

UCCSN Board of Regents' Meeting Minutes October 8-9, 1992

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Pages 111-154

BOARD OF REGENTS

UNIVERSITY AND COMMUNITY COLLEGE SYSTEM OF NEVADA

October 8-9, 1992

The Board of Regents met on the above date in the Lecture Room,
Technical Arts building, Northern Nevada Community College, Elko.

Members present: Mrs. Carolyn M. Sparks, Chairman

Mrs. Shelley Berkley

Dr. Jill Derby

Dr. James Eardley

Mr. Joseph M. Foley

Mrs. Dorothy S. Gallagher

Dr. Lonnie Hammargren

Mr. Daniel J. Klaich

Mrs. June F. Whitley

Others present: Chancellor Mark H Dawson

President Anthony Calabro, WNCC

President Joseph Crowley, UNR

President John Gwaltney, TMCC

President Robert Maxson, UNLV

President Ron Remington, NNCC

President Jim Taranik, DRI

Vice President Herb Peebles, CCSN

Mr. Donald Klasic, General Counsel

Mr. Ron Sparks, Vice Chancellor

Dr. John Richardson, Vice Chancellor

Ms. Mary Lou Moser, Secretary

Also present were Faculty Senate Chairmen Bill Baines (TMCC), Carolyn Collins (CCSN), Diane Dietrich (Unit), Richard Egami (DRI), Michon Mackedon (WNCC), Ed Nickel (NNCC), Ellen Pillard (UNR), Robert Skaggs (UNLV), and Student Association Officers.

Chairman Carolyn Sparks called the meeting to order at 9:45 A.M.

Thursday, October 8, 1992, with all Regents present except Regent Berkley.

1. Approved Consent Agenda

Approved the Consent Agenda (identified as Ref. A, filed with the permanent minutes), containing the following:

- (1) Approved the minutes of the regular meeting held August 27-28, 1992.

- (2) Approved the gifts, grants and contracts, listed in Ref. C-1, filed with the permanent minutes.

- (3) Approved the following appointments to the College of Arts and Science Advisory Board at UNR:

David B. Loring, Reno

Jim Nichols, Reno

Col. Alex Woods, Reno

- (4) Approved the following appointments to the TMCC Advisory Board:

Evan Ray, Reno

Trudy Stevenson, Reno

- (5) Approved an extension of sick leave for Dr. John Nixon, Management Department at UNLV, through the

Spring semester, 1993.

(6) Approved an easement for Nevada Power Company. This easement is necessary to complete the power connection to the Fertitta Tennis Complex at UNLV.

(7) Approved a transfer of 27.05 acre feet of water to the City of Reno for the new University of Nevada, Reno, Residence Hall.

(8) Approved authorization to use \$8000 of Capital Improvement Fee funds at CCSN for West Charleston Bursar windows, flooring products and furniture for Physical Therapy.

(9) Approved authorization to use \$125,000 of Capital Improvement Fee Funds at UNLV for the following projects:

Renovation of the Wright Hall elevator. \$ 25,000

This building has only the one elevator, and improvements are necessary to insure compliance with ADA requirements.

Expansion and renovation of the Admis- \$100,000

sions Office. Explosive Campus growth

has created very crowded working conditions

in this area. These funds will enable UNLV

to develop a more adequate workplace for

these employees.

- (10) Approved authorization to use \$3000 of General Improvement Account Funds at WNCC to hire additional staff in the Learning Resource Center to maintain Saturday business hours through Spring semester for the benefit of WNCC students.

- (11) Approved the following interlocal agreements:

A. UCCSN Board of Regents/UNR and the Nevada Department of Human Resources/Mental Hygiene and Mental Retardation Division (Interlocal Contract)

Effective Date: Date approved by Board to and

including June 30, 1993

Amount : \$97,760 additional maximum

(total funds not to exceed

\$243,888.80 to UNR)

Purpose : Continuation of a previous agreement to support the Behavior Analysis Program in the UNR Department of Psychology.

B. UCCSN Board of Regents/UNR and the Nevada State Department of Education (Interlocal Contract)

Effective Date: October 1, 1992 through June 30, 1993

Amount : \$15,00 to UNR

Purpose : UNR to provide assistance and expertise to Department for purposes of organizing a one day educational seminar.

C. UCCSN Board of Regents/TMCC and the State Department of Human Resources/Mental Hygiene and Mental Retardation Division (Interlocal Contract)

Effective Date: July 1, 1992 through June 30, 1993

Amount : \$23,520 to TMCC

Purpose : TMCC to provide courses of in-

struction and training for
mental retardation technicians
and forensic specialists.

D. UCCSN Board of Regents/UNLV and Nevada Power
Company (Grant of Easement)

Effective Date: After approval by the Board and
the Governor

Amount : \$1 to Board

Purpose : Easement for completion of power
connection to the Fertitta Tennis
Complex.

E. UCCSN Board of Regents/CCSN and the State Job
Training Office (Interlocal Contract)

Effective Date: May 1 through September 30, 1992

Amount : \$21,000 to CCSN

Purpose : Instructors supplied by CCSN for
Job Search Skills Workshops of-
fered to individuals who became
unemployed because of the Tonopah
Test Range's work force reduc-

tion.

Dr. Eardley moved adoption of the Consent Agenda and approval of the prepared agenda with the authority to change the order of items as specified throughout the meeting. Mrs. Gallagher seconded. Motion carried.

2. Chairman's Report

Chairman Sparks announced that the Governor has proclaimed October 5-9, 1992 as Northern Nevada Community College Week. NNCC is celebrating its 25th anniversary as a Community College in Nevada. Chairman Sparks proceeded to read the following:

STATE OF NEVADA

A Proclamation by the Governor

WHEREAS, a quarter of a century ago, a group of high-spirited Elko citizens took the lead in establishing Nevada's first Community College – Northern Nevada Community College; and

WHEREAS, the people of Elko have given their support in

Northern Nevada Community Colleges for the past 25

years; and

WHEREAS, Northern Nevada Community College has responded

to the community's needs by providing transfer educa-

tion, vocational/technical training, community educa-

tion, developmental programs and more; and

WHEREAS, Northern Nevada Community College looks forward

with energy to its future in providing lifelong educa-

tional opportunities and superior, student-centered

post-secondary education for all the people of northeast

Nevada;

NOW, THEREFORE, I, BOB MILLER, GOVERNOR OF THE STATE OF

NEVADA, do hereby proclaim October 5-9, 1992 as

NORTHERN NEVADA COMMUNITY COLLEGE WEEK

and call upon the people of Elko to join in the Col-

lege's 25th anniversary celebration.

3. Chancellors Report

Chancellor Dawson discussed the administrative salary survey. The Community College Presidents have met with the Hay Group Consultant, Laurence Karsh, to discuss conducting an administrative salary survey for the four Community Colleges.

As a logical extension of the work undertaken to bring internal equity to Community College faculty compensation last year, the next step is to develop a system of internal equity for the Administrators at the Community Colleges.

The basic principles of the study would be as follows:

To build a fair and equitable compensation structure to compensate administrative positions through the four Community Colleges;

Final authority on job evaluation decisions to build an internally equitable salary structure rests in the majority vote of the Community College Presidents both in the initial study and on a continuing basis; and

Each College will appoint three or four senior officers to serve on the Job Evaluation Benchmark Committee, to be trained in world-class job measurement process and

set the guide-posts for all future evaluations.

The salary range pricing will be recommended by the Community College Presidents to the Board of Regents after sufficient study to determine the appropriate competitive positioning. The Community College Presidents have agreed with the payment of the study to be pro-rated according to the number of positions per institution in which the amount for the study would be paid over a three-year period.

The study as outlined by Mr. Karsh will involve:

Collection of current job content information.

Evaluation and ranking of benchmark positions - by a committee of Presidents and senior officers.

Evaluation of balance of the Campus positions using the benchmarks established and framework completed by the committee.

Assessment of internal equity of current salary administration system.

Quality assurance and comparability checks conducted by consultants. Report to committee for acceptance or rejection.

Assessment of external market relationships.

Presentation of findings and recommendations for implementation based on outcomes of the internal and external analysis.

Upon questioning by Dr. Derby, Chancellor Dawson explained that UCCSN has tried in the past to conduct its own study, but does not have the expertise to train and evaluate job descriptions in order to put values on them. UCCSN is too close to the situation, and Chancellor Dawson feels that an external source would have more expertise and believability in this field.

4. Approved Resolutions for Bank Loans, UNLV

At the August 1992 meeting, the Board authorized UNLV to seek financing for the capital improvement projects.

Approved the following resolutions for bank loans. The bids will be opened just prior to the meeting and recommendations will be forthcoming from bond counsel. These will be designated as a Qualified Tax-Exempt Obligation under Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

A. Student Services Building \$250,000

(Resolution #92-9)

B. Student Health Center \$750,000

(Resolution #92-10)

Vice President Buster Neel reported that each project received four responses and recommended Nevada State Bank be given the loans.

