

UCCSN Board of Regents' Meeting Minutes February 21-22, 1975

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Pages 32-57

BOARD OF REGENTS

UNIVERSITY OF NEVADA SYSTEM

February 21-22, 1975

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

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

(Friday 2/21) Mr. James L. Buchanan, II

Mr. John Buchanan

Mrs. Lilly Fong

Mrs. William Knudtsen

Louis E. Lombardi, M. D.

Miss Brenda Mason

Mr. John Tom Ross

Miss Helen Thompson

Others present: Chancellor Neil D. Humphrey

President Donald H. Baepler, UNLV

President Charles R. Donnelly, CCD

President Max Milam, UNR

Acting President Lloyd Smith, DRI

Mr. Procter Hug, Jr., General Counsel

Vice President Arthur Gentile, UNLV

Vice President James T. Anderson, UNR

Vice President Herman Westfall, UNLV

Vice President Edward L. Pine, UNR

Mr. K. Donald Jessup, UNS

Mr. Harry Paul Wood, UNS

Dr. Owen Albert Knorr, UNS

Dr. Alfred W. Stoess, UNS

Mr. Mark H. Dawson, DRI

Mr. Mark Hughes, UNLV

Dr. Patrick Beaulieu, UNR

Mrs. Patricia Harris, DRI

Miss Delia Martinez, UNS

Dr. Joseph Mc Cullough, UNLV

Mr. Joe Doser, WNCC

Dr. Larry Tomlinson, CCCC

Mr. Val Buhecker, CSUN

Mr. Tom Mayer, ASUN President

The meeting was called to order by Chairman Buchanan at 10:30

A.M.

1. Request for Smoking Ban

Mrs. Fong requested that for the health and comfort of those present, smoking be banned at meetings of the Board of Regents.

Mr. Ross suggested that in view of proposed legislation now under consideration by the Legislature, Counsel be requested to look into the matter for the purpose of determining whether or not it is legally permissible for the Board of Regents to impose such a ban on a public meeting.

Mr. Ross moved that the matter be referred to Counsel.

Motion seconded by Miss Thompson, carried without dissent.

2. Approval of Minutes

The minutes of the regular session of January 24-25, 1975 were submitted for approval.

Miss Thompson moved approval. Motion seconded by Dr.

Lombardi, carried without dissent.

Upon motion by Mrs. Knudtsen, seconded by Miss Thompson, 6 supplemental items were admitted to the agenda.

3. Report of Gifts and Grants

Acceptance of the gifts and grants as reported by the Division Presidents were recommended (report identified as Ref. 3 and filed with permanent minutes).

Mrs. Knudtsen moved approval. Motion seconded by Miss Thompson, carried without dissent.

4. Memorial for Dr. Richard Simons

President Baepler reported the death of Richard Simons, Assistant Professor in the College of Education, and asked that the following statement be approved for inclusion in the minutes and that it be transmitted to Dr. Simon's family:

The Regents of the University of Nevada System express their sincere sorrow over the death of Dr. Richard Simons, 31, Assistant Professor of Counselor of Education, College of Education, at the University of Nevada, Las Vegas.

Dr. Simons joined the faculty in 1972, and he rapidly developed into one of the finer instructors in the Department of Educational Foundations and Counseling.

Although his career at UNLV was very brief, he contributed significantly to the National Air Force Counseling Program, the competency based teacher education project in Foundations and Counselings, the drug education project, and received international recognition through special projects in the counseling area.

He was an excellent instructor, a rapidly developing scholar in his field, and worked diligently to improve teacher education throughout the nation. Both colleagues and students alike will miss him greatly.

The Regents extend their sincere sympathy to the surviving members of his family.

Dr. Lombardi moved that the above statement be included in the minutes and that a copy be transmitted to Dr. Simon's family. Motion seconded by Miss Thompson, carried without dissent.

5. Proposal for Commercial Plaza at UNLV

President Baepler recalled that in January, Regent John Buchanan had requested a feasibility study of a commercial plaza for the UNLV Campus. Dr. Baepler noted inclusion with the agenda of a letter in response to this request (identified as Ref. 4 and filed with permanent minutes), noting also that the people who own the property on Maryland Parkway and Harmon have shown a tentative plot plan involving 250 units of efficiency apartments and a series of small and medium size shops patterned toward Campus life.

He also discussed the status of the sports arena, noting that one of the areas still under consideration is on the UNLV Campus. When more information is available it will, he said, be related to the Board. He also pointed out that any contractual involvement by the University would

require further Board review and approval.

6. Authorization to Sell Stock

President Baepler reported that UNLV has received a gift of 400 shares of stock in Combustion Equipment Associates, Inc. from Mr. Herbert Kaufman, with a request that the stock be sold and the proceeds credited to the athletic scholarship fund. He noted that the stock is currently selling for \$10 a share and he requested authorization to sell the stock and deposit the proceeds in the appropriate account in compliance with the instructions of the donor. Chancellor Humphrey recommended approval.

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

7. Approval of Fund Transfers, UNLV

President Baepler requested approval of the following transfers of funds:

#75-061 \$6080 from the Contingency Reserve to Intercollegiate Athletics to fund salary increases for

football coaches from 1/1 to 6/30/75 (contracts are issued on a calendar year basis - will revert to fiscal year basis on July 1, 1975).

#75-062 \$1492 from Contingency Reserve to Physical Education to cover salary increases for that part of the coaches' salaries charged to Physical Education (see above transfer).

#75-065 \$5898 from the Contingency Reserve to Intercollegiate Athletics to provide funds for the temporary contract for an athletic trainer for Women's Athletics through June 30, 1975.

