

**BOARD OF REGENTS
BRIEFING PAPER**

Agenda Item: Proposed Amendment to the Board of Regents Bylaws to Make the Ad Hoc Athletics Committee a Standing Committee

Meeting Date: June 9-10, 2016

1. BACKGROUND & POLICY CONTEXT OF ISSUE:

In accordance with the Board of Regents' Bylaws, Title 1, Article VI, Section 4, the Board Chair appointed the Ad Hoc Committee on Athletics in July 2015. The term of an ad hoc committee is limited to one year. In light of the charge of the Athletics Committee and its ongoing work, the Board of Regents should consider making it a Standing Committee of the Board.

2. SPECIFIC ACTIONS BEING RECOMMENDED OR REQUESTED:

Approval is requested amend the Board Bylaws, Article VI, Section 3 to add a new subsection h, to make the Ad Hoc Athletics Committee a Standing Committee of the Board. In accordance with the Board Bylaws, Art. VIII, the proposal is presented for information only at this meeting and will be presented for action at the September 2016 meeting.

3. IMPETUS (WHY NOW?):

The one year term of the Ad Hoc Athletics Committee will expire soon, and in light of the charge of the Committee and its ongoing work, the Board should consider making it a permanent Committee.

4. BULLET POINTS TO SUPPORT REQUEST/RECOMMENDATION:

- The charge of the Ad Hoc Athletics Committee is extensive, ongoing and cannot be completed within one year.
- The charge of the Committee is as follows:
 - Commission a study of the athletic programs of the two universities and provide a list of options, including the Mountain West Conference, to determine at what level each university is able to compete without additional state, student and university subsidies.
 - Develop a mission statement for intercollegiate athletics in Nevada.
 - Evaluate the mission of intercollegiate athletics at the Community Colleges and analyze conference affiliations.
 - Review the annual reports submitted to the Board to ensure the Regents are receiving and reviewing necessary information for adherence to NSHE Code Title 4, Chapter 24.
 - Review the athletics Capital Improvement Plans and financing criteria for development and renovation of athletic facilities.
 - Review the athletic department budgets included in the annual reports which must include budgeted to actual in current year and previous two years. The budget report also needs to project the upcoming four years.
 - Review the structure and terms of athletics personnel contracts.
 - Review NSHE Handbook Title 4, Chapter 24 and recommend changes, as necessary.
- Many of these items by their nature are ongoing and the Committee should be a

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Standing Committee in order to do this work.

- The evolving complexity of the legal requirements governing college athletics, including Title IX, NCAA and ongoing litigation require special knowledge and expertise which can be developed by the members of a Standing Committee.

5. POTENTIAL ARGUMENTS AGAINST THE REQUEST/RECOMMENDATION:

- There is no need for a permanent Athletics Committee.
- Athletics issues can be handled by the full Board as needed.

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

- Do not approve the proposed Bylaw amendment to make the Ad Hoc Athletics Committee a Standing Committee.

7. COMPLIANCE WITH BOARD POLICY:

- ☐ Consistent With Current Board Policy: Title #__ Chapter #__ Section #_
- ☐ Amends Current Board Policy: Title # 1 Chapter # Article VI adds a new Section # 3.h
- ☐ Amends Current Procedures & Guidelines Manual: Chapter #____ Section #____
- Other:
- ☐ Fiscal Impact: Yes____ No X
- Explain:_____

BOARD OF REGENTS BYLAWS PROPOSAL
TITLE 1, ARTICLE VI, SECTION 3
Standing Committees and their Duties
New SECTION 3.h—Athletics Committee

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

Title 1 – Bylaws of the Board of Regents
Article VI –Committees of the Board

Section 3. Standing Committees and their Duties

The following shall be the standing committees of the Board and their duties:

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h. The Athletics Committee shall:

- 1. Study the athletic programs of the two universities and make recommendations to the Board regarding at what level each university is able to compete without additional state, student and university subsidies.***
- 2. Recommend to the Board a mission statement for intercollegiate athletics in Nevada.***
- 3. Evaluate the mission of intercollegiate athletics at the Community Colleges and analyze conference affiliations and make recommendations to the Board.***
- 4. Conduct an initial review of the annual reports submitted in accordance with NSHE Handbook Title 4, Chapter 24.***
- 5. Review the athletics Capital Improvement Plans and financing criteria for development and renovation of athletic facilities and make recommendations to the Board.***
- 6. Review the athletic department budgets included in the annual reports which must include budgeted to actual in current year, previous two years and projections for the upcoming four years, and make recommendations to the Board.***
- 7. Review the structure and terms of athletics personnel contracts and recommend contract templates and guidelines to the Board.***
- 8. Review head coach and athletic director contracts and recommend to the Board individuals for appointment.***
- 9. Review NSHE Handbook Title 4, Chapter 24 and recommend changes to the Board, as necessary.***

Proposed Charge for the Ad-Hoc Committee on Athletics

Members: Jason Geddes, Co-Chair, Kevin Page, Co-Chair, Cedric Crear, James Dean Leavitt, Kevin Melcher, Mike Wixom

In light of the current cases affecting intercollegiate athletics, the decision to now pay athletes the cost of attendance, and the fact that neither university athletic program is able to operate without significant subsidies in addition to the current state and student subsidies, an Ad-hoc Committee on intercollegiate athletics has been appointed. The Ad-Hoc Committee on Athletics shall:

1. Commission a study of the athletic programs of the two universities and provide a list of options, including the Mountain West Conference, to determine at what level each university is able to compete without additional state, student and university subsidies.
2. Develop a mission statement for intercollegiate athletics in Nevada.
3. Evaluate the mission of intercollegiate athletics at the Community Colleges and analyze conference affiliations.
4. Review the annual reports submitted to the Board to ensure the Regents are receiving and reviewing necessary information for adherence to NSHE Code Title 4, Chapter 24.
5. Review the athletics Capital Improvement Plans and financing criteria for development and renovation of athletic facilities.
6. Review the athletic department budgets included in the annual reports which must include budgeted to actual in current year and previous two years. The budget report also needs to project the upcoming four years.
7. Review the structure and terms of athletics personnel contracts.
8. Review NSHE Code Title 4, Chapter 24 and recommend changes, as necessary.