

UCCSN Board of Regents' Meeting Minutes January 6-7, 1978

1-06-1978

Pages 135-162

BOARD OF REGENTS

UNIVERSITY OF NEVADA SYSTEM

January 6, 1978

The Board of Regents met on the above date in the Teacher Education building, University of Nevada, Las Vegas.

Members present: Fred M. Anderson, M. D.

Mr. James L. Buchanan, II

Mr. John Buchanan

Mrs. Lilly Fong

Mr. Chris Karamanos

Mrs. Molly Knudtsen

Louis E. Lombardi, M. D.

Mr. John Tom Ross

Members absent: Miss Brenda Mason

Others present: Acting Chancellor Donald H. Baepler

President William Berg

President Russell Bloyer

President Jack Davis

President Max Milam

President Lloyd P. Smith

Mr. Larry Lessly, General Counsel

Mr. Stan Aiazzi, NNCC

Ms. Joan Chambers, UNR

Ms. Jo Anne Dain, WNCC

Mr. Robert Hill, WNCC

Dr. Joy Leland, DRI

Dr. Clarence Ray, UNLV

Ms. Barbara Summers, Unit

Mr. Scott Lorenz, CSUN

Mr. John Mc Caskill, ASUN

The meeting was called to order by Chairman Buchanan at 10:45

A.M.

1. Approval of Minutes

The minutes of the regular session of November 18, 1977 were submitted for approval.

Mrs. Knudtsen noted a typographical error on page 134 where-
in Mrs. Fong was incorrectly referred to as Mr. Fong.

Mr. Karamanos moved approval of the minutes as submitted,
with the correction of the typographical error. Motion
seconded by Mrs. Knudtsen, carried without dissent.

2. Presentation by UNLV Alumni Association

Mr. Fred Albrecht, Director of the UNLV Office of Alumni
Relations, introduced Mr. Bill Terry, President of UNLV
Alumni Association, and Mrs. Alberta Sturm, alumni repre-
sentative for the Board of Regents meeting, and presented
the Regents with the NCAA basketball commemorative mugs.

3. Report of Gifts and Grants

Acceptance of the gifts and grants as reported by the Presi-
dents was recommended (report identified as Ref. 3 and filed
with permanent minutes).

Mr. Karamanos moved approval. Motion seconded by Mrs.
Knudtsen, carried without dissent.

4. Report and Recommendations of Investment Advisory Committee

Mr. John Buchanan, Chairman of the Investment Advisory Committee, submitted the Investment Goals, Objectives and Policies, as adopted by the Investment Committee, and requested approval by the Board, with the note that the policy statement as included with the agenda as Ref. 4A should be amended to delete the word "Risk" from the subsection title of "Portfolio Composition and Risk".

Dr. Lombardi moved approval. Motion seconded by Mrs. Knudtsen, carried without dissent.

Mr. Buchanan also requested acceptance of the minutes of the November 18, 1977 meeting, as included with the agenda as Ref. 4B, together with approval of the following recommendations from the meeting held immediately preceding the regular Board meeting:

- (1) Appointment of a graduate research assistant who will analyze and monitor the performance of the University's endowment fund. Employment for one semester will require a maximum allocation from the Board of Regents

Special Projects Account of \$2,818 (a grant-in-aid for nine credits = \$198, plus \$750 tuition if out-of-state student; salary for one semester for a first year graduate assistant is \$1,700, plus \$170 in fringe benefits).

(2) Acceptance of an offer of 60,000 shares of Associated Smelters International Stock from Mr. James Joyce, with proceeds to be used to establish the Paul Pinching Scholarship at UNR. Stock is to be sold to Mr. Paul Pinching and Mr. Lewis Shuman for \$26,311, which is the difference between \$30,000 and the amount already in the scholarship account. There is a pledge of an additional \$20,000 to the account.

Mrs. Knudtsen moved approval. Motion seconded by Mr. Karamanos, carried without dissent.

5. Review of Appointment of Consultant for UNR

Chairman Buchanan noted that there had been a great deal of publicity, much of it critical, concerning the appointment by President Milam of Dr. Neil Humphrey as a consultant for UNR at a fee of \$3,000 per month, and he had requested this

be placed on the agenda because he wished to have an explanation from Dr. Milam concerning that action and why it was not submitted to the Board for approval prior to the offer.

Mr. Buchanan added that he was opposed to the appointment and believed the Board should treat this as a critical item in view of the financial crisis which UNR has had to contend with and the strict budget which will be in effect for this Campus during the next fiscal year.

President Milam reviewed his tenure as President, from his appointment in 1974 to the present, and cited some of the areas in which he believed progress had been made under his leadership, specifically, the improvement in the faculty attitudes toward the Medical School and Intercollegiate Athletics, the support and cooperation now being received from the Alumni Association, and the support from the community. Dr. Milam stated that each decision he had made, including the decision to retain Dr. Humphrey as a consultant, had been made in what he believed to be the best interests of the University. He emphasized that the consulting assignment under discussion was to be on a month-to-month basis, with several projects in mind for completion. One of these projects, he said, and one of the most pressing, was development of a group practice plan for the physicians

who will be coming on the staff of the Medical School, and the establishment of a collecting or billing system for that group practice. He also cited other areas which would benefit from the availability of consulting services, stating that he believed that no one was more suited to performing this service for the University than Dr. Humphrey and the University should take advantage of his availability for the next several months. Dr. Milam also pointed out that appointment of consultants had been the prerogative of the Division Presidents without Board approval for many years and he did not regard this as extending beyond the authority delegated by the Board of Regents.