Mr. Klaich questioned the terms of payment on each loan, and Vice President Neel stated that the Student Services building would be repaid within 3 years with pledges that have been received to date, and the Student Health Center would be refinanced after 2 years with proceeds from the Health Center Fee to repay within 10-15 years or until the loan is retired.

Mrs. Whitley moved approval of the resolutions for bank loans for the Student Services building and the Student Health Center at UNLV. Mrs. Gallagher seconded.

Vice President Neel explained that all registered students must pay a \$20 Student Health Fee. In addition, they may choose a health insurance plan. The Health Center has become a basic service the University offers to all students. Although the fee is controversial at the Community College level, CCSN students also pay the \$20 fee to receive services at UNLV's facility.

Motion carried.

Chancellor Dawson regretfully announced that President Paul Meacham's father is ill, therefore, he will not be in attendance at the meeting. Vice President Herb Peebles will be acting in his stead.

5. Approved Tenure on Hire, UNLV

Approved tenure on hire for Mr. Matthew J. Simon. Mr. Simon has been selected as the Dean of Libraries for UNLV and will assume his duties January 2, 1993.

Dr. Eardley moved approval of the tenure on hire for Mr.

Matthew J. Simon, Dean of Libraries at UNLV. Dr. Derby

seconded. Motion carried.

6. Approved Tenure on Hire, UNR

Approved tenure on hire for the following at UNR:

A. Dr. E. Joe Middlebrooks, Professor in Civil Engineering,

College of Engineering, and Director of Environmental

Engineering Graduate Interdisciplinary Program under

the Center for Environmental Science, Engineering, and

Policy.

B. Dr. V. Dean Adams, State Extension Specialist in Water

Resources with the rank of Professor. Departmental

affiliation will be Range, Wildlife and Forestry in

the College of Agriculture.

Dr. Eardley moved approval of the tenure on hire for Dr.

E. Joe Middlebrooks, Professor in Civil Engineering and

Director of Environmental Engineering Graduate Interdisci-

plinary Program at UNR, and Dr. V. Dean Adams, State Ex-

tension Specialist in Water Resources, with rank of Professor at UNR. Dr. Derby seconded. Motion carried.

7. Approved Recommendations for Award to Tenure, UNLV and CCSN

The following recommendations for award to tenure have been forwarded for Board consideration:

A. University of Nevada, Las Vegas - President Maxson recommended the following award to tenure, effective July 1, 1992, to the following:

Arthur Meyers, Radiological Sciences, College of Health Sciences

B. Community College of Southern Nevada - President Meacham recommended the following award to tenure, effective July 1, 1992, to the following:

Rosemary Hall, Student Development, College Services

Mr. Klaich moved approval of the recommendations for award to tenure at UNLV and CCSN. Dr. Eardley seconded. Motion carried.

The open meeting recessed at 10:08 A.M. to move into committee meetings and reconvened in closed session at 12:50 P.M. Thursday, October 8, 1992, with all Regents present except Regent Foley.

8. Closed Session

Upon motion by Mrs. Gallagher, seconded by Mr. Klaich, the Board moved to a closed session for the purpose of discussing the characters, alleged misconduct, professional competence, or physical or mental health of an employee(s) of the UCCSN or public official(s) in accordance with NRS 241.030.

The open meeting reconvened at 2:45 P.M. Thursday, October 8, 1992, with all Regents present.

9. Report and Recommendations of the Status of Women Committee

A report and recommendations of the Status of Women Committee meeting, held October 8, 1992, were made by Regent Jill Derby, Chairman.

(1) Chairman Derby distributed a new calendar for Committee

activities, filed in the Regents' Office. She stated she was very encouraged by the very effective activity on the Campuses. President Crowley stated he had met with the co-Chairs of the UNR Committee who related they cannot finish their activities until May. Chairman Derby agreed that would be acceptable.

(2) The Committee submitted changes to the proposed change

for Chapter 6 of the UCCSN Code. Dr. Kirkland offered two changes to the proposed language concerning the independent advisor. The first change was to have the independent advisor present at any and all hearings, but not to give legal advice. The second change would add the words "at least" so that the number of trained faculty in the pool from which the independent advisor is chosen would be a minimum of six people.

President Taranik asked when the independent advisor was to be available, whether when the complainant filed or when the President was informed of the complaint?

General Counsel Klasic replied that it would be when the complaint was filed with the Affirmative Action Officer. Chairman Derby stated she understood the independent advisor was not to be used to file the

complaint. UNR Senate Faculty Chairman Ellen Pillard stated she felt that person should be available before the complaint was filed because the complainant needs the information when he/she goes to the Affirmative Action Officer.

Dr. Derby moved approved of the report and recommendations of the Status of Women Committee. Mr. Klaich seconded.

Motion carried.

10. Report and Recommendations of the Legislative Liaison Committee

A report and recommendations of the Legislative Liaison Committee meeting, held October 8, 1992, were made by Regent Shelley Berkley, Chairman.

(1) Discussion of Plans and Activities - Dr. Bob Dickens reported that the software development program was well underway and that most features are working now. Training for Campuses will be held in early November. He related that most of the cost to date has been for a programmer and the remainder will be used for travel for the training sessions.

Dr. Eardley asked what changes were taking place in the planning for this session of the Legislature, since the Campuses have always had committees working with Legislators and community groups. Dr. Dickens replied that the software program matches individuals with individual Legislators and will help broaden the political base. Chairman Berkley stated she felt this would give the System a faster response time when lobbying efforts are needed during the session. She added that this is only one tool to be used, that it will not take the place of personal contacts with Legislators. Further, this software system could be used other than during the legislative session.

Chairman Berkley stated a meeting of the Committee would be called within a week or two and invited Presidents, Faculty Senate Chairmen and students to attend. Further activities will be discussed at that time.

Chairman Berkley stressed that the System would present its budget and that no "end runs" will be tolerated during the session.

Mrs. Berkley moved approval of the report and recommendations of the Legislative Liaison Committee. Dr. Derby seconded. Motion carried.

11. Approved Naming of Buildings, NNCC

Approved the naming of the following buildings at NNCC:

A. Greenhaw Technical Arts Building - President Remington

introduced Dr. Charles Greenhaw who has provided NNCC with 20 years of experience and greatly impacted the institution with initiating the plans for this building.

Dr. Derby moved approval of the naming of the Greenhaw Technical Arts building at NNCC. Mrs. Berkley seconded. Motion carried.

B. Belinger Auto and Diesel Labs - President Remington

introduced Mr. Bill Belinger who initiated the occupational programs at NNCC.

Mrs. Gallagher moved approval of the naming of the

Belinger Auto and Diesel Labs at NNCC. Mrs. Berkley

seconded. Motion carried.

C. Goeringer Vocational Skills Center, Ely - President

Remington introduced Mr. and Mrs. Norman Goeringer

who have donated \$500,000 to the center in Ely.

Mrs. Gallagher moved approval of the naming of the

Goeringer Vocational Skills Center in Ely for NNCC.

Dr. Derby seconded. Motion carried.

12. Information Only: NNCC Faculty Report to Regents

President Remington introduced several NNCC Faculty who

made reports to the Board of Regents on various activities

at the NNCC Campus.

Patricia Warren, Organization between Faculty and

Administration

Stanley Popeck, Special Programs; i. e., Child Care

Center, Computer Science, Student Skills Lab, Re-Entry

Programs and Mechanical Training

Gloria Everett, Medical Laboratory Technology Program

Marilee Harper, Child Care Center

Richard Mc Nalley, Humanities Series

Sarah Sweetwater, Art Department

Ed Nickel, Learning Resource Center

Mr. Ed Nickel, NNCC Faculty Senate Chairman, orchestrated a group of faculty members who performed in a musical parody on their need for increased funding for their institution.

The open meeting recessed at 4:15 P.M. to move into the dedication of the Greenhaw Technical Arts building and committee meetings and reconvened at 9:40 A.M. Friday, October 9, 1992, with all Regents present except Regent Berkley.

13. Report and Recommendations of the Research Affairs

Committee

A report and recommendations of the Research Affairs Committee meeting, held October 8, 1992, were made by Regent

Lonnie Hammargren, Chairman.

(1) Approved a Regents' Creative Activities Award. Dr.

David Mc Nelis, Chairman of the Research Council,
stated the Faculty Senates at UNR and UNLV have re-
viewed and approved the guidelines, as contained in
Ref. RA-1, filed in the Regents' Office.

Dr. Mc Nellis presented two medallion designs for
consideration by the Committee.

In addition, approved that the Committee Chairman and
Dr. Mc Nelis be assigned to design the medal.

Dr. Mc Nelis announced that there would be a National EPSCoR
meeting in Las Vegas from October 14-16, 1992. NISSET would
be meeting on Thursday of that week. He invited Regents and
others to participate.

(2) Approved of a line of credit up to \$1 million for UNR,
with the understanding that the terms and conditions
would be brought to the Board for final approval.

Chancellor Dawson had received a request from Dr. David

Mc Nelis, Chairman of the Research Council, to establish a line of credit for research stimulation and to meet matching equipment requirements. UNR presented a specific proposal at the meeting for a line of credit not to exceed \$1 million.

