

UCCSN Board of Regents' Meeting Minutes December 3-4, 1982

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BOARD OF REGENTS

UNIVERSITY OF NEVADA SYSTEM

December 3, 1982

Members present: Mr. Robert A. Cashell, Chairman

Mr. James L. Buchanan, II

Mrs. Lilly Fong

Mrs. Dorothy S. Gallagher

Mr. Chris Karamanos

Mr. John R. Mc Bride

Mr. John Tom Ross

Mrs. June Whitley

Members absent: Ms. Frankie Sue Del Papa

Others present: Chancellor Robert M. Bersi

President William Berg, NNCC

President Joseph Crowley, UNR

President Jack Davis, WNCC

President V. James Eardley, TMCC

President Judith Eaton, CCCC

President Leonard Goodall, UNLV

President Clifford Murino, DRI

Mr. Donald Klasic, General Counsel

Ms. Mary Lou Moser, Secretary

Mrs. Joan Kenney, Regent-Elect

Mrs. Jo Ann Sheerin, Regent-Elect

Also present were Faculty Senate Chairs Curry (UNR), Lambert (TMCC), Jones (UNLV), Heise (CCCC), Horton (NNCC), Dwyer (WNCC), Hoffer (DRI) and Wycoff (Unit), and Student Association Officers.

The meeting was called to order by Chairman Cashell at 10:45 A.M.

1. Approval of the Consent Agenda

Adoption of the Consent Agenda, containing the following items, was recommended. (Consent Agenda identified as Ref. A and filed with permanent minutes.)

(1) Accepted the gifts and grants as contained in Ref. C-1

and filed with permanent minutes.

(2) Approved the following calendar of Regents meetings for 1983:

January 7	Las Vegas
February 18	Reno
March 18	Carson City
April 15	Las Vegas
May 20	Reno
June 17	Las Vegas
July 15	Reno
September 16	Las Vegas
October 21	Reno
November 18	Las Vegas

Note: The Board will meet in Las Vegas in January, rather than in Reno as previously announced.

Mr. Mc Bride moved for adoption of the Consent Agenda with the exception of approval of minutes of November 5, 1983.

Mr. Ross seconded. Motion carried.

2. Approval of the Report of the Academic Affairs Committee

The Academic Affairs Committee met at 8:15 A.M. on Friday, December 3, 1983. Mrs. Gallagher, Chairman of the Academic Affairs Committee, submitted the following report and recommendations for approval:

- (1) Approved the establishment of the Capstone Vocational Educational Bachelor of Science Degree Program between the University of Nevada, Las Vegas and Clark County Community College identified in Ref. AA-1 and filed with permanent minutes.

- (2) Approved the establishment of a Geriatric Education and Research Center, University of Nevada, Reno, to operate under the joint auspices of the College of Arts and Science and the School of Medicine. The Center will require no additional funding, rather will be established with existing resources and will operate on the basis of available outside funding, identified as Ref. AA-2 and filed with permanent minutes.

- (3) Received a copy of the format to be used in reporting high-tech programs in each of the Colleges and Universities and, although the information has been received

from each of the Campuses, the reports were not in the proper format; therefore, the report will be presented at the January 7, 1983 meeting.

Mr. Mc Bride moved for approval. Mr. Karamanos seconded.

Motion carried.

Chairman Cashell, with the concurrence of Vice Chairman Mc Bride, relinquished the gavel to Mrs. Dorothy S. Gallagher, Chairman of the Academic Affairs Committee, with the Board sitting as a Committee of the Whole.

(4) Final Discussion of the UNS Code Revisions

Mrs. Gallagher opened the discussion on the UNS Code revisions with the following statement:

The Board of Regents will now consider the adoption of amendments to the University of Nevada System Code, which I originally proposed and circulated on September 24, 1982. I would state for the record the following chronology of events leading to the consideration of Amendments to the Code.

December, 1981 - Nevada Supreme Court decision removes mandatory retirement age for University of Nevada System.

January 22, 1982 - The Board of Regents in compliance with the Nevada Supreme Court decision, acts to change the Code by rescinding its policy with regard to retirement age.

February 26, 1982 - The Board of Regents charges each Campus and the faculties to develop recommendations leading to a new tenure policy. Public discussions of the recommendations would be held in September and the Regents would expect to vote on the recommendations no later than the November or December, 1982 Board meeting.

April 23, 1982 - Board of Regents charges System-wide committees working on proposals on tenure to expand their recommendations to the entire Code.

Between the dates of February 26 and August 30, meetings were held between Academic Affairs Com-

mittee members and several Campus Faculty Senates.

August 30, 1982 - Deadline for submission of recommendations from the Campuses which were considered for public discussion beginning September 13, 1982.

September 13, 1982 - Public meeting on Tenure and the Code, Northern Nevada Community College.

