

UCCSN Board of Regents' Meeting Minutes March 12-13, 1992

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BOARD OF REGENTS

UNIVERSITY AND COMMUNITY COLLEGE SYSTEM OF NEVADA

March 12, 1992

The Board of Regents met on the above date in a special meeting
in the Conference Room, System Administration building, 2601
Enterprise Road, Reno.

Members present: Mrs. Carolyn M. Sparks, Chairman

Mrs. Shelley Berkley

Dr. Jill Derby

Dr. James Eardley

Mr. Joseph M. Foley

Mrs. Dorothy S. Gallagher

Dr. Lonnie Hammargren

Mr. Daniel J. Klaich

Mrs. June F. Whitley

Others present: Chancellor Mark H Dawson

President Anthony Calabro, WNCC

President Joseph Crowley, UNR

President John Gwaltney, TMCC

President Robert Maxson, UNLV

President Paul Meacham, CCSN

President Ron Remington, NNCC

President James Taranik, DRI

Mr. Donald Klasic, General Counsel

Mr. Ron Sparks, Vice Chancellor

Ms. Mary Lou Moser, Secretary

Also present were Faculty Senate Chairmen Bill Baines (TMCC), Diane Dietrich (Unit), Larry Goodnight (WNCC), Ed Nickel (NNCC), Lonnie Pippin (DRI), Elizabeth Raymond (UNR), and Lori Temple (UNLV).

Chairman Sparks called the meeting to order at 11:32 A.M., explaining that the air flight had been detained an hour in Las Vegas, thus the meeting was starting an hour later than had been scheduled.

All Regents were present with the exception of Dr. Jill Derby.

1. Approved the Use of Up to \$10,000 for Planning Study of Site for Proposed Land in Clark County

Approved the use of up to \$10,000 of Special Projects Funds for a planning study of a proposed site consisting of 111 acres adjacent to the airport in Las Vegas. Dr. Hammargren had proposed at the December, 1991 meeting that the Board obtain from the Clark County Commission approximately 110 acres of BLM land located at the end of the airport runway. Subsequently, Chancellor Dawson met with the Clark County Commission to learn there was a law suit pending on the use of the land, which probably will take several years to clear the courts. Dr. Hammargren then requested a meeting with the Clark County Airport Authority and Chancellor Dawson reported that he, President Meacham, Gordon Gochnour, CCSN, and Mr. Robert Mc Caffery had attended. It was stated by Mr. Robert Broadbent that the Airport Authority would oppose using the land for any educational classrooms because of the noise problem. The land in question is at the end of one of the runways. Mr. Broadbent stated that the Authority would need to review a plan for the acreage before making a final determination.

Chancellor Dawson recommended the Board authorize up to \$10,000 for the development of plans for the property.

President Meacham related that there has been a Community College in Texas located at the end of a runway. In contacting the College, he was told that plane landings did not bother, but the noise was "unbearable" on takeoffs, even though the buildings had been constructed with noise abatement in mind.

Dr. Hammargren presented a handout on the "University Park Proposal", which included a map of the airport traffic and noise centers. He stated that 60% of the UNLV Campus, also located within the airport traffic pattern, is in a noisier area than is the proposed site.

Regent Derby entered the meeting.

Mr. Foley stated he would agree if the land can be obtained from the BLM under the same conditions as that which is now the West Charleston Campus of CCSN. Chancellor Dawson explained that if the land can be obtained from the County the conditions would be the same as that of West Charleston Campus; however, if the law suit goes against the County,

the cost could be substantial. General Counsel Klasic added that in his discussions with the County, he was told that the plaintiff has expressed his desire to take the case to the Supreme Court if he loses in District Court, and this could tie up the property for an even longer period of time.

Mrs. Gallagher moved that the Board authorize the Chancellor to expend up to \$10,000 for development of plans of the proposed site. Mrs. Whitley seconded. Motion carried.

2. Approved the Budget Reduction Plans for the Computing Center

Approved the budget reduction plans as presented for the UCCSN Computing Center. At its February meeting, the Board had approved all budget reduction plans except for the Computing Center, stating it wished further discussion in light of information the members had received from UNLV in connection with another computer to be located on that Campus.

Vice Chancellor Sparks reviewed the UCCSN 1991-93 Biennial Budget Priority Requests for New Funding, which included personnel and equipment for Administrative Computing at the

Southern Regional Data Center in the amount of \$4.6 million, and the completion of the Management Information System in the amount of \$2.3 million. The Governor in his budget recommended only the \$2.3 million to complete the Management Information System, but did not recommend the \$4.6 million which would have provided the equipment for the Southern Data Center. Vice Chancellor Sparks stated that the Presidents had reviewed and recommended, and the Board had approved in February, 1991 the mainstream administrative computing budget alternative A and B:

Alternative A: No Additional Legislative Funding

Beyond the Governor's Recommendation

Acquire and implement new Financial System (as per approved plan)