Vice President for Research, Dr. Ken Hunter, UNR, explained that the Federal government is off-loading many programs to the States. Many grants require institutions to provide matching funds. In the past, the Federal government picked up many of these matching costs, but that is no longer the case. Dr. Hunter reported that UNR has had a 30% increase in grants and contracts this year, but that cash flow is a problem. He explained that it is difficult to have cash ready when these grants come up and that his office has had to "scrounge" from non-priority programs to provide these matching funds.

Dr. Hunter stated that UNR's request for a \$1 million line of credit had been derived from past history needs. He suggested that UNLV and DRI will eventually have this same need for credit. He explained that if a line of credit could be obtained for 6% annual in-

terest for 7 1/2 years, the debt service per year would be \$169,000. He further explained that indirect cost recovery funds controlled by his office would be used to pay the debt service.

In 1991, UNR received approximately \$650,000 in indirect cost recovery funds. These are used for research stimulation purposes such as junior faculty research awards, support faculty attendance at national and international meetings, and to purchase research equipment. Last year, UNR spent \$90,000 of indirect cost funds for research equipment. Based on an average annual increase of 10% in sponsored projects, it is projected there will be \$75,000 which could be added to the \$90,000 budget for equipment to take care of the debt service.

With a line of credit, UNR would project sources of sponsored project revenue, then prudently borrow only that amount which can be repaid.

Dr. Hunter and Vice President for Finance Ashok Dhingra at UNR asked permission to contact financial institutions to obtain this line of credit. This would be

used only for research stimulation -- capital equipment and other matching opportunities which would leverage Federal and private dollars.

In answer to a question from Mr. Klaich, Dr. Hunter stated that these funds would not provide for salaries. He assured the Board that they would not use operating dollars to repay these loans.

President Crowley stated this proposal has his full support. He stated there is a measure of risk, but that he would make prudent judgments in using this line of credit. Dr. Hunter stated UNR would report to the Research Affairs Committee as the funds were used.

Mr. Foley congratulated Drs. Hunter and Mc Nelis for their innovative approach to the problem.

In answer to a question from Dr. Derby, Dr. Hunter explained that UNR now expends some \$90,000 for research equipment and he felt this would stimulate research growth. He projected that within 3 years, UNR could have a \$100 million research program.

Mrs. Gallagher explained that this would be a revolving line of credit established for UNR as an institution. She stated that she felt the President and Vice Presidents were very responsible individuals, and spoke in favor of the motion. She suggested that the Committee could ask for a review in 6 months to a year.

In answer to a question from Dr. Eardley, President Crowley explained that the indirect recovery funds received are now divided 50% into the State and 50% to UNR. Half of UNR's indirect cost funds are used by Dr. Hunter for research stimulation. Dr. Hunter stated that \$75,000 of the projected increase in indirect costs can be set aside for debt service on the line of credit. Dr. Hunter also stated that since many grants are for longer duration (3-5 years), he can make more accurate projections on future revenues from sponsored projects.

Dr. Hammargren moved approval of the report and recommendations of the Research Affairs Committee meeting. Mrs. Gallagher seconded. Mr. Klaich opposed. Motion carried.

The open meeting recessed at 9:45 A.M. to move into Foundation meetings and reconvened at 10:20 A.M. Friday, October 9, 1992, with all Regents present.

14. Accepted the Report on UNLV Foundation

The firm of Ernst and Young was engaged to evaluate certain real estate transactions completed by the UNLV Foundation.

A report on the findings was given by Mr. Larry Tombari of Ernst and Young, and his report is filed with the permanent minutes.

Mr. Tombari reported the following:

900 Las Vegas Boulevard South - The evidence indicates that the subject property was competently transacted.

Ernst and Young could not identify conflict of interest involving Vice President Lyle Rivera.

House at 501 Parkway East - The evidence suggests that the property was competently transacted. Ernst and

Young could not identify conflict of interest involving

Ms. Elaine Wynn.

Gambarana Warehouse at 418 West Mesquite - Given the difficulty in estimating value for the subject, evidence indicates that the property was competently transacted.

321 and 323 Fremont Lease - The UNLV Foundation did not identify their responsibilities under the lease assignment.

Ernst and Young findings support the premise that, at the time during the contributions and subsequent sales,

The UNLV Foundation, in its early stages of development, accepted all types of property, often without regard for management of the asset;

The UNLV Foundation had less sophisticated property management than at present;

The UNLV Foundation had a policy of quick sale of the contributed property.

Mr. Klaich moved to accept the report prepared by Ernst and Young regarding the UNLV Foundation. Mrs. Whitley seconded.

Dr. Hammargren stated that it was difficult for him to accept the report which is not a qualitative evaluation of the Foundation, meaning it does not include dollar amounts.

Mr. Tombari indicated that Ernst and Young were contracted as real estate consultants to evaluate certain real estate transactions completed by the UNLV Foundation. Chancellor Dawson agreed, and reiterated that Ernst and Young were contracted to evaluate the legalities of the transactions and whether the transactions constituted a "conflict of interest" with certain parties. At the request of Dr.

Hammargren, Mr. Tombari stated that he would provide the Board of Regents documentation on the financial resources in regard to the above mentioned properties. Mrs. Gallagher requested that this report be furnished to the UNLV Foundation.

Motion carried.

15. Reconfirmed Report on Sports/Medicine Facility, UNR

President Crowley and Athletic Director Chris Ault reported on the Sports/Medicine Facility contract for UNR, as contained in Ref. D, filed in the Regents' Office.

Chancellor Dawson indicated that it was his feeling that the conflicts have been resolved regarding this issue. As contained in Ref. D, Dr. Gerald Dales, team physician, is in support of this facility.

President Crowley stated that, he too, felt the issue had been resolved. Athletic Director Chris Ault has written a memorandum to the Athletic Department staff and student athletes indicating that the student athlete does have the freedom of choice of physician.

Athletic Director Ault stated that this project is the single most important endeavor for the student athlete in the past two decades. He clarified that the student athlete has always had the choice of physician. However, Dr. Dales usually examines the injured student first to determine the athletic injury.

Athletic Director Ault indicated that the proposed facility will house state-of-the-art equipment for the weight room for both male and female athletes, rehabilitation exercises, locker room facilities for visiting and home teams, lecture room, and conference/film rooms. This facility will take UNR to the next level of competition

and state-of-the-art services for its athletes.

Dr. Derby stated that she objected to the way the item was brought before the Board of Regents for consideration. She felt that the item should have been an "information" item in order for the Board of Regents to discuss the proposal and ask pertinent questions prior to taking action.

Dr. Derby indicated that she had reviewed the American Academy of Orthopedic Surgeons paper, which indicated potential abuse of physician-owned facilities. She recommended close monitoring of these facilities and requested to hear from Reno Orthopedic Center regarding its ethical issues on this project. Athletic Director Ault stated that UNR's athletic trainers oversee the student athletes and carefully monitor the program. He indicated that a disclosure statement will be placed in the student athlete handbooks.

Dr. Derby emphasized that a follow-up report is very important and requested that it be done.

Mr. Klaich stated that the self-referral issue is a major "red herring" and did not think it was the Board of Regents'

prerogative to dictate medical ethics. Mrs. Gallagher agreed and felt it should be left up to the medical community.

Dr. Eardley agreed that the process may have moved a little too fast, but in light of the restlessness surrounding this issue he had called a meeting with those concerned and felt that the issues were resolved. He stated that he was confident in the staff's recommendation to proceed with this proposal.

Mrs. Berkley suggested that on issues of this magnitude they should come before the Board as an "information item" before taking action by the Board of Regents. In regard to Dr. Derby's remarks on ethics, Mrs. Berkley stated that the Board should not minimize the ethical consideration.

Athletic Director Ault apologized for the expedience for action on this issue.

Mr. Klaich stated that he had respect for Dr. Derby's analysis of the situation; i. e., the Board should not make uninformed decisions the first time an item appears on the agenda. However, in the past, other gifts and

building projects have come before the Board without any questions and approved by the Board of Regents. In addition, he felt that he did not make an uninformed decision at the August 27-28, 1992 Board meeting on this issue. He felt that the item was presented in the standard fashion, felt that if the Board wished to instigate a policy that the Presidents and staff bring every issue before the Board twice, once as an information item and then as an action item, then the Board should require this at this time.

Dr. Derby stated that it was unnecessary to have modest items appear before the Board twice, but felt that any item that is major or controversial should require two hearings at the Board of Regents' meetings. Mr. Klaich agreed.

Dr. Hammargren stated that he had voted against this item at the August 27-28, 1992 meeting, but after the presentation made by Athletic Director Ault, he felt that the proposal is a "win/win" proposition and will now vote in support.

Mrs. Berkley left the meeting.

President Crowley stated that he does not always realize that an item is going to become major or controversial. It is regrettable that this item has become controversial within the public's eye; however, neither he nor his staff has ever received any public comment that there is a problem with going forward with this proposal. In response to Dr. Hammargren's remarks, President Crowley stated that more public/private propositions of this sort will be coming before the Board for consideration. It is the wave of the future across the country.