September 14, 1982 - Public meeting on Tenure and the Code, Clark County Community College and University of Nevada, Las Vegas.

September 16, 1982 - Public meetings on Tenure and the Code, Truckee Meadows Community College, Western Nevada Community College and University of Nevada, Reno.

September 17, 1982 - Academic Affairs Committee (1) makes a progress report to the Board of Regents on the Code and tenure meetings, and (2) discusses and approves recommendations on changes in the Code and tenure to be delivered to the Campuses and Faculty

Senates for a sixty (60) day period of review.

September 22, 1982 - The Presidents' Council meets
to consider recommendations.

September 24, 1982 - Mailing of recommended changes
in the Code to the Campuses.

November 29, 1982 - Academic Affairs Committee
meeting to discuss and make final recommendations
on revision of the Code. All Faculty Senate Com-
mittee Chairs and System Presidents are present to
participate.

December 3, 1982 - Regents meet to consider final
Code revisions.

I would also state for the record, a list of the
persons, committees or groups which have submitted
comments and suggestions for the proposed amend-
ments.

Written comments were received under the February
26 and April 23, 1982 requests for recommendations

for Code changes from the following:

DRI Faculty Senate

UNR Faculty Senate

UNS Academic Affairs Council

UNS Council of Presidents

Clark County Community College Faculty Senate

Truckee Meadows Community College Faculty

Western Nevada Community College Faculty Senate

Unit Senate

University of Nevada, Las Vegas ad hoc Commit-

tee on Tenure Review

University of Nevada, Reno ad hoc Committee to

Review Tenure

Clark County Community College Administrative

Council

After the circulation of the proposed Code amend-
ments on September 24, 1982, written comments were
received by, or referred to, the Academic Affairs
Committee from:

The Combined Faculty Senates of UNS

The Unit Senate

President Leonard E. Goodall, UNLV

President Clifford J. Murino, DRI

Vice President Brock Dixon, UNLV

Vice President Dale Nitzschke, UNLV

The Academic Affairs Council, UNLV

The Graduate Council, UNLV

The Faculty of the College of Science, Mathe-
matics and Engineering, UNLV

Dr. John Unrue, Dean of the College of Arts
and Letters, UNLV

Dr. Dwight A. Marshall, Dean of the Division
of Continuing Education, UNLV

Dr. George Hardbeck, Dean of the College of
Business and Economics, UNLV

Mary Dale Palsson, Director of Libraries, UNLV

Dr. Craig Walton, Professor of Philosophy, UNLV

The National Society of Professors, Univer-
sity of Nevada, Reno Chapter

Under Section 1.2.3 of the present Code, I request
the Senate representatives and the officers of the
University to offer their additional opinions on
the proposed Code amendments, if any.

We have people here that want to speak and we will hear from the Faculty Senate Chairs and the officers of the University. This is recommended by our old Code. If one of you would care to deter to another individual to speak for you, you may do that. Each Faculty Senate Chair will have five (5) minutes. After that, the Presidents will be given their time to speak to the action.

Dr. Gary Jones, UNLV Faculty Senate Chair, deferred to Mr. Grant Sawyer, relating that Mr. Sawyer had been retained as attorney for their Senate.

Mr. Sawyer stated that he was also representing the views of the NSP, NSEA, the Senates of the Reno, Las Vegas and Community College Campuses, and the faculty of all the Campuses. He reminded the Board of a letter he had sent to them on November 30, 1982; a letter from Mr. Peter C. Bernhard, attorney representing UNLV and Clark County Community College Chapters of the NSEA dated November 30, 1982; and a letter from Newell B. Knight, attorney representing the UNR Faculty dated December 2, 1982.

Mr. Sawyer related that he was not questioning the integrity or the intentions of the Board in addressing changes to the Code, that in fact, it was agreed by all parties that revisions to the Code were necessary. He stated that the September 24, 1982 draft was not received in Las Vegas until October 1, 1982, and that the November 29, 1982 draft reached Las Vegas on December 2, 1982, which did not give them enough time to review and make an analysis of the revisions. He further questioned whether a committee of the Board could make the decisions for acceptance of the revisions rather than the full Board. He felt that with additional time to study the revisions of December 2, 1982, that all groups could come to a closer agreement on the revisions before adoption.

Mr. Sawyer then asked that the other Senate Chairs, representatives of the Nevada State Education Association and the Nevada Society of Professors, and attorney Pete Bernhard be asked to speak to the question.

Mrs. Gallagher informed the body that only the Faculty Senate Chairs, or their representatives, and the officers would be allowed to speak, which is in keeping

with the provisions of the Code in effect at that time.

The Faculty Senate Chairs were then asked for comments.