Begin Human Resources System Project

Upgrade existing computer (add capacity)

Defer acquisition of new computer (Las Vegas) to next biennium

Defer implementation of Human Resources System

to next biennium

Alternative B: Additional 91/93 Legislative Funding

(\$1,030,000)

Acquire and implement new Financial System (as per approved plan)

Acquire and implement Human Resources System (as per approved plan)

Acquire (lease), install and operate second computer (as per approved plan)

Vice Chancellor Sparks stated that UCCSN had testified the need for computing services before both the Assembly and the Senate. AB 401 was introduced on March 13, 1991, but no action was taken until the day before adjournment. The bill was passed and calls for "... \$2,372,232 for payment of expenses for the acquisition and installation of computer hardware and software to complete the Computer Center Management Information System". Testimony was given that the \$2.4 million would not complete the System. The last day

of the Session, Senator Raggio questioned AB 401, and the bill passed the Senate with the understanding that the amount was not enough to establish the Southern Data Center and that UCCSN would return in the 1993 Session for the final portion of the request.

Vice Chancellor Sparks continued that the proposed reduction plan for the Computing Center was carefully prepared to cause the least amount of harm to the ongoing operating budget. He reminded the Board that the budget for the Computing Center is not formula driven; therefore, if the reduction was to be taken from the operating dollars, it would be most difficult to have the amount returned. He stated that upon adjournment of the Session and prior to the announcement of budget cuts, the Computing Center did explore obtaining a machine for the Southern Center and a bid proposal was explored. President Maxson stated that upon reviewing the situation, and with assurance from President Taranik that between technical adjustments and obtaining funds from outside sources, he would agree with the proposed budget reduction plan as presented.

Mrs. Whitley moved to accept the UCCSN Computing Center plan as proposed. Mr. Klaich seconded.

Mrs. Gallagher reminded the Board that it had been difficult to obtain as much funding from the Legislature as UCCSN has received. Mrs. Whitley stated that UCCSN has been discussing this concern for some ten years and questioned what had happened to the first legislative appropriation. Mrs. Gallagher replied that during Dr. Bersi's term of Chancellor, there had been an appropriation, but the monies were used for other purposes upon recommendation of Dr. Bersi, and that it has taken a long time to obtain the legislative support enjoyed today.

Dr. Derby requested an explanation of how the Computing Center under-serves the Southern Nevada area. Vice President Harry Neel replied that this is not a Southern issue, but there is dissatisfaction on all Campuses, and related to a 1986-87 independent study which called for two full service centers.

Mrs. Whitley left the meeting.

Dr. Derby then questioned whether another budget reduction plan had been proposed, with Vice Chancellor Sparks replying in the affirmative. The plan would have included an

\$800,000 reduction in base operating funds, which would not be easy to have returned because there is no budget formula for this area, and could have caused personnel layoffs. The proposed plan remains consistent with other Campus plans and with the commitments made to the Legislature.

Dr. Bill Robinson, UNLV, spoke against the motion, stating that without a new machine in Southern Nevada, it would put the System at high risk. He also stated he did not believe there had been an attempt to bring the parties together to review any plans, and urged the Board to vote against the motion. Mrs. Gallagher suggested that Dr. Robinson should, when writing to Regents, send a copy to his President.

President Taranik supported the motion, stating that he felt it would be possible to find other funds for a machine for Southern Nevada.

Mrs. Berkley stated she had not heard the concern for Southern Nevada in the motion and would vote against it, adding that the Legislature could not be depended upon to provide funds for the current plan during the next session.

Mrs. Whitley returned to the meeting.

President Crowley stated that President Maxson's solution was constructive, and reviewed the history of computing services. He stated that in 1981 the Board had identified a tremendous problem with the Management Information System, and that after a "great struggle" within the System, a proposal was made to the 1983 Legislature. Funds were appropriated, spent unwisely, and the System lost credibility. In 1991, a proposal was presented to the Legislature, and up until the call for budget reductions there had been no need for a change in the original 1991-93 Biennial Budget Request; therefore, the Presidents did not discuss the issue.

President Crowley stated that if UCCSN does not go forward with this plan, he did not want to have to tell the Legislature in 1993 that the priorities had changed once again. He also cautioned that the State is in the process of implementing a System and wants to include UCCSN, and that a delay of the College and University's Financial System (CUFS) and Human Resource System (HRS) programs would be inviting the State to take over ownership. If the State

is invited to take over the classified portion of the Payroll System, it will be a foot in the door and not long until they will want to handle all UCCSN payroll - or about 80% of our budgets.

Chairman Sparks questioned if there was a chance the State would take over the Payroll System. Vice Chancellor Sparks replied that if the Board decides to purchase the machine for the Southern Nevada area, there will be no funds left for the CUFS and HRS Systems and UCCSN would risk being rolled into the State System.

