

Title 4 - Codification of Board Policy Statements

Chapter 1

GENERAL POLICY STATEMENTS

Section 1.	Nevada System of Higher Education (NSHE) Mission Statement.....	2
Section 2.	Ethical Code of Conduct for Regents.....	2
Section 3.	Statutory and Policy Prohibitions for Members of the Board of Regents.....	4
Section 4.	Production or Inspection of Records and Requests for Information by Regents	5
Section 5.		
Section 10.	Alcoholic Beverage Policy	8
Section 11.	Parking and Traffic Regulations	9
Section 12.	NSHE Police and Security Forces.....	9
Section 13.	Regent Travel and Host Spending Policy.....	13
Section 14.	Regent-Emeritus/Emerita Status	14
Section 15.	Distinguished Nevadan and Honorary Degree Nominations	14
Section 16.	Board of Regents' Scholar Award	15
Section 17.	Nevada Regents' Award for Creative Activities	15
Section 18.	Nevada Regents' Researcher Awards	15
Section 19.	Nevada Regents' Teaching Award.....	16
Section 20.	Nevada Regents' Academic Advisor Award	17
Section 21.	NSHE AIDS Guidelines	17
Section 22.	Covert Video Surveillance.....	17
Section 23.	Computing Resources Policy	17
Section 24.	NSHE Information Security Policy.....	20
Section 25.	Support for Dual-Career Couples	21
Section 26.	Use of External Lobbyists	22
Section 27.	Personal Use of System Property or Resources	22
Section 28.	Disclosure of Student Education Records and Directory Information.....	23
Section 29.	Records Retention Policy (<i>effective date of July 1, 2016</i>).....	25
Section 30.	Privacy of Protected Health Information	25
Section 31.	Open Meeting Law and Public Records Policy	26
Section 32.	Hate Crimes Policy	28
Section 33.	Possession of Weapons on NSHE Property	28
Section 34.	Possession and Use of Marijuana	32
Section 35.	Emergency Alert System.....	33
Section 36.	Policy on Registered Offenders.....	33
Section 37.	Unmanned Aircraft Systems (UAS)	35
Section 38.	Freedom of Expression: Aspirational Statement of Values	37
Section 39.	Notice to Board of Public Comments on Certain Federal Matters.....	38
Section 40.	Regents' Outstanding Classified Staff Award.....	38

- h. Treating all employees and students of the NSHE with respect, cognizant of the power inherent in the office of Regent, and never using that power to attempt to intimidate or influence employees or students to gain unwarranted privileges, advantages, or preferences for the Regent or for his or her family members, other individuals, or business entities.
 - i. Upholding public trust in the office of Regent.
- 2. A member of the NSHE Board of Regents should respect relationships with other members of the Board by:
 - a. Realizing that authority rests with the Board only in official meetings, that the individual member has no legal status to bind the Board outside of such meetings except as may be expressly authorized by the Board.
 - b. Recognizing the integrity of their predecessors and their current associates on the Board and the merit of their work.
 - c. Making decisions only after all facts bearing on a question have been presented and discussed.
 - d. Encouraging the free expression of opinions by all members, respn7.859 0 T (r)-6 ((hou)2.6 (e)10.5(

- a. In accordance with the provisions of NRS 281A.400(10), a Regent shall not seek other employment or contracts through the use of his or her official position within the NSHE.
- b. In light of the provisions of the Ethical Code of Conduct for Public officers set forth above, and in particular, to enhance public trust in the office of Regents, a Regent may not apply for or accept a new or different position, contract or business relationship with an institution, unit or foundation of the NSHE for a period of 1 year after the termination of the Regent's service on the Board.

