

# UCCSN Board of Regents' Meeting Minutes March 12-13, 1971

03-12-1971

Pages 44-90

BOARD OF REGENTS

UNIVERSITY OF NEVADA SYSTEM

March 12-13, 1971

The Board of Regents met on the above dates in the Donald C.

Moyer Campus Student Union, University of Nevada, Las Vegas.

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

Mr. Procter Hug, Jr.

Mr. Harold Jacobsen

Mrs. Molly Knudtsen

Louis Lombardi, M. D.

Mr. Paul Mc Dermott

Mr. William Morris

Mr. Mel Steninger

Miss Helen Thompson (for a portion of the  
meeting)

Members absent: Mr. James H. Bilbray

Mr. Archie C. Grant

Others present: Chancellor Neil D. Humphrey

President R. J. Zorn (UNLV)

President N. Edd Miller (UNR)

Director Charles R. Donnelly (CCD)

Director John M. Ward (DRI)

Vice President James T. Anderson (UNR)

Vice President Donald H. Baepler (UNLV)

Business Manager Edward Pine (UNR)

Business Manager Herman Westfall (UNLV)

Mr. Edward Olsen, Director of Information (UNR)

Mr. Mark Hughes, Director of Information (UNLV)

Mr. Gene Barbagelata, Deputy Attorney General

Dr. Edmond Barmettler, UNR Faculty Senate

Dr. John Vergiels, UNLV Faculty Senate

Dr. Don Fowler, DRI Faculty Senate

Mr. Brad Boman, System Facility

Mr. Russ Lundgren, ECC Faculty

Mr. Richard Myers, CSUN

Miss Frankie Sue Del Papa, ASUN

The Board convened in regular session at 11:00 A.M. for the pur-

pose of holding a public hearing with Chairman Jacobsen presiding.

1. Exchange of Property in Elko

Chancellor Humphrey recalled that in February, the Board adopted a resolution of intent to exchange real property of the University of Nevada and published a notice of public hearing for the purpose of considering this exchange.

Chancellor Humphrey reported that the publications had appeared in a Clark County newspaper, as required by law, and in an Elko paper also. He noted the time scheduled for public hearing was 11 A.M., and that being the time, requested any persons present for that purpose be heard.

No persons appeared to speak to the matter of the land exchange. Accordingly, Chancellor Humphrey recommended adoption of the following resolution:

RESOLUTION # 71-10

WHEREAS, the Board of Regents of the University of Nevada System is charged with the duty of managing and maintaining real property belonging to the University System; and

WHEREAS, the University System is the owner of approximately one hundred (100) acres of real property located in Elko County, Nevada, one and one-half (1 1/2) miles north of the city limits of Elko, which is no longer required for its use; and

WHEREAS, the City of Elko desires to exchange certain real property which it owns, located in the City of Elko and being approximately fifty (50) acres in area and of equal value to that property above described belonging to the University of Nevada System; and

WHEREAS, it has been deemed by the Board after careful study and appraisal that the proposed exchange of properties would be beneficial and in the best interest of the University of Nevada System; and

WHEREAS, pursuant to NRS 277.050 the University System and the City of Elko are authorized to exchange such unused real property when it is deemed to be in the best interest of the exchanging public agency;

NOW, THEREFORE, BE IT RESOLVED that the property owned by

the University of Nevada System being approximately one hundred(100) acres and located in Elko County, Nevada, one and one half (1 1/2) miles north of the city limits of Elko and more particularly described in the resolution of intent to exchange real property heretofore published, be exchanged for property belonging to the City of Elko, and located in the City of Elko, being approximately fifty (50) acres in area and more particularly described as follows:

Parcel No. 1, Old Golf Course Property, North of proposed interstate 80 to wit: a parcel of land located in the NE 1/4 of the SW 1/4 of Section 10, T. 34 N., R. 55 E., M. D. B. & M.

and that the necessary documents for exchange be drawn and executed; that the Chancellor of the University of Nevada System be, and hereby is, authorized to sign for and on behalf of the University System.

DATED: this \_\_\_\_ day of \_\_\_\_\_, 1971.

UNIVERSITY OF NEVADA SYSTEM BY  
AND THROUGH ITS BOARD OF REGENTS

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Chairman

Motion by Mr. Steninger, seconded by Mr. Mc Dermott, carried without dissent that the above resolution be adopted.

The regular meeting adjourned and reconvened at 11:35.

2. Approval of Minutes

Upon motion by Dr. Lombardi, seconded by Mr. Mc Dermott, the minutes of the regular meeting of February 12-13, 1971 were approved as distributed.

3. Acceptance of Gifts

A. President Zorn requested adoption of the following resolution:

RESOLUTION # 71-9

WHEREAS, Mr. Jerome Mack and Mr. E. Parry Thomas have each contributed \$10,000 to the Performing Arts Center fund; and

WHEREAS, these gifts are presently held in a trust fund  
at the Valley Bank in Las Vegas; and

WHEREAS, the trustees of the account have requested that  
the Board of Regents formally confirm their acceptance  
of these gifts for the purpose specified;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Re-  
gents of the University of Nevada does hereby formally  
acknowledge the gift of Mr. E. Parry Thomas in the  
amount of \$10,000 and the gift of Mr. Jerome Mack in  
the amount of \$10,000 and does hereby affirm that these  
funds will be used solely for the construction of the  
Performing Arts Center at the University of Nevada,  
Las Vegas.

Motion by Mr. Morris, seconded by Mr. Mc Dermott, car-  
ried without dissent that above resolution be adopted.

B. Chancellor Humphrey recommended acceptance of the gifts  
and grants as reported in Ref. B (filed with permanent  
minutes).

Motion by Dr. Lombardi, seconded by Dr. Anderson, carried without dissent that the gifts be accepted and the Secretary send an appropriate acknowledgement to the donors.

#### 4. Report of Personnel Appointments

Approval of the following appointments was recommended by the appropriate officers:

UNLV

##### COLLEGE OF BUSINESS AND ECONOMICS

Ronald Franklin Anderson, Assistant Professor of Economics,  
2/1/71-6/30/71 - \$6,062.50 (replacement for W. T. White)

##### COLLEGE OF HUMANITIES

Barbara Ann Klinefelter, Graduate Assistant, 2/1/71-6/30/71  
- \$1,350 (replacement for P. Marshall)

##### COLLEGE OF SCIENCE AND MATHEMATICS



Sushil K. Sachdev, Graduate Assistant, 2/1/61-6/30/61 -

\$1,250 (replacement for M. Borasky)

#### COLLEGE OF SOCIAL SCIENCES

Paavo C. Hall, Graduate Assistant, 2/1/71-6/30/71 - \$1,250

(replacement for Gary Rogers)

George E. Rohrmann, Graduate Assistant, 2/1/71-6/30/71 -

\$1,250 (replacement for S. Marber)

UNR

#### COLLEGE OF AGRICULTURE

John C. Brown, Graduate Research Fellow in Renewable Natural

Resources, 2/1/71-5/31/71 - \$1,000

Jerry David Budy, Graduate Research Fellow in Renewable

Natural Resources, 2/1/71-5/31/71 - \$1,000

Theodore J. Dixon, Graduate Research Fellow in Resource and

Agricultural Economics, 2/1/71-5/31/71 - \$1,000

Margaret G. Dodds, Graduate Research Fellow in Home Economics, 2/1/71-6/30/71 - \$1,250

Dave Fitzsimmons, Graduate Research Fellow in Resource and Agricultural Economics, 2/1/71-5/31/71 - \$1,000

Betty K. Hulse, Lecturer in Home Economics, 2/1/71-6/30/71 - \$2,834.75 (replacement for Ann Cattelain)

John L. Kugler, Graduate Research Fellow in Plant, Soil & Water Science, 1/1/71-5/31/71 - \$1,250 (replacement for George Cowgani)

Nicholas Ohanesian, Graduate Research Fellow in Animal Science, 2/1/71-5/31/71 - \$500.00

Richard Pudney, Graduate Research Fellow in Renewable Natural Resources, 1/1/71-5/31/71 - \$1,500 (replacement for Richard Delmas)

Gary Rush, Graduate Research Fellow in Resource and Agricultural Economics, 2/1/71-5/31/71 - \$1,000

Margery Stephens, Graduate Research Fellow, 2/1/71-6/30/71 -

\$1,350

Claudia M. Thomsen, Graduate Teaching Fellow in Home

Economics, 2/1/71-6/30/71 - \$1,350

Bonnie K. Williams, Graduate Research Fellow in Home

Economics, 2/1/71-6/30/71 - \$1,250

#### COLLEGE OF ARTS AND SCIENCE

Glen Bates, Graduate Teaching Fellow in Physics, 2/1/71-

6/30/71 - \$1,450 (replacement for Joseph Tkac)

Mark Terrell Beeney, Graduate Teaching Fellow in Chemistry,

2/1/71-6/30/71 - \$1,250 (replacement for Paul Nolan)

Patrick Colletti, Graduate Teaching Fellow in Biology,

2/1/71-6/30/71 - \$625

Steven J. Fox, Graduate Teaching Fellow in Anthropology,

10/1/70-1/31/71 - \$1,000 and 2/1/71-6/30/71 - \$1,250

(appointment not previously reported)

Lucinda L. Guernsey, Graduate Teaching Fellow in Mathe-

maths, 11/1/70-1/31/71 - \$750 (replacement for Anthony J.

