

**UCCSN Board of Regents' Meeting Minutes  
University of Nevada, Las Vegas  
Grand Hall, Tam Alumni Center  
January 22-23, 1998**

Members Absent: Mr. Madison Graves, II

Others Present: Chancellor Richard Jarvis

Vice Chancellor Tom Anderes

Vice Chancellor Jane Nichols

General Counsel Tom Ray

President John Richardson, TMCC

President Richard Moore, CCSN

President Ronald Remington, GBC

President James Taranik, DRI

President James Randolph, WNCC

President Joseph Crowley, UNR

President Carol Harter, UNLV

Board Secretary Mary Lou Moser

Chair Derby called the meeting to order at 1:00 p.m. on January 22, 1998, with all members present except Regents Graves and Phillips.

Also present were Faculty Senate Chairs Ms. Marilee Kuhl, GBC; Dr. Lonnie Pippin, DRI; Dr. Duane Garner, UNR; Mr. J. Scott Wiley, System Administration; Dr. Maria Teirumniks, TMCC; Dr. Royse Smith, CCSN; and Dr. Mehran Tamadonfar, UNLV. Student government leaders present were Mr. Albert Van Geelen, GSA-UNR; Mr. Mike Walker, TMCC; Mr. Curtis Jay, CCSN; Mr. Doug Flowers, UNR; Mr. Tedd Girouard, GSA-UNLV; Mr. Joe Mills, UNLV; and Ms.

Damita Jo Halcromb, WNCC.

1. Introductions – Chair Derby introduced and welcomed Mr. Steve Sisolak, an announced candidate for the Board of Regents.

Regent Phillips joined the meeting via telephone.

2. Chair's Report – Dr. Derby called attention to the meeting schedule and format, adding that the goal is for the meetings to proceed in an orderly, timely, and efficient manner. For this reason, items are to be taken in agenda order. Those individuals who require a time certain appearance need to notify the Board office prior to agenda preparation. In the future, Public Comment will be taken in the middle of the agenda rather than at the end, and will be limited to 10-15 minutes. All presenters were requested to remain within their allocated time periods. The campuses have been asked to forward their agenda items according to the schedule and well in advance of agenda mailing. Board members were asked to limit gratuitous and/or repetitive remarks. Dr. Derby stated that she does not wish to preside with a heavy hand, but felt it was important that the meeting flow and all business items be addressed.

Dr. Derby reported that the Task Force on Board Conduct had been formed with Regents Gallagher, Rosenberg, and Regent Berkley as chair. They will discuss and examine codes of ethics from other systems around the nation as well as materials furnished by the AGB.

Dr. Derby mentioned the proposal to decrease quorum requirements for committees and expressed her disappointment in lowering the standards in order to accommodate the accomplishment of business. She reminded the members that this board functions with a committee structure and the importance of each member being present at committee meetings. The meetings are scheduled well in advance and Regent attendance at the committee meetings was encouraged. The chair of each committee and the Board Secretary should be notified of absences so that substitution may be arranged prior to the meeting.

Dr. Derby asked that those Board members wishing to attend the AGB conference in Nashville notify Board Secretary, Mary Lou Moser. Regents were also reminded that they need to be measured in order to facilitate the ordering of new academic

attire.

Ms. Berkley announced that the first Board Conduct meeting would be held February 6, 1998, at 9:00 a.m. in the System Administration office in Las Vegas. Everyone was invited to attend and she asked that items of discussion be forwarded to the Board office so they may be included on the agenda. The Committee will be discussing lack of Regent participation in committee meetings as well as at Board meetings. Ms. Berkley stated that running for this office mandated the acceptance of responsibility to attend the various meetings and campus activities, and felt it was demeaning to higher education to provide any less service.

Ms. Berkley left the meeting.

Mrs. Price asked if Robert's Rules of Order were still applicable, with Dr. Derby responding in the affirmative. Mrs. Price suggested posting the committee agendas on the Internet.

### 3. Chancellor's Report – Chancellor Jarvis asked for the Presidents' reports.

President John Richardson, TMCC – reported that one of the important functions of a community college is to form partnerships with other organizations within the community the college serves. Three partnerships TMCC is currently involved in include:

- A drop-in child care center, in cooperation with the Boys & Girls Club of Reno-Sparks, opening in the fall semester on the Dandini campus. The center will be open Monday-Thursday, 5:00-10:00 p.m. for children above the age of six.
- A one-stop Joint Career Center at Old Town Mall in cooperation with the State Department of Employment & Training. The Center is scheduled to open April 1<sup>st</sup> and will assist the unemployed in their search for employment and training with referrals to TMCC, and allow TMCC to refer students to the center for employment opportunities.

- A second computer lab for contract computer training at Old Town Mall to service business & industry as well as individuals seeking computer training.

President Richard Moore, CCSN – reported that the 1997 Legislature authorized 90 new faculty positions and that since September CCSN has been able to hire 102 new full-time faculty. A video presentation introduced each new faculty member and their respective department.

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President Ronald Remington, GBC – reported he had attended the following meetings with topics that impact higher education in Nevada:

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- The Northwest Accreditation Association meeting discussed the association's concerns with quality in instruction and how to assess quality.
- The Mountain States Association of College Presidents' meeting featured Dr. Jeff Livingston, head of Western Governor's University, who spoke about concerns with quality and what is being taught in the grade segments. The key to quality, from the WGU perspective, is in the competence and knowledge the students have acquired.
- Also at the Mountain States meeting was Dr. David Pierce, head of the AACCC, who discussed the transition from 2-yr. to 4-yr. programs. Dr. Remington said he would be asking the Board for a list of their questions and concerns to be addressed while GBC plans to move through this transition.

President James Taranik, DRI – provided an update on the work performed on TWA flight 800 involving a UNR scientist as well as that of Dr. John Sagebiel from DRI. Dr. Sagebiel was responsible for instrumenting the center tank of an aircraft similar to the one involved in the crash, and training the pilots how to turn on the equipment

to gather the samples, which were ultimately analyzed at the Desert Research Institute. Dr. Taranik reported the significant findings:

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- This was the first attempt in the history of aviation to instrument a center tank and collect samples while in flight.
- Materials in the tank at 14,000 ft. are flammable and very combustible. Flight 800 exploded at 13,800 ft. This was the first proof before the National Transportation Safety Board that such an explosion was feasible.
- The flammability risk actually increased with altitude.

Dr. Taranik announced that the 1998 Nevada Medal Award celebration would be held in April with a dinner at Caesar's Palace in Las Vegas on April 23<sup>rd</sup>. Lectures are scheduled at UNR at 4:00 p.m. on April 22<sup>nd</sup>, and 4:00 p.m. at UNLV on April 24<sup>th</sup>. The medallist is Dr. Lynn Margulis, a well-known scholar and environmentalist, and the former wife of Dr. Carl Sagan.

President James Randolph, WNCC – highlighted three items of interest from WNCC:

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- Classes started this week with strong enrollments at the Carson City campus and the Douglas Center. They expect a 9% increase over last year's enrollments.
- New buildings have opened this Fall with more expected in the next few months. The college was lacking for some time in facilities. Dr. Randolph commended Dr. Tony Calabro for his efforts in getting money from the 1995 Legislature for these projects.
- WNCC is starting a new Honor's Program with a new approach that will be presented at the April/May meeting in Fallon.

Ms. Berkley entered the meeting.

President Joseph Crowley, UNR – discussed three items of interest from UNR:

- Dr. Crowley attended an exit interview by the Liaison Committee on Medical Education (the accrediting body for the School of Medicine). This was a follow-up visit from the 1994 review, and they looked closely at nine areas of concern from the 1994 review. All areas involved matters of organizational integration (curriculum revision, student assistance, chair and faculty recruitment, residency, accreditation, facilities, and hospital relationships). The written report will be received later, however the committee indicated it would be an excellent report and that the school was making great progress.
- Sgt. Sullivan's memorial service was held Thursday, January 15<sup>th</sup> and was very well attended. The Foundation has established a \$10,000 scholarship in the Department of Criminal Justice in Sgt. Sullivan's name. The university received many calls with offers of financial and other assistance for the family that were routed through the Foundation office.
- The current issue of the Silver & Blue includes a copy of President Harter's iambic pentameter poem that was recited at a previous meeting.