In response to a question from the Chairman regarding whether or not affirmative action procedures had been followed in this appointment, Dr. Milam noted that there are no affirmative action procedures applicable to hiring of a consultant. He also stated, in response to statements made by Regents to the Press, that Dr. Humphrey's return to the University would not be disruptive to the Chancellor's search, that he did not believe Dr. Humphrey's presence would have any effect whatsoever on the search for his successor. Dr. Milam stated that there are people in the community who believe very strongly that Dr. Humphrey should be hired if the

University can use him in any capacity. These include, he stated, "people who have resources, people who control resources, and people who can garner resources that are vital to the University." Even so, he emphasized, a consulting appointment would not have been offered to Dr. Humphrey unless it was believed that the contribution he would make would merit the fees that he would be paid.

Following an extended discussion between Chairman Buchanan and President Milam, Mr. Ross stated that in his opinion Dr. Humphrey would be a great asset as a consultant, but he expressed criticism of the manner in which the assignment had been arranged.

Mr. Karamanos also expressed concern at what he stated appeared to be an attempt to make an appointment without Board approval, and suggested that the action had embarrassed Dr. Humphrey. Mr. Karamanos also suggested that it sounded to him as if Dr. Milam had responded to pressure from some area to hire Dr. Humphrey.

Chairman Buchanan read a mailgram from a faculty member whom he declined to identify and a letter from a person identified as a Reno businessman, stating that he believed the

letters represented opposition to the action taken by

President Milam.

Mr. Karamanos moved that the Board go into Personnel Session

for the purpose of discussing the character, alleged mis-

conduct, professional competence or physical or mental

health of a person. Motion seconded by Mr. Ross.

President Milam stated that it was his understanding that a

closed Personnel Session is provided for the protection of

the person who is involved. He stated that he was not

requesting that protection and would prefer that the dis-

cussion be held in public.

Dr. Anderson asked to speak prior to a vote on the motion.

He stated that he had spoken to Dr. Humphrey at the time he

had resigned from the Presidency of the University of Alaska

and had determined that Dr. Humphrey did not wish to be con-

sidered for reappointment as Chancellor of the University

of Nevada System and had asked that his name not be allowed

to enter into consideration. Dr. Anderson also commented

about concerns expressed in relation to the proposed \$3,000

per month salary and the assertions that it would take away

from future salary increases. He suggested that such an

assertion was close to ridiculous in that an expenditure of \$3,000 per month for a period extending at the most to June 30 could not have any effect on the amount of money available during a succeeding fiscal year for salary increases or new positions. He also pointed out that Board policy and practice allows a President to make such consulting appointments and noted that such appointments have been made dozens of times during the 22 years that he has been a Regent without such a challenge from the Board, either publicly, as has been done through the Press in this instance, or privately in Executive Session. Dr. Anderson also noted that the present Medical School faculty have been working for months in an attempt to develop a group practice plan and have not been successful. He suggested that this requires someone with both fiscal and analytical abilities as well as negotiating ability, all of which Dr. Humphrey possesses.

Mr. Don Heath, President of the UNR Alumni Association, spoke in support of President Milam's action, expressing concern about the public mishandling of the matter. Mr. Heath stated that he had been contacted by the Press, but had chosen not to respond to these inquiries or to make public statements until he had been able to secure more information about the matter. He stated that as a result of his

own inquiries into the matter, he wished to publicly state his support of Dr. Milam as President of UNR and endorsement of his choice of Dr. Humphrey as a special consultant to UNR for those projects which Dr. Milam had identified. Mr. Heath stated that his position of support was also shared by seven out of the nine members of the UNR Alumni Association Administrative Board.

Dr. Lombardi stated that in his opinion Dr. Milam had acted within the authority delegated to him by the Board to administer the University and suggested that the Board had meddled too much in the administration of the University in past few years and should limit its actions to governance and policy.

Chairman Buchanan disagreed, stating that he believed that the appointment was not in the best interests of the University and that it was a product of political and business pressure and that a vote should be taken concerning President Milam's competency and a decision made either to retain him or discharge him from that position.

Mrs. Knudtsen pointed out that President Milam was acting within his authority to make such an appointment and the

discussion should not be extended beyond that question. She stated that in her opinion Dr. Humphrey is the best person to perform the consulting assignments identified by Dr. Milam and he should be allowed to proceed.

Mr. John Buchanan expressed general agreement with Mr. Ross and Mr. Karamanos, adding however that he believed that the budget staff in the Chancellor's Office and the staff at UNR should be assigned to do the jobs outlined by President Milam. He stated that he did not believe any one person could possibly accomplish all the assignments identified within the maximum of six months that Dr. Milam had specified. He also stated that he believed such an expenditure of contingency funds would damage the University's position with the Legislature at the next session.

Mrs. Fong stated that she agreed that Dr. Milam had the authority to make the appointment but suggested that he perhaps used poor judgment and very poor timing. She suggested that if anyone else had been hired, there would not be all the debate.

Mr. Karamanos stated that in his opinion the question does not concern the person who was hired but the way in which it

was handled, in that it was never brought to the Board prior to the offer of the appointment and the commitment of the funds.

Chairman Buchanan called for a motion to consider the competency of President Milam. Dr. Anderson objected, suggesting that prejudices were coming into the discussion a little too strongly, and again stated that the contingency fund is created to handle such extra expenses and that the President acted within his authority to make such an appointment and the person whom he chose to appoint was qualified to perform the assignment.

Chairman Buchanan then called for a motion either to approve or disapprove the appointment of Dr. Humphrey as a consultant.

Mrs. Knudtsen moved approval of the appointment of Dr. Humphrey. Motion seconded by Dr. Anderson, failed by the following roll call vote:

Yes - Dr. Anderson, Mrs. Knudtsen, Mrs. Fong, Dr.

