

**BOARD OF REGENTS  
NEVADA SYSTEM OF HIGHER EDUCATION**

Sierra Building, Elizabeth Sturm Library  
Truckee Meadows Community College  
7000 Dandini Boulevard, Reno  
Thursday-Friday, June 21-22, 2007

Members Present:

Mr. Bret Whipple, Chair  
Dr. Jack Lund Schofield, Vice Chair  
Mr. Mark Alden  
Dr. Stavros S. Anthony  
Mr. Cedric Crear  
Dr. Thalia M. Dondero  
Mrs. Dorothy S. Gallagher  
Dr. Jason Geddes  
Mr. Ron Knecht  
Mr. James Dean Leavitt  
Mr. Howard Rosenberg  
Mr. Steve Sisolak  
Mr. Michael B. Wixom

Others Present:

Chancellor James E. Rogers  
Executive Vice Chancellor Daniel Klaich  
Vice Chancellor, Academic & Student Affairs, Jane Nichols  
Vice Chancellor, Finance, Mike Reed  
Interim Vice Chancellor, HSS, Marcia Turner  
Interim Vice Chancellor, Technology, Kenneth McCollum  
Chief Counsel Bart Patterson  
Special Counsel Brooke Nielsen  
President Richard Carpenter, CCSN  
President Stephen G. Wells, DRI  
President Paul T. Killpatrick, GBC  
President Fred Maryanski, NSC  
Interim President Delores Sanford, TMCC  
President David B. Ashley, UNLV  
President Milton D. Glick, UNR  
President Carol A. Lucey, WNCC  
Chief Executive Officer of the Board Scott Wasserman

Also present were faculty senate chairs Ms. Judy Stewart, CCSN; Mr. Steven Bale, TMCC; Dr. Bryan Spangelo, UNLV; Dr. Stephen Rock, UNR; and Mr. Brian Campbell, System Administration. Dr. Alison Murray represented DRI, Ms. Pat Anderson represented GBC, Dr. Francine Mayfield represented NSC and Mr. Richard Stewart represented WNCC. Student government leaders present included Mr. Taylor Gray, CCSN; Mr. Richie LeSpade, GBC; Mr. Robert Leadbeter, NSC; Mr. Adriel Espinoza, UNLV; Mr. Jeremy Houska, UNLV-GPSA; Ms. Sarah Ragsdale, UNR; Mrs. Rebecca Bevans, UNR-GSA; and Ms. Hope Manzano, WNCC.

Chair Bret Whipple called the meeting to order at 8:45 a.m., on Thursday, June 21, 2007, with all members present.

Chair Whipple's children, Hope and Shea Whipple, led the pledge of allegiance.

Pastor Stephen Bond from the Summit Christian Church offered the invocation.

Chair Whipple announced that agenda item #29 (*Procedures & Guidelines Manual, Fee Distribution, UNLV*) had been withdrawn. He then asked Chief Executive Officer Wasserman to review the guidelines regarding nominations and voting for Board Chair and Vice Chair.

1. Information Only-Introductions – President Ashley introduced Dr. Neal Smatresk, Executive Vice President and Provost; Dr. Andy Feinstein, Senior Advisor to the President; Dr. Bryan Spangelo, Faculty Senate Chair-UNLV; Mr. Adriel Espinoza, Student Body President-UNLV; and Mr. Jeremy Houska, Student Body President-UNLV-GPSA.

President Glick introduced Dr. Stephen Rock, Faculty Senate Chair-UNR, and Ms. Sarah Ragsdale, Student Body President-UNR.

President Wells introduced DRI Faculty Senate Vice Chair, Dr. Alison Murray.

President Killpatrick introduced Vice President of Administrative Services Dr. Bill Reinhard and acknowledged Mr. Carl Diekhans who will be retiring after 25 years of service. He also introduced GBC Student Body President Mr. Richie LeSpade and Ms. Patricia Anderson, Interim Faculty Senate Chair-GBC.

Interim President Sanford introduced TMCC Faculty Senate Chair Mr. Steven Bale and Ms. Greta Siegel, Dean of Student Services.

President Lucey introduced WNCC Student Body President Ms. Hope Manzano and Faculty Senate Chair Dr. Doris Dwyer, who could not be present at the meeting due to a prior commitment.