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President Carol Harter, UNLV – mentioned the complimentary UNLV coffee mugs at each place setting, welcomed everyone to the UNLV campus, and invited the Board to dinner and the basketball game being held that evening.

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- Law School Dean Richard Morgan has been putting in many public appearances and the community has welcomed him. He has hired an Associate Dean, an Assistant Dean for Admissions & Financial Aid, a Law Librarian, an Assistant Law Library Director and head of Public Services, and three faculty members in preparation for the

August opening. Dr. Harter expressed her pleasure with the caliber of new hires for the Law School. UNLV has received more than 3,000 inquiries for openings in the Law School; UNLV intends to accept 75 full-time and 65 part-time students.

- UNLV will have a close tie with this year's Olympic games. Professor Dennis Mazzocco and student, Sonny Minx, from the Greenspun School of Communications will both be involved with CBS providing coverage of the winter games. Professor Mazzocco has helped cover eight previous Olympics and has won four Emmy awards in the process. He will serve as the video tape producer for CBS and has been assigned to the International Broadcast Center. Mr. Minx has been chosen as one of fifty paid interns from across the world who take part in this activity. In order to keep the campus apprised, they have created a website through which they will broadcast to Professor Mazzocco's classes. Additionally, Ms. Karen Dennis, UNLV Head Track Coach, was selected by the Track & Field Association to be the head coach for the U.S. Women's National Team at the 2000 Olympics to be held in Sydney, Australia. Ms. Dennis qualified for the 1964 Olympics.

Ms. Berkley suggested the Board chair write a letter of congratulations to Coach Dennis.

Chancellor Richard Jarvis – had the following to report:

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- The System Administration office in Reno is on the edge of the UNR campus and was also affected by Sgt. Sullivan's murder. Dr. Jarvis acknowledged a debt of gratitude to the UNR Peace Officers who serve the campus, and commended Vice President Ashok Dhingra for his role in coordinating and keeping everyone briefed and organized during the days immediately following the incident.
- Dr. Jarvis is serving as Vice Chair of the Governor's Workforce Development Board, which will address topics such as Welfare to Work, One-Stop Centers, and life-long learning issues for the development of the workforce for the State. The board is working with the Department of Education in this effort, and has a System Council on Workforce Development chaired by Dr. Bob Silverman

and Suzanne Ernst who have been keeping the Chancellor well briefed and supported. All of the System's colleges and universities are represented and active on the board.

- Dr. Jarvis is teaching Geography this semester at UNLV, and he thanked President Harter and Provost Ferraro for their invitation.

4. Approved Academic Research and Student Affairs Committee Report - Chair Dorothy Gallagher presented a report on the Academic Research & Student Affairs Committee meeting held on January 22, 1998. All items under discussion were action items.

Mrs. Gallagher moved approval of the Academic Research and Student Affairs Committee Report. Ms. Berkley seconded. Motion carried.

4.1 Approved Health Ecology, UNR - Approved the program proposal for the Bachelor of Science in Health Ecology at UNR. Ref. A on file in the Board office.

Mrs. Gallagher moved approval of the B.S. in Health Ecology program at UNR. Dr. Eardley seconded. Motion carried.

4.2 Approved Building Inspection & Compliance, WNCC - Approved the program proposal for an AAS degree in Building Inspection and Compliance at WNCC. Ref. B on file in the Board office.

Mrs. Gallagher moved approval of the AAS in



Building Inspection & Compliance at WNCC. Mrs. Dondero seconded. Motion carried.

4.3 Approved Ophthalmic Medical Technology, CCSN - Approved the program proposal for an AAS degree in Ophthalmic Medical Technology at CCSN. Ref. C on file in the Board office.

Mrs. Gallagher moved approval of the AAS in Ophthalmic Medical Technology at CCSN. Ms. Berkley seconded. Motion carried.

4.4 Approved Ophthalmic Dispensing, CCSN - Approved the program proposal for an AAS degree in Ophthalmic Dispensing at CCSN. Ref. D on file in the Board office.

Mrs. Gallagher moved approval of the AAS in Ophthalmic Dispensing at CCSN. Mrs. Dondero seconded. Motion carried.

4.5 Approved Veterinary Technology, CCSN - Approved the program proposal for an AAS degree in Veterinary Technology at CCSN. Ref. E on file in the Board office.

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Mrs. Gallagher moved approval of the AAS in Veterinary Technology at CCSN. Ms. Berkley seconded. Motion carried.

4.6 Approved Handbook Change, Program Proposal Format - Approved

the request to remove from the Handbook the new program proposal format. Reporting forms and requirements will be changed to serve both the Northwest Association of Schools and Colleges and the Board of Regents, and will be distributed by Chancellor's memorandum. Handbook, Title 4, Chapter 14, Section 4.5. Ref. E on file in the Board office.

Mrs. Gallagher moved approval of the Handbook Change. Mrs. Dondero seconded. Motion carried.

4.7 Approved Accomplishments Under Current Master Plans, CCSN, WNCC, UNR & DRI - Approved the reports of campus accomplishments made under current master plans at CCSN, WNCC, UNR, & DRI.

Mrs. Gallagher moved approval of accomplishments under current Master Plans by CCSN, WNCC, UNR and DRI. Mr. Rosenberg seconded. Motion carried.

4.8 Approved Report to Nevada School Districts, Fall, 1997 - Approved the reports to Nevada School Districts, mandated by the Education Reform Act passed in the 1997 Legislature.

Mrs. Gallagher moved approval of the report to Nevada school districts. Mr. Rosenberg seconded.

Dr. Derby asked how smoothly the report process was accomplished, with Mrs. Gallagher responding that all of the institutions worked very well with Vice Chancellor Nichols to develop the information and that it was not an easy task. It is anticipated that with the development of the data warehouse project, the information will be readily available. Mrs.

Gallagher anticipates negative response once this report is released and recommended that the Regents communicate the Committee's best effort in addressing this new legislative requirement.

Motion carried.

5. Approved Audit Committee Report - Chair Mark Alden presented a report on the Audit Committee meeting held on January 22, 1998. Mrs. Sandi Cardinal, Internal Audit Director, reported that the bank reconciliations for all institutions are up to date. The guidelines for enrollment reporting by campuses were reviewed.

Mr. Alden moved acceptance of the Audit Committee Report. Ms. Berkley seconded. Motion carried.

5.1 Approved Internal Audit Reports – Approved the following Internal Audit reports:

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- Career Services Department, UNLV
- Client Service Center, UNLV
- CSUN Preschool, UNLV
- Child Development Laboratory, CCSN

Mr. Alden moved approval of the Internal Audit Reports. Ms. Berkley seconded. Motion carried.

5.2 Approved Audit Exception Report – Approved the Audit Exception Report for the period July 1, 1997 through December 31, 1997.

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Mr. Alden moved approval of the Audit Exception Report. Mrs. Dondero seconded. Motion carried.

6. Approved Investment Committee Report – In the absence of Investment Chair Graves, Board Chair Jill Derby presented a report on the Investment Committee meeting held on January 15, 1998. Director of Banking and Investments Tim Ortez discussed the model manager structure and identified areas within the endowment pool where equity strategies could be combined in order to reduce the overall portfolio management expenses while maintaining diversification among capital markets. Ms. Marianne Austin, Cambridge Associates, reported on the performance of UCCSN pooled operating and endowment funds for the period ended September 30, 1997. Mr. Ortez reviewed the process in which a small cap equity manager is to be identified. This will be an action item at the next meeting.

Dr. Derby moved approval of the Investment Committee Report. Ms. Berkley seconded.