(B/R 9/10)

Section 4. Production or Inspection of Records and Requests for Information by Regents

1. Unless otherwise prohibited by law, all books, records and documents, except material related to restricted access research, that are in the custody of an NSHE institution or unit must be made available to Regents for inspection or copying upon request. Regents should make such a request only for reasons germane to the performance of their duties as Regents. Requests for inspection or copies of books, records or documents must be directed to the Chancellor, Presidents, vice chancellors, vice presidents, secretary to the Board or the director of internal audit, as the case may be. Such requests shall also be copied to the Chancellor and, if applicable, the President of the relevant institution. The written response from the institution or unit shall be sent to all Regents, with copies to the Chancellor, the applicable President and the Board office. Regents may request the Chancellor or his or her designee to inspect restricted access research materials on their behalf and provide a summary report to the Board. Requests to inspect restricted access research materials will be accompanied by non-disclosure and conflict of interest statements signed by the Chancellor or his or her designee.
2. As noted in Board Bylaws and policies, the Board of Regents acts as a unit and no one Regent has the authority to bind the Board. "It shall be the policy of the Board of Regents to act as a unit. The Board of Regents controls the University as a body representing the people; the individual members have no authority singly." Board Policies, Title 4, Chapter 1, Section 7(6). Accordingly, if a request for information by a Regent is anticipated by an institution or unit to require in excess of six hours to prepare a response, the request is subject to the Board's prior approval at a public meeting of the Board. In determining whether to approve the information request, the Board shall take into consideration the cost associated with responding to the request in terms of the use of personnel and other resources. The written response by the institution or unit to approved information requests shall be sent to all Regents, with copies to the Chancellor, the applicable President and the Board office and will identify the Regent making the request when so distributed.

(B/R 6/13)

Section 5. Inspection of Files

1. For the purpose of

2. Prior to inspection of any non-public file, a Regent must provide a written request to the Chancellor stating the reason for the examination of the file and what information is being sought. When a Regent requests access, the Chancellor will notify other Regents and the institutional President of the request. In the case of a student or employee file, the institution will notify the student or employee of the Regent's request and any subsequent inspection of the requested information. A request for inspection of non-public files must comply with all applicable state and federal statutes. A custodian or designee of non-public files shall be present during any inspection of such files. Safeguards for electronic records must likewise be in place at each institution. Files shall not be copied or removed from the institutional or System office premises except under court order.

(B/R 12/02)

Section 6. Board Meeting Dates

The Board of Regents shall meet on a schedule established annually.

(B/R 1/73)

Section 7. Academic and University Year

It is the responsibility of each institution to develop its academic calendar, to propose the date or dates of its general commencement(s), and to specify the academic-year obligation of its academic-year faculty. Each of these items must be approved by the institutional President and submitted to the Chancellor.

Presidents are responsible for specifying the academic-year obligation for their academic-year

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. 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

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Section 9. Campus Development

In development of the campuses of the NSHE, the following principles are hereby adopted.

1. The park-like quality of each campus shall be maintained and further developed to the effective use of open areas, such as quads and malls. Such areas shall have serviceable walkways and seating areas in order to maintain a proper balance between utility and aesthetics.
2. Landscape architecture shall maintain pace with the aesthetic qualities of each campus in general. Funds for landscaping shall be included in the budget for each new building.
3. A small amount of parking area shall be provided adjacent to, or as near as possible to most buildings, to satisfy parking needs of faculty.
4. Consideration shall be given to the movement of student and faculty traffic between classes, materials and services from building to building, and visitors and groups for special events about each campus, particularly in regard to the location of sidewalks, paths and service routes. Special consideration shall also be given to the size and servicing of walkways in order to provide safety and convenience.
5. There shall be an annual reappraisal of enrollment projections and building priorities.
6. Standardized plaques shall be placed on NSHE buildings pursuant to procedures established by the Chancellor.

(B/R 10/04)

Section 10. Alcoholic Beverage Policy

(For Student Policy, See Title 4, Chapter 20, Sec. 4.)

The purchase of alcoholic beverages for use at NSHE functions shall be permitted for the following functions or pursuant to the following conditions:

1. Conferences and Institutes where a part of the fee collected is for a cocktail party.
2. Host account expenditures for liquor with dinner and for large receptions.
3. Student associations must have the institutional President's prior approval and the institution President is to be the only person authorized to approve payment of the purchase of alcoholic beverages from student association funds. The institutional President will only grant this authorization upon being satisfied that proper supervision is provided in the dispensing of alcoholic beverages.