Each thanked the Regents for the cooperation and the willingness they had shown to negotiate the Code re-

visions to date, and each asked for an extension of

time before the adoption of the Code revisions agreed

on at the November 29 meeting. Dr. John Heise, CCCC,

related that in his cursory review of the latest re-

visions, he had found an error, that his faculty had

not had a chance to see the revisions. Dr. Doris

Dwyer, WNCC, stated that based on the feeling that

not all their objections had been entertained, that

she would, on behalf of her faculty, have to oppose

these Code revisions. Dr. Richard Curry, UNR, stated

that some of the new language introduced on November

29 concerning Section 5.4.5 (a) regarding physical

and psychiatric examinations needed to be studied by

his faculty. He further felt that some statement

needed to be included concerning those persons who

currently are on a probationary tenure track, but

who would not be eligible for tenure if the new re-

visions are adopted.

Mary Ann Lambert, TMCC, added that there is a concern with the apparent diminished role for faculty in the governance of the System, with some of the personnel and disciplinary policies, and that because in several instances the Code defers to Campus Bylaws for procedures in operating, that until the Bylaws are updated the Campuses will be without governing rules. Mr.

Louis Horton, NNCC, asked for an extended period of time for his faculty to study the document, but felt that by so doing there could be a greater understanding and less disagreement. Dr. Joseph Warburton, DRI, stated that DRI professionals are not eligible for tenure; therefore, most of their concerns had been negotiated during the November 29 meeting, but that he, too, had found an inconsistency in the sections dealing with termination procedures and would like more time to thoroughly analyze the document. Mr.

Marvin Wycoff, Unit Senate Chair, felt that the changes offered by his group had been addressed, but additional time should be given for study by all personnel concerned.

Mrs. Gallagher then deferred to the Presidents for any additional comments. Drs. Berg (NNCC) and Davis (WNCC)

stated they both had had ample opportunity for input and had no further comments at this time. Mr. Eardley (TMCC) stated that he hoped a decision would be forthcoming soon so that no additional time away from students would be taken by faculty. Dr. Goodall (UNLV) expressed his feeling that the revised Code was a much better document to work with for the Universities, and in particular the tenure chapter. He also urged a delay of the decisions if possible to allow faculty time for study.

Dr. Eaton (CCCC) had several additional points -- it appeared that in some of the dialogue the prerogative of the Regents in their authority over their policy had been lost; that the System should be viewed as orderly in the carrying out of deliberations and responsibilities; that it appeared in some instances that the Regents were being asked to abandon the representative process; and, finally, that a decision did not need to be made at this time.

Dr. Crowley (UNR) recalled that he had been a part of this same process in the early 1970s, then serving as faculty representative; that he felt the Board should

make a decision at this time, and use the mechanism within the adopted Code to continue discussions and revisions as needed. Dr. Murino (DRI) stated that, he, too, had had ample time for discussion and urged a decision be made on the November 29 document.

Mrs. Gallagher thanked the officers, the Faculty Senate Chairs and Mr. Sawyer, and further stated:

The members of the Board have repeatedly expressed a willingness to make changes in the proposed Code amendments. In fact as a result of the November 29 meeting, the Academic Affairs Committee was prepared to recommend at least 170 substantive changes in the original draft. Most of these changes were suggested by the Faculty Senates. However, you members of the Board know you received a letter from Grant Sawyer, and you have heard him comment today. You know from his comment he is acting as the attorney for the UNLV Faculty Senate. In his letter he protests consideration of proposed Code amendments in the form which was agreed to at the November 29, 1982 meeting of the Academic Affairs Committee. Mr. Sawyer has pointed out that the

final document prepared for these changes could not be circulated until December 2, 1982, the day before this meeting. He also notes that the present Code requires Senate representatives to give their opinions on proposed Code changes before final Board action, but that the short time period allowed before Board action by the circulation of the amendment changes the day before the meeting prevents the Senate representatives from obtaining the views of their constituents.

A similar letter was received by me on December 2 from Newel Knight, the attorney for the UNR Faculty Senate.

In this connection, I would note the fact that while the draft of the proposed amendments prepared after the November 29, 1982 meeting has been in circulation only since December 2, the original draft of the proposed Code amendments has been in circulation since September 24, 1982. This is a total of 70 days and is well in excess of the 2-month comment period required by the Code. Therefore, the requirements of the present Code regard-

ing circulation of the Code amendments and the receipt of input from Senate representatives and officers of the System have been met. The Senate representatives have had more than enough time to solicit the views of their constituents regarding the original draft. The opinions of the Senate representatives and officers on the original draft have been received in writing and have also been received orally in the November 29 meeting. Obviously, additional comments were also received at today's meeting.

In light of the positions taken by 2 of the Faculty Senates as expressed by their attorneys, I would like to make 2 recommendations to the Board.