Mr. Foley reconfirmed the UNR Sports/Medicine Facility contract. Dr. Hammargren seconded. Dr. Derby opposed.

Dr. Derby stated that the patient/physician partnership is very important and that the Board of Regents must be sure moral and ethical concerns provide a benefit to the student athletes.

Motion carried.

16. Report and Recommendations of the Ad Hoc Committee on
Ethnic Minority Affairs

A report and recommendations of the ad hoc Committee on Ethnic Minority Affairs meeting, held October 8, 1992, were made by Regent June Whitley, Chairman.

(1) Approved a draft list of guidelines for the Blue Ribbon Task Force. Mrs. Karen Steinberg, Director of Institutional Research, stated the Chairs of the Campus Committees had met and elected Dr. Mike Coray, UNR, Assistant Vice President for Diversity, their Chairman. They are developing a survey document for use on the Campuses and hope to have the results completed by the Spring. They will also hold public hearings to receive input on the issues. Once this is completed, a report will be made to the Regents' Committee.

A lengthy discussion on the guidelines of the Blue Ribbon Task Force ensued. Chairman Whitley stated she planned to have input from the Task Force on their perceptions of education in the State of Nevada. In answer to questions from Chairman Whitley, President Crowley stated that each Campus can conduct its own survey and obtain very useful information which will assist in producing goals and recommendations for the future.

President Taranik related that DRI has solicited input from their employees on the issues, the results have been reviewed by a committee, and among the recommendations are faculty and staff training on employment requirements, admission of foreign students, and recruitment practices.

The following guidelines for the Task Force were presented:

The Task Force would serve as a focus group to identify the perceptions of the various minority communities in the State on UCCSN diversity efforts and on critical issues regarding diversity on the UCCSN Campuses.

The Task Force would be asked to review current Campus and System efforts in diversity, and to provide suggestions to enhance these efforts, if appropriate.

The Task Force would help the Campuses and the System in developing objectives regarding employ-

ment opportunities, and would assist in the development of a position paper to address extending employment opportunities to those who are currently under-represented to the UCCSN work force.

The Task Force would be available to work with the Campus committees as they develop recommendations for the ad hoc Committee.

The Chairman asked Mrs. Steinberg to distribute the guidelines to the Committee members for a final review, with responses to be returned within a week. After that, letters will be sent inviting membership on the Task Force.

Mr. Foley requested information on how the System and the Campuses are complying with existing Federal and State requirements. Chairman Whitley directed Mrs. Steinberg and General Counsel Klasic to compile this information for the Committee.

Mrs. Steinberg related that compliance reports are in process and will be reported during the affirmative action reports in January. Dr. Derby stated that the

requirements may not be enough, that the "climate"

issues affect lives.

Mrs. Whitley moved approval of the report of the ad hoc

Committee on Ethnic Minority Affairs. Mrs. Gallagher

seconded. Motion carried.

Chancellor Dawson stated that Mrs. Berkley has requested that the
Legislative Liaison Committee schedule a working luncheon meeting
in Las Vegas on October 20, 1992.

Mrs. Berkley returned to the meeting.

Mrs. Berkley stated that, as Chairman of the Committee,, she
would like to invite Presidents, Faculty Senate Chairmen, student
representatives and Chancellor's staff to discuss the strategy
for the Legislative Liaison Committee.

Chairman Sparks relinquished the gavel to Vice Chairman Eardley.

Regents Derby, Foley and Hammargren left the meeting.

17. Report and Recommendations of the Audit Committee

A report and recommendations of the Audit Committee meeting,

held September 23, 1992, were made by Regent Dorothy Gallagher, Chairman.

- (1) Internal Audit Director Sandi Cardinal presented the audit of the UNLV Thomas and Mack Center, July 1, 1990 through February 28, 1991. The audit report is filed in the Regents' Office.

UNLV Vice President Buster Neel informed the Committee that Athletic Director Jim Weaver has been with UNLV since January and Executive Director and Associate Athletic Director Pat Christenson has held this position since Spring, 1992. Therefore, they have inherited many of the problems the internal audit report addressed.

Mr. Christenson stated that he has examined the audit recommendations and feels that he has a clear understanding of what is needed to correct the audit concerns. He has already addressed some of the issues and is committed to rectifying all audit recommendations.

Upon questioning, Mr. Christenson informed the Commit-

tee in what capacity he has addressed some of the key issues of the audit report.

Dr. Eardley stated that some people feel that the two events centers, Lawlor Events Center and Thomas and Mack Center, are not accountable to their respective Universities. This is not the case. Although their operations are somewhat different, both centers should be held accountable to the Universities. Athletic Director Jim Weaver agreed that both athletics and the Thomas and Mack Center are an integral part of the University and should be totally accountable to the University.

Mrs. Whitley commented on Vice President Neel's opening remarks and understands that there has been a changeover in administration at Thomas and Mack Center; however, she felt that the events center should have been administered by top administrators at UNLV, such as Vice President Neel or President Maxson.

Chairman Gallagher requested that a follow-up response to the Thomas and Mack Center audit be addressed at the Audit Committee meeting in December.

Chairman Gallagher emphasized the importance in having the Audit Committee members kept apprised of the Thomas and Mack Center operations in order to correct the public's perception of the center and athletics at UNLV.

(2) Information Only: Internal Audit Director Sandi

Cardinal presented the follow-up report of the UNLV Physical Plant, July 1, 1990 through June 30, 1991. The follow-up report is filed in the Regents' Office.

(3) Information Only: Internal Audit Director Sandi

Cardinal presented the follow-up report of the UNLV Summer Term Office, Summer 1990 and Summer 1991. The follow-up report is filed in the Regents' Office.

Chairman Gallagher noted that there is not a policy which addresses the use of excess revenues from self-supporting programs and asked if the Committee should further review this. President Maxson stated that there is a need for flexibility and suggested that such a policy be considered as an institutional policy, not a systemwide policy. He offered to sub-

mit periodic reports to the Committee regarding the surplus for the Thomas and Mack Center.

Dr. Eardley questioned how fees for Summer term courses and community service courses are set, and Vice Chancellor Sparks responded that by Board of Regents' policy the fees are set in accordance with the regular fee schedule and are automatically adjusted upon approval of the regular fee schedule. He felt that this policy should be reviewed.

Chairman Gallagher requested Vice Chancellor Sparks to develop a draft policy that would address the setting of Summer term course fees and community service course fees.

(4) Information Only: Internal Audit Director Sandi

Cardinal presented the follow-up report of the UNLV Graduate College, July 1, 1990 through June 30, 1991.

The follow-up report is filed in the Regents' Office.

(5) Information Only: Internal Audit Director Sandi

Cardinal presented the follow-up report of the CCSN Limited Entry Programs, Fall Semester 1991. The

follow-up report is filed in the Regents' Office.

(6) Information Only: Internal Audit Director Sandi

Cardinal presented the follow-up report of the NNCC

Laboratory Fees Charged, Fiscal Years 1989-90 and

1990-91. The follow-up report is filed in the Regents'

Office.

Mr. Klaich moved approval of the report and recommendations

of the Audit Committee. Mrs. Whitley seconded. Motion

carried.

Regents Foley and Hammargren returned to the meeting.

18. Information Only: Report on National Consortium of

Academics and Sports

President Crowley introduced Mr. Keith Lee who reported

on the National Consortium of Academics and Sports (NCAS).

Mr. Lee is Director of the Western Regional Office which

is housed on the UNR Campus. Mr. Lee is also Director of

UNR's Center for Youth, Athletes and Community.

Mr. Lee gave a brief summary of his personal background.

He was a professional football player and played for the Buffalo Bills, New England Patriots and Indianapolis Colts.

In 1984 a study was conducted which indicated that only 30% of the players in the National Football League had College degrees; 24% of the players in the National Basketball Association had College degrees; 20% of the players in the baseball organizations had College degrees; and 8% of the players in the National Hockey League had College degrees. The study also indicated that 25-30% of black high school athletes were functionally illiterate. The NCAS was created to provide a program dedicated to assist athletes in obtaining higher education degrees. The NCAS Northeastern University implemented the program in 1985 with 11 other institutions. By 1987 there were 45 institutions that had networked with NCAS and in 1992 there were 93 institutions.

Mr. Lee stated that the criteria for an athlete to take part in the program is that the athlete must have been admitted to the institution within the past ten years and in exchange must perform community outreach services for the institution.

Regent Derby returned to the meeting.

The NCAS program has reached over 1.30 million youth. The program focuses on past, present and future of the athlete.

At present there are 4 regional offices. UNR has been a member of NCAS since 1988 and was recently selected to serve as the Western Regional Office.

Mr. Lee commented to the Board that the issues with Mr. Jesse Sattwhite brought before the Board of Regents at its August 27-28, 1992 meeting are encompassed by this program.

The NCAS program enlists athletes as role models for today's youth and sends a message to parents that higher education is concerned. By housing the regional office at UNR, Nevada becomes pro-active in what intercollegiate athletics is all about. The athletes have the potential power to make a difference in the lives of the youth.