Mrs. Price indicated that she was out of state and, due to lack of proper telephone hookup, she was unable to speak at that meeting. She announced she would be voting against the action items due to what she sees as taking a direction of more risk at this particular time and which she feels is not warranted, although she acknowledged that Director Ortez has good argument for making the two changes. Mr. Alden indicated his full awareness and agreement for the agenda items.

Motion carried. Mrs. Price voted no.

Mrs. Price asked that the minutes reflect the circumstances of the meeting and the reason for her dissenting vote. Mr. Phillips asked for clarification of Regent Price's comments. Mrs. Price restated her request.

6.1 Information only - Elimination of Manager Accounts – The Committee eliminated the following investment manager accounts in accordance with Board policy, Title 4, Chapter 10, Section 3.1.e.

Pacific Financial Research

Anderson Hoagland

GMO Asset Allocation Account

6.2 Approved Handbook Change, Endowment Fund – Approved Handbook Changes, to Title 4, Chapter 10, Section 3.5b, Guidelines for the "Equity Fund". Ref. H on file in the Board office.

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Dr. Derby moved approval of the Handbook Changes. Mr. Alden seconded. Motion carried. Mrs. Price voted no.

7. Information Only - DRI Presidential Search Committee Report - Chair Dorothy Gallagher presented a report on the DRI Presidential Search Committee meeting held on January 21, 1998. Consultant Bill Bowen has assured the Committee that they have a good pool of candidates. The search is somewhat difficult due to the small size of the pool. The plan is for the semi-finalists to be announced on February 6<sup>th</sup>, at which time the Committee will be able to review their resumes. Also planned is a February 21<sup>st</sup> -22<sup>nd</sup> interview of the semi-finalists, a closed personnel session to discuss them, and a vote on the finalists. The finalists will undergo a second set of interviews and campus tours.

8. Information Only - Campus Environment Committee Report - Chair Howard Rosenberg presented a report on the Campus Environment Committee meeting held on January 22, 1998. Dr. Larry Tirri, Chair of the UCCSN Safety, Health and Environmental Protection Advisory Committee (SHEPAC) provided an update on committee activities and issues. SHEPAC has members from each of the UCCSN campuses.

The Student Right to Know and Campus Security Act (Public Law 101-542) requires

campuses to compile and make available to the public information on specific crimes committed on campus on an annual basis. The Committee reviewed these reports. Campuses reported on their crime awareness and campus security programs.

Regent Price asked if Mr. Rosenberg would expand his report on campus crime by identifying who was committing the crimes. Mr. Rosenberg referred Mrs. Price to the report. It was established that transients are responsible for a great deal of the crime committed rather than the students. These individuals walk onto campus off the street and commit a great deal of the crime.

The meeting recessed at 2:00 p.m. for the Finance and Planning Committee meeting, and reconvened at 3:35 p.m. with all members present except Regents Graves and Phillips.

9. Approved Finance & Planning Committee Report - Chair Thalia Dondero presented a report on the Finance & Planning Committee meeting held on January 22, 1998.

9.1 Approved Study Consultant - Approved the proposal to prepare an RFP to undertake a comprehensive analysis of institutional and System salary schedules and salary administration issues.

Dr. Derby suggested, with the Boards' approval, accepting the report and action item as already approved during the committee as a whole. No objections voiced.

The meeting recessed at 3:40 p.m. and reconvened at 3:45 p.m. with all members present except Regents Berkley, Graves, and Phillips.

10. Approved Consent Agenda - Approved the Consent Agenda.

(1) Approved Minutes - Approved the minutes of the meeting held December 4-5, 1997.

(2) Approved Emeritus - Approved recommendations for emeritus status for the following:

UNLV

Dr. Stephen Nielsen, Associate Professor of Communication, Emeritus, effective upon retirement May 19, 1998.

Dr. Jack Vergiels, Professor of Education, Emeritus, effective upon approval.

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UNR

Patricia Burgess, Assistant Professor Nursing, Emeritus, effective upon retirement July 1, 1997.

To be effective January 1, 1998:

Pacita Manalo, M.D., Associate Professor of Pathology & Laboratory Medicine, Emeritus

Linn Mills, Area Director, Emeritus

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To be effective July 1, 1998:

Gerald P. Ginsburg, Professor of Psychology and Social Psychology, Emeritus

Robert Hooper, Associate Professor, Emeritus

Young O. Koh, Professor of Statistics & Computer Science, Emeritus

Frank Meyers, Dean, Emeritus

Ron Williams, Professor, Emeritus

(3) Approved Sabbatical Leaves, 1998-99 - Nevada Revised Statutes and Board of Regents' policy provide for the total number of sabbatical leaves that may be awarded each year. Utilizing the criteria set forth, the Chancellor and the Council of Presidents request approval of the following:

A. University of Nevada, Reno - President Crowley recommended that sabbatical leaves for UNR be awarded to the following:

Ellen Baker, Biology, Spring, 1999

Peter Brussard, Biology, Academic Year

Stacy Burton, English, Academic Year

Scott Casper, History, Academic Year

Dennis Dworkin, History, Academic Year

Don Fowler, Anthropology, Fall, 1998

Robert Merrill, English, Fall, 1998

Gary Norris, Civil Engineering, Fall, 1998

Mehdi Saiidi, Civil Engineering, Spring, 1999



Richard Schultz, Geological Sciences, Academic Year

Catherine Smith, Music, Academic Year

Kevin Stevens, History, Academic Year

Lorena Stookey, English, Academic Year

Robert Winzeler, Anthropology, Academic Year

Alternates:

Paul F. Starrs, Geography, Academic Year

Ronald C. Reitz, Biochemistry, Fall, 1998

See Ref. C-3A on file in the Board office for summary of proposed projects.

B. University of Nevada, Las Vegas - President Harter recommended that sabbatical leaves for UNLV be awarded to the following:

Gennady Bachman, Mathematical Sciences, Spring, 1999

David Berry, Public Administration, Full Year

Stephen Carper, Chemistry, Full Year

Thomas Clark, English, Full Year

Richard J. Jensen, Communication, Fall, 1998

Christopher Kearney, Psychology, Spring, 1999

Dennis W. Lindle, Chemistry, Full Year

Michael Lugering, Theatre, Full Year

Susan P. Miller, Special Education, Fall, 1998

Gary B. Palmer, Anthropology, Spring, 1999

Dmitri N. Shalin, Sociology, Full Year

Ashok K. Singh, Mathematical Sciences, Fall, 1998

Douglas Unger, English, Full Year

Lawrence R. Walker, Biological Sciences, Full Year

Joel D. Wisner, Management, Spring, 1999

Bernard Zygelman, Physics, Full Year

Alternates:

Shahram Latifi, Electrical & Computer Engineering, Fall, 1998

Woosoon Yim, Mechanical Engineering, Fall, 1998

Melvin H. Jameson, Finance, Fall, 1998

See Ref. C-3B on file in the Board office for summary of proposed projects.

C. Desert Research Institute - President Taranik recommended that sabbatical leaves for DRI be awarded to the following:

Dr. Roko Andricevic, WRC, 07/01/98-6/30/99

Dr. Daniel L. Freeman, EEEEC, 07/01/98-12/31/98

Dr. Nicholas Lancaster, QSC, 07/01/98-12/31/98

See Ref. C-3C on file in the Board office for summary of proposed projects.

D. Community College of Southern Nevada - President Moore recommended that sabbatical leaves for CCSN be awarded to the following:

Susan Hollingshead-Steward, Dental Hygiene,  
Fall, '98-Spring, '99

Curtis R. Pantle, Science, Fall, 1998

Albert Fisher, Accounting, Finance & Office  
Administration, Fall, 1998 - Spring, 1999

Prakash Phalke, Computer Department, Fall,  
1998 - Spring, 1999

Royse Smith, Philosophical & Regional Studies,  
Fall, 1998 - Spring, 1999

Deanna E. Beachley, Philosophical & Regional  
Studies, Fall, 1998

Gary E. Elliott, Philosophical & Regional Studies,  
Fall, 1998 - Spring 1999

John Hollitz, Philosophical & Regional Studies,  
Spring, 1999

Marie Lium, English, Spring 1999

J.R. Peay, Computing Department, Spring, 1999

Angela J.C. LaSala, Human Behavior, Spring,  
1999

Elfie U. Kaldi, International Languages, Spring,  
1999

Alternate:

Charles Mosley

See Ref. C-3D on file in the Board office for summary of  
proposed projects.