Pontoner, appointment not previously reported)

Edward L. Hancock, Instructor in English, 2/1/71-6/30/71 -

\$3,000 (partial replacement for Paul Adamian, temporary, one semester only)

Donald J. Kiernan, Sr., Graduate Teaching Fellow in English,

2/1/71-6/30/71 - \$1,450 (replacement for Richard Naylor)

Phillip H. Landis, Graduate Teaching Fellow in Biology,

2/1/71-6/30/71 - \$625

Thomas P. Lugaski, Graduate Teaching Fellow in Biology,

2/1/71-6/30/71 - \$1,250

Michael Newbrough, Graduate Teaching Fellow in Political

Science, 2/1/71-6/30/71 - \$1,250

Jose M. Peer, Graduate Research Fellow in Political Science,

2/1/71-6/30/71 - \$1,250 (replacement for Robert Waste)

Peter R. Reams, Graduate Teaching Fellow in Political Sci-

ence, 10/1/71-1/31/71 - \$500 (appointment not previously

reported)

Sripati Shridevi, Assistant Professor in Philosophy, 2/1/71-

6/30/71 - \$4,937.50

William R. Stowell, Graduate Teaching Fellow in Political

Science, 2/1/71-6/30/71 - \$1,250 (replacement for Peter

Reams)

John M. Townley, Graduate Teaching Fellow in History, 2/1/71

-6/30/71 - \$1,250 (replacement for Eric Moody)

Bill D. Toth, Graduate Teaching Fellow, 11/1/70-1/31/71 -

\$810 (replacement for Juanita Self, appointment not previ-

ously reported) and 2/1/71-6/30/71, \$1,350 (partial replace-

ment for Paul Adamian)

Aino Elsi Tuomola, Graduate Teaching Fellow in Mathematics,

2/1/71-6/30/71 - \$1,250 (replacement for Steve Timko)

Darrel A. Wright, Jr., Graduate Teaching Fellow in Biology,

2/1/71-6/30/71 - \$1,250 (replacement for Ada Natalino)

COLLEGE OF BUSINESS ADMINISTRATION

Marshall E. Lewis, Graduate Teaching Fellow, 2/1/71-6/30/71

- \$675

COLLEGE OF EDUCATION

Michael J. Dolan, Graduate Research Fellow, 2/1/71-6/30/71 -

\$1,250

Frederick S. Jackson, Graduate Teaching Fellow in Res. & Ed.

Plan. Ctr., 1/1/71-6/30/71 - \$1,500 (replacement for Craig

Isaia)

Susan G. Ripley, Graduate Teaching Fellow in Education,

2/1/71-6/30/71 - \$1,250

Barbara A. Taylor, Graduate Teaching Fellow in Secondary

Education, 2/1/71-6/30/71 - \$1,250 (replacement for Judith

Allen)

Karen R. Van Emmerik, Graduate Teaching Fellow in Elementary

& Special Education, 2/1/71-6/30/71 - \$1,250 (replacement

for Cynthia Strang)

## COLLEGE OF ENGINEERING

John Carito, Graduate Teaching Fellow in Electrical

Engineering, 2/1/71-6/30/71 - \$1,250

Subhaschandra G. Malghan, Graduate Research Fellow in

Chemical & Metallurgical Engineering, 2/1/71-5/31/71 -

\$1,000

## MACKAY SCHOOL OF MINES

Belinda B. Gunn, Graduate Teaching Fellow in Geology-

Geography, 2/1/71-6/30/71 - \$1,250

Ralph G. Mock, Museum Research Fellow, Nevada Mining

Analytical Laboratory, 2/1/71-6/30/71 - \$1,350

Frank J. Sonderman, Graduate Research Fellow in Nevada

Mining Analytical Laboratory, 2/1/71-6/30/71 - \$1,250

Dennis T. Trexler, Research Associate, 2/1/71-6/30/71 -

\$5,875

## OFFICE OF STUDENT AFFAIRS

Wallace L. Henry, Graduate Fellow/Off Campus Housing, 2/1/71

-6/30/71 - \$1,250 (replacement for Otis Burrell)

Shih-Chin Chu, Graduate Research Fellow, 2/1/71-6/30/71 -

\$625

Motion by Mr. Mc Dermott, seconded by Dr. Lombardi, carried without dissent that the appointments be approved as recommended.

#### 5. Approval of Fund Transfers

Chancellor Humphrey recommended the following transfers of funds from the appropriate contingency reserves:

#### UNIVERSITY OF NEVADA SYSTEM

#6 \$11,846 from Contingency Reserve to Chancellor's

Office. This will provide the University of Nevada

System with resident legal assistance. The Attorney

General stationed one of his deputies in the office

of the Chancellor, effective January 4, 1971. As a

condition, the UNS is to provide the Deputy Attorney



General with office space, a secretary, and \$2000 of his salary January 1 - June 30, 1971. To provide this and solve some existing overcrowded conditions in the Chancellor's Office, it was necessary to acquire additional office space. This transfer provides the funds necessary to accomplish the above as follows:

Secretary \$3250; Attorney \$2000; Office Rent \$1496; Office Equipment \$2900; and Remodeling \$2200.

#### COMMUNITY COLLEGE DIVISION

#7 \$5000 from Contingency Reserve to Administration Elko Community College to provide sufficient funds for administrative operations for the balance of the fiscal year. The 1970-71 Work Program was developed under an assumption that 150 FTE students would be enrolled. There were 182 FTE students enrolled as certified by the Internal Auditor. This provides for the additional operating funds.

#### UNIVERSITY OF NEVADA, RENO

#238 \$6148.95 from Contingency Reserve to Nevada Technical

Institute to provide funds to cover salary commitments  
for Spring semester.

#### UNIVERSITY OF NEVADA, LAS VEGAS

#526 \$75,936.81 from the Contingency Reserve to individual  
classified and technical salary accounts. In develop-  
ing the 1970-71 Work Program, \$67,577 was reserved to  
fund the \$50 per month classified and technical emp-  
loyee salary adjustment approved by the Legislature  
effective July 1, 1970. The actual cost to implement  
this adjustment is \$75,936.82. The \$67,577 reserved  
for this purpose will be transferred to the Contingency Reserve.

Mr. Morris moved that action of this item be tabled until  
after the Executive Session. Motion seconded by Mr. Mc  
Dermott, carried without dissent.

#### 6. Final Graduation List, UNLV

President Zorn presented a list of 168 students approved by  
the faculty of each College concerned and by the appropriate  
University officials for graduation from UNLV February 1,

1971.

7. Provisional Graduate Standing Category, UNLV

Upon President Zorn's request, consideration of the recommendation by the UNLV Graduate Council for a new category of graduate student was deferred until the April meeting.

8. Extension of CSUN Interim Constitution

President Zorn recalled that in November, 1970, the Board approved an Interim Constitution for CSUN, to be effective until February, 1971. In January, an extension was granted until March 13, 1971. President Zorn explained the delay in getting a Campus vote on the constitution and endorsed a request by CSUN that the Interim Constitution remain in effect until a constitution has been ratified by the student body of UNLV and approved by the Board of Regents.

Motion by Mr. Mc Dermott, seconded by Dr. Anderson, carried without dissent that the Interim Constitution be extended until the June Board meeting.

9. Final Graduation List, UNR

President Miller presented a list of 271 students approved by the faculty of each College concerned and by the appropriate University officials for graduation from UNR January 26, 1971.

Upon motion by Mr. Mc Dermott, seconded by Dr. Anderson, five supplemental items were admitted to the agenda.

10. College of Education Building, UNR

Chancellor Humphrey reported that construction bids for the UNR College of Education building have been opened with the following low bid from Mc Kenzie Construction Company:

Base Bid	\$2,564,000
Additive Alternates	
1. Movable Partitions	\$ 48,500
2. Cabinet Work	73,500
3. Chalkboard & Tackboards	5,200
4. Auditorium Seating	10,700
5. (Deleted from scope)	
6. Fold Partitions	5,700

7. Science Fixtures & Cabinet Work 18,000

8. Landscaping & Sprinklers 43,000

Sub-total \$ 204,600

Grand Total \$2,768,600

Mr. Pine reported the following recommendations from the State Planning Board, endorsed by President Miller and Chancellor Humphrey for modification in the project budget in order that the total project might be realized:

Original Budget Modified Budget  
of 10/10/68 of 3/2/71

Professional Services

Surveys	\$ 1,000	\$ 1,091.00
Soil Analysis	2,000	2,434.70
Architect & Engineering	167,000	178,207.10
Plan Checking	6,600	6,600.00
Special Consultant	2,000	Misc. 87.05

Sub-total \$ 178,600 \$ 188,419.85

Construction Costs

Construction	\$2,737,000	\$2,768,600.00
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Contingency	82,000	60,080.15
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Sub-total	\$2,819,800	\$2,828,680.15
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Inspection & Testing

Job Inspection	\$ 20,000	\$ 20,000.00
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Material Testing	4,000	4,000.00
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Sub-total	\$ 24,000	\$ 24,000.00
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Miscellaneous

Furnishings	\$ 257,000	\$ 223,956.70
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Advertising & Bond Fees	200	13,743.30
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Sewer Connection Fee	3,200	3,200.00
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Sub-total	\$ 260,400	\$ 240,900.00
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TOTAL	\$3,282,000	\$3,282,000.00
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Mr. Pine noted that funds remaining at the completion of construction, including Contingency Reserve funds, will be allocated to the furnishings budget. (A detail of project and method of funding, prepared by the Chancellor's Office

was included with the agenda, identified as Ref. V, Pg. 3, 4 and 5, and is filed with the permanent minutes.)