Mrs. Gallagher welcomed Mr. Lee to Nevada and wished him success with his program. Mr. Klaich stated that he felt this was an incredible program and wished Mr. Lee well.

Upon questioning, Mr. Lee indicated that member institu-

tions pay \$750 per year for membership, and the NCAS program receives corporate funds and gifts from private donors.

Chairman Sparks returned to the meeting during the above discussion and resumed the gavel.

Regents Eardley, Foley, Hammargren and Whitley left the meeting.

19. Report and Recommendations of the Academic Affairs

Committee

A report and recommendations of the Academic Affairs Committee meeting, held October 8, 1992, were made by Regent Jill Derby, Chairman.

- (1) Approved a Handbook change, Title 4, Chapter 14, Section 2, Time Frames for Preparation of Academic Master Planning Documents, as contained in Ref. AA-1, filed in the Regents' Office.

A discussion was held by the Academic Affairs Committee in August concerning revision of the Board of Regents' policy related to time frames for Campus master planning documents. The revision is recom-

mended to align Board policy with the legislative requirement for academic planning, and will shorten the time frames for all institutions.

(2) Information Only: Annual Report on Review of Existing Academic Programs -- The review of existing academic programs is conducted by each institution on a regular cycle in order to assure academic quality and to determine if need, student demand, and available resources support their continuation. In addition to this periodic review, Board of Regents' policy requires that all new programs are to be reviewed after a five year period.

A format for an annual report to the Chancellor's Office and Board of Regents on existing academic programs was approved by the Board in April, 1992.

The format includes two parts: 1) a list of all existing programs which were reviewed by the institution over the past year, new programs approved during this time period and programs which were deleted or put on inactive status; 2) a summary of the major findings and future plans for each program which was reviewed.

The first annual report to the Board of Regents is contained in Ref. AA-2, filed in the Regents' Office.

Vice Chancellor Richardson emphasized that the results of these reviews include plans to strengthen programs through changes in administrative structure, expand funding sources, enhance facilities, add faculty, and/or modify curriculum. He stated that over 50 programs or centers were evaluated. TMCC and CCSN plan to re-evaluate the review processes they are currently using and adopt new formats and procedures to be applied to the next review cycle. The results of the review processes are an important component of the academic planning process, and should be used to assure the best possible programs are being provided with the UCCSN.

Chairman Derby requested a response from each of the institutions regarding the process, and each institution responded positively. Chairman Derby stated that she was pleased with the process and the report.

(3) Information Only: Report on Graduate Programs - At an earlier Board of Regents' meeting, a request was made

for information related to graduate programs at UNLV and UNR. A list is included of all graduate programs offered by the two Universities, the enrollment and costs associated with each program, as contained in Ref. AA-3, filed in the Regents' Office.

Vice Chancellor Richardson reminded the members of the Committee when reviewing the costs associated with each program that UCCSN does not have a sophisticated costing formula to make cost allocations to programs. He stated that this report is only a portion of the entire educational picture at UNR and UNLV, and it would be a mistake to single out programs without reviewing the entire educational package.

Chairman Derby questioned if there was a correlation between fewer students and the need for new programs, and Vice Chancellor Richardson responded that students are indeed a criteria, but one should also consider the economic impact of these programs on the State in order for the institutions to have a leading edge. A program may not be recognized by the student when it first comes on line, but may provide training for the future economic development of the State.

UNR Vice President Robert Hoover added that multi-disciplinary programs are being initiated which may replace some of the smaller programs that Chairman Derby is questioning.

UNLV Vice President John Unrue agreed with Vice Chancellor Richardson and commended him for compiling this report for the Committee. He stated that this process is very important to the academic planning process. He mentioned that although there is a moratorium placed on some programs, UNLV will be reviewing these programs again and may reactivate the programs in the future.

Dr. Ken Hunter, Dean of UNR Graduate School, stated that approximately 10% of the master program could be phased out, which is not unusual in light of the changing times UCCSN is experiencing. However, new programs are coming on line including multi-disciplinary graduate programs that are market driven and will meet the needs of the future.

Mr. Klaich questioned what the FTE was for undergradu-

ate programs during the last year, and it was stated that the approximate FTE for UNR was 8,000 and UNLV was 12,000. Mr. Klaich reminded the Committee that during the 1991 Regents' Workshop, a goal was set to place more emphasis on undergraduate education. President Crowley stated that UNR is taking that goal very seriously and it will be reflected in the academic planning process report. He mentioned that UNR refers to the Carnegie Report, prepared by Dr. Ernest Boyer, which addressed rewarding teaching of undergraduate programs and explains the definition of research programs.

In addition, Vice President Hoover stated that four years ago UNR implemented a core curriculum and has attempted to assess the students who have gone through that program. Some of the findings of the first assessment were: 1) that it is a far more challenging and interesting curriculum; 2) that it is very coherent; and 3) that it will need continual updating.

A UNR task force has submitted the following recommendations: 1) an assessment of teaching skills and a reward mechanism for teaching; 2) an assessment of the syllabus; 3) advisement of students; and 4) an

assessment of student success. He suggested that the Committee meet with faculty and students to discuss UNR's undergraduate programming.

Chairman Derby raised a concern regarding the Strategic Directions the Board of Regents have approved, and felt that they should be reviewed each year to see if they are being implemented at the institutional level. Vice Chancellor Richardson stated that the Academic Master Planning report will address the Strategic Directions, but that he will also schedule a presentation each year specifically addressing the matter.

UNR Faculty Senate Chairman Ellen Pillard suggested an "Outstanding Teacher Award" be given by the Board of Regents. She felt that this would give the Board of Regents an opportunity to review undergraduate programs. She also suggested that a reward system be established, to include revolving contracts.

Mr. Klaich stated that he was excited about what he was hearing. He would never have thought to put "revolving contracts" and "reward systems" together, but can now relate the two. He also stated that by

having graduate programs, it improves the undergraduate programs at the institutions.

Vice President Unrue stated that it is wrong to equate "teaching" vs. "research"; they are inseparable. UNLV has a strong tie with both undergraduate teaching and graduate research.

Chairman Derby requested Vice Chancellor Richardson to review the report on graduate programs with Mrs. Berkley, who initiated this report and was unavailable to attend the Committee meeting.

- (4) Approved the UCCSN Academic Planning Schedule. A discussion related to the academic planning process and the principle components of planning was held by the Academic Affairs Committee at its August meeting. At that time a preliminary planning schedule was presented for information.

Vice Chairman Richardson proposed a formal calendar designed to guide the Chancellor's Office and UCCSN institutions in their planning activities, and distributed a revised calendar at the meeting, Ref.

AA-4, filed in the Regents' Office.

Vice Chancellor Richardson clarified that the "X" only indicates the deadline to accomplish the task, the tasks can be completed any time prior to the deadline.

(5) Information Only: Summary of Recommendations from

Academic Retreat - An academic planning retreat was held in July to focus on UCCSN academic issues, with special emphasis on the development of new programs at the Campuses and program review activities. As a follow up to the retreat, a subcommittee was established to review and refine the recommendations made at the retreat. A summary of those recommendations is contained in Ref. AA-5, filed in the Regents' Office.

A brief discussion on the recommendations was held regarding the use of facilities by the year round institutional programs and State funding of the Summer Session programs.

Mr. Klaich moved approval of the report and recommendations of the Academic Affairs Committee. Mrs. Gallagher seconded.

Motion carried.

The open meeting recessed at 12:15 P.M. for lunch and reconvened at 1:10 P.M. Friday, October 9, 1992, with all Regents present, except Regents Berkley, Derby and Gallagher.

20. Approved Board of Regents' Calendar, 1994

Approved the following proposed Board of Regents' calendar for 1994:

Board Meeting Dates	Location
January 6-7, 1994	Reno
February 17-18, 1994	Las Vegas
March 31- April 1, 1994	N. Las Vegas (CCSN)
May 19-20, 1994	Reno
June 23-24, 1994	Las Vegas
August 25-26, 1994	Reno
October 6-7, 1994	Elko (NNCC)
December 1-2, 1994	Las Vegas

Mr. Klaich moved approval of the Board of Regents' calendar for 1994. Dr. Eardley seconded. Motion carried.

Regents Derby and Gallagher returned to the meeting.

21. Approved Amendment, Regents' Bylaws

Approved an amendment to the Regents' Bylaws, Article VI, Section 3(g), as contained in Ref. H, filed with the permanent minutes, which deals with the composition of the Status of Women Committee. The first reading of the proposed amendment was held at the August 27-28, 1992 meeting.

Mr. Klaich moved approval of the amendment to the Regents' Bylaws regarding the composition of Status of Women Committee. Mrs. Gallagher seconded. Motion carried.

22. Information Only: Amendments, Regents' Bylaws

The number of members of the Board of Regents of the University and Community College System will increase in January, 1993 from 9 members to 11 members of the Board. As a result of this increase in numbers, various amendments to the Board of Regents' Bylaws pertaining to the number of members necessary to make up a quorum, take action, call meetings or place matters on agendas will be necessary.