Lombardi

No - Mr. James Buchanan, Mr. John Buchanan, Mr. Ross,

Mr. Karamanos

Miss Mason was not present

Chairman Buchanan declared the motion to have failed since it did not have the required five affirmative votes, and interpreted the action to mean that Dr. Humphrey would not be hired as a consultant.

There was further discussion to the effect that this action did not preclude the offer and acceptance of a professional position within the University System at such time as one might be available. There was also agreement by the Chairman that if there is a clearly defined need for a consultant and that need is brought before the Board and if it is determined that Dr. Humphrey is the appropriate person to provide the consulting service, then the matter could be reintroduced.

Mr. Karamanos restated his motion to go into Personnel Session to discuss the character, alleged misconduct, professional competency, physical or mental health of a person. Motion seconded by Dr. Anderson, carried without dissent.

Meeting adjourned for a Personnel Session with an announcement by the Chairman that the regular meeting would be reconvened at 1:30 P.M.

When the meeting reconvened, Chairman Buchanan announced that a Personnel Session had been held but that no motions or action of any kind had been taken.

Mr. Ross stated that he wished to go on record as expressing his general dissatisfaction with UNR's Administration and moved for the dismissal of President Milam. Motion seconded by Mr. Karamanos, failed by the following roll call vote:

No - Dr. Anderson, Mrs. Fong, Mrs. Knudtsen, Dr.

Lombardi

Yes - Mr. James Buchanan, Mr. John Buchanan, Mr.

Karamanos, Mr. Ross

Miss Mason not present

Dr. Anderson asked that the letters read earlier by the Chairman be made available to the public and the Press.

Chairman Buchanan agreed that he would do so.

Letters are as follows:

As a citizen and a taxpayer who happens also to be a professor at UNR, I applaud your forthright honest reaction to the absurdity of hiring Neil Humphrey in any capacity when a new Chancellor has not been chosen.

Many faculty and students feel as I do, namely, that spending \$3,000 a month for a consultant is incomprehensible when we have insufficient funds for salary increases or for the hiring of badly needed new faculty. Further, such action violates every rule and code of respectable educational administration. Signed/

Rosella Linskie, Ph. D.

I was pleased to read about your stand in the local newspaper regarding Neil Humphrey and Max Milam. I couldn't agree with you more when you stated "we do not need Humphrey in any capacity." I feel just as strongly regarding Max Milam. He is not the type of individual to run our institution here in Reno. I feel that we have enough talent in our own State to fill the positions here at the University. I am with you 100%.

Signed/George M. Basta, President, National Oil and Burner Co.

6. WNCC/Reno - Phase III

Mr. Harry Wood, System Architect, introduced Mr. Fred Dolven who presented the design development drawings for Phase III of the Reno Campus of WNCC. A review of the project scope and budget was included with the agenda (identified as Ref. 21 and filed with permanent minutes).

President Davis recommended approval of the preliminary plans as presented. Acting Chancellor Baepler concurred.

Dr. Lombardi moved approval. Motion seconded by Mr. Karamanos, carried without dissent.

7. Departmental Name Change, UNLV

Dr. Baepler recommended that the name of the Department of Mathematics be changed to Department of Mathematical Sciences effective July 1, 1978. It is believed, he stated, that this will more accurately reflect the evolving scope of the Department's programs. This past Spring, the College approved curricular changes that encourage specialization in statistics, computer science and applied or pure mathematics within the undergraduate mathematics major. At the same

time, the distinctiveness of these various disciplines was recognized by instituting separate course prefixes (CSU, STA, MAT), instead of retaining them all under the MAT listings.

Mr. John Buchanan moved approval. Motion seconded by Mr. Karamanos, carried without dissent.

8. Transfer of Funds, UNLV

Acting Chancellor Baepler requested approval of the following transfer of funds:

Intercollegiate Athletics

#78-052 \$10,552 from Reserve for Contingency to Director's Office, Athletics, for purchase of training supplies for all sports.

#78-053 \$20,000 from Reserve for Contingency to Men's Football for purchase of football supplies and athletic equipment for Spring practice.

Mr. Ross moved approval. Motion seconded by Mrs. Knudtsen,

carried without dissent.

9. Bid Opening, Science Hall Remodeling

Acting Chancellor Baepler reported that bids were opened December 20, 1977 for remodeling of the Science Hall for the computing facilities. Bids were as follows:

Ponderosa Construction	\$106,309
Claude Cook Construction	134,475
Control Data Corporation	98,880

Dr. Baepler recommended that the low bid by Control Data Corporation in the amount of \$98,880 be accepted. Funding is available from the \$64,000 balance remaining of the monies provided by the Board of Regents and \$34,800 from the Computing Center Sales Account.

Mrs. Knudtsen moved approval. Motion seconded by Mr. Ross, carried without dissent.

10. Tonopah Hall Improvements, Rebid

Bids were opened November 29, 1977 for remodel of Tonopah

Hall, with authority delegated to the Administration to concur in the award of a contract, with the following results:

	Base Bid	Alt A	Alt B	Alt C
Fremont Const. Inc.	\$64,400	\$15,700	No bid	\$16,600
Casey's Const. Co.	63,665	16,975	\$4,177	11,573
Stoddard Bldg. Co.	89,350	Unit price	Cost + only	18,144
		\$15.16 sq. yd.		
		installed		

Alternate A - Provide and install new carpeting

Alternate B - Provide and install carpet repair

Alternate C - Provide and install plastic laminated panels

Acting Chancellor Baepler reported that the State Public Works Board had, with the concurrence of the University Administration, awarded a contract for \$80,100 to Fremont Construction, Inc. for the base bid and alternate A.

11. Report of National Advisory Board

President Smith commented on the report from the National

Advisory Board for DRI which had been submitted following the Board's annual visit to Reno in October, 1977. (Report identified as Ref. 9 and filed with permanent minutes.)