#75-075 \$53,183 from Contingency Reserve to Extended Day Supplement to provide funds for P-99 Letters of Appointment for Spring, 1975 semester.

#75-067 \$500 from Ending Fund Balance (estimative budget account) to Intercollegiate Athletics, Professional Salaries, to provide funds for Letter of Appointment for swimming coach.

#75-072 \$2500 from Ending Fund Balance (estimative budget

account) to Intercollegiate Athletics, Out-of-State Travel, to provide additional funds for the balance of the fiscal year.

Chancellor Humphrey recommended approval.

Mrs. Knutsen moved approval. Motion seconded by Miss Thompson, carried without dissent.

8. Approval of Fund Transfers, CCD

President Donnelly requested approval of the following fund transfers:

Western Nevada Community College Contingency Reserve

\$5808.52 to Learning Resources classified salaries for one additional classified position to be assigned to the Carson City facility.

\$3939.61 to Occupational Instruction classified salaries to provide for regularly scheduled promotions and salary increases.

Northern Nevada Community College Contingency Reserve

\$27,643.03 to Part-Time Instruction to provide for areas in Occupational and University Parallel not covered by full-time faculty.

Chancellor Humphrey recommended approval.

Dr. Lombardi moved approval. Motion seconded by Miss Thompson, carried without dissent.

9. Allocation from Board of Regents Special Projects Account

President Donnelly requested an allocation of \$2000 from the Board of Regents Special Projects Account to the CCD Faculty Recruiting and Interview Fund for purposes of recruiting new faculty for 1975-76. Chancellor Humphrey recommended approval.

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

Dr. Anderson moved that funds for new faculty recruiting and interviewing be included as a budget item in the 1977-79

budget request. Motion seconded by Miss Thompson, carried without dissent.

Chairman Buchanan introduced Dr. Lloyd Smith, Acting President of the Desert Research Institute, and welcomed him to his first meeting.

10. DRI Contingency Fund

Mr. Mark Dawson, Business Manager for the Desert Research Institute, noted that the DRI Contingency Fund may, upon Board of Regents approval, be expended for emergency, un-budgeted expenses and is loaned within DRI to cover ongoing research projects until a signed research contract or grant is received, and the fund, provided from DRI indirect cost recovery monies, has an unobligated balance of \$87,509.

A. Mr. Dawson requested an allocation of \$14,828 from the DRI Contingency Fund to the Laboratory of Atmospheric Physics to cover nonbudgeted personnel costs related to Dr. F. Winterberg. Acting President Smith and Chancellor Humphrey concurred.

Mrs. Knudtsen moved approval. Motion seconded by Miss

Thompson, carried without dissent.

B. Mr. Dawson also requested \$32,000 as a loan to the Center for Water Resources Research. He noted that the Center has received notification from the U. S. Department of Interior that a project titled "Dynamic Ecological Relationships in Walker Lake" has been granted in the amount of \$128,335, effective January 1, 1975. However, before formal award from the U. S. Department of Interior can be made, this grant must sit before Congress for 60 days. It will, therefore, be April, 1975 before formal documentation is received. This interfund loan will allow the research to proceed in order that the terms of the grant be fulfilled.

Acting President Smith endorsed the request. Chancellor Humphrey recommended approval, noting that repayment of the funds will occur when documentation of the grant award has been received.

Dr. Lombardi moved approval. Motion seconded by Miss Thompson, carried without dissent.

C. Chancellor Humphrey recommended that the DRI Contingency

Reserve be supplemented by a loan of \$100,000 from the Board of Regents Special Projects Account.

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

11. Solar Energy Research and Laboratory of Desert Biology

Acting President Smith commented on the position paper on solar energy research, as prepared by the staff of DRI and included with the agenda as Ref. 11 (position paper on file in Chancellor's Office). Dr. Smith also commented on discussions held with Senator Cannon who, he said, has expressed an interest in providing assistance in obtaining grants in the area of solar energy research. Dr. Smith stated that he, while serving as Acting President, wished to initiate discussions within the Institute of a proposed new Laboratory of Energy to be located in southern Nevada.

Chancellor Humphrey recommended that an appropriation of \$370,000 be sought from the Legislature for a solar energy facility to be constructed in Clark County at a site to be determined (\$300,000 construction, \$30,000 professional services, \$10,000 inspection and testing and \$30,000 furni-

ture and equipment).

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

Dr. Humphrey further recommended that within the appropriation of operating monies to DRI, sufficient monies be allocated to further pursue solar energy research and utilize the facility for research purposes.

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

Acting President Smith and Chancellor Humphrey recommended that a separate solution be vigorously pursued to provide suitable working space for the Laboratory of Desert Biology.

In making this recommendation, Dr. Smith and Dr. Humphrey commented on several alternatives that are now under consideration, one of which is the hospital at Boulder City, and another within the Life Science building at UNLV. However, Chancellor Humphrey suggested that any action by the Board at this point would be premature.

Miss Thompson moved to table discussion on this item until

such time as the Administration is prepared with a recommendation. Motion seconded by Mrs. Knudtsen, carried without dissent.

12. Report of UNLV Senate Regarding Salaries, November 6, 1974

President Baepler recalled the discussion at the January meeting concerning the report of the System Salary Committee, at which time Mr. Charles Levinson had alleged that recommendations from the UNLV Senate had not been forwarded to the Board of Regents, in violation of the Code and UNLV Bylaws. Subsequent to that meeting, Mr. Levinson had written to members of the Board of Regents, again charging a violation of the Code.

President Baepler noted inclusion with the agenda of a report detailing the sequence of events leading to the development of the 1975-77 budget request. (Sequence is detailed in agenda filed with permanent minutes.)