(B/R 6/82)

5. Campus Education

All NSHE police departments shall establish educational programs for students and employees on safety issues. Examples include, but are not limited to, crime prevention, self-defense, alcohol and drug education, emergency response, and crisis management.

6. Training

All NSHE police departments shall establish training requirements and programs that ensure that all police are prepared to function effectively consistent with peace officer status within higher education's setting and goals that meet or exceed state peace officer training requirements.

7. Hiring Criteria

All NSHE police departments shall ensure qualified personnel are hired consistent with the hiring standards, guidelines and criteria established by the Nevada Peace Officers Standards and Training (P.O.S.T.).

8. Uniforms

NSHE police are highly visible representatives of the institution in which they are employed. Attire of NSHE police shall be appropriate for their duties. Each department shall determine the type of attire best suited for the effective functioning of its police department. The attire of NSHE police shall be clearly distinctive so that students and employees will easily recognize institutional police. Distinctive is defined as different from other law enforcement agencies in the county in which the campus resides. Pursuant to NRS 396.327, every member of the Police Department for the System is required to wear a badge bearing the words "University Police, Nevada."

9. Weapons

Each President may restrict the armament of any or all police within the institution. All NSHE police departments shall evaluate the type of weapons necessary for meeting their duties and equip the force with only those weapons judged to be essential to their mission. Only officers who are fully trained in a weapon and for whom the weapon is essential shall carry a weapon. Each police department head shall determine which officers may carry each type of weapon. It is at the police department head's sole discretion to limit which officers may carry a particular type of weapon.

10. Scope of Operations

Given finite resources, each police department shall not engage in non-essential services, including those available through arrangements with municipal police. All departments shall limit the scope of coverage to those areas essential to the institution's safety. No tactical special operations units (such as special weapons and tactics units) shall be formed by any NSHE police department. Any special operations must be approved by the police department head, the President of the relevant institution(s), and the Chancellor and reported to the Board after the operation is complete.

11. Board of Regents Reports

The Board of Regents shall review annual reports on the status of safety issues from each campus. The timing of the reports will correspond with deadlines forat uesl ctf atuesat

14. External Evaluation

At least every five years, all NSHE police departments shall be reviewed by an entity external to the NSHE, approved by the Chancellor on recommendation from the President. The purpose of this review is to ensure that the police department is operating in a manner that is consistent with the goals and objectives of the NSHE and to ensure that the police department is providing the highest quality of service to the NSHE community. The review shall be conducted by an external entity that is not affiliated with the NSHE and shall be conducted every five years.

Section 16. Board of Regents' Scholar Award

1. The Nevada Regents' Scholar Award shall be given annually to an undergraduate student from each University, state college and community college and to a graduate student at each of the universities within the NSHE. The awards will be given as follows:

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Community colleges – one student per year.

State college – one student per year.

Universities – one undergraduate and one graduate student each year.

2. The Scholar Award will carry with it a cash stipend of \$5,000. Awards are to be based on academic accomplishments, leadership ability, service contributions while a registered student, as well as for the recipient's potential for continued success. Awards granted shall be referred to as the "Sam Lieberman Regents' Award for Student Scholarship" in commemoration of his service and dedication to higher education in M (m)-6 (J0.355 T (t)-6.731215.9 (pl)2(i)

future advancement and recognition in research. The Nevada Regents' Rising Researcher awards granted shall be referred to as the "Jason Geddes Rising Researcher Award" in