First, I would suggest that the original draft of the Code amendments circulated September 24, 1982 be adopted in their entirety and without change, the amendments to take effect immediately except for several provisions concerning tenure standards and post-tenure review, which would be effective July 1, 1983.

If the original draft is adopted as I recommend, I would then recommend that amendments to the newly adopted Code be considered for later adoption, the new amendments to consist of the proposals agreed to at the November 29 meeting, and which are contained in the December 2, 1982 draft. Under the newly adopted Code, there would be a minimum 30-day comment period on the proposed amendments contained in the December 2, 1982 draft. I would recommend that comments on the proposed draft be limited only to the amendments proposed in the December 2 draft. I would further proposed that we consider final action on the December 2 draft at our January 7, 1983 meeting.

Our attorneys have informed me that the Board could legally proceed to act on the December 2 draft at today's meeting, and they have informed me of numerous court cases supporting that opinion, the most recent being decided this year. However, while I have repeatedly informed faculty and others that the Board will not be deflected from acting to amend the Code, I have also repeatedly informed them that the members of the Board are willing to

cooperate with faculty as much as possible and to receive the views of their representatives; therefore, I have made these recommendations. This course of action would not only allow additional time for consideration of the December 2 draft, but would also meet the concerns expressed in recent newspaper editorials that changes in well-established tenure procedures should occur only after full and complete discussion by all concerned. This course of action would also enable our newly elected and appointed Regents the opportunity to have input into a Code under which they will operate.

Mr. Mc Bride moved that the amendments to the UNS Code, proposed and circulated by Regent Gallagher on September 24, be adopted in its entirety and without change, to be effective immediately upon approval by the Board, except for proposed Sections 3.4.2, 3.4.7, 4.4.2, 4.4.7 and 5.2.6, which shall go into effect July 1, 1983.

Mrs. Whitley seconded. Motion carried unanimously.

Mr. Ross asked whether all of the new amendments approved at the last meeting and possibly some which

had been brought up during this meeting would be handled on January 7, and was informed that they would.

Mrs. Gallagher then stated:

I wish to announce for the record that I am now formally filing amendments to the newly adopted Code with the Secretary of the Board at this meeting, and I am requesting consideration of these amendments. These amendments consist of the faculty recommendations to the Board agreed to at the meeting of the Academic Affairs Committee on November 29, 1982. I also wish to state for the record the copies of the proposed amendments are being circulated at this meeting to the Chancellor, the Presidents and the Senate Chairs, and that the 30-day period set out in Section 1.3.3 of the newly adopted Code starts today. I would request that the opinions, if any, of the Senate representatives and officers of the University on these amendments be set out in writing and to be delivered to the Chancellor's Office at no later than 5:00 P.M., January 3, 1983. I would also

request that the Chancellor place this matter on the agenda for the January 7, 1983 meeting.

Mrs. Gallagher returned the gavel to Mr. Cashell, who conducted the remainder of the meeting.

Mr. Ross related that the old Code had needed to be updated, but that the faculty must now bring to the Board any revisions they felt were necessary.

Mr. Cashell introduced Regents-Elect Joan Kenney and Jo Ann Sheerin.

3. Approval of the Budget Committee Report and Recommendations

The Budget Committee met on December 3, 1982, and submitted the following report:

- (1) Approved the limit be raised from \$5 to \$10 on the amount which students may owe and still register at UNLV, which would greatly simplify the administrative process and would make the enforcement of registration procedures much easier. Controller Mac Donald will survey and report back the question of holds

being placed on students registering who owe funds
to the University.

(2) Approved the following Estimative Budgets for 1982-83
for the Office of Development and the Office of Com-
munity Relations at CCCC:

Office of Development

Revenue

Special Projects Funds	\$12,500
Book Sales Account	39,230
Total Funds Available	\$51,730

Expenditures

Professional Salaries	\$29,455
Classified Salaries (.5 FTE)	6,425
Fringe Benefits	4,750
Operating	11,100
Total Expenditures	\$51,730

Office of Community Relations

Revenue

Special Projects Funds	\$25,000
Book Sales Account	33,875
Total Funds Available	\$58,875

Expenditures

Professional Salaries	\$26,000
Classified Salaries (.5 FTE)	6,425
Fringe Benefits	4,450
Operating	22,000
Total Expenditures	\$58,875

(3) Approved the sale of property, approximately 120 acres in Green Valley (Henderson, Nevada), in the name of Clark County Community College, which was donated by the H. M. Greenspun family in 1975. An endowment will be created for the benefit of Clark County Community College with the proceeds from the sale and that any income generated be held until such time as the Board has approved the programs and budgets for the expenditures of these funds.

(4) Approved the write-off as uncollectable loans at UNR listed as Ref. B-4 in the amount of \$21,299, with holds being placed on the individual student records.