Chancellor Humphrey recommended approval of the final plans as presented by Mr. Pine and approval of the award of the construction contract to Mc Kenzie Construction Co. in the amount of \$2,768,600 for a total project cost of \$3,282,000.

Motion by Mr. Morris seconded by Mr. Hug, carried without dissent that the above recommendation be approved.

The regular meeting adjourned for lunch at 12:00 noon and reconvened at 1:50 P.M. In addition to those present for the morning session, Miss Thompson was also present for afternoon session.

11. Approval of Purchase in Excess of \$5,000, UNR

Mr. Pine reported that bids were opened February 17, 1971 for 56 items of canned fruits and vegetables for the Dining Commons. The low bid compilation was as follows:

	Items	Amount
Abbott Supply Co.	27	\$8,911.57
Monarch Food	27	5,660.75

Sierra Foods	2	156.50
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	56	\$14,728.82

President Miller recommended award to the above low bidders on the items specified. Chancellor Humphrey concurred.

Motion by Mr. Mc Dermott, seconded by Mr. Hug, carried without dissent that the above recommendation be approved.

## 12. Permission to Demolish Building

Mr. Pine reported that Dean Dale Bohmont, College of Agriculture, had requested permission to demolish a barn on Valley Road Farm which is no longer considered suitable for use by the College and serves no purpose.

The building will either be demolished by burning by the Washoe County Fire Department or by contract at an approximate cost of \$400. President Miller recommended approval of the request. Chancellor Humphrey concurred.

Motion by Mr. Morris, seconded by Mr. Steninger, carried without dissent that authorization be granted to demolish



the building, either by burning or at a demolition cost of \$400.

### 13. Progress of University Capital Improvement Projects, UNR

Mr. Pine filed a status report on capital improvement projects under the supervision of the Director of Physical Plant. (Report on file in Chancellor's Office.)

### 14. Special Fee

President Miller presented a recommendation by the UNR Academic Council that persons 62 years of age or older be allowed to enroll in classes at the University, other than classes where special instruction fees are charged, as audit students with a fee charge of \$10 per course. The only limitation is that the University has the right to exclude such students if there is not adequate space or if the instructor will not give permission for enrollment.

Chancellor Humphrey recommended approval, effective immediately.

Motion by Mr. Mc Dermott, seconded by Dr. Lombardi, carried

without dissent that the above recommendation be approved.

#### 15. Site Selection, CCCC and WNCC

Dr. Donnelly reported that he was still in the process of investigating and evaluating possible sites for Community Colleges in Clark County and in Western Nevada but had no definite recommendations to make at this time. He noted it was improbable that money would be appropriated for the acquisition of property or construction of facilities in either of these two areas and requested additional time to review all of the problems related to possible sites for these institutions.

No exception was taken to this request.

#### 16. Proposed Changes in Titles

Chancellor Humphrey reported that Dr. Donnelly had requested that the title of the Director of the Community College Division be changed to President and the executive officer for each of the Community Colleges be titled Director. (See Ref. F, filed with the permanent minutes.)

Chancellor Humphrey also reported that Dr. John Ward had requested that the title of the Director of Desert Research Institute be changed to that of President.

Mr. Humphrey noted that he was presenting these requests at this time so that there would be sufficient time for full consideration by all interested parties prior to the April meeting at which time he would recommend approval by the Board and would present for first reading the necessary amendment to the Board's By-Laws. Dr. Donnelly stated that no opposition has been offered by the present President of Elko Community College or by any of the candidates he has contacted who are interested in CCCC or WNCC.

Mr. Steninger reported that the Elko Community College Advisory Board had passed a motion recommending the title of President be retained for the ECC officer. Mr. Steninger added that he personally did not agree with this motion, but had agreed to communicate it to the Board of Regents. Dr. Anderson stated that he strongly supported such a change in title because he believe it would clarify the intention of the Board of Regents that these positions would be equivalent to the other Division officers. Mr. Mc Dermott agreed.

Mr. Steninger reported further that Dr. Kuntz, the current President of ECC, had suggested the compromise title for the College Heads be Vice President and Director.

Motion by Dr. Anderson, seconded by Mrs. Knudtsen, carried without dissent that the Board agree that this be included on the April agenda as an action item.

## 17. Proposed Legislation

### A. Subpoena Power for University Hearings:

Chancellor Humphrey submitted a copy of SB 307, granting subpoena power to officials of the University of Nevada System in faculty hearings. He noted that he had requested Senator Dodge to introduce a bill granting subpoena power to the University with the understanding that the Board would review the bill and express its opinion before the Judiciary Committee took action. He also noted that this request for subpoena power had originated with the Coordinating Council.

Chancellor Humphrey recommended that SB 307 be endorsed but requested that it be amended to provide for subpoena

power in student hearings as well as faculty hearings.

In making his recommendation, Mr. Humphrey noted this legislation had been requested following endorsement by the Coordinating Council on February 17, but since that time members of the UNLV faculty had expressed opposition. Chancellor Humphrey suggested the faculty be invited to speak to the matter.

President Zorn reported that a newspaper article dealing with SB 307 had caused expressions of concern to be raised on the UNLV Campus. A faculty meeting was requested and faculty members had expressed the opinion that provisions of the bill went too far into detail.

A motion had been passed, he stated, opposing the bill asking that the faculty's concern be expressed to the Board of Regents.

Dr. Vergiels stated that his vote at the Coordinating Council supporting this legislation was based on his belief in the right of the faculty member to have people at the hearing to testify for him. He noted several other views have now been expressed which have caused him to change his mind and he now believed the legislation should be rejected.

Dr. Aizley, member of the Coordinating Council, stated that it was his understanding the Coordinating Council's action in requesting subpoena power was related directly to hearings conducted under the Interim Rules. He expressed concern that SB 307 as written would provide that subpoena power would be granted in all faculty hearings. Dr. Aizley recommended the legislation be rejected entirely or, as a compromise, it be deferred until after the Interim Rules have been finalized. He pointed out the Interim Rules would not be discussed again until April 23-24, at which time the Legislature will have adjourned. He challenged the assumption that the legislation was premature, stating that if subpoena power is granted to the University, it would then be up to the University to specify when and how it would be used. He also pointed out that the probability exists that it would not be only faculty who would be required at some hearings; students, staff and even bystanders could be involved in such a manner that would make their testimony desirable in a given hearing.

Mr. Jacobsen pointed out that granting the power of subpoena does not make it mandatory that it be used in

every circumstance or even that it be included in the procedures governing hearings.

Dr. Vergiels submitted suggested amendments to SB 307 which would eliminate any requirement to produce records, books or documents.

Mr. Hug disagreed, stating that normal subpoena power runs to these and if you are really going to find the truth you have to have records. In granting a subpoena, arguments can be made that such items are confidential or not relevant and whoever is requested to issue the subpoena would take these matters into consideration.

Mr. Barbagelata agreed, adding that it would not make much sense to subpoena a person before a hearing without the power to also subpoena supporting documents. Dr. Fowler stated that he also was under the impression that the subpoena power requested by the Coordinating Council was related only to hearings conducted under the Interim Rules.

Chancellor Humphrey agreed, noting that was the context in which it was being discussed.

Dr. Barnettler expressed concern that the bill was too broad and requested that it either not be adopted or that it be tied to the Interim Rules.

Mr. Morris pointed out that Senator Dodge has asked for a recommendation concerning his bill. He stated that he personally did not favor the bill and would not vote to endorse it. He said he believed that Senator Dodge was over-reacting to the Adamian situation on the Reno Campus.

Mr. Humphrey pointed out that Senator Dodge had introduced the bill at his request. Mr. Morris stated that then it was the Chancellor who had overreacted to the Adamian situation.

Chancellor Humphrey disagreed, stating that he had made the request to Senator Dodge based on the result of the Coordinating Council action that supported subpoena power for the University. He noted he had discussed this with the Legislative Counsel Bureau and, at their suggestion, had approached Senator Dodge. Senator Dodge agreed to introduce the bill and had done so im-



mediately and had then asked the Board to review it.

Mr. Morris asked the Coordinating Council be identified. Chancellor Humphrey noted that the Coordinating Council is made up of representatives of each Faculty Senate, some of whom were present. Some of them have apparently changed their position on this matter since the Coordinating Council meeting, he stated, because at that time Dr. Aizley had cast the only negative vote.