Chief Counsel Patterson introduced Mr. John Albrecht, General Counsel for DRI, GBC and TMCC.

Regent Sisolak introduced Speaker Richard Perkins.

Chair Whipple introduced Mr. Brian Campbell, Faculty Senate Chair-System Administration.

2. Information Only-Chair's Report - As part of his report, Chair Whipple requested that the President of each hosting institution introduce one student and one faculty member to discuss a topic of the hosting President's choosing to help provide Board members with a focus on the reasons they serve as Board members.

Ms. Drukshini Dissanayake is a double honors international student graduate of Truckee Meadows Community College. She was born and raised in Sri Lanka. Arriving in the

2. Information Only-Chair's Report – *(Cont'd.)*

United States in 2004, TMCC has been her first college experience. She was an active member of TMCC's international club, Phi Theta Kappa, a student ambassador and peer advisor. She was also elected vice president of the honor society where she helped organize many charity services for local charitable organizations. She was awarded an Outstanding Student Scholar award, placed on the TMCC Dean's list and National Dean's list, was nominated for the All USA Academic Team and awarded the 2007 New Century Scholar from the state of Nevada. She plans to pursue a bachelor of science in nursing and continue on to medical school in order to better assist a larger population of people in need.

Ms. Kristen DeMay is a professional counselor and member of the counseling faculty at Truckee Meadows Community College providing personal, career and academic counseling to students. She enjoys working with students to create personal goals in many areas such as academics, career, relationships, communication, stress and anxiety, emotional difficulty, and health and wellness. Ms. DeMay is also an instructor of CPD 122 – College Success Skills at TMCC. Additionally, she assists in special outreach programs for first generation students. Ms. DeMay holds a Master of Arts degree in counseling and educational psychology from the University of Nevada, Reno. Ms. DeMay reviewed TMCC's College Achievement Program (*CAP*), which targets first generation college students, Nevada residents eligible for federal Pell grants, and students placed in a developmental math or English course via ACCUPLACER placement test scores. The program has increased retention and persistence at TMCC and resulted in 100% of the students declaring a major.

Regent Knecht reported that WNCC's women's soccer team won the conference title and their coach was named the conference coach of the year. The WNCC baseball team advanced to the junior college world series. WNCC Dean of Student Services Mr. John Kinkella introduced head baseball coach D.J. Whittemore. Coach Whittemore demands the highest academic standards for his team players, maintaining a 3.1 team GPA and was named 2007 Western District Coach of the Year.

Coach Whittemore introduced Assistant Coaches Kevin Edwards and Aaron Demosthenes. He thanked the Regents and the Chancellor for their support of WNCC's athletic program, adding that participation in athletics has helped increased WNCC's retention and persistence rates.

Chair Whipple honored the WNCC baseball team with Resolution #07-01 *(on file in the Board office)*.

The meeting recessed at 9:26 a.m. and reconvened at 1:27 p.m. on Thursday, June 21, 2007, with all members present.

1. Information Only-Introductions – *(Cont'd.)*

President Killpatrick introduced GBC Student Body President Mr. Richie La Spade.

Chair Whipple noted that former Regent Mr. Douglas Roman Hill was present.

1. Information Only-Chair's Report - (*Cont'd.*)

Chair Whipple acknowledged Regents Alden, Anthony and Wixom for their efforts with the Regents' Technology Committee, noting the Legislature had provided funding to help launch the first phase of the project. He then announced that agenda item #16 (*Rehire PERS Retiree, UNLV*) had been withdrawn.

In acknowledgement of his final meeting as Board Chair, Chair Whipple expressed his appreciation to the Presidents, Chancellor Rogers, Vice Chancellors and General Counsel, Faculty Senate Chairs, Chief Executive Officer Wasserman and Board staff.

Regent Leavitt thanked Chair Whipple for his leadership and presented him with a parting gift of handmade boots from the Board.

3. Information Only-Chancellor's Report - Chancellor James E. Rogers provided an update on the University of Nevada Health Sciences System (*UNHSS*) and the UNHSS Foundation, as well as discussed the Foundation's role in fundraising. The Chancellor also gave a brief update on the 2007 legislative session. He also discussed the need for raising tuition and allowing the institutions to keep those extra dollars.