(5) Approved withdrawal of funds from the repair and replacement reserves deposited with First Interstate Bank of Nevada as trustee for UNR in the following amounts for expenditures made during 1982:

	Equipment Reserve	Building Reserve	Total
Corporate Trust 30			
Dorm & Dining Commons	\$ 5,703.34	\$10,604.59	\$16,307.93
Corporate Trust 36			
Nye Hall	\$26,702.36	\$27,920.08	\$54,622.44

(6) Received the Quarterly Report on Budget Transfers and the comparisons of 1981-82 Operating Budget as to actual 1981-82 Revenue and Expenditures.

(7) Approved the following projects for funding from the UNR Capital Improvements Account:

1. Backstop Construction. The College of Engineering has received a grant from the National Science Foundation to study concrete form loads and pres-

sure caused by the placement of fresh concrete in formwork. The study was to be performed in association with a construction project of the Sierra Pacific Power Company. Due to budget restrictions the company will be unable to undertake this construction. The study is a unique project of substantial interest to industry, including local builders. It is anticipated that eventually, significant investment in this research will be forthcoming from industry to the University. However, unless the study can be performed in conjunction with another construction project, the NSF grant will need to be returned.

The Recreation and Physical Education Department has a need for outdoor backstops for tennis, handball, for teaching purposes and for community use.

The University has no such facility currently.

This project would be ideal for the study funded by the NSF grant. The estimated cost of this project is \$36,000.

2. Laboratory Equipment. With the recent recruitment of scientists of outstanding national repu-

tation, the Department of Pharmacology and Civil Engineering now has an opportunity to bring in major research grants. Indeed, several such grants have already been received and a number of others are in process. Critical to the performance of these grants and to the prospects for additional research funding are properly equipped laboratories. Currently, the status of these laboratories is not adequate. To provide equipped laboratories suitable to the purpose is estimated to cost approximately \$59,000. It is expected that the University will realize a far greater sum from this investment in terms of indirect cost returns from the research grants.

3. Animal Care Facility. The University has for some time had a critical need for an additional animal care facility, to meet research requirements and Federal regulations on animal care. Recently, UNR invested \$60,000 for the construction of this facility. However, because of unanticipated foundation problems, an additional \$8000 is required to complete the construction.

4. Music Practice Rooms. The inadequate practice facilities available to the Music Department in Church Fine Arts, together with increasing enrollments, has led to the need to construct additional practice rooms. Space is available in the Old Gym for this purpose. The estimated cost for remodeling this space is \$6000.

(8) Approved a \$20 lab fee for PED 129, Skiing at NNCC, which will take care of the cost of travel and lift passes.

(9) Approved a \$10 lab fee for all Electronic Lab courses at NNCC.

(10) Received a report by Mr. Harold Scott, Chair of the Financial Accounting Services Committee, on the Computerized Budget System Development for FY 82-83.

Mrs. Fong moved approval of the report and recommendations.

Seconded by Mrs. Gallagher. Motion carried.

4. Approval of the Audit Committee Report and Recommendations

The Audit Committee met at 9:15 A.M. Friday, December 3, 1982. Mrs. Whitley, Chair, recommended approval of the Internal Audit report on UNR Intercollegiate Athletics and UNLV Intercollegiate Athletics and corresponding recommendations. The report is identified as Ref. A-1 and filed with the permanent minutes.

Discussion concerning the report included the following:

UNLV Intercollegiate Athletics Audit:

The audit recommends that any agreements made between Rebels Club and the University staff be documented. Additional funds given to individual staff members should be presented to the Board as gifts. Mr. Ross pointed out that this would be a much better solution so that there could be University control, thereby halting any accusations which might be made about the University being susceptible to Booster control.

Presidents Goodall and Crowley were both asked for a report at the January meeting on the relationship between the Campus and the Booster Club, any gifts or promises to staff members, sharing of staff members,

fund raisers, trade-outs, terms, responsibilities of each party, etc.

Dr. Goodall was asked whether there is UNLV representation on the Rebels Club, to which he replied that they are currently working on an arrangement which will include the Athletic Director, the Financial Vice President and the Chairman of the Intercollegiate Athletics Council.

Internal Audit Director Kathy Kossick stated that the pavilion box revenue at the Thomas-Mack Sports Pavilion is estimated at \$500,000, that there are no written commitments specifying the use of these funds, and that at the present time the Athletic Department plans to use these for the 1982-83 shortfall, while the original intent was for use in 1983-84. Harold Scott, Controller at Business Center South, indicated that contracts have been submitted to all those making verbal commitments and that those contracts are to be returned to UNLV by December 31, 1982. The Audit Committee asked that a list be prepared and presented at the January 7, 1983 meeting, complete with amounts for each box.