E. Great Basin College - President Remington recommended  
that sabbatical leaves for GBC be awarded to the following:

Mr. Ralph Siler, Maintenance Tech./Music, 1998-99

See Ref. C-3E on file in the Board office for summary of proposed projects.

F. Truckee Meadows Community College - President Richardson recommended that sabbatical leaves for TMCC be awarded to the following:

Dianne Cheseldine, Liberal Arts, Fall, 1998

Jim Claybrook, Counseling, Fall, 1998

Gail Ferrell, Mathematics, Fall, 1998

Allen Lewis, Professional Business Studies, Fall, 1998

See Ref. C-3F on file in the Board office for summary of proposed projects.

G. Western Nevada Community College - President Randolph recommended that sabbatical leaves for WNCC be awarded to the following:

Reg Creasey, Data Processing/Business, Fall, 1998

Ron Martin, History, Fall, 1998

See Ref. C-3G on file in the Board office for summary of proposed projects.

- o Approved Capital Improvement Fee Funds, GBC & UNLV – Approved the use of Capital Improvement Fee Funds for the following:

GBC - Request is made to use \$78,000 in Capital Improvement Fee Funds for the following:

Campus Improvement	\$10,000
Building Improvements	25,000
Distance Education Classrooms	5,000
Dormitory Building Prototype	8,000
Dawson child Center	<u>30,000</u>
TOTAL	\$78,000

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UNLV - Request is made to use up to \$250,000 of Capital Improvement Fee Funds for the continued lease of trailers. The estimated lease cost for FY 1998 is \$225,000. The mobile units provide space which is used primarily for faculty offices and restrooms.

(5) Approved Summer Session Salary Schedule, UNLV and UNR - Approved a Handbook Change to Title 4, Chapter 3, Section 26, Summer Term Salary Schedules as follows:

(Deleted material is [bracketed]; new material is underlined).

Salary schedules for summer session faculty at UNR and UNLV shall be approved annually by the Board of Regents. The following schedules are effective for the [1997] 1998 Summer Term.

A. University of Nevada, Las Vegas

### UNLV Faculty

Professor \$ [1,585] 1,700 per credit hour

Associate [1,530] 1,600

Assistant [1,480] 1,500

### Visiting Faculty

Professor \$ [1,352] 1,350

Professor Emeritus: Rate depends upon rank at time of retirement.

Pay per credit hour of individual instruction is \$[60] 65.

The per-credit hour salary is the maximum allowable. A lower amount, when necessitated by low enrollment and when agreed to by the instructor, is permitted.

### B. University of Nevada, Reno

a. The following salary schedule applies to classes taught on- or off-campus during the inclusive dates of Summer Session.

### Resident Faculty

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Professor \$ [1,580] 1,625 per credit hour

Associate [1,365] 1,400

Assistant [1,215] 1,255

Lecturer [990-1,580] 1,020-1,625

Teaching Asst./

Graduate Asst. [855] 880

## Visiting Faculty

Professor \$ [1,310] 1,335

Associate [1,145] 1,170

Assistant [855] 875

Lecturer [855-1,310] 875-1,310

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(6) Approved Building Name Change, UNR - Approved naming the lecture building on the lower quad (near the Chemistry and Physics buildings) the Schulich Lecture Hall.

(7) Approved State Support for NDSL Matching Funds – Approved the System to request of the Interim Finance Committee increased state matching funds for a federal loan program (National Defense Student Loan program). The campus demand has exceeded the budgeted allotment and as a consequence will be eligible for increased federal support. The increased state funding match is \$40,000. The NDSL program is a separate appropriation and cannot be supported through other appropriations.

(8) Approved New Self-Supporting Budgets – Approved self-supporting budgets that have been created since the beginning of the fiscal year (July 1997). A separate document identifies the new budgets by institution, budget and funding source (on file in the Board office).

(9) Approved Interlocal Agreements – Approved the following Interlocal Agreements:

A. Parties: Board of Regents/UNR and the Washoe County District Health Department.

Effective: Date approved by Board, for one year.

\$\$: \$14,850 to UNR.

Purpose: Support of part-time coordinator for home visit volunteer training and management.

B. Parties: Board of Regents/UNR and the Nevada Department of Prisons.

Effective: Date approved by Board until December 31, 1999.

\$\$: None.

Purpose: Joint plan for the organization, administration and operation of UNR Orvis School of Nursing education at the Department of Prisons.

C. Parties: Board of Regents/UNLV and the Nevada Department of Human Resources/Division of Health Care Financing and Policy.

Effective: July 1, 1997 through June 30, 1999.

\$\$: Total contract maximum is \$558,336 contingent upon Medicaid expenditures of \$236,672.

Purpose: Collect and analyze data on a monthly basis from hospitals pursuant to NRS 449.485.

Mrs. Gallagher moved to approve the Consent Agenda. Dr. Eardley seconded.

Mr. Rosenberg requested that Consent Agenda item #5 (Summer Session Salary Schedule) be removed for discussion.

The motion was changed to approve the Consent Agenda with the exception of item #5. Motion carried.

Mr. Rosenberg stated that he would abstain from the vote on item #5 (Summer



Session Salary Schedule), unless it became necessary for him to break a tie, since it could be perceived as a conflict of interest on his part. He added that he had a problem with raising the Summer Session salaries. In order for a full professor to sustain the cost, the average number of students required is substantially more than that of the lower paid educators. The chances of obtaining that enrollment are higher for lower division classes. Under these conditions, it becomes difficult to sustain upper division programs during the summer, and he opposes the raise for this reason. Additionally, he does not care for the manner in which Summer Session is conducted, adding he would like the Board to consider a trimester approach.

Mrs. Price asked if salary increases and other increases were now a normal part of the Consent Agenda. Dr. Derby replied that she had requested that primarily administrative items be placed on the Consent Agenda, and asked if Regent Price felt that this particular item was not appropriate. Mrs. Price stated that if the situation is as Regent Rosenberg described it, then she felt it wasn't appropriate. Mrs. Price asked what distinguished this salary increase from any others, adding that a discussion had taken place where it was decided that all salary increases would be handled at one time so the Regents recognized they were raising salaries. Mr. Wiesner asked if Mrs. Price felt this should have been an action item. Mrs. Price responded that she felt it should have been addressed with any other salary increase consideration, so that it was done all at one time and not in parts. Mrs. Price added that she felt that salary considerations constitute a major portion of the Regent's work and should be addressed separately so that discussion may ensue. Chancellor Jarvis stated that his impression was that these matters had been addressed on the Consent Agenda in the past. The salary increases on this item are effectively regarded as COLA adjustments to a schedule in much the same manner as was done with the other schedules. Individuals will be appointed to Summer Session dependant upon programs selected, so a relatively small portion of the faculty receives these increases. President Crowley agreed that this item has routinely appeared on the Consent Agenda and typically reflects the same amount that the State provides for cost of living annually. Dr. Crowley added that he did not think that there were too many full professors who taught during the summer session, but agreed with Mr. Rosenberg that it might be a good idea to look at that. Dr. Crowley added that he supported Mr. Rosenberg's idea for a trimester approach because the State would then need to pay for it. UCCSN had pursued this issue with the Legislature in the mid-80's. Mrs. Price stated that it is a question of category. If tuition increases were triggered by this, she would still expect those increases to come before the Board. Mrs. Price reiterated that she felt that tuition and salary increases are a major portion of the Board's work and should be part of the discussion. Dr. Crowley responded that typically Summer Session salary follows the same incline as the regular faculty salary.