Mr. Morris said that he believed that any time a hearing results from activity involving the University, you are talking about University Administration having jurisdiction over a student or faculty member or any witnesses that could offer any testimony upon that particular incident. This subpoena power is designed for that exceptional situation involving a person not under the jurisdiction of the University. The chances of such a circumstance is very slim; therefore, Mr. Morris stated in his opinion there is no need for subpoena power because if anyone over whom the University has jurisdiction refuses to come forth, testify and bring documents, books, etc., that are pertinent to the hearing, this constitutes insubordination in that he is not cooperating with a bona fide University function. To openly

defy or frustrate a hearing is insubordination and it should be treated as such. He is not then deserving of being part of the University community and should be summarily dismissed.

Mr. Hug challenged this assumption, pointing out the University has no regulation which requires a member of the University community to attend a hearing or to testify; therefore, there are no sanctions which can be imposed if he refuses to do so if requested.

Dr. Vergiels spoke in support of the request to Senator Dodge to introduce this legislation, noting the Coordinating Council had requested the Chancellor to seek such powers for the University; the problem is that the result is more than the faculty had anticipated. The feeling of the faculty is, since it goes further than anticipated, the faculty did not have to recommend the whole bill be adopted. The faculty did not wish to be bound by stronger legislation that had been anticipated when they requested it be sought.

Dr. Zorn stated that fundamental concern of the faculty seemed to be where it is necessary to do more than get

persons to the hearing who are important to the case.

This could be equally important to the prosecution as well as to the person charged. He stated although the faculty might be apprehensive that such power might be misused they really feel the problem is not with people but with documents that might not be reliable. It appears, he stated, that from the changes that are recommended calling for the deletion of references to papers, records, isolated documents, that this is the concern. The faculty is not convinced, he said, that it would be necessary to use such subpoena power to get people to appear. If there are extreme and unusual cases, a subpoena to summon an individual would be merely reinforcement to a Campus power that already exists and that is sufficient. He said he agreed that faculty and students have obligations and, if summoned, they can be induced to come or sanctions can be imposed.

Mr. Hug again challenged such an assumption, stating he was unaware of the existence of any regulation that requires a person to attend a hearing or provides a penalty if he does not. Dr. Zorn suggested he could be charged with general insubordination.

Mr. Morris said, in his opinion, if you call a hearing where no one is willing to testify then you should not be having the hearing.

Chancellor Humphrey stated that this appeared originally to be a very straightforward request from Coordinating Council and one on which there appeared to be substantial agreement. Obviously there is not, therefore, he recommended that the bill be allowed to die and that it be considered again at a later time when the differences are resolved.

Mr. Hug said if the University does not have this subpoena power, there should be some provision in the Interim Rules that requires a member of the University community to appear.

Dr. Vergiels stated that he believed the faculty would endorse Chancellor Humphrey's recommendation that the bill be allowed to die.

Mr. Jacobsen suggested the Board might benefit from deferring this matter until Saturday, during which time the faculty could discuss the concerns expressed by the

Board and perhaps reach a consensus. Mr. Morris agreed and moved the matter be tabled until Saturday. Motion seconded by Mr. Steninger, carried without dissent.

#### B. Utilization of Archaeology Resources

Chancellor Humphrey recalled that in February, the Board approved draft legislation for the utilization of archaeology resources and authorized its introduction, contingent upon concurrence by the State Museum staff and Board. In preparing the fiscal notes to accompany this bill, it was determined that an expenditure of \$47,220 would be necessary in 1971-72 and \$49,581 in 1972-73. For this reason, Chancellor Humphrey recommended that this legislation not be sought by the University. The officers of the University concurred.

Motion by Mr. Steninger, seconded by Dr. Anderson, carried without dissent that the Chancellor's recommendation be approved.

#### 18. Student Evaluation of Instruction

Chancellor Humphrey recalled that in November, 1970, the

Presidents and Director of the Community College Division were requested to "consider and to develop in cooperation with their faculties and students a plan for the implementation of a student evaluation of faculty with the understanding that the Board would assist in funding such a program, with the amount of funding to be determined following presentation of the proposals in March."

Dr. Donnelly presented a proposal whereby the Community College Division would use the Institutional Self-Study provided by the American College Testing Program. Details of the proposal were included in a memorandum to be submitted as an action item at the April meeting.

President Miller presented a progress report on development of a proposal which UNR will submit at the April meeting.

President Zorn also presented a progress report on a proposal by UNLV, including the form which is proposed and a suggested sequence for the student opinion survey. Action on a specific proposal will be requested in April.

Chancellor Humphrey stated that he will bring back to the April meeting a recommendation for implementation of the proposals together with a recommendation for funding.

## 19. Changing the Function of Graduate Fellows (Assistants)

Chancellor Humphrey noted that this matter had been deferred from both the January and February agendas, recalling that the Board had expressed continuing concern that too much classroom instruction was being done by Graduate Fellows (Assistants) and had directed that a determination be made for budgetary purposes of the feasibility of changing the function from one of teaching to one of assisting the professor in charge of the course. The Board had originally directed that a complete report and recommendation be presented in January, 1971.

President Zorn and Vice President Baepler presented a report on behalf of UNLV (report identified as Ref. I, filed with the permanent minutes) and Vice President Anderson presented a report and recommendation on behalf of UNR (report identified as Ref. J, filed with permanent minutes).

In presenting Ref. J, President Miller stated that he had no specific disagreement with Chancellor Humphrey's recommendation as discussed in the Chancellor's Advisory Cabinet. He noted the recurring problem with the English Department

and read the following letter from Dr. Robert Harvey, Chairman of that Department, directed to the problem of supervision of graduate teaching fellows:

In response to your request for my comments on Chancellor Humphrey's 30 December 1970 memorandum, I offer here the following:

The important word in paragraph 2, page 2 is THEORETICALLY.

The assertion made in this paragraph is a statistician's dream which cannot be exactuated. In the real world, where the students are, it can have no meaning, as, additional factor #1, which immediately follows, suggests. So dramatic would the English Department be affected, should all teaching fellows be cleared of teaching assignments, that not one credit but ten would be added to the load of each of our 19 regular faculty members (there are roughly 190 credits of Freshman English taught each semester).

I thoroughly endorse Chancellor Humphrey's sensible conclusion that a "middle course" be followed (para-



graph running from p. 2 to p. 3). But even this course cannot be effectuated for the English Department without 6 new regular faculty positions now.

Failing these new positions, the English Department can cope with the Freshman problem next Fall by:

1. Continuing to require the teaching methods course, English 937, of all new TFs, as we have done for some 10 years;
2. Assigning enough regular staff members to English 101 to (a) provide every inexperienced TF an extra intern class, concurrent with his regular teaching assignment, (b) to convince TFs, students and the general public on and off Campus that the English Department faculty is committed seriously to maintenance of high standards in the Freshman program;
3. Assigning strict supervisor responsibilities to every regular faculty member over one or two individual TFs (this alone will add more than one hour per week to the regular faculty load in the Department).

To cope even in this minimal way will cause the Department of English to curtail some of its Departmental undergraduate and graduate programs in order to improve its handling of the 6-hour University requirement in English (the Freshman program).

The only real solution remains more regular faculty positions.

Chancellor Humphrey presented the following report and recommendation:

The Board has previously indicated that it wished a determination to be made for budgetary purposes as to the feasibility of changing the function of Graduate Fellows (Assistants) from one of teaching to one of assisting the professor in charge of the course.

If the Board directs that this be done there are two basic alternative ways in which the courses now taught by Graduate Fellows (Assistants) can be provided for: increase the number of faculty or increase the faculty teaching load. Based on preliminary reports of the Executive Budget recommendations for the University it

is assumed that the first alternative will not be available to us in 1971-73.

In order to consider the alternative of an increase in faculty teaching load, the following information should be understood. For the Fall semester, 1969, the:

... average student-faculty ratio, not including student credits taught by Graduate Fellows, was 15.7:1 at UNR and 17.9:1 at UNLV;

... average student-faculty ratio, including student credits taught by Graduate Fellows but not counting Graduate Fellows as faculty, was 17.1:1 at UNR and 19.2:1 at UNLV;

... average class size was 16.3 at UNR and 28.1 at UNLV;

... average credit load taught, not including individual study courses, was 8.0 at UNR and 9.1 at UNLV;

... average credit load taught, including individual study courses, was 10.5 at UNR and 10.1 at UNLV; and

... Graduate Fellows taught 8.2% of the total teaching load at UNR and 6.8% at UNLV.

The Ten Year Plan for the University of Nevada System adopted by the Board of Regents and submitted to the Legislature in 1969 anticipated a 20:1 student-faculty ratio (including Graduate Fellow production) by 1979-80.

The 1971-73 Executive Budget recommendation is understood to be developed on a 20:1 ratio effective 1971-72, or 7 years earlier than planned.

If the average class size were to remain constant, and a student-faculty ratio of not more than 20:1 is assumed, a shift in teaching load sufficient to absorb the student credits now taught by Graduate Fellows could theoretically be accomplished by an increase in the average credit load of one credit per faculty member at both UNR and UNLV. That is, the average load, not including individual study courses, would become 9.0 at UNR and 10.1 at UNLV.

Additional factors should be considered.

1. The averages referred to are Campus-wide whereas

the Graduate Fellows are concentrated in a few Departments. This means that adjustments would dramatically affect some Departments and have but little impact on others.