Section 20. Nevada Regents' Academic Advisor Award

1. The Nevada Regents' Academic Advisor Award shall be given annually to faculty or staff members with distinguished records of student advisement. The award will carry with it a cash stipend of \$5,000 at the universities, community colleges, and state college.
2. One award will be granted annually to a full-time community college member of the faculty, professional staff, or classified staff who provide academic advisement as part of their regular assignment or who provide academic advisement as their primary assignment. Two awards will be granted annually between the universities and state college, one for undergraduate advisement and one for graduate advisement. DRI full-time faculty or professional staff who provide academic advisement to graduate students at UNLV and UNR as part of their regular assignments or who provide academic advisement as their primary assignments are eligible for the award. Although these awards are intended for individuals, groups who by their collaboration have made outstanding contributions in academic advisement may be recognized as well. In addition, each NSHE institution will grant an annual academic advisor award with a minimum stipend of \$1,000, the maximum amount of which will be determined by the individual campus.
3. Faculty members who receive the Regents' Academic Advisor Award may use the title as such in perpetuity.
4. Guidelines for the nomination and selection of the recipients of the Nevada Regents' Academic Advisor Award shall be established by the o

suspended if the action continues. The applicable NSHE policies, Nevada law and campus by-laws shall be followed if the need to suspend computing privileges of faculty, staff, or students occurs. However, if the security and operation of the

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NSHE time, property, equipment, or other facility must be approved in advance by the employee's supervisor. If the institution or unit incurs a cost as a result of a use that is authorized pursuant to this policy or would ordinarily charge a member of the public for the use, the employee shall promptly reimburse the cost or pay the charge. An employee who intentionally or negligently damages NSHE property, equipment, or other facility shall be held responsible for the resultant expense.

(B/R 9/10)

Section 28. Disclosure of Student Education Records and Directory Information

The Family Educational Rights and Privacy Act (FERPA) is a Federal law that protects the privacy of student educational records of both current and former students. Each NSHE institution is required to comply fully with the law. The Act makes a distinction between a student's education record and information classified as directory information. FERPA gives parents certain rights with respect to their children's education records. These rights transfer solely to the student when he or she reaches the age of 18 or attends a school beyond the high school level. Students to whom the rights have transferred are defined as "eligible students" in the Act.

1. Education Records. Institutions must have written permission from the parents or eligible student in order to release any personally identifiable information from a student's education record. However, under zero BT/P MO fr.e(w)2(t)-6. ioa2 c 0 Tw 0.82a1.5 (f1 (a)10.5 (t)-r.e(w)2

Non-commercial educational purposes may include, but are not limited to, placing the student's name in publications such as honors and graduation programs; confirming graduation and dates of attendance to potential employers; verifying enrollment with organizations such as insurance companies; or sending notifications about specialized scholarships without the express written authorization of the student.

- c. Applicability. The request for non-disclosure shall apply permanently to the student's record at all NSHE institutions until or unless the student or former student requests reversal of the non-disclosure order.

4. Sale of Directory Information. Student directory information for current and former students cannot be sold or rented for a fee by a NSHE institution.
(B/R 12/22)

Section 29. Records Retention Policy (effective date of July 1, 2016)

The NSHE Records Retention and Disposition Schedule is set forth in the NSHE *Procedures and Guidelines Manual*. Amendments to the NSHE Records Retention and Disposition Schedule are subject to the approval of the State of Nevada Records Committee and the Chancellor.
(B/R 12/15)

Section 30. Privacy of Protected Health Information

1. General Statement

This statement of policy relates to the use, disclosure, and security of protected health information coming into the possession of various schools, departments, programs, individual employees (acting in the course and scope of employment) of NSHE and its respective institutions. The United States Department of Health and Human Services has adopted certain regulations governing the privacy of protected health information pursuant to the Health Insurance Portability and Accountability Act of 1996 ("HIPAA"). In addition, state law may impose restrictions on the use or disclosure of health information that are more stringent than the federal regulations. NSHE is committed to following the applicable requirements of federal and state law governing the privacy of protected health information, and has developed a general implementation plan.

2. Scope of Policy

NSHE is a hybrid covered entity under HIPAA. HIPAA standards, policies and procedures will be applied to all programs, departments and schools at NSHE that are identified as included in the health care component of NSHE as required by law.