Mr. Charles Levinson presented a prepared statement (copy of which is filed with permanent minutes) in support of his charge that a violation had occurred.

Following Mr. Levinson's statement, Chairman Buchanan requested a motion to receive the report of the UNLV Salary and Fringe Benefits Committee as submitted to the UNLV Senate (report identified as Ref. 6B, filed with permanent minutes).

Miss Thompson moved that the report of the UNLV Salary and Fringe Benefits Committee be received. Motion seconded by Dr. Anderson, carried without dissent.

Chairman Buchanan requested that the Senate review their procedures to insure that timely transmission of salary recommendations would occur in the future so that consideration of such recommendations might be given during the development of the budget request.

The meeting adjourned at 11:55 A.M. and reconvened at 2:05 P.M., following a meeting of the Investment Advisory Committee and a meeting of the Nevada Higher Education Commission.

13. DRI Bylaws

Acting President Smith presented, with his endorsement, the Bylaws as proposed by the DRI Senate (identified as Ref. 12

and filed with permanent minutes). Chancellor Humphrey recommended approval.

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

14. Early Admission Policy, UNR

President Milam noted the inclusion with the agenda of a report from Dr. Jack Shirley concerning the results of an experimental program concerning early admissions authorized by the Board in March, 1974 (report identified as Ref. 13 and filed with permanent minutes). Dr. Milam endorsed Dr. Shirley's recommendation that the exception authorized by the Board for UNR be continued for the Fall semester, 1975, pending official revision of the early admission policy. Chancellor Humphrey recommended approval.

Miss Thompson moved approval. Motion seconded by Miss Mason, carried without dissent.

15. Proposed Legislation

President Milam endorsed a request from the College of

Education for legislation to clarify the legal status of student teachers, to read as follows:

A school district may enter into an agreement with a Division of the University of Nevada System for the assignment of University students, for training purposes as student teachers, counselors or library trainees, or for teaching laboratory experiences.

University students so assigned within the school district for training purposes are authorized, under the direction and supervision of a certificated teacher, to instruct and supervise children in the school, on the school grounds or on authorized field trips. The University students so assigned shall be considered employees of the school district for purposes of NRS 41.038 and NRS 41.039, while performing such authorized duties, whether or not such duties are performed entirely in the presence of the certificated teacher.

Chancellor Humphrey recommended approval.

Miss Thompson moved approval. Motion seconded by Mrs.

Knudtsen, carried without dissent.

16. Approval of Fund Transfers, UNR

President Milam requested approval of the following fund transfers from the Contingency Reserve:

#358 \$80 to the Library to provide support for a work-study student.

#367 \$66,320 to the Physical Plant to provide for a portion of the estimated expenditures for utilities.

#376 \$500 to the Foreign Language Department to cover operating expenditures.

#377 \$700 to the Music Department to provide for expenditures in the wage category.

#379 \$2800 to the School of Medical Sciences to cover the salaries for two graduate assistants.

#381 \$500 to Speech and Theatre to cover work-study wages for the Spring semester.

#388 \$1446.50 to the Division of Curriculum and Instruction to cover a deficit in salary for a clerical position.

#389 \$1800 to the Division of Curriculum and Instruction to provide support for graduate assistants during the Spring semester.

#412 \$1200 to the Vice President for Academic Affairs to cover operating expenditures for the balance of the fiscal year.

#413 \$2000 to the Physical Plant to provide for the remodeling of an area for the Art Department's dark-room.

Chancellor Humphrey recommended approval.

Miss Thompson moved approval. Motion seconded by Dr. Lombardi, carried without dissent.

17. Revisions of Estimative Budgets, UNR

President Milam requested approval of the following re-

visions to Estimative Budgets for 1974-75:

The School of Home Economics requests this revision to cover additional graduate assistants and a part-time student.

This account is funded by ASUN.

Child Care Center - ASUN

	Current	Revision	Revised
	Budget	Requested	Budget
Source of Funds			
ASUN	\$ 9,165	\$ 2,753	\$11,918
Total	\$ 9,165	\$ 2,753	\$11,918

Application of Funds

Graduate Salaries	\$ 8,700	\$ 2,900	\$11,600
Student Wages		200	200
Fringe Benefits	465	347-	118
Total	\$ 9,165	\$ 2,753	\$11,918

Student Services requests this revision because of an increased workload, resulting in necessary adjustments in revenue and expenditures.

Testing Program Sales

	Current	Revision	Revised
	Budget	Requested	Budget
Source of Funds			
From Opening Balance	\$ 1,000	\$ 1,390	\$ 2,390
Interdepartmental Sales		300	300
Outside Sales	1,900	1,600	3,500
Total	\$ 2,900	\$ 3,290	\$ 6,190

Application of Funds

Wages	\$ 600	\$ 600	\$ 1,200
Fringe Benefits	50	60	110
Out-of-State Travel	530	370	900
Operating	1,720	1,460	3,180
Equipment		300	300
Reserve for Contingency		500	500
Total	\$ 2,900	\$ 3,290	\$ 6,190

The Mackay School of Mines requests this revision to cover additional operating and travel expenses. The actual opening balance will provide the needed funding.

	Current	Revision	Revised
	Budget	Requested	Budget

Source of Funds

From Opening Balance	\$ 1,256	\$ 9,526	\$10,782
Indirect Cost Recovery	4,500		4,500
Total	\$ 5,756	\$ 9,526	\$15,282

Application of Funds

Out-of-State Travel	\$ 2,500	\$ 2,000	\$ 4,500
Operating	3,000	7,000	10,000
Reserve for Contingency	256	526	782
Total	\$ 5,756	\$ 9,526	\$15,282

Chancellor Humphrey recommended approval.