Acting Chancellor Baepler recommended the report be accepted and the Board's appreciation be extended to the members of the National Advisory Board for their continued interest in and support of the Institute.

Mrs. Knudtsen moved approval. Motion seconded by Mr. John Buchanan, carried without dissent.

12. Request for Salary Adjustment

President Smith requested approval to adjust the annual salary of Dr. David Koch from \$24,000 to \$28,000, effective January 1, 1978. He noted that Dr. Koch assumed the duties of Acting Executive Director of the Bioresources Center in September, 1977, and has also generated several large research proposals that will be funded in the near future.

Mr. John Buchanan moved approval. Motion seconded by Mr. John Tom Ross, carried without dissent.

13. Approval of Fund Transfer, DRI

President Smith requested approval of the following transfer:

#78-002 \$51,648 from the Contingency Reserve to Atmospher-

ic Sciences Center Weather Modification Project

Operating. An offsetting transfer has been made

from the salary account. Operating expenses will

be paid from State funds, with salaries to be paid

from Federal funds.

Acting Chancellor Baepler recommended approval.

Mrs. Fong moved approval. Motion seconded by Mr. Karamanos, carried without dissent.

14. Revision of Estimative Budget, DRI

President Smith requested approval of the following revision to the Estimative Budget for Atmospheric Sciences Center:

Current	Revision	Revised
Budget	Requested	Budget

Revenue

Indirect Cost Recovery \$103,492 \$55,291 \$158,783

Expenditures

Salaries & Fringe Benefits \$ 67,492 \$ 67,492

Operating 36,000 \$55,291 91,291

 \$103,492 \$55,291 \$158,783

Vice President Dawson explained that the additional funding will be derived from Indirect Cost Recovery and will be used to purchase equipment for the Air Monitoring Program. The equipment which will be purchased for this purpose was originally purchased under a Nevada Power Company grant, with that company retaining title to the equipment. The Institute now has a new grant from Nevada Power Company for a Reid-Gardner Power Plant Study. This study will require the same equipment as used previously and Nevada Power Company will allow a 20% per year use allowance which will permit the Institute to recover its investment in 5 years.

Acting Chancellor Baepler recommended approval of the revision and purchase of the equipment as proposed without going to bid.

Mrs. Knudtsen moved approval. Motion seconded by Mr.

Karamanos, carried without dissent.

15. Dental Hygiene Program, CCCC

President Bloyer reported that the American Dental Association has granted "accreditation eligible" status to the Dental Hygiene Program which begins at CCCC in January 1978.

16. Postretirement Appointments, CCCC

President Bloyer requested approval to offer postretirement appointments for the 1978-79 academic year to the following:

Dr. Ernest Searles, Instructor in Economics

Mr. James Stacy, Welding Instructor

Mr. Jesse Stroud, Instructor in Mathematics

Mr. Ross moved approval. Motion seconded by Mrs. Fong, carried without dissent.

17. Investment of Surplus Operating Capital, CCCC

Acting Chancellor Baepler noted that it is the policy of the Board of Regents that interest earned from the temporary

investment of surplus operating capital be credited either back to the account which generates the funds or to the Board of Regents Special Projects Account, unless a specific exception has been made by the Board. President Bloyer requested that the Book Sales Account at CCCC, which has a balance in excess of \$100,000, be allowed to retain the interest earned from the investment of these funds.

Acting Chancellor Baepler recommended approval, noting that a recommendation for use of these funds will be developed and submitted to a subsequent meeting of the Board.

Mr. John Buchanan moved approval. Motion seconded by Mrs. Fong, carried without dissent.

18. Science Facilities, CCCC

President Bloyer explained the necessity for remodeling of existing facilities at CCCC to accommodate the necessary science facilities required by the instructional program.

Estimate of the cost to complete this work and the proposed funding is as follows:

Construction

Building Work (including A/C, Elec., Plumbing) \$188,500

Science Laboratory Casework 111,500

Contingencies 12,000

\$312,000

A/E Design and Supervision 30,000

Furnishings and Equipment 8,000

Proposed Funding

Capital Improvement Fee Funds (CCCC)* \$350,000

*Balance in account is \$681,000

Dr. Bloyer requested authorization to proceed with the project and to negotiate a contract for professional services with the Architect of record, Daniel, Mann, Johnson and Mendenhall. Acting Chancellor Baepler recommended approval.

Mrs. Fong moved approval. Motion seconded by Mr. Ross, carried without dissent.

President Bloyer requested approval of the following revision to the Food Service Estimative Budget to adjust to the deletion of the Meals on Wheels contract:

	Current	Revision	Revised
	Budget	Requested	Budget
Revenue			
Opening Cash Balance	\$ 10,500	\$ 7,565	\$ 18,065
Revenue	509,965	291,965-	218,000
	\$520,465	\$ 284,400-	\$236,065
Expenditures			
Professional Compensation	\$	\$ 6,060	\$ 6,060
Classified Compensation	21,050	18,673-	2,377
Wages Compensation	2,472	32,878	35,350
Operating	392,127	204,762-	187,365
Out-of-State Travel	1,000		1,000
Ending Fund Balance	103,816	99,903-	3,913
	\$520,465	\$ 284,400-	\$236,065

Acting Chancellor Baepler recommended approval.

Mrs. Fong moved approval. Motion seconded by Mr. Ross,
carried without dissent.

20. Report of Overdue Student Loans, CCD

A. CCCC - President Bloyer reported a total of \$721.50 in
uncollectible student loans which he requested be
written off. (List of students and amount of loans
filed with permanent minutes, identified as Ref. 19A.)

B. WNCC - President Davis reported a total of \$305 in
uncollectible student loans which he requested be
charged off. (List of students and amount of loans
filed with permanent minutes, identified as Ref. 19B.)