2. An increase in average load of one credit per semester would be partially offset for the individual faculty member by the availability of Graduate Fellows as laboratory assistants, discussion section leaders, graders and for other essential tasks related to teaching.
3. The only justification for a lower teaching load at UNR than at UNLV is the existence of doctoral programs at UNR. Whether this justifies a 1.1 credit load differential is subject to further consideration.

I understand the advice of President Zorn to be that no change in function of the Graduate Fellows (Assistant) should be effected. I believe that President Miller's advice has been that if a change is to be effected, it should be brought about by an increase in the number of faculty. I believe that full consideration should be

given by the Board to their advice.

I conclude that there is neither justification for excluding all Graduate Fellows from teaching nor justification for allowing a Graduate Fellow without teaching experience as to have substantially full charge of a course. I believe that it is feasible to adopt the middle course of action identified in "The Graduate Student as a Teacher", published by the American Council on Education, and explained in June, 1970 by K. D. Jessup's report "A Possible Approach to the Change of Function of Graduate Teaching Fellows or Assistants".

The essence of this plan is that the first year Graduate Fellow without prior teaching experience would be assigned tasks to assist a professor, that is, grading papers, proctoring examinations, serving as laboratory assistant, leading discussion groups of a subdivided class, etc. He would, during his first year, also be expected to complete a special teachings method course taught by the College of Education. (It is worth noting that before graduating students are to teach in the public schools, all must complete certain method courses and an extended period of supervised practice teaching.) Second and third year Graduate Fellows,

after evaluation by their Departments, would be allowed to teach courses following the prescribed course syllabus, in conformity with standards adopted by the Department, and at a level of supervision determined by the Department as appropriate for each individual.

I believe that this compromise in the change of function is feasible and if at least a biennium is allowed to effect the change, an increase of less than one credit in average teaching load is not unreasonable.

This recommendation was formulated after consideration of arguments presented at the Chancellor's Advisory Cabinet on December 29, 1970, but is not presented as a consensus of that group.

Mr. Morris stated that although he did not disagree with the statements made by the Presidents or with the Chancellor's recommendations, he believed that the University must be realistic about its financial position. He pointed out that UNLV's request for new positions has been cut from 50 to 15 and similar cuts have been made for UNR. He suggested that in recognition of these restrictions that there be no change in the function of the Graduate Assistants.

Chancellor Humphrey stated that he strongly disagreed, pointing out the most important responsibility the Board of Regents has is to specify policy concerning instruction. He recommended the Board adopt as a policy of the University a statement which will not permit Graduate Assistants, who are inexperienced teachers, to be in full charge of a classroom. He stated that, in his opinion, continuation of the existing situation cannot be justified on budgetary grounds, especially when the entire load of Graduate Students (not just those courses now being taught by inexperienced Graduate Teaching Fellows) could be absorbed statistically by the regular faculty teaching one additional credit.

Mr. Morris said he wished to hear from the academic officers insofar as changing the functions of the Graduate Assistants and imposing the rigid restrictions as set forth in the Chancellor's recommendations.

President Miller stated that he fully supported the Chancellor's recommendation with the minor reservation that he be allowed to make necessary adjustments at the time the Work Program is developed. He added that he believed the policy implied in this recommendation was an appropriate one



for the University.

Mr. Steninger moved approval of the Chancellor's recommendation. Motion seconded by Dr. Anderson.

Dr. Baepler stated that he agreed in principle with the concept reflected in the Chancellor's recommendation. He stated he shared President Miller's reservation concerning the requirement that the special teaching methods course be taught in the College of Education because he believed that it could be better taught in some circumstances by each Department or College. Dr. Baepler continued by stating he believed it to be entirely reasonable to provide a means whereby Graduate Assistants can gain teaching experience under supervision; however, he added, UNLV has only master's level programs which would typically mean that graduate students would only be available for 2 years, whereas the Chancellor's recommendation refers to first, second and third year students. Dr. Baepler also referred to the statement that, statistically, all the credits now taught by Graduate Assistants could be handled by regular faculty by the addition of one credit per faculty member. He pointed out that the 24 classes of Freshman English taught by Graduate Assistants at UNLV produce 72 credits, but there are only 16

faculty members in the Department among whom this load can be distributed. Chancellor Humphrey agreed, but suggested the responsibility of an academic administrator is to see that teaching loads are worked out. He pointed out that the University must accept the responsibility of insuring that loads are equitable among Departments.

Mr. Morris asked if there was an urgency in reaching a decision on this matter. Chancellor Humphrey noted that the 1971-72 Work Program must be developed to accommodate any change in function if it is to occur in 1971-72.

Dr. Zorn expressed grave concern over any action at this time. He said he did not oppose the theory but pointed out that UNLV has made a number of strong and effective efforts to improve the function of Graduate Assistants; he did not believe the concerns expressed by the Board related to UNLV.

Dr. Zorn also expressed concern over how this kind of policy would affect the flexibility in staffing during the next two years, noting that there would be no money to add new positions in English and Physical Education.

Mr. Mc Dermott stated that it was his understanding from the presentations made by Vice Presidents Anderson and Baepler

that there was concurrence with the principles reflected in the Chancellor's recommendation. President Zorn stated that he had never concurred. President Miller stated that he did concur, with the understanding that he would have the opportunity to present any exceptions which might be necessary at the time the Work Program is developed.

Mr. Hug asked for further clarification concerning President Zorn's objections. Dr. Zorn stated that the severe budget restrictions made it unlikely that there would be any flexibility in providing new positions and he could not concur in a recommendation to impose this kind of restriction until he knew the level of support to be received.

Mr. Morris stated that it appeared to him the difference between the Chancellor's recommendation and that of President Zorn was related to money. He concurred in reservations expressed by President Zorn and stated he did not believe that such rigid regulations should be imposed; the Board must recognize financial limitations and take "first things first". He pointed out that not only were there cutbacks in the number of faculty positions requested but also in the number of custodial positions requested to handle the new buildings which would be occupied during the

next biennium.

Mr. Jacobsen agreed but stated that he believed that "first" must be the quality of instruction.

Dr. Baepler stated that he objected to the requirement that Graduate Students must take a course in methodology from the College of Education. Chancellor Humphrey responded that he would not oppose a change in this requirement, noting that the important point is not where the instruction is offered but that it be provided. He noted that his recommendation was based on the fact that the College of Education presently offers courses in teaching methods. Dr. Baepler continued by stating he did subscribe to the concept of experienced teachers in the classroom; however, he said, even with an increase in faculty teaching loads next year, it might still be necessary to have some first-year Graduate Assistants. He stated he would like to have the option of continuing to use such first-year Graduate Assistants if budget restrictions make it necessary, in the meantime, giving assurance to the Board the principles espoused in the Chancellor's recommendation, with exception of the methodology course, are certainly principles which UNLV subscribes to completely. Reference to the requirement for a methodology course,

Dr. Baepler stated his objection was to the requirement for a "course", stating that he believed that methodology as it relates to working in the laboratory or the classroom can effectively be done in certain Departments by individual instruction.

Dr. Miller agreed but added that, although he did not wish to be too formalistic, he believed there was great value in approaching this kind of instruction systematically and a formal course in methods work is important.

Chancellor Humphrey noted that his recommendation provided a two year period for compliance; that not all changes would have to be made in 1971-72.

Motion carried with Mr. Morris, Miss Thompson and Mrs. Knudtsen opposing.

## 20. Reconsideration of Transfer of Engineering Technology

Programs from NTI to CCD

Chancellor Humphrey reported that Mr. Morris had requested reconsideration of the Board's action, January 1971, transferring Engineering Technology programs from Nevada

Technical Institute, UNR, to the Community College Division.

Mr. Morris had also requested that a memorandum written to him by Mr. Harry Wolf, dated February 17, 1971, be presented to the Board, along with a document prepared by Mr. Wolf and directed to President Miller proposing Engineering Technology and Electronics Technology be changed to four-year baccalaureate programs. (Both documents were included with the agenda and are on file in the Chancellor's Office.)

Mr. Morris stated that when action was taken by the Board in January, the Regents did not have the information contained in the documents prepared by Mr. Wolf. He suggested that justification for these programs remaining with NTI includes the possibility of their expansion to four-year status, as proposed in the documents. He suggested, therefore, that the Board rescind its action and allow the programs to remain at UNR.

President Miller noted that students from NTI were present and requested they be allowed to speak to the matter.

Jack Frandsen read a statement on behalf of the students at NTI, supporting a request that students who had entered the program under the auspices of the University be permitted

to continue so as to receive the associate degree from the University of Nevada with the ECPD accreditation.

Mr. Wolf also spoke in support of allowing the programs to remain with UNR. He expressed concern that by transferring the programs to CCD, the staff and equipment might also be transferred, thereby hampering the development of four-year programs.

President Miller recommended the Administration be given the next biennium to work out a transfer of these programs to CCD. He said that he supported the transfer of two-year programs to the Community Colleges but believed that, in fairness to the students who are presently enrolled, a sufficient transfer period should be allowed. He pointed out that the document submitted by NTI, proposing four-year degree status for these programs has not been approved at the Campus level.