Vice Chancellor Dawson stated that the UNLV Athletic Department will have used all their 1982-83 funds by the end of December, and that if alternate funds have not been received by that time, the Department will be shut down inasmuch as the University is not allowed deficit spending. It has been estimated there will be approximately a \$300,000 deficit at June 30, 1983. The Board agreed with the action proposed.

Dr. Goodall indicated the UNLV Long-Range Planning Committee on Athletics, Chaired by Dr. Kenney Guinn, will be prepared to report to the Regents at their January meeting.

UNR Intercollegiate Athletics Audit:

Mrs. Kossick stated that some of the same recommendations have been made for the UNR program as at UNLV: a clearly defined relationship and responsibilities between the Wolf Club Boosters and the Campus, which would include bonuses, car insurance, operation of concessions during athletic events, and more realistic budget projections. The audit revealed that goods and services were contracted for by a Department employee

who did not have that authority. President Crowley stated that the employee in question is no longer with the University and that he has been working with Counsel to clear this matter.

A gift of \$160,000 from the Boosters Club to the Department was invested with the understanding that the interest would be returned to the Department; however, the income was credited to the Regents Special Project Funds. The Audit Committee directed Vice Chancellor Dawson to immediately have the approximate \$11,000 interest transferred to the Department.

Mrs. Kossick projected that by June 30, 1983, the Department will have an unobligated balance of approximately \$17,000 if the Department can obtain clarification from the donor on the use of the \$160,000 presently restricted. This could be cleared up, however, should Dr. Crowley be able to obtain permission for more flexible usage from a donor of gift funds to the Department.

Mrs. Whitley emphasized that Departments will not be allowed deficit spending and that contingency plans must be forth-

coming. She also requested that these reports be forwarded to the UNR and UNLV Long-Range Planning Committees on Athletics, and that, if possible, a report be submitted from them at the January 7 meeting.

Mr. Cashell reiterated that at the last Legislative Session it was the intent that any monies raised from sale of special boxes at the Sports Pavilions be used for maintenance of those pavilions. He further stated that with the shortfall, it is realized that some of these funds will probably have to be used to cover these losses, but again emphasized that proper planning must be accomplished in order that the original intent of the use of the funds is carried out. Dr.

Goodall replied that the first commitment of those funds is to the operation of the pavilion itself, and if there is a surplus after that, the funds will go to the Athletic Department.

Mr. Ross moved for acceptance of the report and approval of the recommendations contained therein. Mr. Karamanos seconded. Motion carried.

5. Approval of Joint Resolutions

Vice Chancellor Fox presented two resolutions which had been discussed at a joint meeting of the Board of Education and the Board of Regents on December 2, 1983, and asked the Board for approval.

RESOLUTION #82-2

JOINT RESOLUTION OF THE NEVADA STATE
BOARD OF EDUCATION AND THE BOARD OF REGENTS
OF THE UNIVERSITY OF NEVADA SYSTEM

WHEREAS, a strong educational system is essential to the preservation of a democratic form of government through the development of an informed and productive citizenry;
and

WHEREAS, the nation's economic well being is enhanced by a trained and responsive labor force made available through secondary and post secondary programs; and

WHEREAS, individuals in a free society should be encouraged to realize their full potential;

THEREFORE BE IT RESOLVED that the University Board of

Regents and the State Board of Education join together to request adequate and stable funding for public elementary, secondary and higher education.

Mr. Buchanan moved for approval. Mr. Karamanos seconded.

Motion carried.

RESOLUTION #82-3

JOINT RESOLUTION OF THE NEVADA STATE BOARD OF EDUCATION AND THE BOARD OF REGENTS OF THE UNIVERSITY OF NEVADA SYSTEM

The Nevada State Board of Education and the Board of Regents of the University of Nevada System, meeting in a combined session, hereby resolve to request the Nevada Legislature to enact a resolution proposing a constitutional amendment, to be voted upon by the people, providing for the imposition of an estate tax not greater than the credit allowable for such a tax against the federal estate tax, reduced by the amount paid to any other state, and specifically providing that the monies realized by the State of Nevada by said estate tax be equally divided between the University of

Nevada System and public schools under the jurisdiction of the State Board of Education for public education purposes in addition to any regular appropriations of the Legislature for the same. The Boards direct their staffs to request a legislative bill draft from the Legislative Counsel for this purpose.

The Chancellor was directed to have legislation prepared and to prepare a plan for educating the general public on this issue.

Mr. Ross moved for approval. Mrs. Fong seconded. Motion carried.

6. Approval of Appointment of Secretary of the Board

Chancellor Bersi pointed out that the Board had appointed Ms. Mary Lou Moser as Acting Secretary of the Board in April, 1982. At this time he recommended approval of changing the title to "Secretary of the Board".