Acting Chancellor Baepler recommended approval, noting that
efforts will continue toward the collection of these loans
and holds will be placed on the records of the students
involved.

Mr. Karamanos moved approval. Motion seconded by Mr. Ross,
carried without dissent.

21. WNCC/Reno Parking

President Davis recalled that in October the Board concurred in the proposal to construct additional parking at WNCC/Reno which, although a part of the original contract documents, was not completed due to insufficient funds. Bids were opened December 6, 1977 with the following results:

	Base Bid	Alt A	Alt B
Nevada Paving, Inc.	\$44,080	\$ 8,400	\$ 8,400
Robert Helms Const. Co.	47,800	12,900	11,950
T. E. Bertagnolli & Assoc.	49,600	No bid	No bid
George Reed, Inc.	51,224	5,600	5,600

Alternate A - Add stairs and railings (easterly area)

Alternate B - Add stairs and railings (westerly area)

Dr. Davis reported that the State Public Works Board has awarded a contract to Nevada Paving, Inc. for the base bid and alternates A and B, for a total contract of \$60,880.

22. Approval of Fund Transfers, WNCC

President Davis requested approval of the following fund

transfers:

#526 \$15,000 from Contingency Reserve to O & M Services, Operating, to cover increased cost of utilities for the North Campus.

#527 \$16,000 from Contingency Reserve to O & M Property Rental, Part-time Professional Salary, for instructional costs associated with the Washoe County School District In Service Education Program. This program is offered in lieu of rental payments to the District for classroom space.

Acting Chancellor Baepler recommended approval.

Mr. Karamanos moved approval. Motion seconded by Mrs. Fong, carried without dissent.

23. Bid Opening, Installation of Low-Lead Gasoline Storage and Dispenser, UNR

Bids were opened December 28, 1977 for installation of a low-lead gasoline tank and dispenser at the UNR Motor Pool.

Bid results were as follows:

Bidder	Base Bid	Alternate	Total
T & T Engineering	\$10,294	\$3,000	\$13,294
Petroleum Engineering	12,673	7,674	20,347

Alternate - Concrete paved area at the dispenser location

President Milam recommended that the Board of Regents concur in the award by the State Public Works Board of a contract to T & T Engineering for \$13,294.

Dr. Lombardi moved approval. Motion seconded by Mrs. Fong, carried without dissent.

24. Removal of Architectural Barriers, UNR

President Milam recalled that in November, the Board authorized the University Administration to award a contract for removal of architectural barriers to be funded by a \$99,500 grant from the Economic Development Administration. One bid was received for \$126,999 and a request was made to EDA to negotiate with the single bidder. Upon approval by EDA, a contract was negotiated with Nevada Builders, Inc., for

\$98,674, including a change order to eliminate the walkway from Palmer Engineering to Fleischmann Life Sciences Wing, and elimination of the removal of the revolving doors in Clark Administration.

25. Student Health Facility, Phase III

President Milam recalled that in November, the Board authorized the University to concur with the State Public Works Board in its review of bids and award of a contract for the completion of Juniper Hall remodeling to accommodate the Student Health Services. Bids for this project have been called for by the State Public Works Board and will be opened January 12, 1978.

Dr. Anderson moved that the Board's delegation of authority be extended forward so that a contract may be awarded by the State Public Works Board without delay. Motion seconded by Dr. Lombardi, carried without dissent.

26. Addition to Mackay Stadium

President Milam reported that bids were opened December 6, 1977 for an addition to Mackay Stadium, with the following

results:

Base Bid Alternate A

Nevada Builder, Inc.	\$612,800	\$ 89,900
K-W Construction, Inc.	625,500	83,200
Walker Boudwin, Const.	657,981	99,898
Holcomb Const. Co.	672,500	107,598

Alternate A - Provide toilet rooms

All bids exceeded the construction budget and the State Public Works Board rejected the bids and directed the engineer to redesign the project with the new bid opening set for January 24, 1978.

President Milam requested the Board to authorize a request to the Interim Finance Committee for an additional \$250,000 in State funds with which to complete the expansion of Mackay Stadium. This will enable the State Public Works Board to issue separate bid documents for that part of the work deleted because of lack of funds.

Acting Chancellor Baepler concurred, noting that assurance

has been given to the Interim Finance Committee that such approaches on behalf of the University will not be a regular occurrence.

Mr. Ross moved approval. Motion seconded by Mr. Karamanos, carried without dissent.

27. Morrill Hall Restoration

President Milam requested approval of a loan of up to \$160,000 from the UNR Capital Improvement Fee Fund to the UNR Alumni Association to allow the Morrill Hall Restoration Project to proceed. He noted that the project is estimated to cost \$543,243, with \$389,000 of that amount available, and the balance pledged but not yet on hand.

Dr. Milam reported that the Capital Improvement Fee Fund presently has a usable balance in excess of \$900,000 and sufficient funds will be added to the account to insure that all commitments against the account will be met during the loan period. Repayment by the Alumni Association will be made by July 1, 1979. The loan will carry a 6% rate of interest. Acting Chancellor Baepler recommended approval.

Dr. Anderson moved approval of the loan but specified that no interest be charged. Motion seconded by Dr. Lombardi, carried with Mrs. Fong opposing.

28. Departmental Name Change

President Milam requested approval to change the name of the Office of Alumni Relations and Development to "Alumni and University Relations". He noted that additional functions have been placed within this office, including the Office of Information. Dr. Harry Gianneschi, who is responsible for this office will be retitled Director of Alumni and University Relations. Acting Chancellor Baepler recommended approval.

Mr. Ross moved approval. Motion seconded by Dr. Lombardi, carried without dissent.