Dr. Donnelly recalled that he had made a statement earlier in support of the development by the University of four-year programs in these areas. He said he still believed it appropriate that two-year programs be administered by CCD; however, he supported President Miller's recommendation for

a two-year phasing.

Dr. Donnelly also stated that he believed it important to clarify some of the misunderstanding surrounding the ECPD accreditation. He noted that he believed that CCD should follow the guidelines suggested in report of the Carnegie Commission that the Community Colleges be accredited only on an institutional basis. He pointed out that ECPD accreditation is available to an institution based on an evaluation of curriculum and it could be presumed to be available to the Community College Division at such time as a curriculum is developed and accreditation requested. However, he said, accreditation of this sort is extremely costly and to seek such accreditation for each of the large number of programs which the CCD will offer would be prohibitive.

Dr. Donnelly again endorsed President Miller's recommendation these two programs remain with NTI for the next bien-nium and that CCD be allowed to develop its own programs.

President Miller concurred, noting that NTI, as a two-year institution, will be phased out.

Chancellor Humphrey stated that, for the reasons stated by Dr. Miller and Dr. Donnelly, he concurred with the recommen-



dition the Engineering Design Technology and Electronics

Technology programs be allowed to remain with UNR during the next biennium.

Mr. Mc Dermott moved that the above recommendation be approved. Motion seconded by Mr. Steninger, carried without dissent.

The meeting adjourned at 5:10 P.M., and reconvened on Saturday, March 13, 1971 at 9:00 A.M. All Regents, Officers and staff in attendance on Friday were again present.

## 21. Estimative Budgets

Chancellor Humphrey recommended approval of estimative budgets for the Fire Science Program and the Fallon Program of the Community College Division for Spring semester, 1971 (identified as Ref. M, filed with permanent minutes), and estimative budgets for Curriculum Development in Europe and Europa (History: European Study Program) for UNR for Summer Session 1971 (identified as Ref. N and filed with permanent minutes).

Motion by Mrs. Knudtsen, seconded by Mr. Steninger, carried

without dissent that the above recommendation be approved.

## 22. Report of the Investment Advisory Committee

Dr. Lombardi presented minutes of the Investment Advisory Committee meeting of February 12, 1971, as follows:

The Committee met at 12:00 noon in the Hardy Room of the Jot Travis Student Union, University of Nevada, Reno.

Present were: Committee members Mrs. Molly Knudtsen, Mr. Procter Hug, Jr., Dr. Fred Anderson, Mr. Paul Mc Dermott; Public members Mr. Arthur M. Smith, Jr. and Mr. Julius Bergen; Bank representatives Mr. Thayer Bigelow and Mr. Walter Bradley. Also present were Dean Weems, Consultant, and Chancellor Neil D. Humphrey.

Mrs. Knudtsen presided.

Mr. Bradley discussed the portfolio review dated February 1, 1971 and stated that he believed it reflected good performance compared to total market performance. It was noted that liquidity was down to about 6% and the projected income was an improvement.

After discussion of Mr. Bradley's recommendations concerning portfolio changes, it was moved by Mr. Smith, seconded by Mr. Bergen, and passed unanimously, that 1500 shares of American Hospital Supply, 500 shares of RCA, 1000 shares of Eastman Kodak and 1950 shares of Continental Can be sold; and that 500 shares of Chemical N. Y. Corp., 500 shares of First National Bank of Boston, 1000 shares of Utah Construction Corp. and 2000 shares of Lucky Stores, Inc. be purchased.

It was also agreed by consensus that when the University of Nevada, Las Vegas, Performing Arts account is ready to sell its holdings of Johnson & Johnson stock, it will be purchased by the Endowment Fund.

Dr. Anderson moved, seconded by Mr. Mc Dermott, and passed unanimously that the fee paid First National Bank of Nevada for handling the portfolio be increased from \$3000 to \$4000 per year. Mr. Smith abstained from the vote.

Meeting adjourned at 1:25 P.M.

Chancellor Humphrey recommended the actions of the Commit-

tee, as reported in the above minutes, be confirmed.

Motion by Dr. Lombardi, seconded by Mrs. Knudtsen, carried without dissent that the actions of the Investment Advisory Committee be confirmed.

### 23. Administration of Scholarship Programs

Chancellor Humphrey recalled that in January 1971, the Board adopted a policy statement concerning administration of scholarship programs, which then became Chapter 20 of the Board of Regents Handbook. He also recalled that at the same meeting, Dr. Anderson submitted a proposed amendment which the Board directed be referred to the Administration for response. Chancellor Humphrey commented that the effect of Dr. Anderson's proposal is to:

- (1) Establish at UNR, UNLV and CCD, a "Board of Scholarships Prizes, Financial Aids and Economic Opportunity";
- (2) Specify the membership of that Board and its division into Committees; and,
- (3) Specify how often the Board shall meet.

President Miller's response was included with the agenda  
(identified as Ref. R and filed with permanent minutes).

President Zorn's response was also included with the agenda  
(identified as Ref. S and filed with permanent minutes).

Director Donnelly's response was distributed at the meeting  
and specified that "The Community College Division supports  
the establishment of a Board of Scholarships, Prizes and  
Financial Aids and Economic Opportunity; the membership  
proposed for the Board and meetings of the Board. Elko  
Community College currently administers financial aids and  
scholarships through the Financial Aids office. There are  
currently two committees functioning -- the Committee on  
Financial Aids and the Scholarships Committee. Students are  
not now participating on either committee but it is planned  
to add them."

Chancellor Humphrey noted that the Division officers, in  
their responses, had taken no exception to Dr. Anderson's  
proposal; therefore, he recommended that it be implemented  
and that Chapter 20 of the Board of Regents Handbook be  
amended accordingly. (Proposed amendment was included with

the agenda, identified as Ref. T.)

In commenting on his reponse, President Zorn's structure at UNLV, as reflected in Ref. S, works very well and he recommended that it be allowed to continue.

President Miller stated that his objection was not to the general thrust of Dr. Anderson's proposal but rather to including such a specific statement in the Board's Handbook. He suggested that Dr. Anderson's proposal be regarded as a statement of general intent but that it not be codified as a policy statement.

Jon Wellinghof asked President Zorn's proposal be adopted for the entire System. Miss Del Papa agreed, suggesting that such a procedure would be more effective. President Miller objected, stating that he believed that each Campus should have the authority to develop its own program.

President Miller again requested that Chapter 20 not be amended and the Board review the way in which that policy is implemented. President Zorn agreed, stating he believed it desirable to have a general policy statement with each Campus free to administer that policy as best suited to that

Campus. He noted that Ref. S reflects present practice at UNLV but he would not suggest that it be imposed elsewhere.

Dr. Anderson moved that this matter be referred back to the Chancellor's Advisory Cabinet with a report back at a subsequent meeting. Motion seconded by Mr. Mc Dermott.

Mr. Wellinghof requested a statement from the Board which would require a single administrative officer for the administration of all student financial aids.

Mr. Hug expressed concern with the size of the committee proposed for UNR and agreed that financial aids should go through one administrator only.

Mr. Hug moved to amend Dr. Anderson's motion to request that UNR Administration give strong consideration to be centralization of the paid staff for administration of scholarships, prizes, waivers and other financial aids and that further consideration be given to reducing the number of members on the Board. Motion to amend seconded by Mr. Bilbray carried with Mrs. Knudtsen and Miss Thompson opposing. Motion as amended carried without dissent.

#### 24. Report of the Committee of the Whole

Mr. Mc Dermott reported the Committee of the Whole had met on Friday, March 12, at which time Phase II proposals had been presented for a Master of Sociology-Anthropology at UNLV; a Master of Arts in Psychology, UNLV; and a Ph. D. in Business Administration at UNR. The Committee of the Whole had recommended approval of these new programs for initiation in 1971-73 provided funding becomes available.

Mr. Mc Dermott moved approval of the recommendation of the Committee of the Whole with the understanding initiation of these new programs would not jeopardize existing programs and subject to budgetary review at the time the Work Program is developed. Motion seconded by Dr. Lombardi, carried without dissent.

#### 25. Interim Rules for University Community

Chancellor Humphrey recalled that in January 1971, the Board of Regents approved a revision of the Interim Rules, excepting the procedures. The Board enumerated several policy statements and requested the Attorney General's Office to provide a draft of the procedures revised in conformity with



the Board's policy statements. The Board also instructed Administration to review the Attorney General's draft with the Coordinating Council, specified the matter was to be considered in March and extended the Interim Rules until the March meeting. Chancellor Humphrey reported that Deputy Attorney General Gene Barbagelata completed a draft, following these instructions and the draft was reviewed with the Coordinating Council on February 17. The Council requested that, in addition to the procedures prepared in conformity with the Board's instruction, a second document be drafted by Mr. Barbagelata which would incorporate recommendations by the Coordinating Council, that they be given an opportunity to review this document and that both documents go to the Board at the same time.

Mr. Humphrey noted that Mr. Barbagelata has been unable to finish this second assignment due to pending cases on behalf of the University but it is anticipated that it will be completed in time for presentation at the April meeting.

He recommended that the Board authorize an extension of the Interim Rules until the April meeting.

Motion by Mr. Bilbray, seconded by Mr. Hug, carried without dissent that the Interim Rules be extended until the April

Board meeting and that they be brought back to the Board through the Committee of the Whole.