Dr. Eardley commented that Summer Schools are all self-supporting and that the student fees support the budget since the State does not. Dr. Eardley added that a savings could be realized by using contract teachers during the summer. He felt the

Consent Agenda is an appropriate place for this item to appear and that if any Regent wished discussion it could be handled in the manner in which it was being done.

Mr. Wiesner commented that you have to pay attention to the Consent Agenda so you do not miss any items.

Mr. Rosenberg stated that if a department spends more in Summer Session than it receives, the following year's budget is reduced. Taken to its logical conclusion, a department's ability to offer a program could be crippled. Mr. Rosenberg felt that most faculty would support the attention to program that a trimester would afford, and that student's lives would be better as a result. Dr. Eardley asked if it would be state funded instead of self-supported. Dr. Crowley responded that they would like to see that occur. The current method of state supported higher education does not recognize Summer School FTE, adding that it may be time to revisit this issue. Mr. Rosenberg added that thesis, independent study, or special project courses could not be offered during the summer due to the lack of funds. Dr. Harter commented that UNLV has a different situation and that it is a rare occasion for a Summer School course to be cancelled due to low enrollment. When the enrollment is low and a full professor is teaching, the professor has the opportunity to teach for less salary to keep the course available. Dr. Harter agreed that the trimester approach would better meet student demands.

Mrs. Price stated that the Regents have responsibility over the entire budget, whether it is state funded or self-supported.

Dr. Derby thanked everyone for their comments and reinforced Mr. Wiesner's comment by adding that an item on the Consent Agenda is not "rubber-stamped", but that it heightens the Regents' responsibility to read through it and encouraged the Regents to do so. She told Mrs. Price that her comments would be taken under advisement.

Mrs. Gallagher moved approval of item #5, Summer Session Salary Schedules. Mrs. Price seconded. Motion carried. Mr. Rosenberg abstained.

11. Information Only Campus Presentation, UNLV - A video presentation of UNLV's new library was shown followed by a musical production of Broadway show tunes provided by Theatre Professor Robert Brewer's graduate students. Professor Brewer has been with UNLV since 1989; hired specifically to develop the graduate Music Theatre Performance training program. He was a faculty member of the Julliard School at age 22. Some of his prior students include Robin Williams, Kevin Kline, and Christopher Reeves.

The meeting adjourned at 5:40 p.m. and reconvened at 8:15 a.m. with all members present except Regents Berkley, Dondero, Graves, Phillips, and Wiesner.

Chair Derby thanked President Harter and others from UNLV who hosted a lovely dinner and basketball game the prior evening. Dr. Derby also paid tribute to the awesome singing presentation by the Music Theatre Performance graduate students the previous afternoon.

12. Approved Enrollment Report - Approved the Fall 1997 Headcount and Full-Time Equivalent (FTE) enrollments for the System. Ref. 1 on file in the Board office.

Chancellor Jarvis stated that the Enrollment Report sets the stage for the budget building process, and highlighted the following points:

- Current status in Fall, 1997 - How many students?
- Student characteristics – What kind of students?
- Planning projections and challenges – What challenges do we face with the demographics of Nevada?

Mr. Wiesner entered the meeting.

Dr. Jarvis provided definitions and methodology for the following terms:

- Headcount
- FTE (full-time equivalent) Students
- Full-time and Part-time Students

Mrs. Dondero entered the meeting.

Dr. Jarvis reported that System growth for 96-97 matched State population growth and that growth rates vary significantly by campus and county. The workload (enrollment) is on a track to exceed budgeted enrollments funded for 97-98.

- The majority of Nevada students are non-traditional in age and are part-time rather than full-time students.
- Graduate and professional students are a significantly growing population at the universities.
- Large numbers of people enroll in Workforce Training and Community Service courses, especially at the community colleges, which are non-State supported enrollments.
- The population of students is older and more part-time than most colleges and/or universities.

Ms. Berkley entered the meeting.

Dr. Jarvis itemized key planning issues and projections:

- Nevada is the fastest growing state in the west.
- Nevada will encounter increased diversity – the fastest in the west.
- Nevada has non-traditional students from non-college backgrounds:
  - The highest proportion of part-time students in the west.
  - The lowest proportion of the population with baccalaureates.
  - College participation rates the lowest in the nation.

Mrs. Dondero commented on the need for professors to be super human in order to address the challenge of the age group and minority mix of the students. Dr. Jarvis responded it is a challenge that every institution faces.

Mr. Alden requested the latest composite of which minority groups represent the student population. Dr. Jarvis responded that the Diversity Report would be brought forward soon.

Mrs. Price commented that these figures justify the importance of Strategic Directions and expressed her interest in how the emphasis on economic development over academic education will play into this challenge. She stated the need to plan ahead for the location of new campuses to address the demographics in the long-term. Dr. Jarvis commented that as the economy changes there will be a variation in immigration practices.

Dr. Jarvis continued with a discussion of one of the largest issues facing the System (probability of college attendance) and concluded of what is necessary to address this issue.

- Maintain a commitment to access, maintain growth rates, continued state funding at rates greater than budgeted enrollment increases, and financial aid.
- Campus Environment and Student Services with attention to retention, advising, tutoring, day care, and diversity.
- Change the college-going culture with the help of the Pre-K-16 Collaborative and workforce development.
- FY 1999-2001 Budget Review Key Issues:
  - Access to opportunity.
  - Access to quality.
  - Transitioning a two year college to a dual 2-yr./4-yr. mission.
  - Research and graduate education.
  - Investing in technology to support student learning, research, and accountability.
  - Partnerships to support standards based reform in K-16.
  - What can the state afford to spend on higher education?
  - Reliable and equitable tuition and fee policies.

13. Approved System Administration Office Lease - Approved the use of up to \$45,000 of Regents' Contingency Funds to add and equip office space in Las Vegas. The ongoing lease costs in Las Vegas will be incorporated in a System Administration budget revision. Ref. J on file with the permanent minutes.

Chancellor Jarvis reported the changes in functions and new assignments and requirements necessitated from the last legislative session in justifying the need for more office space in the southern Nevada System Administration office. Deputy Suzanne Ernst reported that the proposed addition would add 2100 sq. ft. to the existing 4200 sq. ft. now being leased at \$1.50/sq. ft. The System office has a five year lease with an option for two more years, and the cost of moving would be

significantly more. The landlord would do most of the construction work with the exception of special video wiring requirements to the proposed meeting room.

Ms. Berkley moved approval of the use of up to \$45,000 of Regents' Contingency Funds to add and equip office space in Las Vegas. Mr. Alden seconded.

Mrs. Dondero asked how many people the proposed meeting room would accommodate, with Deputy Ernst responding that it is substantial in size, possibly accommodating 50-100 people, but the Fire Department would need to make the appropriate determination.

Mrs. Price suggested a review of how the Regents' Contingency Fund and System Administration are funded for the benefit of the new Regents. Mr. Rosenberg asked how the office space would be funded after the initial expenditure, with Dr. Anderes responding it would become a budgeted line item.

Ms. Berkley expressed her delight in the heightened Chancellor and System Administration presence in southern Nevada this item would afford. Mr. Alden agreed with Ms. Berkley's comment, adding that it is refreshing that the Chancellor is continually in a planning mode for the future, and thanked the Chancellor and staff for realizing the needs in southern Nevada.

Motion carried.

The meeting recessed at 9:20 a.m. and reconvened at 9:35 a.m. with all members present except Regents Graves and Phillips.