Miss Thompson moved approval. Motion seconded by Mrs. Fong, carried without dissent.

18. Faculty Interview Fund Allocation

President Milam requested \$12,900 for interview purposes in employment of new faculty. He estimated that there will be 43 vacant positions and that an average of \$300 per position

would be necessary.

Chancellor Humphrey recommended that \$5000 be allocated from the Board of Regents Special Projects Account and that \$7900 be transferred from the Donald and Laura Warren Gift Fund (an unrestricted fund available to UNR which has a present balance of \$11,724).

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

19. Rev. Kohn's Proposals of March, 1974

Chairman Buchanan requested Ref. Kohn to comment concerning his proposals of March, 1974, which had been referred to the Faculty Senates. Responses from the Campuses had been distributed earlier.

Following the discussion, it was again noted that a System Committee on Standards is presently exploring admission standards and policies and a report from that Committee is anticipated shortly.

20. Collective Bargaining

Chancellor Humphrey recalled that proposed Resolution No. 74-2 was discussed at the December, 1974 meeting and again in January, 1975. At the January meeting, the Board requested the Administration to meet with Senate Chairpersons and with representatives of interested employee organizations in an effort to develop alternatives for consideration by the Board. Following a procedure discussed ahead of time with the Senate Chairpersons, Dr. Humphrey reported that the officers, legal counsel, UNS employment relations consultant, the 7 Senate Chairpersons, 3 representatives of National Society of Professors (NEA), 2 representatives of the American Association of University Professors, and 2 representatives of graduate assistants had met on February 5 for over 7 hours. Chancellor Humphrey noted that NSP, AAUP and AFT had all been invited to send not more than 3 representatives.

Dr. Humphrey stated that at the meeting on February 5, Resolution No. 74-2 was reviewed and where there was consensus reached changes were made. Where alternatives were suggested, but consensus was not reached, the alternatives were identified. A revised document was included with the agenda, showing both the agreed-upon changes and the sug-

gested alternatives.

Chancellor Humphrey pointed out that the Senate Chairpersons and association representatives had emphasized that by participating in the meeting they were not to be interpreted as favoring adoption of Resolution 74-2.

Also included in the agenda materials concerning this item was a copy of SB 499, as introduced in 1973, which Dr. Glen Atkinson, President of the UNR Chapter of NSP, had requested to be submitted as a substitute for Resolution 74-2, with SB 499 to be used as a base working document which the Board of Regents would adopt as a resolution.

Dr. Atkinson had also requested that SB 499 be amended to include graduate assistants and graduate fellows.

A stipulation by Dr. Felicia Campbell, President of the UNLV Chapter of NSP, was also presented in the agenda, wherein Dr. Campbell expressed support of the spirit and content of SB 499, but stated that NSP would not bargain away any right to go to the Legislature at any time if they did not agree with the action taken by the Board at its February meeting.

Also included in the agenda was a concern expressed by Dr. Patrick Beaulieu, Chairman of the UNR Faculty Senate, that because SB 499 as written contained no election procedure and no provision for ratification of a contract, he could not endorse its adoption.

An additional alternative was submitted by Dr. Gerald Peterson, Chairman of the UNR Chapter of AAUP, recommending the abandonment of all discussion of collective bargaining and initiation of discussion leading to strengthening the Faculty Senates. This alternative was endorsed by Dr. John Lindberg, Chairman of the UNLV Chapter of AAUP.

The following persons made statements concerning collective bargaining (where statements were presented in written form, they are on file in the Chancellor's Office):

Wendell Newman, NSEA/NSP

Edmond Psaltis, NSEA/NSP

Larry Tomlinson, CCCC Faculty Senate

Joe Doser, WNCC Faculty Senate

Patrick Beaulieu, UNR Faculty Senate

Gerald Petersen, UNR Chapter of AAUP

Patricia Harris, DRI Faculty Senate

Delia Martinez, Unit Faculty Senate

John Lindberg, UNLV Chapter of AAUP

Felicia Campbell, UNLV Chapter of NSP

Keith Tierney, UNR Graduate Student Association

Chairman Buchanan requested that Resolution No. 74-2, as amended in the meeting of February 5, be considered and that discussion be confined to that document. It was agreed that each alternate would be discussed and action taken before proceeding to the next alternate.

Alternate #1 (proposed by UNLV Senate Chairman) to delete graduate assistants and graduate fellows from Section 17.1. Chancellor Humphrey recommended against the alternate. The proposed alternate was withdrawn by Dr. McCullough.

Mr. Ross moved that graduate assistants and graduate fellows not be included in the regulations. Motion seconded by Dr. Anderson, failed by the following roll call vote:

No - Dr. Anderson, Mr. John Buchanan, Mrs. Fong,

Mrs. Knudtsen, Dr. Lombardi, Miss Mason, Mr.

Ross, Miss Thompson

Abstain - Mr. James Buchanan

Alternate #2 proposed deletion of the phrase "who is not a member of the organization" from Section 17.2. Chancellor Humphrey recommended that Section 17.2 be deleted and that the provisions of that section be the subject of contract negotiations.

Mrs. Knudtsen moved deletion of Section 17.2. Motion seconded by Mr. Buchanan, carried without dissent.

Alternate #3 proposed addition of the words "if any" to the requirement that a copy of articles of incorporation and a copy of the Bylaws be submitted (Section 18.1(a) and (b)). Chancellor Humphrey explained that the reason for requiring such documents is to prove that the organization is incorporated and therefore answerable for its actions. He recommended against the proposed alternate.