Chancellor Dawson requests approval of amendments to the Regents' Bylaws, effective January 1, 1993, as contained in Ref. I, filed in the Regents' Office. This will constitute the first reading of the proposed amendments with Board action to be taken at the November 19-20, 1992 meeting.

Mrs. Berkley returned to the meeting.

23. Approved Tuition and Fees Policy, and Tuition and Fees

Increase for 1993-95

The following are the minutes from the Tuition and Fees meeting held on September 17, 1992. The Board of Regents met as a Committee of the Whole to review the policy on tuition and fees for UCCSN.

(1) Approved Policy on Tuition and Fees - The Board, after considering a recommendation from the Chancellor's Committee, did not reach a conclusion during the August 27-28, 1992 meeting and requested further review of the issue.

Chancellor Dawson began the discussion by giving an overview of the "Draft Policy, July 20, 1992". One important statement within the policy reads, "If it is determined that tuition and fees are to be increased, the rate of increase will not exceed 1% more than the WICHE average of the previous five years of reported data". Mrs. Gallagher questioned whether students and parents would be able to project costs from such a statement, and Chancellor Dawson related that projections would be included in biennial budget requests.

Chancellor Dawson stated that at the August 27-28, 1992 Board of Regents' meeting, 5 concerns were brought forward by the Board:

- 1) Board of Regents should control destiny on student fees.

Proposed Solution: Board of Regents should adopt a reasonable student fee policy.

Dr. Eardley stated that the Board of Regents do not enjoy raising tuition and fees, but noted that if they

did not act, the Legislature or the Governor's Office could do so which would cause the Board of Regents to then lose control.

Vice Chancellor Sparks suggested that the State could place the expected revenue from tuition and fee increases in the budget request and reduce the State revenues by that amount. This would cause the UCCSN budget to be over-budgeted if the Board of Regents did not increase the fees to produce the budgeted revenue. He stated that the 1993-95 biennial budget request does not include any tuition and fee increase, and if such are adopted by the Board, the request will have to be revised. The Governor could possibly submit the UCCSN budget with increased fee recommendations to the Legislature for approval. Vice Chancellor Sparks indicated that the Legislature would most likely use that method in calculating tuition and fees for UCCSN.

Vice Chancellor Sparks explained that after considerable discussion the Interim Finance Committee at its meeting the previous day (September 16, 1992) did approve the UCCSN student fee surcharges for FY 1993 as submitted. The Board had adopted those increases

as part of the response to meet the Governor's requested budget cuts of \$38 million to the legislative appropriated UCCSN 1991-93 budget. One Senator from Sparks and two Senators who are employed by UCCSN, were extremely critical of the Board and the System.

When asked why the Legislators had responded in that manner, Vice Chancellor Sparks stated he felt there were a number of reasons, including this being an election year. The Legislature adopted a budget that was out of balance and the Regents had to cut \$38 million from a budget the Legislature had approved.

He stated the Legislators criticized the Board for the decisions made as a result of the cuts, and when he tried to explain UCCSN fees in comparison to other States, they were not willing to listen. Dr. Eardley asked whether any of those Legislators criticizing the System had voted for the 300% pension increase for themselves; and also he questioned whether the UCCSN employed Legislators were being paid by the System and the Legislature both. Vice Chancellor Sparks stated he did not know the answer to either question, but stated that the UCCSN employees abstained from the vote, which left only 4 Senators, 3 of whom

voted to accept the UCCSN request.

Dr. Derby stated that the Board of Regents should decide on its own policies, and not rely on speculation of what the State Budget Office may propose. UCCSN needs a tuition and fee policy it can defend.

Chancellor Dawson continued with the 5 concerns:

2) Keep fee policy simple.

Proposed Solution: Do not require calculation of previous 5 year averages.

3) Reduce/eliminate extraordinary impact of large fee increases in WICHE states resulting from unavoidable circumstances in those states.

Proposed Solution: Use median instead of average in calculation of tuition and fees.

4) Avoid drastic increases in student fees.

Proposed Solution: Limit to single digit the rate

of increase in resident fees. Non-resident fee

increases may be higher.

- 5) Need funding mechanism to enhance student financial assistance.

Proposed Solution: Allocate 50% of proposed fee

increase dedicated to the State budget for student

financial assistance.

Chancellor Dawson indicated that the System is reviewing its financial aid policies at the present time.

Considerable discussion was held on a draft policy which originally has been recommended by the Chancellor's Committee in August.

It was approved to adopt the draft policy, by inserting the word "median" for "average"; deleting the last sentence in paragraph two of item 2; adding two sentences, "Any fee increase will be limited to nine (9) percent." and "Non-resident tuition may exceed this limit and will be determined by the Board.", and adding the words, "an amount equal to" in the second

sentence of item 3 between "Fall 1993," and "50%".

The recommended policy now reads:

Assessment of Fees

1. The Board of Regents shall establish tuition rates for students who are not residents of Nevada, and registration and other fees to be assessed all students. In establishing such rates and fees, the Board recognizes that both the students of the UCCSN institutions and the citizens of the State of Nevada share in the benefits of higher education, and therefore, both students and the State should contribute appropriately to support high quality instructional programs. Further, the Board reaffirms its commitment to equal access to UCCSN programs regardless of students' financial circumstances, and therefore shall establish tuition rates and fees at such level to encourage participation in higher education.
2. On a biennial basis, in the Spring of every even numbered year, the Chancellor will chair a System

Committee composed of elected student government representatives, Campus Presidents, Regents, and Chancellor's Office staff to gather and review data and to make recommendations to the Chancellor and the Board on an appropriate level of tuition and fees. The recommendation of this Committee will be presented to the Board of Regents for their consideration and action.

In establishing such rates and fees for the Universities and Community Colleges, the Board will use the following information in its deliberations: 1) charges at peer institutions as defined in the annual Western Interstate Commission for Higher Education (WICHE) calculation of the median tuition and fees of member states, 2) information pertaining to consumer prices in the WICHE region, 3) the increase in State funding over the biennium, 4) a needs assessment of the UCCSN institutions, and 5) other indices and information needed to determine if tuition rates and fees are appropriate. Any fee increase will be limited to nine (9) percent. Non resident tuition may exceed this limit and

will be determined by the Board.

3. In order to improve the access of all students and to encourage participation in higher education, a portion of all fee increases will be dedicated to student financial assistance. Beginning Fall 1993, an amount equal to 50% of all tuition and fees increases dedicated to the State budget will be earmarked for student financial assistance for improving access to higher education. These funds will be budgeted in a new budget function entitled "Improving Access to Higher Education".

At its October 8-9, 1992 meeting, the Board will consider a recommendation by the Chancellor for tuition and fees for the biennium.

Mrs. Berkley stated she had received a call from Dr. Hammargren who explained he would be in surgery and could not attend this meeting, although his position on the subject had not changed. Chairman Sparks indicated a letter had been received during the course of the meeting from Mr. Foley stating his view.

(2) New Business - Chairman Sparks stated Mr. Foley had inquired about the outcome of the State Public Works Board (SPWB) meeting held recently, in which they had not followed the UCCSN priority listing. Vice Chancellor Sparks stated that UCCSN had asked that the amount for restoration of buildings be restored, but the SPWB did not recommend that expenditure. The UCCSN priority was for funding for the 5 projects which had been funded previously for pre-design work:

- 1) CCSN - Phase V, Cheyenne Campus
- 2) CCSN - West Charleston Campus
- 3) TMCC - Phase VI
- 4) NNCC - A building in Winnemucca
- 5) UNR - Education building

The SWPB has recommended:

- 1) CCSN - Cheyenne Campus, reduced from \$21 million to \$14 million, with the same square footage approved, but with no furnishings, no equipment and no parking.

- 2) CCSN - West Charleston Campus, ignored.
- 3) TMCC - Phase VI was reduced from \$24 million to \$15.5 million, with the elimination of the completion of the Ring Road and the equipment.
- 4) NNCC - Winnemucca building \$1.4 million.

President Crowley pointed out that the SPWB has earlier contacted the Presidents to see if they wanted to revise their projects, or to change the priorities, and at a Presidents' Council meeting the Presidents had all agreed not to recommend any change. The feeling had been that priorities, as adopted by the Board should stand, without modification. They had realized State revenues were lacking, but felt priorities should be maintained.

Mrs. Gallagher related that at one time the Legislature had reduced a project, the Henderson Campus building and were eliminating windows, etc. When the Board had learned of that decision, they informed SPWB that UCCSN would not accept a building under those circumstances. The project was built as originally specified.

President Meacham expressed his deep concern for the decision by SPWB.

Chairman Sparks indicated that a full discussion of the matter would be held at a future meeting.

The following was action taken at the present meeting.

- A. Approved the Handbook change, Title 4, Chapter 17, Section 1, Assessment of Fees, as approved on September 17, 1992 by the Committee of the Whole reviewing tuition and fee policies. A new policy was drafted and is submitted as Ref. E, filed in the Regents' Office.