3. Privacy and Security officers

The Chancellor shall designate a NSHE employee to serve as the NSHE privacy officer. In addition, when required, the Chancellor shall designate a NSHE employee to serve as the NSHE security officer. The NSHE privacy and security officers shall assist the Chancellor in developing policies and procedures, training, implementation and administration of federal and state laws governing privacy and security of protected health information, as that term is

- c. Agenda Supporting Materials and Minutes.
 - 1. Agenda supporting materials at the time they are made available to the Regents or to the members of subcommittees or ad hoc committees shall be provided to or made available to the public in accordance with the provisions of NRS 241.020(5).
 - 2. Minutes of Board and committee meetings or an audio recording will be made available for inspection by the public within 30 working days after adjournment of the meeting and the minutes and any audio recording of the meeting will be maintained in accordance with NRS 241.035.
 - 3. All requests for supporting materials will be referred to the secretary of the board for immediate response.
 - 4. Unless good cause is shown, minutes of a meeting subject to the Open Meeting Law shall be approved within 45 days after the meeting or at the next meeting of the Board or committee, whichever occurs later.
- d. Closed Sessions.
 - 1. Closed sessions will only be held for those matters for which a meeting may be closed in accordance with NRS 241.030(1).
 - 2. The published agenda and the motion to close any portion of a public meeting will specify the nature of the business to be considered, in accordance with NRS 241.030(3).
 - 3. The published agenda and the motion to close the meeting will identify by name the person or persons who will be the subject of the closed session.
 - 4. In a closed session, all relevant aspects of the matter may be considered by the Board, but no votes or action can be taken in closed session except as otherwise provided in NRS 241.033(5)(b) which authorizes the Chair to allow Board members to determine, by majority vote, which additional persons, if any, other than the person who is the subject of the closed meeting, are allowed to attend the closed session or a portion thereof. Consideration of any matter in closed session will be limited to receiving information regarding the matter and seeking clarification with regard to the information received. The members of the Board of Regents, in closed session, will not deliberate, discuss or express any opinions on the substance of the matter under consideration. All deliberations, discussion and expression of opinions on the matter will take place in open session.
 - 5. The person or persons who are the subject of the closed session will be given notice of the meeting in accordance with NRS 241.033 and, if applicable, notice of intent to take administrative action in accordance with NRS 241.034.
 - 6. The person or persons, who are the subject of a closed session, will be given the opportunity to address the Board of Regents, any subcommittee or ad hoc committee during the closed session.
 - 7. In accordance with, NRS 241.031, the Board of Regents, its subcommittees and ad hoc committees will not hold closed sessions regarding the character, alleged misconduct, professional competence or physical or mental health of any employees who are elected members of a public body, including the Nevada Legislature.
 - 8. The attorney general will be notified of any planned closed session and asked to send a representative to the closed session.

e. Consultation with Counsel.

The Board of Regents may consult privately with counsel with regard to existing or potential litigation. In accordance with NRS 241.015(3)(b)(2), such consultation does not constitute a "meeting" subject to the agenda and other requirements of the Open Meeting Law.

3. Public Record Law Policy.

a. Each institution and the system units must designate a public records officer to receive and respond to all requests for inspection or copying of public records.

b. It is the policy of the Board of Regents that inspection and copying of public records must be promptly accommodated, unless prohibited by a specific provision of law.

c. Minutes of open meetings or an audio recording will be made available for inspection 30-working days after the adjournment of the meeting in accordance with NRS 241.035(2) and a copy of the minutes or audio recording will be made available to a member of the public upon request free of charge.

d. All minutes of open meetings shall be retained in accordance with NRS 241.035(2).

e. The denial of any request for inspection or copying of public records must be approved by the System General

The United States Supreme Court has recognized that schools are sensitive places where prohibitions on the possession of firearms are permitted.³ The statutory prohibition of weapons, including firearms on campus, is longstanding. The prohibition contributes to the welcoming and open nature of the NSHE institutions and promotes an atmosphere conducive to learning.

- d. "Switchblade knife" has the meaning ascribed to it in NRS 202.350.
- e. "Trefoil" has the meaning ascribed to it in NRS 202.350

consider, investigate, and evaluate each request on a case by case basis, giving individual consideration to each specific request, and must make a determination on each request according to a need standard. The individual need to carry a weapon shall be determined by the President in consideration of, but not limited to:

1. a specific risk of attack presented by an actual threat;
2. a general risk of attack presented by the nature of the individual's current or former profession, as established by actual evidence of increased risk of attack on such individuals; or
3. a legitimate educational or business purpose.