Dr. Anderson moved that alternate #3 not be accepted. Motion seconded by Mrs. Fong, carried without dissent.

Alternate #4 proposed that the percentage required in Section 18.1(e) be lowered from 35% to 30%. Chancellor

Humphrey recommended approval.

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

Alternate #5 and alternate #6 proposed to replace the word "voting" with the words "eligible employees within the unit." in Sections 20 and 21.

The alternate proposed by the Unit Senate was withdrawn by Miss Martinez. UNR Faculty Senate Chairman requested consideration. Chancellor Humphrey recommended against the proposal in alternates #5 and #6.

Mrs. Knudtsen moved that alternates #5 and #6 not be accepted. Motion seconded by Mr. Ross, carried without dissent.

Alternate #7 proposed that in the ballot provided for in Section 21.1, a provision be included for the designation of "No agent". Chancellor Humphrey recommended approval.

Miss Thompson moved approval of alternate #7. Motion seconded by Mrs. Fong, carried without dissent.

Alternate #8 proposed that an election for decertification would be triggered upon petition of 30% of the employees in the bargaining unit. Chancellor Humphrey recommended the following wording to replace Section 22:

Except during the calendar year specified in Section 21 of this chapter, the University may withdraw recognition of an employee organization if the subject organization no longer has the support of a majority of the eligible employees of the employee unit represented.

- a. Employees seeking to decertify a recognized employee organization must submit notice of intent to decertify in writing to the Chancellor and the employee organization and include signed evidence of intent to decertify from no less than 30% of the eligible employees in the unit represented by the recognized employee organization.

- b. Upon verification by the Chancellor that the above requirements have been met, an election shall be scheduled in a manner consistent with the procedures specified for elections in Section 19 of these regu-

lations.

Mrs. Fong moved approval of the Chancellor's recommendation.

Motion seconded by Miss Mason, carried without dissent.

Alternate #9 proposed several different methods for composition of bargaining units. Chancellor Humphrey recommended that there be 4 units: (1) UNLV/UNR/Service and Special Units; (2) DRI; (3) CCD; and (4) Graduate Assistants and Graduate Fellows.

Miss Thompson moved that the following 5 units be provided:

- (1) UNR/UNLV; (2) Special and Service Units; (3) DRI;
- (4) CCD; and (5) Graduate Assistants and Graduate Fellows.

Motion seconded by Mr. Ross, carried by the following roll call vote:

Yes - Dr. Anderson, Mr. John Buchanan, Dr. Lombardi,

Mr. Ross, Miss Thompson

No - Mrs. Fong, Mrs. Knudtsen, Miss Mason

Abstain - Mr. James Buchanan

Alternate #10 proposed that a provision be made for representation of part-time faculty. Proposal was withdrawn.

Dr. Anderson moved that a part-time faculty not be included in a bargaining unit. Motion seconded by Dr. Lombardi, carried without dissent.

Alternate #11 proposed several methods for the resolution of whether or not Department Chairmen would be included in the bargaining unit or as part of management. Chancellor Humphrey recommended the following wording for Section 23.3:

A member of a negotiating unit shall not be a supervisor of persons who are members of the same negotiating unit. If a majority of the Department Chairmen in a College specify that they wish to be included in the negotiating unit, Department Chairmen in that College shall be included in the negotiating unit. Department Chairmen will notify the Dean of the College of their preference as to inclusion or exclusion from the negotiating unit at least 10 calendar days prior to any election specified in Section 19 of these regulations.

Mr. Ross moved that all Department Chairmen be excluded from the negotiating unit. Motion seconded by Mr. John Buchanan,

failed by the following roll call vote:

No - Dr. Anderson, Mr. James Buchanan, Mrs. Knudtsen,

Miss Mason, Miss Thompson

Yes - Mr. John Buchanan, Mrs. Fong, Dr. Lombardi,

Mr. Ross

Miss Thompson moved approval of the Chancellor's recommendation. Motion seconded by Mrs. Knudtsen, failed by the following roll call vote:

No - Dr. Anderson, Mr. John Buchanan, Mrs. Fong,

Miss Mason, Mr. Ross

Yes - Mrs. Knudtsen, Dr. Lombardi, Miss Thompson

Abstain - Mr. James Buchanan

Miss Mason moved that all Department Chairmen be included in the negotiating unit. Motion seconded by Dr. Anderson.

Motion was then withdrawn.

Mr. Ross moved for reconsideration of the motion to approve the Chancellor's recommendation. Motion to reconsider seconded by Miss Mason, carried without dissent.

Miss Thompson restated her earlier motion to approve the Chancellor's recommendation. Motion seconded by Mrs. Knudtsen, carried without dissent.

Alternate #12 proposed that in the event there is a charge that good faith is not being evidenced the matter be referred to an outside agency. Chancellor Humphrey recommended against this alternate, noting that such challenges should go to State District Court.

Dr. Anderson moved that alternate #12 not be accepted. Motion seconded by Mr. Ross, carried without dissent.

Alternate #13 contained several proposals concerning the scope of bargaining. Chancellor Humphrey recommended that Section 28.1 be revised to read:

Negotiations under this chapter shall be concerned with compensation, hours, and conditions of employment, and the contract shall replace the Division Bylaws and the University Code as applicable to the bargaining unit.

Section 28.2 and Section 29 would then be deleted.

Mrs. Knudtsen moved approval of the alternate for Section 28.1 as proposed by Chancellor Humphrey. Motion seconded by Mrs. Fong, carried with Mr. Ross opposing.

Alternate #14 applied to Section 29, which was deleted by the foregoing action.