29. "Lake's Crossing" Sculpture

President Milam recalled that earlier this year, the Board accepted Mr. John Sheridan's sculpture in metal, known as "Lake's Crossing", as a gift from the Board of County Commissioners of Washoe County. It has since been determined

that the County is not empowered to divest itself of property acquired through tax dollars by gift. Accordingly, the District Attorney's Office has asked that the Board of Regents enter into an agreement (contract of sale) whereby the University would purchase the work of art in consideration of the sum of \$10.

President Milam and Acting Chancellor Baepler recommended the Board authorize such an agreement in order to effect the transfer of interest.

Mrs. Fong moved approval. Motion seconded by Mr. Ross, carried without dissent.

30. Recommendation for Appointment with Tenure

President Milam recommended that Ernest Mazzaferri, M. D., be granted tenure as a condition of employment as Professor and Chairman of the Department of Medicine in the School of Medical Sciences, effective July 1, 1978.

Dean Thomas Scully reviewed Dr. Mazzaferri's vita (identified as Ref. 30 and filed with permanent minutes) and urged the Board's approval of the award of tenure.

Mr. Karamanos moved approval. Motion seconded by Dr. Lombardi, carried with Mr. John Buchanan opposing. Mr. Buchanan noted that his vote was based on his opposition to tenure, not to the appointment of Dr. Mazzaferri.

31. Sabbatical Leaves for 1978-79

Nevada Revised Statutes and Board of Regents policy provide for the number of sabbatical leaves which may be awarded each year. Utilizing the concept which has been followed in previous years, the maximum leaves allocated for 1978-79 are: 11 for UNR, 7 for UNLV, 3 for CCCC, 1 for NNCC, 3 for WNCC, 1 for DRI and for the Unit.

A. University of Nevada, Las Vegas - President Baepler recommended the seven sabbatical leaves available to UNLV be granted to the following (summary of proposed projects contained in Ref. 31A, filed with permanent minutes):

Claude Warren, Professor of Anthropology

Craig Walton, Professor of Philosophy

Marie-France Hilgar, Associate Professor of Foreign

Languages

Arlen Collier, Associate Professor of English

Rosemary Anderson, Professor of Education

Malcolm Graham, Professor of Mathematics

Virko Baley, Associate Professor of Music

Alternates: Henry Sciuillo, Professor of Marketing

William Alsup, Associate Professor of

Chemistry

Rudolf Koester, Professor of Foreign

Languages

B. University of Nevada, Reno - President Milam recommends

the eleven sabbatical leaves available to UNR be granted

to the following (summary of proposed projects contained

in Ref. 31B, filed with permanent minutes):

Eugene Grotegut, Professor of Foreign Languages

Donald L. Hardesty, Associate Professor of Anthropology

Thomas L. Harrington, Associate Professor of Psychology

Sven O. Loevgren, Professor of Art

Robert A. Manhart, Professor of Electrical Engineering

Robert Merrill, Associate Professor of English

Linda W. Peterson, Associate Professor of Health

Sciences

Elmer Rusco, Professor of Political Science

William T. Scott, Professor of Physics

Chris Unterseher, Associate Professor of Art

Robert Winzeler, Associate Professor of Anthropology

Alternates: John C. Houghton, Associate Professor of

Geology-Geography

Edward E. Loveless, Professor of Education

Robert F. Peterson, Professor of Psychology

William Metz, Associate Professor of

Journalism

C. Clark County Community College - President Bloyer

recommended the three sabbatical leaves available to
CCCC be granted to the following (summary of proposed
projects contained in Ref. 31C, filed with permanent
minutes):

Barbara Agonia, English

James Keeton, Mathematics

John Rosich, Business

D. Western Nevada Community College - President Davis

recommended the three sabbatical leaves available to
WNCC be granted to the following (summary of proposed

projects contained in Ref. 31D, filed with permanent minutes):

Dee Stroub, Psychology

N. Jean Pontrelli, English

Larry W. Crandall, Learning Resources

E. Desert Research Institute - President Smith recommended

the one sabbatical leave available to DRI be granted to Clinton Case, Associate Research Professor in Water Resources Center. Dr. Case plans to spend his leave writing a book on "Flow Through Porous Media".

F. Unit - Acting Chancellor Baepler recommended the one

sabbatical leave available to the Unit be granted to Harry Paul Wood, Architect, for one year beginning October, 1978. Mr. Wood plans to spend the year at the Technische Universitat Munchen (West Germany), engaged in the following activities:

(1) Research in the planning and design of complex facilities utilizing a consciously articulated approach to the problem-seeking and -solving process, and

(2) Teaching planning and design under the direction of the Dean and Faculty of the Department of Architecture.

G. Northern Nevada Community College - President Berg reported that no applications were received from faculty at NNCC.

Mrs. Knudtsen moved approval of the sabbatical leaves as recommended. Motion seconded by Mr. Karamanos, carried without dissent.

32. Supplement to Litigation Fund

Acting Chancellor Baepler requested an additional allocation of \$15,000 from the Board of Regents Special Projects Account to the Litigation Fund established to handle fees and expenses of Special Counsel. He noted that in addition to funds required for retention of Special Counsel which is being requested in the following agenda item, the supplement is needed to help defray expenses of the NCAA/Tarkanian litigation and a subsequent appeal to the Supreme Court.

Mr. Karamanos moved approval. Motion seconded by Mr. Ross, carried with Mrs. Fong opposing.

Mr. Karamanos requested that a report be presented to the February meeting concerning the UNLV Senate's action regarding the NCAA.

33. Retention of Special Counsel

Mr. Lessly reported concerning the status of the University's claims against the Hughes estate and requested that the Board authorize the law firm of Paul, Hastings, Janofsky & Walker of Los Angeles to proceed with litigation to establish the claim of the University of Nevada against the estate of Howard R. Hughes, Jr., in the State of California with respect to the Hughes-UNR Medical School contract payments.