## 26. Rights of Faculty Granted Tenure Prior to Establishment of the University of Nevada System

Chancellor Humphrey presented the following statement of problem and recommendation concerning the rights of faculty granted tenure prior to establishment of the University of Nevada System:

### Statement of Problem

1. The University of Nevada System was established by the Board of Regents on February 10, 1968, and recognized by the 1969 Legislature by enactment of Chapter 666, Statutes of Nevada 1969, which became effective July 1, 1969. One result of the reorganization was to establish four divisions of the System (UNR, UNLV, DRI and CCD). All faculty are now employed in one of these four divisions, the Chancellor's Office, the Computing Center or the University Press.

2. Faculty granted tenure prior to reorganization were

granted tenure within the "University of Nevada" and under the provisions of the University Code. The University Code has not been amended to reflect the reorganization. Final recommendations from the various faculty organizations for revision of the University Code are expected Spring, 1971.

3. Chapter II, Section 1.1 of the University Code states:

The University Faculty shall consist of all those persons holding professional positions authorized by the Board of Regents.

4. Chapter IV, "Regulations on Tenure and Academic Freedom", Section 1.6 of the University Code reads as follows:

If a permanent appointment is terminated because of financial exigency, the released faculty member's place will not be filled by a new appointee within a period of two years, unless the released faculty member has been offered, and has declined, the re-appointment. If a permanent appointment is terminated because a special subject has been dropped, or

a curriculum or course reorganized, the faculty member concerned will be continued on the faculty in some other capacity, if possible. If any faculty member is dissatisfied with his dismissal under circumstances mentioned in this paragraph, he will be entitled to follow the procedure described in the preceding paragraph. Termination of a permanent appointment because of financial exigency will be demonstrably bona fide.

5. Chapter IV, Section 1.5, referred to above, reads as follows:

Any case wherein the facts are in dispute regarding termination for cause of a permanent appointment or the release of a faculty member during the probationary period with less advance notice than that specified in Section 2 shall be considered at a closed hearing by an ad hoc committee on appeals appointed by the President.

Prior to and during the course of hearings and proceedings, the committee members shall not discuss the case except in formal session. The facul-

ty member concerned will be informed in writing of the charges against him. He will have the opportunity to be heard by the committee on his own defense provided he makes written request to the committee within 30 days of receiving notice. He will be permitted to have with him an advisor of his own choosing, who may act as counsel. There will be a full stenographic record of the hearings available to the parties concerned. In the hearing of charges of incompetence, the testimony may include that of faculty members and other scholars from this or other institutions. The committee's report and recommendations will be submitted to the Chancellor of the University, who will present them with his recommendation to the Board of Regents for its review and decision. The decision of the Board of Regents is final.

6. A faculty member who was granted tenure July 1, 1966, has been notified of the probable termination of his appointment July 1, 1971, under the provisions of Chapter IV, Section 1.6, i. e., for financial exigency.

7. The faculty member, through counsel, has requested that

a statement be issued by the University "indicating that it is the position of the University that the (faculty member's name not repeated here as this is to be a public document) has no tenure, save and except for that within the (Division of the University of Nevada System) and that he has no avenue of appeal, save and except for that within the (Division).

8. It is assumed that if such a statement were made the faculty member would either:

A. Appeal through the Division and, if unsuccessful, take the matter to court; or,

B. Go directly to court based on the contention that tenure, at least for those persons granted tenure prior to reorganization of the University, resides not in a Division but with "the University Faculty".

9. It is desirable that a policy statement be made on this matter by the Board of Regents and such statement be based not on the facts of this individual case but upon the principle involved.

Recommendation:

It is recommended that the Board of Regents adopt the policy stated in the following resolution:

WHEREAS, the Board of Regents did, on February 10, 1968, reorganize the University of Nevada as the University of Nevada System; and

WHEREAS, the Nevada State Legislature recognized that reorganization by enactment of a Chapter 666, Statutes of Nevada 1969; and

WHEREAS, faculty granted tenure prior to reorganization are recognized by the Board of Regents as having rights in the "University Faculty" which are considered different than the tenure rights of faculty granted tenure after reorganization;

NOW, THEREFORE, BE IT RESOLVED that the Board of Regents directs that any faculty member with tenure granted prior to February 10, 1968 shall be recognized as having tenure in the "University Faculty" as well as tenure in a Division of the University of Nevada System.

AND BE IT FURTHER RESOLVED, that the Board of Regents directs that if such a faculty member is notified of pending termination under the provisions of Chapter IV, Section 1.6, i. e., for financial exigency, he shall be entitled to a hearing by a 5-member ad hoc committee on appeals appointed by the Chancellor from the faculties of the 4 Divisions and the non-Division faculty (i. e., Chancellor's Office, Computing Center and University Press); such committee shall, in conformity with the spirit of Chapter IV, Section 1.5 of the University Code, submit its report and recommendations to the Board of Regents for its review and final decision.

#### Alternative

Not recommended, but alternative to the recommendation stated above is to comply with the faculty member's request, as stated by his counsel in No. 7 under the "statement of problem" above, and allow the faculty member and his counsel to determine their course of action and, in effect, the University's response.

Presidents Miller and Zorn and Directors Donnelly and Ward expressed concurrence with the Chancellor's recommendation



as stated above.

Dr. Lombardi moved that the Chancellor's recommendation be approved. Motion seconded by Mr. Morris.

Mr. Bilbray moved that this be tabled. Motion seconded by Mr. Hug, carried without dissent.

Mr. Hug commented that the University Code has been under revision by the Division faculties since 1968. He suggested that unless appropriate revisions are forthcoming the Board will again be placed in the position of having to direct the Administration to prepare the revisions.

Mr. Bilbray moved that, if at least a rough draft of the University Code revisions is not before the Board by the June meeting, a committee be appointed by the Board to accomplish the task. Motion seconded by Mr. Hug.

Dr. Vergiels reported that a final document has been submitted by UNLV. Dr. Zorn agreed that although it had not been formally transmitted, it should be considered final.

Chancellor Humphrey reported DRI had transmitted a final

document and that UNR and CCD had not.

Dr. Barnettler reported that a rough draft will be presented to the UNR Faculty Senate in April.

Motion carried without dissent.

27. Transfer of Funds

Chancellor Humphrey recommended approval of the following fund transfer:

#10 \$2,514 from System Administration Contingency Reserve to University Press to provide payment to UNR for following services for FY 1970-71:

Office space rental - 1,185 sq. ft. @\$1.32 \$1,564.20

Telephone rental @\$79.15 per month 949.80

\$2,514.00

Motion by Dr. Lombardi, seconded by Mr. Mc Dermott, carried without dissent that the above recommendation be approved.

28. Approval of Purchase in Excess of \$5,000

Mr. Pine reported that if funds requested under AB 157 are appropriated, it will be necessary to purchase water distribution equipment immediately in order to provide a program in the approaching growing season. The equipment required is estimated to cost \$8,938 and bids are presently being requested.

Mr. Pine requested that the Administration be authorized to award a contract to the low bidder for the purchase of the necessary equipment provided funds are appropriated by the Legislature.

President Miller recommended approval. Chancellor Humphrey concurred.

Motion by Mrs. Knudtsen, seconded by Mr. Mc Dermott, carried with Mr. Bilbray and Mr. Morris opposing, that the above recommendation be approved.

## 29. Status Report by State Planning Board

A report of the status of University of Nevada System capital improvements under the jurisdiction of the Nevada State

Planning Board was distributed. (Report on file in  
Chancellor's Office.)

30. Quarterly Report of Disciplinary Cases, UNR

President Miller filed a quarterly report for the period of  
March 1, 1971 of disciplinary cases handled at UNR. (Report  
identified as Ref. X and filed with permanent minutes.)

31. Chancellor's Report on Status of Legislative Program

Chancellor Humphrey gave the following report on the Univer-  
sity's legislative program and other legislation affecting  
the University:

University Sponsored Legislation

(1) UNR and UNLV Physical Education Complexes Phase I. AB

490 introduced February 24 by Clark County and Washoe-  
Storey Districts' delegations. This bill would appro-  
priate \$3,287,000 and authorize a \$1,500,000 revenue  
bond issue for construction of a \$4,787,000 Gymnasium  
facility at UNLV and would appropriate \$2,535,000 and  
authorize a \$3,160,000 revenue bond issue for con-

struction of a \$5,696,000 Physical Education Complex at UNR. This bill is in Ways and Means.

Although the two big delegations agreed to introduce this bill, support seems hard to come by. Students at UNR have made statements which were considered hostile to this legislation and total appropriation of \$5.8 million is significant, especially in view of the lack of State Planning Board support. A miracle might save this legislation but it is very doubtful.

(2) Supplemental appropriation of \$400,000 for furnishings and equipment of UNLV Humanities and Education buildings. SB 196 introduced February 11 by Education Committee. In Finance. No exception has been taken to this legislation that I am aware of, and I assume that it will come out at the end of the session when money bills are agreed upon.

(3) Appropriation of \$2,150,000 for UNLV Site Improvements and \$436,000 for site improvements at UNR. SB 195 introduced February 11 by Education Committee. The Governor had recommended a \$1.5 million appropriation to the Board of Regents to cover both of these proj-

ects. Prospects are not good for any more than the Governor's request.