Concern was raised that many students have objected to the 50% allocation to student financial assistance that is contained in the new policy.

ASCCSN President Angel Chipman addressed the Board and commended the Regents in approving any fee increase to be limited to 9%, which is 1% below the WICHE average. She proposed to the Regents that they review a cost-based funding model for tuition and fees and gave an

extensive analysis of the model.

Dr. Eardley stated that the Board has qualified financial advisors on the staff. However, Mrs. Berkley stated that ever since she has been a member of the Board she has had difficulty with the budget process. She feels very strongly that the budget should not be balanced on the students.

Chairman Sparks indicated that the students across the country pay 25% of the share of education; however, Nevada students pay 16%, which is very low. She requested Vice Chancellor Sparks to compile a cost analysis of educating Nevada's students. She, too, does not wish to put a hardship on the students, but they should be paying their fair share for higher education.

Mr. Foley agreed with Mrs. Berkley, regarding the budget process. He felt that Ms. Chipman's report indicates that the Chancellor's staff is not doing its job in proposing proper recommendations to the Board for its consideration.

In response, Mr. Klaich stated that Mrs. Berkley has

every obligation as a Regent to develop alternatives

for the System, and does not take fault with Ms.

Chipman's report, but a system-wide committee was

established to review tuition and fees, and has worked

very hard to develop its' recommendations. The Board

of Regents acted as a Committee of the Whole and ac-

cepted the recommendations at its September 17 meeting.

He stated that he is offended that it has been suggest-

ed that Nevada should not compare itself to the other

states. UCCSN competes nationally and regionally and

should compare itself to other states. He felt very

strongly that the Board should not reject the proposed

policy.

Ms. Chipman quoted a statement made by Mr. Klaich at a

previous meeting which stated that he would not favor

raising student tuition and fees. Mr. Klaich clarified

that at the following meeting, at which Ms. Chipman was

not present, he changed his mind after listening to the

presentation, which is his prerogative.

Dr. Derby stated that the system-wide committee did work

diligently to develop its' recommendations and the pol-

icy does allow for flexibility, although she felt that

the policy needed a larger framework to establish fees.

Mrs. Karen Steinberg, Director of Institutional Research, stated, in defense of the Chancellor's staff, that the system-wide committee did work hard and utilized a very comprehensive document to develop its recommendations. The Committee addressed various ways, such as cost-bases analysis, WICHE data, etc. The proposed policy is a compromise and was derived from a list of 5 points which were used as guidelines. At the September 17 meeting, Chancellor Dawson reviewed these 5 points and recommended the lowest fee level. The Committee of the Whole accepted the Chancellor's recommendations.

Mrs. Gallagher stated that this has been a very enlightening discussion; however, she did feel that the Chancellor's staff performed accordingly and resented Mr. Foley's comments that were directed at the staff.

Mrs. Gallagher moved approval of the Handbook change regarding Assessment of Fees, as approved on September 17, 1992 by the Committee of the Whole reviewing tuition and fee policies. Mr. Klaich seconded. Regents Foley,

Berkley and Hammargren opposed. Motion carried.

Chairman Sparks extended her appreciation to Ms. Chipman for her efforts and indicated that her submitted report will be taken under consideration as guidelines as the Board reviews tuition and fees. In addition, Chairman Sparks commended the system-wide committee for its hard work in developing recommendations for Board consideration.

B. Chancellor Dawson presented a recommendation on tuition and fees, as contained in Ref. F, filed in the Regents' Office.

Mr. Klaich stated that he disagreed with the proposed Universities' undergraduate fee increase for FY 94-95. He mentioned that the following pieces of information are used in developing an appropriate tuition and fee increase:

Consumer price and higher education price information

Charges at peer institutions in the WICHE (Western Interstate Commission for Higher Education)

region

Increases in State funding

A needs assessment of UCCSN institutions

Other indices and information

In light of using the above information to develop an appropriate tuition and fee increase, Mr. Klaich still could not justify a 9% increase in fees. However, he did agree with the allocation of 50% of the increase being earmarked for student financial assistance. Mr. Klaich stated that the System is caught in a "circle" -- a fee increase is justifiable, but should be kept at a minimum. He felt that the 9% increase is nearing the top of the median, but should be at the bottom of the median.

UNR Vice President Ashok Dhingra stated that the Administration does not wish to increase student fees, but there are institutional needs that need to be funded to provide quality education.

Mr. Foley questioned why the System was proposing to assess a "tax" on UCCSN students because of the shortcomings in the State's budget, and Chancellor Dawson

responded that higher education has always been a "shared cost", and without a fee increase the System would realize a \$60 million shortfall.

Mrs. Berkley emphasized the need to work with the Governor and Legislators to make sure there is adequate funding.

President Crowley stated that UCCSN has fared well in the past with the legislative sessions, in fact, during 1985 through 1991 UCCSN lead the nation in educational funding. He reiterated that he does not wish to increase tuition and fees, but it is a participatory process and everyone should do their fair share. He added that there is a definite need for a UCCSN policy that would defend the tuition and fee increases.

ASUN President Samantha Hudson relayed student concerns to the Board. She questioned the sincerity of "equal access". Several students cannot afford full-time education and become part-time students and then become ineligible to receive financial aid benefits.

CSUN President Joel Kostman commended the Board for

accepting a tuition and fee policy. However, he indicated that whenever there is a budget shortfall the System "taxes" the students. He stated that UNLV students were unhappy with the 50% allocation of all tuition and fees increases being earmarked for student financial assistance, because it will not reach all students. He requested the Board to institute a policy that would reach all students, and suggested that expenditures be streamlined (i. e., car allowance, aesthetic improvements to Campus, professional salaries, etc.). He encouraged the Board of Regents to think about Nevada students and not what the rest of the country is doing.

Dr. Derby stated that she supported the 50% allocation of all tuition and fees increases being earmarked for student financial assistance because the Board, as a policy-making organization, needs to become more aware of the effects on society. Nevada is very low in awarding student financial assistance (ranked 47th). She felt that by not providing assistance it would discourage a number of people from achieving higher education. She strongly supports the allocation.

Mrs. Berkley questioned whether there were other alternatives to providing student financial assistance, such as Regents' Special Projects funds. Dr. Derby stated that she appreciated Mrs. Berkley's suggestion, but Nevada should be able to provide quality education to its citizens, and this policy guarantees an increase in financial assistance in Nevada.

Mr. Foley disagreed and stated he had a problem with the source coming from the students. He felt this should be studied further.

Chancellor Dawson indicated that the budget request has been submitted reflecting the \$51 University undergraduate fee and the surcharge eliminated for this biennium. These figures were used to develop the budget for submission to the Governor on September 1, 1992.

Chancellor Dawson felt the 50% allocation was very innovative in increasing student financial assistance in Nevada.

President Maxson stated that the recent surcharge at UNLV was allocated for the operation of the Campus while eliminating 240 classes.

Mrs. Gallagher moved to accept the Chancellor's recommendation as amended. (Amendment: 1993-94 plus 5% for 1994-95, instead of 9%, for all fees, except non-resident tuition fees are to remain as recommended by the Chancellor). Mrs. Whitney seconded. Upon roll call, the motion carried.

Aye: Regents Derby, Gallagher, Hammargren, Whitley,
Sparks

Nay: Regents Berkley, Foley

Abstained: Regents Eardley, Klaich

The above motion results in the following tuitions and fees:

UCCSN FEES AND TUITION

94-94 94-95

Registration Fees

Universities Undergraduate	\$55.50/cr	\$58.00/cr
Universities Graduate	\$77.50/cr	\$81.00/cr
Community Colleges	\$29.40/cr	\$30.50/cr

Non-Resident Tuition

Universities	\$4300/yr	\$4750/yr
Community Colleges	\$3000/yr	\$3000/yr

In addition, beginning Fall 1993, 50% of all tuition and fee increases dedicated to the State budget will be earmarked for student financial assistance.

Drs. Derby and Hammargren left the meeting.

24. Approved Tuition Waivers for Native Americans

At the May 14-15, 1992 meeting, UNLV requested tuition waivers for Navajo students living on the Navajo reservation who were recommended by the President of the Navajo Nation and who otherwise met UNLV admission requirements. General Counsel Klasic advised against such waiver on the basis of the possibility of reverse discrimination, but suggested there were other ways these students might be accommodated.

In an opinion dated August 11, 1992, General Counsel Klasic concludes, "...therefore, just as it would be permissible

to waive the out-of-state tuition of worthwhile and deserving students from states of the Union other than Nevada, so it would be permissible, in my opinion, to waive out-of-state tuition for worthwhile and deserving students from the states or nations consisting of the Indian tribes.

Such waivers would not be made on the basis that the students are Native Americans, but on the basis that they are members of the Indian tribes or nations.

"At the Board's February 27-28, 1992 meeting, only the University of Nevada, Las Vegas and the University of Nevada, Reno applied to the Board of Regents for out-of-state tuition waivers under the provisions of NRS 365.540.