Mrs. Fong moved for approval. Mrs. Gallagher seconded. Motion carried.

7. Approval of TMCC Foundation Board Members

President Eardley requested approval of the following persons to be added to the TMCC Foundation Board:

Mr. Graham Arlitz

Ms. Frankie Sue Del Papa

Mr. Charles E. Hopping

Mrs. Phyllis Kaiser

Mr. Viroj Lee

Mr. Jim Mortimore

Ms. Margo Piscevich

The Chancellor was asked to review the policy on Foundation Board Members, especially with regard to Regents being a member of those Boards.

Mrs. Fong moved for approval. Mrs. Gallagher seconded.

Motion carried.

8. Approval of Request for Regents Sponsorship of Fund Raiser

Dr. Goodall stated that on February 26, 1983 the Nevada Development Authority, the Air Force Association, local

Chambers of Commerce, and other groups are hosting a fund raising dinner in Las Vegas to support engineering and related high-tech programs at UNLV. The sponsoring organizations have asked that the Board of Regents also be a sponsor.

Mrs. Fong moved for approval. Mr. Buchanan seconded.

Motion carried.

9. Approval to Negotiate Acquisition of Land in Clark County,

DRI

Dr. Murino requested authorization to enter into negotiations with the Department of Interior for the acquisition of land in Clark county which could be used as an industrial research park. If successful, this land would be obtained through the DRI Research Foundation.

Mr. Karamanos reminded the Board that the land obtained from the BLM for a second site for a Community College in Clark County was to be developed before 1984 or would revert back to the BLM. Vice Chancellor Dawson stated that he has filed for an extension of time and feels certain this will be granted.

Mrs. Gallagher moved for approval. Mr. Karamanos seconded.

Motion carried.

10. Approval of Amendment to Handbook, Title 4, Chapter 21,
Section 4

As a result of General Counsel Opinion No. 82-4 concerning the in-state residence status of nonimmigrant aliens, a modification to the Board of Regents policy concerning such students is necessary. General Counsel Klasic requested approval of a change in Regents Handbook, Title 4, Chapter 21, Section 4 (12) as follows:

An alien student holding a permanent immigrant visa and otherwise meeting the requirements for in-state student status shall be classified as an in-state student. Alien students holding other types of visas shall not be classified as in-state students except as may be required by federal law upon due consideration of evidence of in-state residence.

Mrs. Whitley moved approval. Mr. Karamanos seconded.

Motion carried.

Mr. Cashell reminded the officers and faculties that the adoption of the Code revisions provides a mechanism to work together to strengthen the System and that he hoped the attitude of cooperation and spirit which has prevailed for the past 4 years will continue toward this end.

11. Approval of Request for Personnel Session

In compliance with NRS. 241.030, a closed personnel session was requested for purposes of discussing personnel of the University of Nevada System.

Mrs. Whitley moved for approval. Mr. Karamanos seconded.

Motion carried.

The meeting reconvened at 2:00 P.M.

12. Consideration of Nathan Adelson Hospice Loan Application,
Information Only

Chairman Cashell announced that Mr. Irwin Molasky would be available for questions concerning this loan but would not be acting in an advisory capacity to the University System

because of a conflict of interest in that he serves as a member of the Hospice Advisory Board and a member of the Regents Investment Advisory Committee.

Mr. David Brandsness, Hospice Advisory Board member, stated that he was appearing before the Board to give additional information and to answer questions which had arisen from previous discussions (see Regents Board Minutes 11/5/82). He stated further that at this time two Hospice Board members, Mr. Irwin Molasky and Mr. Mervin Adelson, were willing to personally guarantee the loan for the full 12 years. He also related that they are willing to reduce the principal by \$100,000 per year on the \$2.5 million loan over the 12 years.

Managing Director Mike Starr, Alexander Grant Company, presented an independent financial analysis of the project. A revised forecast was distributed showing the \$100,000 per year repayment with a balloon payment of \$1.3 million at the end of the loan.

From a question by Mrs. Fong concerning the reduced annual payments from 1990 through 1993, Mr. Starr explained that because of the \$100,000 annual principal payment, the in-

terest expense consequently decreases, therefore the annual payments are reduced. Mrs. Fong was also concerned with the statement that one reason a loan of this type is difficult for a bank is that the University owns the land and would not give a subordination of the land to a bank. She stated that many loans to large hotels in Las Vegas are made without such subordinations.

The Board designated Vice Chancellor Dawson to coordinate the gathering of necessary information, working with Legal Counsel Don Klasic, Hospice attorneys and personnel, and any other persons necessary, to prepare legal documents for presentation to the Board. Board members were asked to direct all questions and concerns regarding this matter through Mark Dawson. Mr. Molasky and Mr. Adelson were assured that any personal information supplied by them would remain in strictest confidence.