Alternate #15 proposed that the last line of Section 32.1 be amended by deleting the word "not" to make the sentence read: "These findings and recommendations are binding on the parties." Request was made to withdraw alternate #15.

Miss Mason moved that alternate #15 be withdrawn from consideration. Motion seconded by Mrs. Knudsen, carried without dissent.

Alternate #16 proposed that all costs of factfinding be paid by the University. Request was made that alternate #16 be withdrawn.

Dr. Anderson moved that alternate #16 be withdrawn from consideration. Motion seconded by Mrs. Knudtsen, carried without dissent.

Alternate #17 proposed that the words "and institutions" be deleted from Section 33.1(d).

Dr. Anderson moved acceptance of alternate #17. Motion seconded by Mrs. Knudtsen, carried without dissent.

Alternate #18 proposed that compulsory binding arbitration be provided in Section 34. Chancellor Humphrey recommended against this proposal.

Dr. Anderson moved that alternate #18 not be accepted. Motion seconded by Mr. Ross, carried with Miss Mason opposing.

Alternate #19 proposed the inclusion of provision that would protect the union against a "wildcat strike" (i.e., unauthorized and disapproved by union). Chancellor Humphrey recommended the following wording be added to Section 38:

4. In the case of any strike, slowdown, or other suspension of work not authorized by the employee organization, its officers or agents, the Board of Re-

gents declares that such violation shall not cause the employee organization, its officers or agents, to be liable for damages; provided the employee organization complies fully with the following:

(a) The employee organization's obligation to take action shall commence immediately upon receipt of notice from the Chancellor that a violation has occurred.

(b) Immediately upon receipt of such notice the responsible employee organization representative shall immediately notify in writing those employees responsible for or participating in such violation, and also talk with those same employees, stating to them that:

(1) their action is in violation of these regulations, subjecting them to discharge or discipline;

(2) the employee organization will not oppose their discharge or discipline;

(3) the employee organization has not authorized the strike, slowdown, or suspension of work and does not approve or condone it;

(4) the employee organization instructs the employees to immediately return to work.

Mr. Ross moved approval of the addition to Section 38 as recommended by the Chancellor. Motion seconded by Mrs. Fong, carried without dissent.

Alternate #20 proposed that a provision be included to specify that any suspension, as provided in Section 39, shall be in conformity with due process as specified in the contract. Chancellor Humphrey recommended that Section 39 be amended to read as follows:

If a strike occurs in violation of this chapter, the University shall immediately suspend from its payroll all participating employees. Such suspension shall be in conformity with due process. Such payroll monies shall not be recoverable by the employees involved but shall revert to the governmental fund or accounts from which they are derived.

Mr. Ross moved approval of the alternate wording for Section 39 as proposed by the Chancellor. Motion seconded by Mrs. Knudtsen, carried without dissent.

At the Chairman's initiation, closing comments opposing the adoption of Resolution 74-2 were made by faculty representatives and by representatives from NSP and AAUP. The Chairman then declared the discussion closed and requested the Chancellor's recommendation.

Chancellor Humphrey recommended that:

(1) Resolution No. 74-2, as amended by the foregoing action of the Board, be adopted, effective immediately;

(2) The Board specify that the UNS Code and Division Bylaws, where adopted, will remain in effect until a contract is negotiated and ratified and that, if a Division or bargaining unit elects not to bargain, the Code and Bylaws will continue in effect; and

(3) The Administration be instructed to request the Legislature not to pass legislation which would have as its purpose the countermand of this resolution.

Miss Thompson moved adoption of Resolution No. 74-2, as amended. Motion seconded by Mr. Ross, carried by the following roll call vote:

Yes - Dr. Anderson, Mr. James Buchanan, Mr. John Buchanan, Mrs. Knudtsen, Dr. Lombardi, Mr. Ross, Miss Thompson

No - Mrs. Fong, Miss Mason

Dr. Anderson moved approval of the Chancellor's recommendation as contained in (2) and (3) above. Motion seconded by Mr. John Buchanan, carried with Miss Mason opposing.

The meeting adjourned at 6:25 P.M. and reconvened on Saturday, February 22, at 9:25 A.M., with all Regents and officers again present.

21. UNR Summer Session Student Activity Fee

President Milam noted that the present Summer Session student activity fee is \$2 for students registered for 1 or 2 credits and \$3 for those registered for 3 or more credits per term. In order to utilize the new Recreation building during the Summer and increase the recreation opportunities for Summer students, part-time recreational staff (lifeguards, equipment personnel, gym supervisors) will have to be employed. Dr. Milam recommended that in order to meet the increased costs, the fee be increased 50 cents, making it \$2.50 and \$3.50, effective Summer Session, 1975. Chancellor Humphrey concurred.

Dr. Lombardi moved approval. Motion seconded by Miss Mason, carried without dissent.

22. Contract with Wright State University

President Milam reported that a proposed contract between the Board of Regents and the State University is under review at UNR. The contract would provide for the placement for up to 12 UNR students in Wright State's Medical School following completion of the first 2 years at UNR. Chancellor Humphrey recommended that the Board authorize negotiations with Wright State for the placement of such stu-

dents.

Dr. Anderson moved that the Administration be authorized to negotiate with Wright State, in consultation with Counsel, as indicated above. Motion seconded by Dr. Lombardi, carried without dissent.

23. Report of Investment Advisory Committee

Dr. Lombardi, Chairman of the Investment Advisory Committee, presented the minutes of the Committee's meeting of January 24, 1975 (minutes identified as Ref. 21 and filed with permanent minutes).