- (4) Increase jurisdiction of University police. AB 398 introduced by Mr. Ronzone February 19. In Judiciary. Mr. Pine and Mr. Malone appeared before the Committee on Thursday, March 11.
  
- (5) Remove limitations on sabbatical leaves. AB 257 introduced by Education Committee February 11 and reported out do pass February 16. On February 18 it was referred to Ways and Means. I assume it will die in committee.
  
- (6) AB 369 changing name of Bureau of Mines to Bureau of Mines and Geology has passed Assembly and is now in Senate Public Resources Committee. Appears to be ok.
  
- (7) AB 427 (Glaser, Young) authorizes issuance of \$90,000 revenue bonds, receipt of \$68,000 of Federal monies, and makes an appropriation of \$561,000 for a total project cost of \$719,999 to construct a Community College in Elko. In Ways and Means. Has a chance.

(8) SB 318 (Education Committee) makes appropriation to University of \$750,000 for library books and \$250,000 each to UNR and UNLV for instructional equipment. In Finance. I assume the library book allocation will be increased.

#### Other Legislation Affecting University

(1) AB 3 enacts manpower planning and career education act and has effect upon Community Colleges. This has been amended by committee to satisfaction of University Administration and awaits action in Assembly. I assume it will pass.

(2) AB 69 (Glaser) prohibits disruptive acts on College Campuses. In Judiciary. I do not know whether this will pass or not. There is no reason for us to be either for or against.

(3) AB 119 (Hafen) makes appropriation of \$44,300 to University for agricultural and research demonstration in Amargosa Valley. This bill is in Ways and Means and it does not appear that it will pass.

(4) AB 157 makes an appropriation of \$19,829 to University to make study of application and use of irrigation water in Newlands Project. Has passed Assembly and has a do pass from Senate Finance.

(5) AB 165 (Lowman, et al) increases penalty for interfering with peaceful conduct of activities in public buildings. In Judiciary. No prediction.

(6) AB 178 extends amended provisions of Local Government Employee-Management Relations Act to all government employees, including University. It also provides for binding arbitration. I believe that we can be amended out; further, I assume bill will not pass Senate.

Motion by Dr. Anderson, seconded by Mr. Mc Dermott, carried without dissent that appropriate action be taken requesting the University be excluded from this bill.

(7) AB 246 appropriates \$40,000 to Higher Education Student Loan Fund. Has passed Assembly and is in Senate. Assume it will pass.



(8) AB 372 (Lowman, Ronzone, et al) limits use of drugs and liquor on Campus. In Assembly Education Committee. No prediction.

(9) AB 420 (Hilbrecht, et al) appropriates \$100,000 to University to institute a baccalaureate Nursing Program at UNLV. In Ways and Means. No prediction.

(10) AB 423 (Glaser) authorizes the Board of Regents to establish centers for economic education and appropriates \$80,000 for this purpose. In Ways and Means. No prediction.

(11) AB 459 (Swackhamer) creates Higher Education Capital Construction Fund with receipts from slot machine tax imposed if Federal tax taken off; and authorizes expenditures from such fund only for construction of capital improvement projects for UNS. Specifically authorizes fund to be used for 3 CCD projects. Reported out of Taxation with a do pass. Is dependent upon Congress amending Federal Statute, which now produces \$8.5 million annually.

Motion by Mr. Bilbray, seconded by Mrs. Knudtsen,

carried without dissent that the Congressional delegation from Nevada be requested to support legislation.

(12) AB 627 (Ronzone) increases per diem of \$30 and travel allowance to \$.12 per mile for members of the Board of Regents. In Ways and Means.

(13) AB 649 (Brookman, Bryan, Hilbrecht) reapportions the Regents by adding a sixth Regent to Clark County, District 2, and reducing to two the Regents from District 3, the small counties, occurring in 1974. In Committee on elections.

(14) AB 691 provides for an increase in the retirement premium. No details as to effect on benefits.

(15) SB 159 (Wilson) appropriates \$20,000 to Department of Health, Welfare and Rehabilitation to contract for development of method to monitor water quality. It is assumed the Department would contract with DRI. In Ecology Committee.

(16) SB 179 (Pozzi) directs conveyance of 200 acres of State property near Carson City to Board of Regents

for use of Community College. In Finance.

(17) SB 271 (Pozzi, Swobe) gives NIC coverage to Community

College Athletic teams. In Finance.

(18) SB 307 (Dodge) grants subpoena power to UNS officials

in certain instances.

(19) SB 354 (Swobe, Pozzi, Titlow) appropriates \$134,000 to

UNR and \$134,000 to UNLV to support intercollegiate

athletics. In Finance.

President Miller stated that Dr. Libke believed it was

important for the Board of Regents to go on record

as ratifying the following statement: "The present

commitment of ASUN fees to Intercollegiate Athletics

is \$7.50 per student per semester."

Dr. Lombardi moved, seconded by Dr. Anderson, that the

Board reaffirm the above statement. Motion carried

without dissent.

(20) SB 370 (Fransway) extends definition of criminal syn-

dicalism to include advocacy of violence on University

Campuses and makes Regents and University Officials

liable for use of University facilities for such pur-

poses. In Judiciary.

Mr. Bilbray moved, seconded by Dr. Lombardi, that the

University oppose approval of this legislation. Mo-

tion carried without dissent.

(21) SJR 7 proposes to increase State debt limit to 3%.

Passed Senate, in Assembly Governmental Affairs.

Chancellor Humphrey also noted that the Administration had made budget presentations during which they had been granted considerable time before the Senate Finance Committee. Assemblymen Capurro and Hilbrecht, a subcommittee of the Ways and Means, were also assumed to have filed their report.

Chancellor Humphrey stated that he estimated that the budget decision finally reached will be larger in total dollars than the Governor's recommendation but the Legislature may propose a change in the fee waiver policy be made and perhaps also a change in fees.

Mr. Jacobsen expressed thanks to the Regents who appeared before the Senate Finance Committee. He spoke about state-

ments made at UNR that the PE Complexes and CCD projects be scrapped and commented that President Miller deserves commendation for his support of total University System goals.

32. Mr. Morris said he believed that the University is not being entirely practical or realistic about the PE Complexes in that it has become clearly obvious that if the approach continues to be both or nothing, then there will be nothing. He suggested that the Board consider requesting that AB 490 be amended to provide a PE Complex at UNLV only.

Mr. Bilbray agreed, stating that in his opinion there is no chance of getting both projects but there might still be a possibility of getting one.

Mr. Morris moved that a request be made to amend AB 490 to delete from said bill the UNR PE Complex and that it be understood that this Complex then becomes the number one priority in the next biennium. Motion seconded by Mr. Bilbray.

President Miller noted that funding for the UNR facility includes in excess of \$3.1 million in revenue bonds. He suggested that approval be requested to use UNR's bonding

capacity and that additional phasing of the UNR PE facility be explored.

Mr. Bilbray moved to amend the motion to include this request for authorization to use UNR bonding capacity. Mr. Morris accepted the amendment. Motion carried without dissent.

Mr. Jacobsen commented that since the present out-of-state tuition is not covering the complete cost of instruction the Administration be directed to look into a possible increase in this and also suggested reviewing the fee waivers, number of such waivers and how they are granted.

Mr. Morris moved that the possibility of raising out-of-state tuition be examined along with a review of the present policy governing fee waivers. Motion seconded by Mr. Bilbray, carried without dissent.

33. Subpoena Power for University Hearings (continued from previous day, see Item 17.A above)

Dr. Barmettler reported that he had conferred with his colleagues and recommended that SB 307 be amended so that

Section 1, paragraph 1, beginning line 3 would read:

The Board of Regents, the Chancellor, the Presidents of the University of Nevada, Las Vegas, and University of Nevada, Reno, the Director of the Desert Research Institute and Director of the Community College Division shall have subpoena power in instances involving disciplinary hearings of members of the University community.

Mr. Bilbray moved approval of the amendment as requested.

Dr. Lombardi seconded the motion, carried with Mr. Morris opposing.

The regular session adjourned at 12:00 noon with the understanding that it would reconvene later in the day to consider two items which had been tabled. The regular session reconvened at 1:45 P.M.

34. Rights of Faculty Granted Tenure Prior to Establishment of the University of Nevada System (continued from morning session, see Item 26 above)

Mr. Hug moved that faculty who were granted tenure prior to

February 10, 1968, shall be recognized as holding tenure in the Division in which he held appointment at the time tenure was granted. Motion seconded by Mr. Bilbray, carried without dissent.

35. Transfer of Funds (continued from previous day, see Item 27 above)

Motion by Mr. Bilbray, seconded by Mr. Steninger, carried without dissent that the Fund Transfers be approved as recommended.

36. Mr. Steninger stated that he believed there is a real problem with regard to teaching load. He moved that when the Division Heads present work program material to the Board of Regents, they should include a teacher credit load and student credit production for each Department. Motion seconded by Mr. Hug, carried without dissent.

The meeting adjourned at 2:00 P.M.

(Mrs.) Bonnie M. Smotony

Secretary to the Board

03-12-1971



