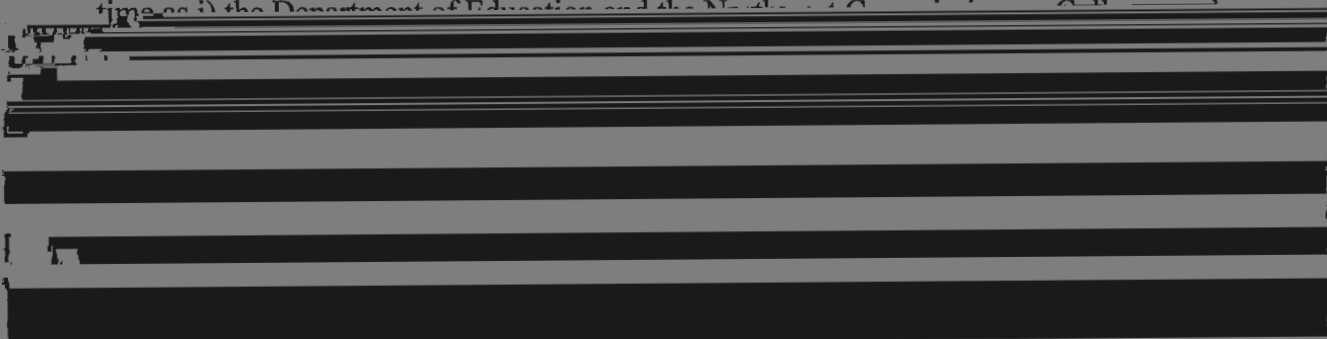
Date: July 20, 2021

RE Responses to questions posed by Regent Carter regarding Sierra Nevada University

MOA 501C3 Questions:

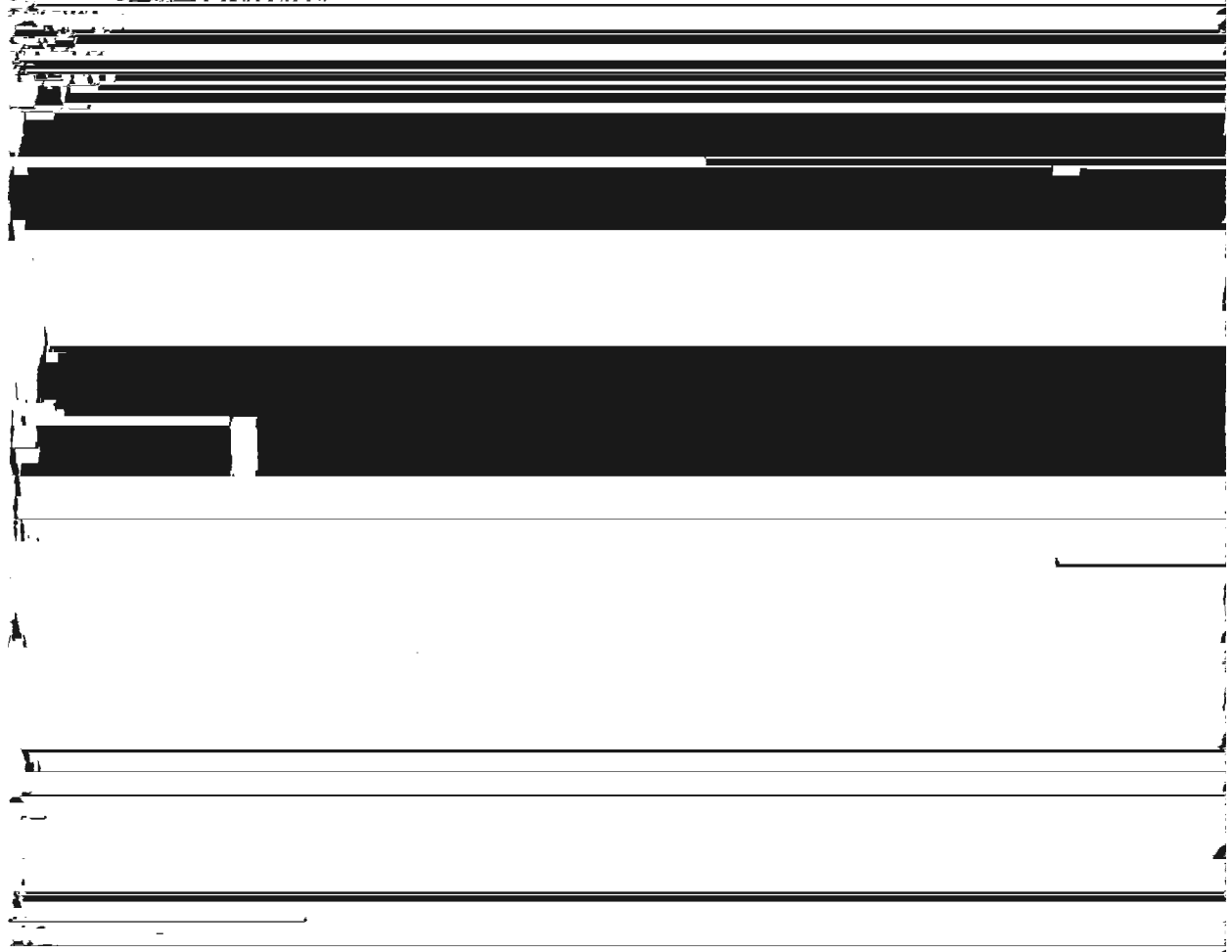
- 1. Why were the specific names of people and not their titles chosen for board composition?***