24. Amendment to University Code

Chancellor Humphrey noted the inclusion with the agenda of a proposed amendment to the UNS Code, as proposed by the DRI Senate. He noted that appropriate procedures for amendment of the Code have been followed; however, since the proposed amendment concerns DRI professional staff, he recommended that an additional money be allowed to permit review by Acting President Smith. Action on this proposed amendment could then be scheduled for March.

Mrs. Knudtsen moved that action on this item be tabled until the March meeting. Motion seconded by Miss Mason, carried without dissent.

25. System Affirmative Action Program

Chancellor Humphrey reviewed the sequence of events leading to the placement on this agenda for action of a proposed Policy Statement and Affirmative Action Program for the University of Nevada System. He noted that this policy had been first submitted to the Board for consideration in May 1974. At the time of its first submission, the Board was requested to direct that the proposed policy statement be referred to the Divisions for review, with action to be requested when that review had been completed. At the request of the UNLV Senate Chairperson, in a letter dated May 29, 1974, this matter was deferred until the October, 1974 meeting. In October, 1974, having received no further comments concerning the proposed policy, the statement was placed on the Board's agenda for action. It was not approved at that meeting; rather, the Board directed that it be returned to the December meeting with a specific treatment from Counsel. Subsequent to the October meeting,

the policy statement was revised to include specific recommendations of Counsel. It was then placed on the December agenda for discussion, with a recommendation that action be postponed until January to allow the Senates and the Administration additional time for review. Because of time constraints, this matter was not discussed in December and was again included on the January Information Agenda to give notice that action would be requested in February.

Chancellor Humphrey recommended adoption of the policy statement as submitted (identified as Ref. 23 and filed with permanent minutes).

Dr. Beaulieu, UNR Faculty Senate Chairman, stated that the UNR Compliance Committee had, the previous Thursday, made certain recommendations for revisions to the policy statement, and the Faculty Senate had endorsed those recommendations and directed that they be submitted to the Board of Regents for consideration. (The recommendations for revision were distributed and are filed with permanent minutes.)

Following discussion of each of the revisions proposed,

Dr. Anderson moved to amend Section IX as follows:

Complaints of discrimination or noncompliance with Equal Opportunity in Employment and Affirmative Action must be filed in writing with the appropriate Equal Opportunity Officer by the employee. Each Division shall institute procedures which shall be uniform Systemwide for resolution of such complaints.

Motion seconded by Miss Mason, carried without dissent.

Miss Mason moved approval of the affirmative action policy statement as amended. Motion seconded by Mrs. Fong, carried without dissent.

Mrs. Fong requested that, in view of the adoption of the Affirmative Action Policy, some attention be paid to the curriculum and the textbooks which she suggested are discriminatory, citing a textbook used at UNLV on the history of Nevada, which, she said, contained no reference to the Basques and their contribution to Nevada history, and only one line concerning the contribution by the Chinese.

26. Report of System Committee on Health and Accident Insurance

Chancellor Humphrey recalled that at the January meeting

the Board received a report from Mr. Thomas W. Spear, Chairman of the System ad hoc Committee to Review Employee Health and Accident Insurance. In addition to the written report which was submitted, Mr. Spear stated that the principal recommendation of the Committee was that the University should request that it be allowed to have its own separate health and accident insurance program.

Dr. Humphrey noted that NRS 287.044 provides that a \$21.49 premium per employee may be paid monthly for 1973-74 and \$23.64 for 1974-75. It also provides that the payment may be paid only if "the committee on group insurance approves the plan." To comply with the ad hoc Committee's request would require either the permission of the "committee on group insurance" or a change in the law.

Chancellor Humphrey recommended that the Board authorize the Administration to seek a change in the law which will enable the University to have a separate health insurance plan for University employees and to pay the same premium on behalf of those employees as the Legislature authorizes for all other employees. He further recommended that the balance of the ad hoc Committee's recommendation be taken under consideration until this issue is settled.

Mr. Ross moved approval of the Chancellor's recommendation.

Motion seconded by Mrs. Fong, carried without dissent.

27. System Salary and Fringe Benefits Committee

Chancellor Humphrey recalled that in January the Board reviewed the Committee's report as presented by Dr. Bernard Malamud. The report recommended a 21% increase in compensation for 1975-76 and establishment of an automatic cost-of-living adjustment. Chancellor Humphrey recommended that the Board of Regents take the report under consideration until the 1975-77 appropriation is known.

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

28. UNLV Campus Improvements

President Baepler reported that bids were opened recently by the State Public Works Board for construction at UNLV to provide storm drainage on the Campus. Results of the bids were included in a memorandum from Harry Wood (identified as Ref. 30 and filed with permanent minutes), and

contained a request from the State Public Works Board that the Board of Regents concur in the award of a construction contract in the amount of \$350,043.49 to Tab Construction, Inc. President Baepler and Chancellor Humphrey recommended approval.

Mrs. Fong moved approval. Motion seconded by Miss Mason, carried without dissent.

29. Request for Right-of-Way

President Baepler reported that Clark County has requested that the Board of Regents deed to the County a right-of-way consisting of a strip of land 10 feet wide, directly adjacent to and east of the existing right-of-way for Swenson Avenue, to be used as a bicycle path. Development of the bicycle path will be done at no cost to the University.

President Baepler and Chancellor Humphrey recommended approval.

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

30. Northern Nevada Community College Building

President Donnelly recalled that in January the Board had requested information be developed concerning the possibility of constructing screens around the roof-mounted air-conditioning units at NNCC. A report from the project architect, Hewitt Wells, and University architect, Harry Wood, was included with the agenda (identified as Ref. 32 and filed with permanent minutes). President Donnelly recommended that the screens not be constructed. Chancellor Humphrey concurred.