The President's consideration of the request must include an evaluation of the request by and a recommendation from the institution's law enforcement or security office. In addition, the President's consideration of the request, may also include, but is not be limited to: t

7. NO AUTOMATIC APPROVAL.

The failure of the President or the Chancellor to issue the written decision on a request for permission to carry a weapon or on a request for reconsideration within the 10 working day time period set forth in Section 4 and 5 above shall not constitute the granting of permission.

(B/R 9/12)

Section 34. Possession and Use of Marijuana

The Nevada System of Higher Education is sympathetic to the medical needs of our students, employees and visitors. A growing number of states, including Nevada, are enacting laws decriminalizing or legalizing the use, possession, delivery, manufacture, growth, distribution, production, and/or cultivation (hereinafter “use”) of marijuana, including for medical purposes. Federal law prohibits the use of marijuana, including for medical purposes, on college and university campuses that receive federal funding. The following provisions shall govern the possession and use of marijuana, including for medical purposes, on NSHE property.

1. The use, possession, or cultivation of marijuana, including for medical purposes, on any NSHE or NSHE foundation owned or leased property, or at any NSHE sponsored or authorized activity, is expressly prohibited.
2. Students, employees, faculty, guests, and/or visitors who violate this policy are subject to applicable disciplinary, legal and/or administrative action.
3. Each institution shall permit students who live on-campus or in housing that is owned or operated by the institution, to petition (“request”) for a release from the housing agreement if they assert legal compliance with Nevada state law to use medical marijuana. Such students,

pursuant to state or federal law, as a condition of parole or probation, or by the Nevada Division of Parole and Probation of the Department of Public Safety.

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contacted. Permission for flight operations should also be acquired from property owners/land managers in advance of flight activities.

- b. After obtaining all required flight permissions, and prior to beginning any operations, the employees, staff and students using UAS outdoors must contact the risk manager or other designated individual responsible for UAS for their institution and confirm that insurance coverage, if required, will be obtained and in place prior to operation, and at a minimum, will ensure liability coverage is provided through the limitations on State tort actions pursuant to Chapter 41 of Nevada Revised Statutes or a separate insurance policy.
- c. All NSHE UAS operators must take all reasonable measures to protect the safety of those involved in the operation and the general public and to avoid violating the privacy rights of the general public.
- d. Each institution shall establish policies and procedures governing the use of UAS that comply with federal and state law governing UAS flight and may include, but are not limited to:
 - i. Requesting required permissions and receiving guidance regarding UAS on the campus, including the designation of an individual on campus to serve as a UAS representative or coordinator;
 - ii. UAS use for educational, recreational, or hobby purposes on campus, including requiring membership in organizations that provide insurance coverage as part of membership;
 - iii. Limitation and/or designation of specific campus areas and times for UAS use such as UAS “geo-fencing” (may include but is not limited to approved designated outdoor netted areas that are exempt from FAA requirements);
 - iv. Prohibitions on use in and around student housing or other areas;
 - v. Requiring central registration/approval of all UAS vehicles and notification of police/security when UAS use will occur;
 - vi. Restrictions on UAS flight over sporting or other outdoor events;
 - vii. UAS use for research on or off campus;
 - viii. Export control restrictions on UAS use;
 - ix. Third-party requests for flights over campus (e.g. media requests);
 - x. Use of th1[ix]-5 oa a ke67nn UA0c 0 Twau1 (f)4031 (f)3 (f)-6.6 (c)-2 (v)-2 (ent)-6.6 (s)0da J0 T

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Section 39. Notice to Board of Public Comments on Certain Federal Matters e

The Board of Regents shall promptly be provided a copy of any written public comments submitted by an NSHE institution, or the Office of the Chancellor, to any federal agency or official regarding the proposed promulgation, repeal, or amendment of any federal

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- c. Review. The NSHE Classified Council will review the submitted nominations for eligibility requirements and to confirm required materials are included in nominee