14. Information Only - Regent's Workshop: Strategic Directions – Dr. Derby reported that the Strategic Directions, developed by the Board 6-7 years ago, direct the course of higher education in Nevada. The Board plays a most important leadership role in the development of the Strategic Directions. They are refined each biennium by the Regents to ensure they remain the goals of the Regents. The Strategic

Directions are fundamental to the budget building process. The Board's participation was encouraged in the workshop, which will include small group discussions facilitated by Dr. Caesar J. Naples, Vice Chancellor, Emeritus and Trustee Professor for California State University. Members were instructed to consider adding a Strategic Direction that specifically articulates the commitment to quality of instruction in higher education in Nevada. Workshop participants included the Regents, Chancellor's Cabinet officers, University and Community College Presidents, Faculty Senate Chairs, and Student Government Representatives.

Senior Deputy to the Chancellor, Karen Steinberg, provided the logistics for the workshop, asked the Regents to be comfortable with the Strategic Directions and to understand them, asked for missing performance indicators, and named the group leaders and their locations.

Dr. Naples spoke briefly highlighting the following points:

- Governance is vested in lay boards.
- The electorate should control or have authority over public funds.
- Regents can be effective by responding to constituent concerns.
- Regents are expected to join as individuals to represent the public with a common vision.
- Measure progress by comparing individual actions with Strategic Directions to see how closely they apply to furthering the goals.
- One individual can impede the process; only the collective efforts of the group can succeed.
- The challenge is to ensure that the goals set for the University System are the right ones, and to ensure that public resources produce education of the highest possible quality for the people of the state of Nevada.
- Find innovative and effective ways to encourage the diverse constituents to join in the efforts to reach the goals.
- Board members find within themselves the energy and willingness to assess the progress that the System is making towards those goals, making mid-course corrections as necessitated, and asking if the goals are being furthered.
- Perspectives to consider:
  - Are we pulling together? Are we making progress?
  - Are the goals worthwhile? Quality and access are the two pillars upon which the public higher education system stands.

Regent Berkley asked for the best method to begin the review. Dr. Naples responded that reviewing the existing strategies is a good and logical way to

determine if the goals are worthwhile, and to consider how goals may be reached with diverse institution missions. Ms. Berkley asked if each campus should be discussed individually. Dr. Naples suggested establishing an inquiry for each campus to address at a later date.

The meeting recessed at 10:05 a.m. to move into workshop groups and reconvened at 12:35 p.m. with all members present except Regents Graves, Phillips, and Wiesner.

14. Information Only - Regent's Workshop: Strategic Directions – continued.

The groups reported on their identification of Strategic Directions and performance indicators. System Administration staff will compile the results and report back to the Board at a future meeting. Dr. Derby thanked everyone for their participation.

Dr. Naples reported his observations of the groups' planning process:

- There was a great deal of energy, focus, cooperation, and a strong sense of ownership.
- A willingness to discuss and deal with Regent indicators vs. campus indicators.
- Noticed a focus on Ph.D.'s as a measure of institutional excellence or productivity, and warned against ignoring the value of masters programs.
- Willingness to assess institutional effectiveness by analyzing outcomes.
- Willingness to compare with other institutions outside of Nevada.
- Agreement that quality is the essential element or goal.
- Revitalization of goals.
- Ownership of these goals.

Mr. Alden moved for the preparation of a follow-up report on this workshop. Mrs. Dondero seconded. Motion carried.



15. Information Only - Regents' Bylaws, Committee Quorum - At the December, 1997 meeting, the Chancellor was directed to review Regents' Bylaws, Article V, Section 13, Quorum, for consideration of a change to the quorum required for committees. Ref. K on file in the Board office. Dr. Derby requested feedback from Board members.

Mrs. Price asked how the reduction in the number required for a quorum would be affected by the Open Meeting Law; could two people from the same committee then not talk to one another. General Counsel Tom Ray responded that yes, that was possible. Mrs. Price suggested that a better solution might be to allow other people to sit in on a committee; suggesting a restructure of the committees with people from outside the committee makeup. Reducing the number required for a quorum to two (2) is not a good idea because the two people cannot talk to one another and it places too much power in fewer hands.

Mr. Alden stated he felt it essential for this to occur in order for the Board to be able to carry out its business.

Mrs. Gallagher stated she felt torn with this issue. She understands how frustrating it is to be unable to conduct business without a quorum present, but hesitates to put only two people in a position to decide what committee business comes before the Board. When elected members agree to sit on the Board and its committees, it is their responsibility to show up on time. Careful consideration on this matter is required.

Dr. Eardley recommended the elimination of committees with all committee action occurring before the Board as a whole. Dr. Derby responded that it would significantly lengthen the meeting time. She acknowledged that more discussion on the committee structure is necessary and time would be scheduled for that purpose.

16. Approved Decertification of TMCC-NFA & Call for Election – Approved a Notice of Intent to Decertify TMCC-NFA as the sole and exclusive representative for the purpose of collective bargaining activities. (Handbook, Title 4, Chapter 4, Section 8.) In accordance with policy, (Handbook, Title 4, Chapter 4, Section 6) the Chancellor was directed by the Board to schedule an election.

Dr. Jarvis reported on the notification of Intent to Decertify and the requirement for a quota of 30% of eligible members. He thanked Sr. Deputy Karen Steinberg and NFA leaders for their collaboration in the verification of those signatures. The 30% requirement has been met, and he requested the Board direct him to hold an election to determine the decertification of the collective bargaining unit. The Chancellor stated he had received a proposal from the NFA regarding continuation of the current contract. That issue will be addressed once the decertification question is resolved.

Dr. Eardley moved to direct the Chancellor to schedule an election for TMCC. Mrs. Gallagher seconded.

Mrs. Price asked if anyone had checked this policy against federal law. General Counsel Tom Ray responded that when this issue first arose he did not research the code from that aspect. He does not believe there is a conflict with federal law. Mrs. Price asked why, if the policy is in place and the 30% quota has been met, does the Board need to take any action. Mr. Ray responded that the reason the policy is in place is to act as a mechanism to trigger the action. The Chancellor and staff must determine whether the requirements have been met; if the requirements have been met, it is an administrative function of the Board to direct that the election be held, there is no discretion. Mrs. Price asked why the item is on the agenda. Dr. Derby responded that it was to direct the Chancellor. Mr. Ray added that the Board needs to be satisfied that the representations made are acceptable; having accepted the representations, the Board then directs the election be held.

Motion carried.

17. Information Only – Thunderbird Lodge, UNR – President Crowley provided a briefing on the current status of the Thunderbird Lodge project at Lake Tahoe and provided the next steps that the University will take.

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President Crowley noted that Ms. Mary Alexander, Associate General Counsel for Del Webb Corporation, was present to answer questions about Del Webb's role in this issue. UNR was approached by the American Land Conservancy to help save the Thunderbird Lodge property for public access. The Forest Service had an

interest in the land, but not the buildings. Dr. Crowley discussed the following points of interest:

- An appraisal of the financial impact to UNR's ownership of the buildings revealed the buildings worth \$3.5 million and use of 6.5 acres of land valued at \$6.4 million, for a total appraised value of \$9.9 million.
- If the Board approved the university's involvement, the buildings and reservation of 6.5 acres would be purchased by Fall 1998 from Del Webb, who holds the Deed of Trust. UNR would then face the prospect of significant private fund raising; UNR has commitments of \$4.4 million that includes a \$1 million donation from Del Webb and a \$1 million donation from the American Land Conservancy. UNR would need to raise \$5.5 million more, and an additional \$1.5 million to build a research facility for this site and bring the current structures up to code.
- The language of the agreement being developed with Del Webb is written so that if UNR cannot raise the full \$9.9 million, they would not be required to purchase the buildings.
- No state dollars would be involved in either the acquisition of the property or the operation of the facility.
- The reservation (lease) with the Forest Service would be for 40 years and renewable in twenty year increments with no lease payments.
- A draft business plan has been prepared to analyze the cost of operation and what income it could provide via public access, tours, etc.
- The property has significant potential as a meeting place and research center. It could accommodate approximately 75 people for conferences.

- UNR currently has 60 faculty members involved in research activities at the lake.
- Two new multi-million dollar research projects, (Ecosystem Management and Watershed Assessment), have been undertaken by UNR in collaboration with U.C. Davis as a result of President Clinton's recent visit to Lake Tahoe.