Response: The proposed composition of the future SNU Board was identified by the SNU Trustees in the MOA (as modified by the most recent SNU Board action regarding the MOA) to facilitate the transfer process by including specific individuals from UNR's leadership team. (Please see the answer to question number 2 below regarding changes to this Board post-transfer). The members of the SNU Board will not change until such time as the Department of Education and the Nevada State Board of Education...



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to prescribe rules for its own government and the government of NSHE. *See* NRS 396.110(1)(a)-(b). Accordingly, the BOR has broad legal authority to promulgate rules that implement its plans for NSHE, including plans for its expansion as outlined in the MOA. NRS 396.255 specifically empowers the BOR to establish policies governing the contracts that employees of NSHE may enter into and benefit from. *See* NRS 396.255. The BOR may also prescribe the curriculum for NSHE, *e.g.*, the course of



NSHE. *See* 396.440. The BOR is encouraged by the legislature to review periodically their mission for higher education, as the focus of each institution is defined and further redefined, to determine the nature and scope of the programs or courses. *See* NRS 396.504(1)(b). The statutory scheme outlining the BOR's authority is thus broad in scope. *See generally, King v. Board of Regents*, 65 Nev. 533, 200 P.2d 221 (1948); *Board of Regents v. Oakley*, 97 Nev. 605, 627 P.2d 1100 (1981).



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[REDACTED]

amendment.

[REDACTED]

82.446, 451 and 456.

[REDACTED]

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Corporation on a monthly basis. At the end of the transition period all operating

[REDACTED]

[REDACTED]

3. *Would the NSHE code for public institutions apply to an institution not directly controlled by the Board of Regents?*

Response: This should not be an issue given that by the time UNR takes over the operations of SNU, SNU will not be operating. Until then, SNU would operate as is. NRS 396.020 also provides that the "System is comprised of such branches and facilities as the Board of Regents deems appropriate" and, further, NRS 396.110 authorizes the BOR to prescribe rules for the government of the System, presumably including rules governing UNR's acquisition of the SNU operations as contemplated by the MOA.

[REDACTED]

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timeline. All employment liabilities of the current corporation (such as accumulated leave and severance packages) will be settled during the operational wind-down and will not transfer to UNR.

Employees of SNU will not fall under the NSHE Code until they are transitioned and become NSHE employees.

- 3. *When would we see the UNR Tahoe campus on the master plan? Do you foresee this delaying any projects on the main campus?***

Response: This year, as UNR begins its strategic planning process, including its facilities plan, this new campus will be incorporated into that discussion and the plan will be