Mr. Mc Bride moved approval of appointing Vice Chancellor Dawson coordinator of the project. Mr. Karamanos seconded. Motion carried.

13. Discussion of Regents Policy Concerning Student Government

ASUN Officers had requested an opportunity to discuss with Regents the policy adopted in April 1982 concerning governance of student governments. Mr. Bill Hamma, Mr. Alan Hopper and Mr. Bill Siegel, ASUN, and Mr. Rick Oshinski, CSUN, appeared before the Board questioning the policy and asking that consideration be given to rescinding that policy. Regents directed the Student Officers to work directly with their respective Presidents on all such matters, stating that if there were specific instances of hardships for the operation of the student governments, that the students were welcome to again appear before the Board.

14. Mr. Buchanan asked that agendas and minutes be mailed to those Regents who are retiring for at least the next 6 months.

15. Chancellor's Report

Chancellor Bersi distributed to the Board a year end report of the status of some 40 separate requests made by the Board of the Chancellor's staff and stated that such report would be available on an annual basis.

16. President Crowley requested consideration of an emergency

item in the form of a gift made to UNR to remodel the Visitors Center and a further request that the building be named for the donors.

Mr. Buchanan moved to accept the item as an emergency and to also name the building for the donors. Mrs. Gallagher seconded.

The building in question is south of the Ross Business building, was constructed in 1914, and will now house the Office of Career Planning and Placement, School Relations Office and the Information Office. The gift is 3350 shares of common stock of Gannett and Company, valued now in excess of \$200,000, from donors Clarence K. and Martha H. Jones.

Motion carried.

17. Vice Chairman Mc Bride submitted 3 Resolutions for approval:

RESOLUTION #82-4

WHEREAS, James L. Buchanan, II, has served as a Regent of the University of Nevada continuously from January,

1973 through December, 1982; and

WHEREAS, during his tenure as Regent he has freely devoted time and attention to this public office, seeking always the advancement of the University; and

WHEREAS, the appropriate and proper growth of all Divisions of the University of Nevada throughout the State has always been an abiding concern to him; and

WHEREAS, as Chairman of the Board from 1975 through 1978, he provided effective and constructive leadership.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Regents of the University of Nevada, on behalf of its individual members, the Administration, the faculties, staff and students, hereby expresses to Mr. Buchanan its most sincere appreciation for his dedicated and effective service to the University of Nevada; and

BE IT FURTHER RESOLVED that the Regents sincerely hope that his interest in and support of the University will continue and that the University community will continue

to benefit from his counsel.

Given at Reno this 3rd day of December, 1982.

RESOLUTION #82-5

WHEREAS, John Tom Ross has served as a Regent of the University of Nevada continuously from January, 1975 through December, 1982; and

WHEREAS, during his tenure as Regent he has freely devoted his time and attention to this public office, seeking always the advancement of the University; and

WHEREAS, the appropriate and proper growth of all Divisions of the University of Nevada throughout the State has always been an abiding concern to him; and

WHEREAS, he served as Vice Chairman during 1979, providing effective and constructive leadership.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Regents of the University of Nevada, on behalf of its individual members, the Administration, the faculties,

staff and students, hereby expresses to Mr. Ross its most sincere appreciation for his dedicated and effective service to the University of Nevada; and

BE IT FURTHER RESOLVED that the Regents sincerely hope that his interest in and support of the University will continue and that the University community will continue to benefit from his counsel.

Given at Reno this 3rd day of December, 1982.

RESOLUTION #82-6

WHEREAS, Robert A. Cashell has served as a Regent of the University of Nevada from January, 1979 through December 1982; and

WHEREAS, during his tenure as Regent he has freely and unselfishly devoted time and attention to this public office, seeking always the advancement of the University; and

WHEREAS, the appropriate and proper growth of all Divisions of the University of Nevada throughout the State

has always been an abiding concern to him; and

WHEREAS, as Chairman of the Board from 1979 through 1982

he provided effective and constructive leadership.

NOW, THEREFORE, BE IT RESOLVED that the Board of Regents

of the University of Nevada, on behalf of its individ-

ual members, the Administration, the faculties, staff

and students, hereby expresses to Robert A. Cashell

its most sincere appreciation for his dedicated and ef-

fective service to the University of Nevada; and

BE IT FURTHER RESOLVED that the Regents sincerely hope

that his interest in and support of the University will

continue and that the University community will continue

to benefit from his wise counsel.

Given at Reno this 3rd day of December, 1982.

Plaques were also presented to the retiring Regents, who were

then thanked for their efforts on behalf of the University of

Nevada System. A wine and cheese reception followed the ad-

jourment.

The meeting adjourned at 3:10 P.M.

Mary Lou Moser

Secretary of the Board

12-03-1982