

UCCSN Board of Regents' Meeting Minutes November 20-21, 1991

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BOARD OF REGENTS

UNIVERSITY OF NEVADA SYSTEM

November 20, 1991

The Board of Regents met on the above date in the Great Hall of the Richard Tam Alumni Center, University of Nevada, Las Vegas.

Members present: Mrs. Carolyn 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 Whitley

Others present: Mr. Mark H Dawson, Chancellor

Mr. Donald Klasic, General Counsel

Ms. Brooke Nielsen, Assistant Attorney General

President Robert Maxson, UNLV

Ms. Mary Lou Moser, Secretary

The special meeting of the Board of Regents was called to order
by Chairman Carolyn Sparks at 10:15 A.M.

1. Approved the Acceptance of an Emergency Item

Chairman Sparks stated the Board has received a request
from President Maxson, UNLV, for an emergency item.

Mr. Klaich moved to accept an emergency item at the request
of President Maxson for the appointment of a permanent
Athletic Director at UNLV because there was not an Athletic
Director employed at the present time, there are a great
many staff members in the Athletic Department, there is a
lawsuit pending and the Attorney General's Office needs a
person with which to interface, and Mr. Jim Weaver, the
President's appointee, needs to resign his current position
at the University of Florida. Mrs. Gallagher seconded.

President Maxson stated that there is no Athletic Director at UNLV at the present time and there are a number of pressing issues confronting the University and its Athletic Department. He cited the large staff in the Department, and the pending NCAA lawsuit against the State of Nevada and the need for the Attorney General to have a person with whom to interface. Further, he stated that Mr. James Weaver, who has just accepted the President's offer for the position, needs to resign his current position at the University of Florida. Dr. Maxson stated that Mr. Weaver would be traveling a great deal from Florida to UNLV until the time he officially assumes his duties. President Maxson related that he has informed the Athletic Department personnel that no single decision is to be made without Mr. Weaver's approval.

President Maxson stated that Mr. Weaver is highly qualified for the position as he currently serves as Associate Athletic Director and Compliance Officer at the University of Florida. The President related that thorough background checks were made on the candidate and he comes highly recommended. Further, Dr. Maxson reported that Mr. Weaver has the unanimous support of the coaches at UNLV.

President Maxson stated that he was requesting a straight five-year contract for Mr. Weaver at an annual salary of \$105,000 per year, with no employer-paid retirement. An automobile will be supplied by a local car dealer at no expense to the University, a modest expense account will be provided by private funds as will certain expenses for the transition period for Mr. and Mrs. Weaver. UNLV will provide for the moving expenses. He explained that Mrs. Weaver, an outstanding gymnast, does not have a faculty position at UNLV at this time; however, she does have full time employment in Florida.

Motion carried.

2. Approved the Appointment of Athletic Director, UNLV

The Board approved the appointment of Mr. James Weaver as Athletic Director of UNLV, effective January 1, 1991, at an annual salary of \$105,000, with a straight 5-year contract, and no employer-paid retirement.

Mr. Foley moved to appoint Mr. James Weaver as Athletic Director at UNLV, effective January 1, 1992, at an annual

salary of \$105,000, with a straight 5-year contract, with no employer-paid retirement. Mr. Klaich seconded.

Dr. Eardley asked that the Board be notified of any private funds allocated to Mr. Weaver. President Maxson stated there would be no outside supplements paid to Mr. Weaver other than those stated above, and reiterated that his salary would come from State funds, that an auto and transition expenses would be from private funds, and that UNLV would pay the moving expenses.

Mr. Foley asked whether an offer had been made and accepted, with Dr. Maxson replying that negotiations were completed at midnight, Monday (November 18, 1991) and a letter of intent was signed, that the agreement was binding pending approval of the Board of Regents. Upon questioning, President Maxson stated the 5-year contract was a straight contract, not a rolling contract, and that a 5-year contract was necessary in order for Mr. Weaver to accept the position. He cited as reasons for the 5-year contract he sacrifices Mrs. Weaver was making, Mr. Weaver's current position at the University of Florida, that it takes that length of time to build a program at any University, and that this is the customary length of a contract for new Athletic Di-

rectors at most Universities. Dr. Hammargren questioned whether other than a 5-year contract would have to be ratified by the Board. President Maxson replied that it would and added that the press had made him (the President) look suspicious on other contracts, which he deeply resented. He added that Board policy states that contracts for anyone reporting directly to the President must be approved by the Board.