Mrs. Knudtsen moved approval. Motion seconded by Dr. Lombardi, carried without dissent.

34. Claim of Margaret Bailey

Acting Chancellor Baepler reported that a claim had been

filed against the State of Nevada and the University by Margaret Bailey (copy of claim identified as Ref. 34 and filed with permanent minutes). Dr. Baepler concurred in the recommendation of University Counsel that no action be taken by the Board at this time other than to acknowledge receipt of the claim.

Dr. Lombardi moved that the claim be acknowledged without further action. Motion seconded by Mrs. Knudtsen, carried without dissent.

35. Summer Session Budgets for 1978

Acting Chancellor Baepler requested approval of the following 1978 Summer Session budgets for UNR, WNCC and UNLV:

1978 Summer Session, UNR

Source of Funds

Opening Cash Balance	\$ 75,000
Student Fees	456,700
Total	\$531,700

Application of Funds

Instruction

Professional Compensation	\$353,631
Classified Compensation	46,022
Wages	2,500
Operating	40,895
Total Instruction	\$443,048

Academic Support

Professional Compensation	\$ 45,152
Out-of-State Travel	5,000
Total Academic Support	\$ 50,152

Grants-in-Aid \$ 27,500

Contingency Reserve \$ 6,000

Closing Fund Balance \$ 5,000

TOTAL \$531,700

1978 Summer Session - WNCC-North

Revenue

Opening Cash Balance	\$ 10,135
Student Fees	24,000
Total	\$ 34,135

Expenditures

Professional Compensation	\$ 19,500
Operating	500
Ending Fund Balance	14,135
Total	\$ 34,135

1978 Summer Session, UNLV

Source of Funds

Opening Cash Balance	\$ 60,000
Student Fees	577,000
Total	\$637,000

Application of Funds

Professional Compensation	\$553,423
Classified Compensation	13,827
Wages	250
Operating	22,000
Grants-in-Aid	15,000

Out-of-State Travel	2,500
Ending Fund Balance	30,000
Total	\$637,000

Dr. Lombardi moved approval. Motion seconded by Mrs. Knudtsen, carried without dissent.

36. Revision of Deferred Fee Payment Policy

Acting Chancellor Baepler recommended amendment of the deferred fee payment policy to include deferred payment of room and board costs as well as registration fees. Current policy is as follows:

All fees are due and payable at registration. Upon request, a student registering for seven credits or more may enter into a contract for the delayed payment of fifty percent of the assessed registration fee (and tuition) during Fall or Spring semesters only. The second payment shall be paid not later than Friday of the sixth week of instruction. There shall be no grace period beyond that date. Any unpaid balance on a deferred fee payment shall become a student accounts receivable on the due date and be treated as an official

fee hold for future registration and transcription

privileges. A penalty fee of \$5 per \$100 (or fraction thereof) of the unpaid balance shall be charged each deferred fee payment student who does not pay the total amount by the due date.

It is recommended that this policy be amended to include deferred payment of room and board costs as well as registration fees. Revised policy statement would be as follows:

Contracts for deferred payment of room and board costs and preregistration fees which are in excess of \$200 are available during the registration period. Approximately one half of the total due is payable upon registration.

The balance is due and payable not later than Friday of the sixth week of instruction. This option is available during the Fall and Spring semesters only. Any unpaid balance on a deferred fee payment becomes a student accounts receivable on the due date and is treated as an official fee hold for future registration and transcript privileges.

A penalty fee of \$5 per \$100 (or fraction thereof) is

charged on the deferred balance not paid by the due date.

Mr. John Buchanan moved approval. Motion seconded by Mr. Karamanos, carried without dissent.

37. Interview and Recruiting Expense Funds

Acting Chancellor Baepler requested an allocation of \$26,020 from the Board of Regents Special Projects Account to provide supplemental funds to the Interview and Recruiting Expense Funds for 1978, as indicated below:

	Present Balance	Allocation Requested	Total for 1978
UNR	\$6,789.00	\$ 8,211.00	\$15,000.00
UNLV	4,947.22	10,052.78	15,000.00
DRI	1,255.24	3,744.76	5,000.00
CCCC	2,950.04	1,049.96	4,000.00
NNCC	937.55	1,062.45	2,000.00
WNCC	1,100.86	1,899.14	3,000.00
Unit	2,850.63	-0-	2,850.63

\$26,020.09

Mrs. Knudtsen moved approval. Motion seconded by Dr.

Anderson, carried without dissent.

38. Proposed Amendment to University Code

The University Code requires that amendments to that document shall first be referred to all Senates for consideration and recommendation, and that at least two months shall be allowed for such consideration before action is taken by the Board of Regents.

President Smith submitted a proposed amendment, endorsed by the DRI Faculty Senate, as follows:

SECTION 3.5 Economic Security Provisions for Desert

Research Institute Faculty

3.5.1 DRI faculty are not eligible for appointment to tenure; however, it is the policy of the University that these members shall enjoy the maximum security which can be provided consistent with the method of financing the Institute. Pursuant to this objective, the minimal length of written notice of termination

will be related to length of employment and rank

within the Institute as follows:

One working day of notice for each calendar month of service for all Rank 0 and Rank I personnel; one working day of notice for each calendar month of service plus 20 working days for Rank II personnel; one working day of notice for each calendar month of service plus 40 days for all Rank III personnel; one working day of notice plus 60 working days for Rank IV personnel. There will be a minimum of 10 working days to any employee whose term of employment in the institute is less than 10 calendar months. The maximum amount of notice benefit that an employee may accrue shall not exceed one calendar year. Accrued annual leave shall not be considered a part of the termination period and will be subject to separate cash reimbursement unless expended during the termination period by mutual consent of the terminated employee and the Institute.