Mrs. Knudtsen moved to table this matter until a report is available from North Nevada Community College Advisory Board. Motion seconded by Dr. Anderson, carried without dissent.

31. DRI Contingency Fund

Chancellor Humphrey recommended that \$15,621 be transferred from the DRI Contingency Fund to the President's Office Operating Account for the payment of salary and fringe benefits and travel expenses related to the Acting President.

Dr. Lombardi moved approval. Motion seconded by Dr.

Anderson, carried without dissent.

32. Pending Legislation

Chancellor Humphrey reported that AB 226 establishes the Governor's Office of Planning Coordinator as a State clearing house for all Federal grants. It would require that a State agency or local government, which makes application for a Federal grant, must first submit a copy of the application to the State clearing house. It provides that the form and procedure for submission shall be determined by the State clearing house and "shall generally conform with the requirements for administering OMB Circular A-95 of the United State Office of Management and Budget." It further provides that the State clearing house has power to approve the application if it determines the application is for an activity in conformity with the policies and plans established by the Governor and the Legislature. There is no appeal from the decision by the Planning Coordinator.

Dr. Humphrey stated that it was originally assumed that this bill would not apply to the University since OMB Cir-

cular A-95 is interpreted as not applying to the University. However, it has been determined that it is the intention of the Planning Coordinator, Mr. Bruce Arkell, that his bill apply to the University and that he have control of the University's ability to apply for Federal grants.

Chancellor Humphrey requested, and the Presidents concurred, that the Board authorize the Administration to respectfully request the Governor to reconsider support of this legislation.

Dr. Anderson moved approval of the officers' request that the Board authorize the Administration to respectfully request the Governor to reconsider support of this legislation.

33. Food Price Increase, UNR

President Milam presented with his endorsement, a recommendation from Vice President Pine for an increase in food prices in the dining commons, UNR, effective March 1, 1975, as follows:

(1) Cash sale prices be increased 5%.

(2) Sugar-related items such as soft drinks and pastries

be increased 10%.

(3) Meal contracts and cash sales be increased as follows:

	Current		Proposed	
Contract Daily	Contract Student	Contract Student	Contract Student	Contract Student
Rate	Price	Fee	Price	Fee

20 meal plan	\$2.73	\$2.95	\$2.87	\$3.13
15 meal plan	2.81	3.00	2.95	3.22
10 meal plan	2.53	2.75	2.66	2.90

Cash Sales	Current	Proposed
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Breakfast	\$1.10	\$1.20
Lunch	1.45	1.55
Dinner	2.00	2.15
Steak Dinner	3.05	3.25

Chancellor Humphrey recommended approval of the increase

in cash sale prices, effective immediately, and the in-

crease in the contract rate for only those contracts issued subsequent to March 1, 1975.

Miss Mason moved approval. Motion seconded by Mrs. Fong, carried with John Buchanan and Mrs. Knudtsen opposing.

34. Addition to Getchell Library Budget

Vice President Pine reported that notification had been received on February 12, 1975 that UNR has received a Title I grant from the Department of Health, Education and Welfare in the amount of \$117,272.

He requested that the budget for the addition to Getchell Library be increased by that amount, for a total project budget of \$3,742,272. Other funds are available from HECC, \$3,075,000 and University funds, \$550,000. President Milam and Chancellor Humphrey recommended approval.

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

35. Chancellor's Report

Chancellor Humphrey reported on the status of the University's legislative program, noting that presentations on the University's Operating Budget request, and the Capital Improvement Program request have been made to Ways and Means and to Senate Finance. Additional presentations have been made to both Education Committees on the Comprehensive Plan. Dr. Humphrey also commented that legislation is slow coming from the bill drafter.

36. New Business

A. Miss Mason requested a report reflecting a statistical breakdown of the number of women employees, men employees, number of minorities, handicapped persons, positions in which they are employed (i. e., administrative or teaching), and whether they are employed on hard or soft money.

B. Miss Mason also requested a status report on the feasibility study she had requested at the January meeting concerning a multiracial center within the College of Education, UNLV.

C. Mrs. Fong requested that ideas be solicited from

faculty and staff for methods by which cost savings might be effected.

D. Mr. John Buchanan suggested that a letter be sent to the UNLV basketball team on behalf of the Board of Regents, congratulating them on their winning the WCAC Conference Championship. Chairman Buchanan agreed that he would do so on behalf of the Board.

37. Land Development Foundations

Chairman Buchanan requested the Chancellor to prepare letters terminating the present members of both the UNR and UNLV Land Development Foundation and that consideration be given by the Board to reappointing some of the existing Board members and appointment of new members.

It was agreed that it would be appropriate for the Board of Regents to first receive reports concerning the activities of both boards, next meeting in Reno in March, and the report from the UNR Foundation at the next meeting in Reno in March, and the report from the UNLV Foundation at the next meeting in Las Vegas in April. After such reports have been received, consideration would then be given to the membership. It was further agreed that a copy of the

Bylaws would be provided to each of the Regents for review prior to the next meeting.

38. UNR Residence Hall Report

President Milam distributed a preliminary report concerning the repairs and modifications to the UNR residence halls. It was agreed that a further report would be submitted to the meeting in March.

The action agenda was completed and the information agenda submitted. The information agenda contained the following items and is on file in the Chancellor's Office:

- (1) Report of Foreign Travel
- (2) Report of Purchases in Excess of \$8000
- (3) Report of Fund Transfers
- (4) Progress Report of University Projects

The meeting adjourned at 11:07 A.M.

Mrs. Bonnie Smotony

Secretary

02-21-1975