Motion carried.

Mr. Klaich asked for and was granted time for a personal comment to thank Mr. Dennis Finrock for his service as Interim Athletic Director. Mr. Foley asked that a resolution for Mr. Finrock be drafted for consideration by the Board at its December meeting.

President Maxson added that Mr. Weaver had related that because of the work of Dennis Finrock, this had been a very enjoyable decision to accept the offer at UNLV.

3. Personnel Session

Upon motion by Mr. Klaich, seconded by Mrs. Gallagher, the

Board moved to a closed personnel session for purposes of discussing the character, alleged misconduct, professional competence, or physical or mental health of a person or persons as provided by NRS 241.030.

The open meeting reconvened at 7:25 P.M., Wednesday, November 20, 1991, in the Great Hall with all Regents present except Regents Foley and Whitley.

General Counsel Klasic made the following statement:

"Bradley Booke has earned my approval for all the work which he has done since I hired him, including the work which he has done in recent weeks, and he retains my complete confidence for the work I expect him to continue to do. Mr. Booke is not going to be fired, he is not going to be demoted and he is not going to be removed from the current NCAA enforcement action against UNLV or from NCAA matters in general.

"Next, I want the news media to get something straight. Mr. Booke is not the General Counsel of UNLV, he is not the Legal Counsel of UNLV, he is not the Assistant General Counsel of UNLV, he is not the Compliance Officer of UNLV.

He is an Assistant General Counsel of the University of Nevada System and is an employee of the Chancellor's Office.

If the news media want to be accurate in their reporting, that is how his position ought to be reported in the future.

"Earlier today a statement was handed out in which I said Bradley Boone was not the Compliance Officer and never has been. However, I acknowledged there was confusion in UNLV's Administration on whether he acted as a Compliance Officer. If, despite Mr. Boone's knowledge and my knowledge of his actual role, he did inadvertently cross the line and act as Compliance Officer, this is to announce unequivocally he will no longer perform Compliance Officer functions."

Chairman Sparks announced that public testimony would be taken and asked that comments be confined to three minutes. The following presented information:

Mr. Chan Kendrick, State Director of ACLU, stated that a number of people had left, but still wished to speak and asked that another time be set aside for public testimony.

Dr. Bill Harvey questioned whether anyone had apologized to

the young men who had been videotaped. General Counsel Klasic replied that Mr. Booke had apologized to the University community, of which the students were a part. Dr. Harvey stated he was opposed to surveillance.

Mr. Klaich moved to set another meeting at the earliest possible opportunity for further public testimony. Mrs. Berkley seconded. Motion carried.

Mr. Fitzgerald questioned whether any other video taping had been done and began to question the Board. General Counsel Klasic explained that the Board was not obligated to respond to questioning during the public comment phase of the meeting. Mrs. Sparks explained that the Board had no knowledge of any other taping.

Ms. Jackie Mc Call Singer, representing a private citizens group, Citizens for Academic Freedom, stated there was a misconception in Las Vegas that only about 10 people were responsible for "all this", but that was not the case. She asked for an outside investigation stating the reason being that the local citizenry did not find the Board of Regents or the Administration "credible". She reiterated there were "no hidden agendas, only the agenda of getting to the

truth".

Dr. Hammargren asked for a written Attorney General opinion on video taping and all criminal surveillance and for the Attorney General to complete the investigation of the athletic tickets at UNLV and for the investigation to extend through the period of the final four games of last season.

Regents Klaich, Eardley, Gallagher and Derby left the meeting in order to make airplane connections.

The meeting adjourned at 7:45 P.M.

Mary Lou Moser

Secretary of the Board

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