These were broken down into categories. For example, UNLV requested 191 waivers for athletes, 130 waivers for music students and 197 allocated for 'other' students. Accordingly, I would recommend that the institutions which wish to request out-of-state waivers for worthwhile and deserving students be prepared to allocate a certain number of such waivers for worthwhile and deserving students from the Indian tribes or nations throughout the United States.

This cannot be limited to specific tribes, such as the Navajos, as that clearly would be a violation of the Equal Protection Clause of the United State Constititon. If an

increase in the number of out-of-state waivers from 3% of the total matriculated enrollment of students for the past preceding Fall semester is necessary to accommodate this recommendation, then, in my opinion, the Board of Regents could authorize such an increase under its powers of constitutional autonomy.

"Finally, I would recommend that the institutions which wish to implement these recommendations consult with their Affirmative Action Officers in establishing the means and methods of selecting the worthwhile and deserving students from the Indian tribes or nations who would be eligible to request waivers."

Additional information is contained in Ref. G, filed in the Regents' Office.

Mrs. Whitley moved approval of the tuition waivers for Native Americans. Mrs. Gallagher seconded.

President of the Navajo National Peterson Zah expressed his appreciation for the opportunity to address the Board of Regents.

Dr. Derby returned to the meeting.

President Zah stated that the Navajo Nation is beginning to take education seriously and feels education may solve many of the problems that the Navajo Nation is undergoing. He informed the Board that he did not think there would be a tremendous number of Navaho students coming to Nevada, approximately 7 to 10 students per year. He promised the Board of Regents that they were pioneers in opening the door to Navajo students, it is a matter of life for many of the Navajo people. He thanked them for this opportunity to achieve higher education for his people.

Mrs. Berkley thanked the Navajo Nation for giving the Board an opportunity to serve them and thanked General Counsel Klasic for his work on the policy. President Maxson thanked President Zah for his patience.

Motion carried.

Mrs. Berkley left the meeting.

25. Reaffirmed Support for UCCSN Foundations

The Regents discussed their support of the UCCSN Foundations.

Mrs. Gallagher commended the UCCSN Foundations' excellent performance and reaffirmed the Board's unqualified support of all the UCCSN Foundations. Dr. Derby seconded. Motion carried.

Dr. Hammargren returned to the meeting; Dr. Derby left the meeting.

26. Information Only: Update on UCCSN Capital Improvement Request

Chancellor Dawson reported on the UCCSN Capital Improvement Request. A meeting was held with the State Public Works Board (SPWB) and UCCSN protested the SPWB recommendations.

The Governor has requested that the SPWB follow UCCSN's priorities. State Budget Director Judy Matteucci submitted a revised budget which indicated \$29.5 million be allocated to CCSN for both of their projects.

Mrs. Gallagher stated that the Capital Improvement Request contains a proposed building in Winnemucca for NNCC. This

is the first time the Capital Improvement list was complete and identified institutional need, which takes the Capital Improvement list out of the political arena. She stated that she was hopeful the Board of Regents would be committed to supporting the UCCSN's priorities.

CCSN Vice President Herb Peebles stated that he appreciated the revision of the Capital Improvement Request list by the SPWB.

Mrs. Berkley and Dr. Derby returned to the meeting.

27. Approved Regents' Organizational Review

At the August 27-28, 1992 meeting, the Board approved the following recommendations concerning organizational review:

- A. That the Board Chairman, Vice Chairman, Regent Derby, Director of Community College Affairs Burris, and Vice Chancellor Richardson prepare a relatively brief questionnaire for distribution to Regents, Presidents and Board executive staff. The questionnaire will give each respondent an opportunity to pinpoint his/her specific areas of concern. Replies will be anonymous.

B. Mr. Burris and Dr. Richardson will use the questionnaire replies as the basis for conducting focused interviews with all individuals in the above groups. The interviews will seek to more clearly identify areas in which respondents feel Board and staff performance might be improved and how that might be accomplished. They will then prepare a report summarizing their findings and recommendations for review by Board members and the Chancellor. It is felt that Mr. Burris and Dr. Richardson are particularly well-suited to conduct such an analysis and to prepare recommendations for consideration given and fresh perspective they bring to the System coupled with their considerable experience working successfully with multi-Campus governing boards in other states.

It is further requested that the Board contract with a conflict resolution team to work with them.

C. The Board should proceed to plan a December Board workshop with a mentor from the Association of Governing Boards on the general subject "Improving Board Effectiveness". Part of the AGB process will involve com-

pletion of an AGB prepared Board self-study questionnaire.

An update report was presented for discussion. Regarding recommendation A., Vice Chancellor Richardson indicated that 50% of the questionnaires that were sent to Regents, Presidents and Chancellor's staff have been returned (6 returns from 9 Regents; 4 returns from 7 Presidents; and 8 returns from 14 staff). Interviews will be completed within the next few months; however, the results from the questionnaires are the basis for the interviews, and Vice Chancellor Richardson encouraged those persons to return the questionnaires as soon as possible.

Regarding recommendation B., Chancellor Dawson stated that he has contacted the Rutgers' Conflict Resolution Team, and they will be in Reno on Wednesday, November 18, 1992 (day prior to the regularly scheduled November Board of Regents' meeting). Chancellor Dawson indicated that they charge \$1000 per day plus expenses per person and he estimated that it would cost the System \$6000 for this one-day meeting. He cautioned the Board that this may turn out to be more than a one-day session, although he has only committed to one day at this time. Mrs. Gallagher stated that she

would have a problem with employing this team on an ongoing basis.

Regarding recommendation C., Chancellor Dawson recommended that a one-day Board orientation for new Regents be scheduled in December instead of contracting with the Association of Governing Boards at this time. He suggested that AGB be reconsidered after recommendations A. and B. have been completed. It is Chancellor Dawson's hope that a one-day orientation with the newly elected Regents be scheduled to meet with the Chancellor's staff, and a half-day scheduled to meet with each of the institutions individually.

Mrs. Gallagher moved approval to withdraw recommendation C. which calls for a workshop session with the Association of Governing Boards, and allow the Chancellor to proceed with orientation in December for new Board of Regent members. Dr. Derby seconded. Motion carried.

Dr. Derby left the meeting.

28. Improvement Amendment to Lease, UNR

Approved an amendment to a UNR lease with KOLO (now KQLO)

Radio Station. The radio station was to erect two 282 foot towers on 10 acres of property at the Main Station Lab.

The term of the lease was to begin as soon as KOLO (KQLO) had their plans approved by the FCC. The FCC has just given their approval to the project and KQLO is requesting the lease be amended to erect only on 282 foot tower on 5 acres of property instead of 10 acres. The terms of the lease would still be for a 10-year period, with an option to renew for an additional 10 years.

General Counsel Klasic recommended approval subject to review of the final documentation.

Mrs. Gallagher moved approval of the amendment to a UNR lease with KOLO (now KQLO) Radio Station. Mrs. Berkley seconded. Motion carried.

29. Approved Naming of Residence Hall, UNR

Approved the naming of the new residence hall "Canada Hall" at UNR.

When the University's new residence hall project bids came in substantially higher than the budget allowed, several

Canadian mining companies doing business with Nevada contributed a sum of nearly \$800,000. Without these gifts, the University could not have proceeded with the project, which is now underway.

In recognition of the generous assistance of these companies, President Crowley requested approval to name the new residence hall "Canada Hall".

Mrs. Gallagher moved approval to name the new UNR residence hall "Canada Hall". Mrs. Berkley seconded. Motion carried.

30. Approved Faculty and Staff Computer Loan Program, UNR

Approved an increase of funds for the faculty and staff computer loan program at UNR. The current amount from the Capital Improvement Fund is \$100,000 and the request is to increase the amount to \$125,000.

The faculty and staff computer loan program has become very popular and as a result, there is a waiting list of from 6 to 15 people at any one time. Many of those on the list have to wait for longer than a month for the funds to be replenished. The waiting list is no longer just in the

Fall or at Christmas time, but is now year-round. This increase will fund an additional 12 plus loans at any time.

Mrs. Gallagher moved approval of the increase of Capital Improvement Funds to \$125,000 for the faculty and staff computer loan program at UNR. Mrs. Whitley seconded.

Motion carried.

Dr. Derby returned to the meeting.

31. Information Only: Outstanding Faculty Recognition

At the request of the Board of Regents, each Faculty Senate Chairman reported on the outstanding faculty achievements for the institution, as contained in Ref. B, filed in the Regents' Office.

University of Nevada, Reno

Philip L. Altick

University of Nevada, Las Vegas

Lori L. Temple

Community College of Southern Nevada

Gary Elliott

Northern Nevada Community College

John Sword Hunter Smith

Truckee Meadows Community College

Robert I. Rose

32. Information Only: Outstanding Students Recognition

At the request of the Board of Regents, each Student Government Officer reported on the outstanding student achievements from the institution, as contained in Ref. C, filed in the Regents' Office.

Truckee Meadows Community College

Charlene Covington

Caryl Mandolado

Western Nevada Community College

Mary Anne Levelle

The meeting adjourned at 3:30 P.M.

Mary Lou Moser

Secretary of the Board

10-08-1992