3.5.2 Any involuntary termination is subject to review by an ad hoc committee of the Faculty Senate. Upon notification of such termination, the Executive Commit-

tee of the Faculty Senate will, within one week, appoint said ad hoc review committee unless receiving a written request to desist from the terminated employee. The committee shall consist of at least three faculty members chosen from throughout the institute. However, persons employed within the center of the terminated individual shall not be eligible to serve. The ad hoc committee will then conduct a full review of the case. Review considerations shall include all items regarding terminations contained in Sections 2.1.4 and 3.4.3 of the University of Nevada System Code. In addition, particular attention will be given to the employee's past and potential contributions to the Institute. The ad hoc committee will then forward a report and recommendation to the President, whose decision will be final.

3.5.3 The center Executive Director, in consultation with the DRI President, shall decide whether a professional contract shall be discontinued. The faculty member shall be given notification in writing by the Executive Director and the President.

Acting Chancellor Baepler noted that by inclusion on this agenda, this proposed amendment is referred to all other Senates with consideration and action by the Board scheduled for the March 17 meeting.

39. Selection of Distinguished Nevadans

Acting Chancellor Baepler recalled that in November, the Board discussed the application of Nevada's Open Meeting Law to the selection by the Board of Distinguished Nevadans, and requested an opinion be sought from the Attorney General.

The letter received in response to that request (identified as Ref. 40 and filed with permanent minutes) essentially agreed with the advice offered by Counsel Lessly that deliberations concerning designation of Distinguished Nevadans may be conducted in private only if they involve the character, alleged misconduct, professional competence, or physical or mental health of a person under consideration.

Actual vote on the award to a recipient must be taken in a Public Session of the Board.

It was agreed that this advice from the Attorney General would permit the discussion of candidates for Distinguished Nevadan and for honorary degrees to be discussed in a Closed

Session, as long as the vote concerning such awards is handled in Open Session. Accordingly, it was determined that consideration of these awards would occur at the March meeting. Regents were encouraged to forward their nominations to either the University Presidents or to the Chancellor's Office. Nominations will also be solicited from the Campuses.

40. Nevada Postsecondary Committee for Continuing Education

Acting Chancellor Baepler reported concerning the creation of a voluntary Nevada Postsecondary Coordinating Committee for Continuing Education, in which the Universities and the Community Colleges would participate, along with representatives from the State Department of Education and Sierra Nevada College. A statement concerning the goals and purposes of the committee was included with the agenda (identified as Ref. 41 and filed with permanent minutes).

41. Fall Enrollment Reports

Enrollment of full-time-equated and head count students at each of the Campuses was included with the agenda (identified as Ref. 42 and filed with permanent minutes). The

1977-78 Fall total net FTE for WNCC/South was changed from
from 634 to 711.

42. Work Program Augmentation

Acting Chancellor Baepler reported that Social Work grants
awarded to UNR and UNLV by the State Welfare Division have
exceeded the amounts budgeted in the 1977-78 Work Program
and require the following augmentation of that Work Program
in order that the funds may be expended:

	Additional	Revised	
1977-78	Amount of	1977-78	
Work Program	Grant	Work Program	
UNR Social Work Grant	\$ 32,000	\$36,802	\$ 68,802
UNLV Social Work Grant	\$130,000	\$35,698	\$165,698

Dr. Baepler recommended approval by the Board and authori-
zation to request this augmentation from the Budget Office.

Mr. Karamanos moved approval. Motion seconded by Mrs. Fong,
carried without dissent.

43. Imperial Lead Mine

President Milam requested, as an emergency item, consideration of a proposal to purchase the Imperial Lead Mine for \$30,000, with this amount to be paid at the rate of \$10,000 down and \$2,000 per year. He recalled that approval had originally been granted for a lease-purchase of this property for \$50,000.

Mr. Karamanos moved approval. Motion seconded by Mrs. Fong, carried without dissent.

44. UNR Marching Band

Mr. Ross recalled the earlier discussions concerning the establishment of a marching band for UNR and moved that Dr. Milam and he be authorized to appoint an ad hoc committee in the Reno area to promote such a band and to identify its costs. Motion seconded by Mrs. Fong, carried without dissent.

45. New Business

A. Mrs. Fong spoke about the proposed Rebel Statue and requested a report at the next meeting on how the University had arrived at such a narrow concept of a piece of sculpture without consultation of all the student body, faculty members, the Art Department and all of the Colleges concerned. She noted that she had a petition signed by over 800 students and faculty opposed to the statue.

Dr. Baepler pointed out that this is totally a CSUN project, but agreed that he would ask Scott Lorenz, CSUN President, to report on the status of the project at the February meeting.

B. Mr. Karamanos asked about the status of collective bargaining. Dr. Baepler recalled that an ad hoc committee had proposed amendments to the Board's policy statement under which collective bargaining could occur, and that those proposed amendments have been under review in the Chancellor's Office. That review has been completed and a copy of the analysis by staff, an opinion by Counsel, and the Administration's recommendations will be distributed to the Officers and Senates and consideration by the Board will be scheduled in February if the Sen-

ates' responses have been received in time; otherwise,
it will be scheduled for the March meeting.

C. Mr. John Mc Caskill asked what kind of recruiting is done by the instructional Divisions to attract out-of-state students and students from economically and culturally disadvantaged backgrounds to Nevada's institutions. It was agreed that information concerning this would be made available to Mr. Mc Caskill by the instructional Divisions.

The meeting adjourned at 4:15 P.M.

Mrs. Bonnie M. Smotony

Secretary to the Board

01-06-1978