Mrs. Dondero asked who would actually hold the ownership for insurance and liability, with Dr. Crowley responding that UNR would own the buildings and have a reservation on the 6.5 acres for UNR use rights.

Dr. Eardley stated his approval of the idea.

Mr. Rosenberg asked if there was land in southern Nevada that would be traded in this process. Dr. Crowley stated it was very complicated and asked Ms. Mary Alexander to explain. Ms. Alexander stated that it is a phased exchange of properties near Henderson, Nevada that is a future site of a Del Webb development. Mr. Rosenberg asked if the \$9.9 million was in addition to the land that would be swapped. Ms. Alexander answered yes, but that the university is not involved at all in that process. Dr. Crowley added that UNR is not involved in that aspect and was only involved because the Forest Service does not operate building sites like this one; there must be a public entity involved in order for this deal to work.

Dr. Eardley asked if the land that the buildings are on would be part of the university. Dr. Crowley responded that it is part of the reservation. Ms. Alexander added that the title to the land goes to the Forest Service with a reservation for the use rights of the 6.4 (actual) acres going to the university.

Dr. Crowley added that the November-December issue of Silver & Blue includes an article on the research that UNR conducts at the lake.

Dr. Derby requested that Dr. Crowley's staff submit their material to the Board office in a timely manner. Dr. Crowley acknowledged they are sensitive to that matter, and if not adequately prepared in March, would bring the item forward at a later meeting date.

Dr. Derby recognized the presence of former Regent Carolyn Sparks.

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18. Information Only – NCAA Certification, UNLV – President Harter and staff presented an update on their NCAA certification program.

President Harter described the NCAA certification process for the Board's awareness and to establish the record of Regent involvement. Dr. Harter reported the following:

"As I indicated briefly at the last Regents' meeting, UNLV is currently undertaking a year-long campus-wide effort to study our athletic programs as part of the NCAA Division I athletics certification program. This process is similar to our institutional studies for the accreditation of academic programs – except it focuses on athletics.

The specific areas to be evaluated are academic and financial integrity, rules compliance, and commitment to equity. The entire process is intended to insure integrity in all athletic operations and to involve the entire university community and the broader public in the evaluation and discussion. An oversight committee, chaired by Dr. Myrlene LaMancusa our NCAA Faculty Representative, and several subcommittees are at work on a self-study which will be discussed by interested members of the faculty and staff in open forums next month. This study will be revised and discussed again next October in preparation for a four-day site visit by an external review team in December, 1998. This team of peers from other universities and conference offices will then report to the NCAA Committee on Athletic Certification. The self-study and general discussion should increase campus awareness and knowledge of athletic programs and procedures, confirm strengths, and develop plans to remedy problems. The three certification options are: certified, certified with conditions, and not certified. We are taking this very seriously, are working energetically on the self-study, and are quite optimistic about the prospects for certification.

In closing, I would like to reemphasize the broad participation in this effort and to thank current Regents Thalia Dondero and Tom Wiesner, former Regent Carolyn Sparks, community members Tom Hartley, Mike Chudd, and Bob Blum, and the numerous faculty, staff, and students for their willingness to serve on important subcommittees.

Thank you for providing the time for me to give you this brief overview, and I shall keep you informed of our progress."

Dr. Derby asked if this process was the result of a voluntary invitation, with Dr. Harter responding that all certification or accreditation is part of a voluntary process, but it is really a requirement for Division I programs. UNR has already done so. Dr. Crowley commented that he had the privilege to chair the committee that developed the NCAA legislation on certification. UNR has gone through the process, and learned a tremendous amount about the university, and also succeeded in bridging a gap between the Athletics department and the rest of the campus. A university may choose not to go through certification, but then the NCAA will not accept the teams.

19. Approved Legislative Relations Staff as Lobbyists – Approved requirements for registration of legislative lobbyists. To meet public concerns on disclosure and accountability, the Board directed the Chancellor to explore ways in which UCCSN legislative relations staff may be registered appropriately.

Chancellor Jarvis stated that the press had been reporting on various items of lobbying activity by members of the UCCSN staff with regards to hosting events for legislators. Traditionally, members of the System are not required to register as lobbyists, and there is a legal opinion that supports that. The System is willing to disclose these activities and harbors no resistance to registering members of the legislative relations staff, whose primary responsibility is in work with the Legislature during session. Dr. Jarvis asked for the Board's endorsement in pursuing means of resolving this issue.

Mr. Alden moved approval of the Chancellor pursuing requirements for registration of legislative lobbyists. Mrs. Gallagher seconded.

Dr. Derby asked for clarification. Dr. Jarvis responded that the Board would be directing him to find a way to seek the registration of those members of the System's legislative relations staff.

Motion carried.

20. Approved Consideration of Action in Response to Tragedy at UNR – Approved appropriate Board action in response to the recent tragedy at UNR concerning Sgt. George Sullivan.

Dr. Derby asked President Crowley to provide a recommendation to the Board for an appropriate response to the tragedy of the murder of Sgt. Sullivan. Dr. Crowley had the following recommendations:

- The Chair could address a letter of condolence to Mrs. Sullivan on behalf of the Board, mentioning their appreciation for Sgt. Sullivan's 20 years of service.
- Financial assistance could be provided in a number of ways; citing as an example when the Thunderbird pilots crashed in the desert outside of Las Vegas, the Regents provided the spouses and surviving children tuition and fee assistance and books for those members wishing to attend the university. Board Secretary Mary Lou Moser informed Dr. Crowley payments had been made to spouses and children providing that type of assistance from a special fund.
- In 1995, after the murder of Sparks P.D. Officer Larry Johnson, the Legislature enacted a law that allowed for: "...payment of fees and expenses of dependant children of a police or highway patrol officer, fireman, or volunteer ambulance driver or attendant killed in the line of duty or service; creation of a trust fund for the education of dependant children. To the extent of legislative appropriation, the Board of Regents shall pay all registration fees, laboratory fees, and expenses for required text books and course materials assessed against or incurred by dependant child..." There is legislative authorization to do this, however, only \$20,000 was appropriated for the trust/endowment which does not provide any adequate operating income. The Board is entitled to accept further gifts or grants to encourage further legislative appropriations. Mr. Wiesner has mentioned a local organization, which has raised significant money for policemen killed or injured in the line of duty. Some of that money could possibly be placed in this trust fund.
- The legislation does not mention the spouse. Mrs. Sullivan's

increased responsibilities might justify the Board's consideration of including her in their action.

- Prior to the legislative action, UNR waived the tuition for Officer Johnson's two children.
- Sgt. Sullivan has an older son residing in Canada who would not be affected by this action.

Ms. Berkley asked whether they could provide a scholarship for the dependant children and spouse to include books, tuition and fees, and any ancillary expenses of course work and still take advantage of the legislative trust fund. She also asked if the spouse and children could attend anywhere within the System. Dr. Crowley recommended that the option be for anywhere within the System.

Ms. Berkley moved to provide a scholarship for the dependant children and spouse of Sgt. George Sullivan, to include all tuition, fees, books, and ancillary course material. Mr. Alden seconded.

Mrs. Gallagher asked for clarification on the law as to whether it states the Regents may act, but are not required to do so. Dr. Crowley responded that to the extent of legislative appropriation the "Regents shall", but the appropriation thus far is only \$20,000, so in effect, it is a "may" at this point. Dr. Crowley added that Ms. Berkley's motion allowed for taking advantage of the Thunderbird precedent for provision for Mrs. Sullivan, as well as the use of the legislative trust fund, were it to grow to necessary proportions to accommodate the Sullivan children. Mrs. Gallagher asked if the Legislature would put in another \$20,000 if the fund were depleted. Dr. Crowley suggested the Board pose that question to the Legislature. Members from several interim legislative committees meeting during the week that Sgt. Sullivan was killed have expressed significant interest in assuring the Sullivan family was assisted. Mrs. Gallagher asked if the trust was earning money that is put back into the trust. Dr. Crowley responded in the affirmative.