President Remington cautioned the Board not to confuse the location of the "box" with the services. Chancellor Dawson told the Board that the logical time to begin the CUFS System is at the beginning of the fiscal year, and prior to that there needs to be time for "dry runs".

Motion carried.

Dr. Hammargren announced that he had extracted promises from DRI and UNLV for \$10,000 each for the planning study on the land proposal discussed above, and \$5,000 from CCSN.

3. Personnel Session

Upon motion by Mrs. Gallagher, seconded by Mr. Foley, the Board moved to a closed personnel session in accordance with NRS 241.030 for the purpose of discussion of the character, alleged misconduct, professional competence, or physical or mental health of a person.

The Board recessed at 1:10 P.M. for the closed personnel session and reconvened at 6:30 P.M., with all Regents present, except Mr. Foley.

4. New Business

A. Board of Regents

Mrs. Gallagher suggested the Chairman call a personnel session at the earliest possible time, but prior to the April meeting, so that Assistant General Counsel Bradley Booke could answer questions which had been raised this day.

Dr. Derby stated she had questions answered in this personnel session and was confident of the leadership

of UNLV. However, she is concerned with the public perception in that they may feel their own questions have not been answered. Because of that, she stated she continues to support some sort of follow-up inquiry review by the Board, but felt that the Board needs some sense of specificity about what the questions are in the public mind that remain unanswered. She agreed with the first step being a personnel session with Mr. Boone, but after that the Board should determine what steps should be taken.

Dr. Hammargren asked that an action item be placed on the next agenda wherein he would request the Board to call for an independent investigation - or to review any other proposal that might be submitted. He stated that his request was to review all the controversy involving sports administration at any level from the Regents down to the last Assistant Trainer within the University of Nevada, Las Vegas. Dr. Hammargren's request is contained in Ref. A, filed with the permanent minutes. Further, he suggested that the investigation be conducted by the Legislative Commission and that the Legislature should fund the study.

Mr. Klaich stated that in his opinion an insidious double standard has been applied to this matter. He added that since he does not live in Las Vegas, his information has been "second hand" and through the media. However, he stated it appeared that from what he had read and has heard, that any allegation regardless of its vagueness, regardless of its lack of foundation, regardless of its absurdity that is reported in any sense against the Administration is somehow taken as gospel and reported as such. He continued that Mr. Jerry Tarkanian has called for the truth and for an investigation of the truth, which he whole-heartedly embraces.

Mr. Klaich asked that Mr. Tarkanian and any of his lawyers whom he wishes to choose give to the Board the specific instances in which Mr. Tarkanian believes he has been harmed, and specifically, what Mr. Tarkanian wishes to be investigated. Further, that these instances must be specific and not vague allegations. He also expressed his opinion that any such matters be of the time period since Mr. Tarkanian's resignation in June 1991. Which, he added, was voluntarily submitted in writing at a time when he was represented

by independent counsel.

It was suggested by General Counsel Klastic that should Mr. Tarkanian and his attorneys take this challenge, that they send their concerns to General Counsel Klastic who will distribute them to the Board. Mrs. Gallagher added that the concerns are not to be submitted through the media.

Mrs. Berkley reminded the Board that UNLV was her alma mater and this issue has caused her great pain. She stated she was aware of the outstanding work of President Maxson and felt she was able to measure where the University was and where it is today. Mrs. Berkley stated she was confident the Board of Regents would "get a handle" on the situation and then go on with the business of the system. She spoke in favor of an inquiry.

Chairman Sparks stated that the role of the Board is to direct higher education in Nevada. she continued that the Board will do the right thing, the fair and honest thing, and that it is very much aware of the dissension at UNLV; that it is willing to hear both sides of the

issue; and that it will protect the University and the System, but will not sacrifice any institution or any part of it. It is the Board's intention to spend the next few weeks gathering information and then will decide the next steps to take.

Dr. Eardley stated that he felt this matter was really hurting UNLV and cannot be allowed to damage the institution, that it was built for the students in that general area and that it will stand. He called for a fast closure of this situation and cautioned that if it continues it will damage the State and the University.

Dr. Hammargren questioned whether his requested action item would be on the first agenda of the Board, which would be the personnel session with Mr. Booke, and Mrs. Sparks replied that it would, and an open discussion would be held.

B. Public Sector

Mr. Alan Jones, one of the attorneys for Mr. Tarkanian, expressed his support of Dr. Hammargren's proposal and

stated that he will inform Mr. Tarkanian of the request for specific instances he might wish investigated, and that he would see that those questions will be forwarded through General Counsel Klasic. Mrs. Gallagher asked that Mr. Jones thoroughly understand that the Board wants documented support and not frivolous allegations. Mr. Jones replied that he would do so, but only in public open session. He added that not all evidence will be written, but that he would work with Legal Counsel.

Mr. Klaich asked that the records show that Mr. Tarkanian's attorney had responded positively.

The meeting adjourned at 6:50 P.M.

Mary Lou Moser

Secretary of the Board

03-12-1992