Mr. Rosenberg commented that the spirit of the motion was to take care of all costs



and wanted to ensure the motion encompassed that. Dr. Crowley cautioned that "all costs" would include living costs and that would take the Board beyond the legislative authority. He recommended accepting Ms. Berkley's motion and considering what additional costs the Board could cover at a later meeting.

Motion carried.

Mrs. Price commended Dr. Crowley, Vice President Ashok Dhingra, and the System staff for responding so well in the face of tragedy.

The meeting adjourned at 2:00 p.m. and reconvened at 2:15 p.m. with all members present except Regents Graves, Phillips, and Wiesner.

20. Approved Consideration of Action in Response to Tragedy at UNR – continued.

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UNR Student Body President, Doug Flowers, thanked the Board for their generosity and compassion in consideration to the Sullivan family. In recognition of Sgt. Sullivan's twenty years of service, the ASUN have renamed the day care scholarship program after him. The daycare service was chosen because Sgt. Sullivan was a family man.

21. Information Only – Regents' Workshop: Nevada Open Meeting Law – General Counsel Tom Ray lead a workshop on the Nevada Open Meeting Law.

General Counsel Tom Ray introduced Deputy Attorney General Gregory A. Salter, who drafted the latest edition of the Nevada Open Meeting Law Manual. A copy of this manual is on file in the Board office.

Mr. Salter walked the members through the Open Meeting Law Manual by highlighting the following points:

- The first paragraph states: "In enacting this chapter, the legislature

finds and declares that all public bodies exist to aid in the conduct of the people's business. It is the intent of the law that their actions be taken openly and that their deliberations be conducted openly." (Added to NRS by 1960, 25; A 1977, 1099)

- A judge in California explained the nature of California's Open Meeting Law (similar to Nevada's) by saying in a case, "The people of this State do not yield their sovereignty to the agencies which serve them. The people in delegating authority do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so they may retain a control over the instruments they have created."
- The Open Meeting Law began in 1960 with 4 sections; it has been amended sixteen times since then, and now consists of 10 sections.
- There have been 10 significant court decisions (state/federal) handed down and still more questions are emerging.
- The Attorney General is responsible for investigating and prosecuting violations of the Open Meeting Law. She feels that most people do intend to comply and that her most powerful enforcement tool is education.
- The heart of the law is that actions and/or deliberations must be undertaken openly.
- The law applies to all public bodies; the Board of Regents is a public body.
- The law applies to meetings; confusion arises in determining when an event becomes a meeting.
- Advance notice in writing and an agenda are required to be posted

and mailed by 9:00 a.m. of the 3<sup>rd</sup> working day before the meeting. Notice and an agenda must be mailed to anyone who requests a copy. Support materials must be made available to the public unless it is confidential information.

- Agendas must contain a clear and complete statement of the topics scheduled to be considered during the meeting. The agenda must include which items are "Action" items. Time for public comment must be provided.
  
- The law allows certain closed sessions to be conducted. Subjects of a closed meeting must be notified. Exceptions to what may be discussed are noted in Section 9 of the manual.
  
- Records must be kept. If a portion of an open meeting is recorded, then ***all*** portions of any closed meeting must also be recorded.
  
- Minutes of open sessions are public records and must be made available to the public within 30 days after adjournment of the meeting. Minutes of closed sessions are not public records, but must be made available to the subject of the closed session and to the Attorney General's office upon request.
  
- The Open Meeting Law provides for criminal and civil sanctions for violations. Any action taken during a violation is void. Civil action may be brought by individuals as well as the Attorney General to seek redress. Repeated violations are considered contempt of court with accompanying fines and possible jail terms.
  
- A person attending a meeting, where action is taken in violation of the Open Meeting Law, with knowledge of the violation may be guilty of a misdemeanor. Wrongful exclusion to a meeting is also considered a misdemeanor.

A question and answer period followed with Mr. Salter referring individuals to specific sections of the manual in response to their questions and hypothetical scenarios. Mr. Salter cautioned the Board to keep their meetings open and to adhere to the prepared agendas.

Chair Derby thanked Mr. Salter for his presence and productive workshop session.

22. Public Comment – Dr. Derby acknowledged the fine work that Suzanne Ernst does in the preparation of the Regents' Review aided by her able assistant, John Kuhlman.

Nevada Assemblyman Bob Price added his comments to the Nevada Open Meeting Law presentation. Mr. Price has spent 24 years as a Nevada legislator. The father of the Open Meeting Law, Mr. Gene Evans, a former legislator from Elko, was excluded from a county commission meeting and subsequently was elected to the legislature and made the Open Meeting Law his number one priority (AB 1). Former Governor Grant Sawyer had some hesitation about signing the bill into law, but eventually did. The philosophy behind the purpose of the law is that the public is entitled to know the process up to the time of making a decision. The public is also entitled to know when, where, and why a meeting is being held.

Dr. Eardley asked if the legislative body adhered to the Open Meeting Law, with Mr. Price responding yes, except when they are in session.

UNLV student body president, Joe Mills, handed out complimentary Rebel cups for participants at the meeting and then addressed the Board about his perception of certain alleged illegal activities taking place at UNLV. Verbatim minutes on file with the permanent minutes. Dr. Derby stated that they would refer this item to legal counsel.

Mrs. Sally Mills, the mother of Joe Mills, expressed her disappointment that President Harter does not participate in student activities. Mr. Alden stated that Dr. Harter actively participates in campus activities and has performed an exemplary job both internally and externally.

Ms. Donna Mills addressed the issue of teachers requesting personal information from her that she does not wish to disclose. Dr. Derby advised her to speak with Vice President of Student Services, Dr. Bob Ackerman. Ms. Mills added that she felt that students do not know who the administrators at UNLV are, and are not afforded participation or notice of Board meetings.

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23. New Business - Ms. Berkley stated that she wished to re-address the issue of awarding emeritus status to retired former UNLV President Dr. Bob Maxson, and asked for an agenda item to discuss this and bring closure to a difficult episode in UNLV history. She added that it was her understanding that emeritus status has been awarded to every other UNLV president.

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Mr. Rosenberg expressed his displeasure with having commencement exercises scheduled for the same day for Great Basin College, UNR and UNLV. He encouraged UNR and UNLV to discuss the possibility of changing the date. Mr. Rosenberg asked for an agenda item for calendars to be approved at a central office to avoid this kind of situation in the future. Dr. Harter responded that a conscious decision was made 3-4 years ago to try to coordinate the universities' schedules and calendars to accommodate the exchange of students and common events. Saturday was selected since the following Sunday is often Mother's Day and presents problems for parents of graduates. She apologized for the occurrence, but stated she was unsure how this could be avoided again in the future.

Mrs. Price asked to have the U.S. Supreme Court case added to the agenda as she has some serious concerns.

Mrs. Gallagher stated that she too was upset with the simultaneous graduations. She felt that it is demeaning to an institution when Regents do not appear at commencement. Dr. Harter stated that calendars are set 2-3 years ahead of time and events have been advertised in all of their catalogs, suggesting the change would have to occur after the next release of campus catalogs. Mr. Rosenberg stated that the perceived north/south situation is only aggravated by simultaneous graduations, as it disenfranchises Regents from attending. Mr. Alden asked that this item be placed on the next agenda.

Mr. Rosenberg requested the appointment of UNLV's Administrative Code Officer be added to the next agenda.

The meeting adjourned at 3:50 p.m.

Mary Lou Moser

Secretary to the Board

Members Present: Dr. Jill Derby, Chair

Mr. Mark Alden

Ms. Shelley Berkley

Mrs. Thalia Dondero

Dr. James Eardley

Mrs. Dorothy S. Gallagher

Mrs. Nancy Price

Mr. Howard Rosenberg

Mr. Tom Wiesner

Mr. David Phillips