Chancellor Rogers said that the System had been very fortunate to receive legislative funding for the Health Sciences System, adding that it is a critical project for the health of Nevada's citizens. All eight institutions will need to work very closely together in order to solve Nevada's healthcare crisis. He related an agreement had been reached with the Legislature that granted the System \$88.9 million with the expectation that the System will raise matching funds (*70% legislative, 30% NSHE*). Chancellor Rogers stated that this would be a major project requiring the complete cooperation of all eight institutions. He related that an effective approach to fundraising involves approaching donors as partners. In order to raise the \$38.7 million dollars, donors will need to be persuaded that they will, indeed, be partners with the NSHE on this important project. Statistically, 2% of the people donate 98% of the money. These relationships must be carefully cultivated. Chancellor Rogers estimated that, over time, the HSS project would eventually require 700 million state dollars and \$300 million in private funding. He noted that the Legislature had only provided capital funding and no operational funding. A roast held for Chancellor Rogers raised approximately \$1.6 million. He estimated that would cover operating costs for the first half of the biennium. Chancellor Rogers noted the HSS has a small staff of five or six individuals. He emphasized that the support of the eight institutions and the Board of Regents is necessary in order to conduct a successful fundraising campaign. He felt the Legislature believes this is a worthwhile project in attempting to solve the healthcare needs of Nevada.

Chancellor Rogers then discussed tuition increases. He noted that many of the Presidents were reluctant to increase tuition knowing that the institutions are unable to retain any of the increase. During this last legislative session, Chancellor Rogers discussed with the Legislature the potential of allowing NSHE institutions to retain a portion of tuition increases.

3. Information Only-Chancellor's Report – (Cont'd.)

President Ashley said he would support tuition increases if the increases could be used to benefit the students. He did not believe the students would support any increase if the increase was not retained by the institution.

President Glick related that higher tuition could potentially benefit students by providing more access to faculty, more facilities and more need-based financial aid. He said he would be hard pressed to support a tuition increase if a return value could not be demonstrated to the students.

Chancellor Rogers related there is an ongoing dialog between NSHE and the Legislature to rework the Letter of Intent and increased tuition.

4. Information Only-Public Comment – GBC employee and former student Ms. Robbi Phillips expressed her concerns regarding the circumstances leading to her termination of employment. Chair Whipple advised Chief Counsel Patterson to follow-up with GBC counsel regarding the matter.

Mr. Brenner Cavil, a UNLV and CCSN student, applauded the recently approved name change for CCSN. He discussed SCR38, a resolution passed in 2005 for an area to be created for international students to meet, congregate and relax. He is working with a group of students to create a World Multicultural Student Events Center, which he felt would unite the city of Las Vegas and CCSN in a joint effort to educate, train and assist in the development of intercultural understanding between the citizens of Las Vegas, students, tourists and international visitors. He requested a future agenda item to consider the student proposal. Chair Whipple encouraged Mr. Cavil to work with the new Interim President to discuss the potential for bringing forward the item.

5. Approved-Consent Agenda – The Board approved the Consent Agenda with the exception of items #2 (*Handbook Revision, Extension of Military Leave for Professional Employees*) and #3 (*Procedures & Guidelines Manual, Student Health Service and Health Insurance Rates, Special Student Fees*), which were approved separately, and withholding approval of the minutes from the regular Board of Regents' meeting held March 15-16, 2007, the joint meeting with the State Board of Education held March 16, 2007, and the special Board of Regents' meeting held May 2, 2007.

(1) Approved-Minutes – The Board approved the minutes from the regular Board of Regents' meetings held January 25-26, 2007 (*Ref. C-1a, on file in the Board office*).

(4) Approved-New Scholarship Account, UNR – The Board approved Vice Chancellor Mike Reed's request to create an endowment for a scholarship to Art majors at UNR based on a donation from the Lawrence family and the Friends of Sammy Davis Jr. Endowment account (*Ref. C-4 on file in the Board office*).

(5) Approved-New Scholarship Account, UNR – The Board approved Vice Chancellor Mike Reed's request to create an endowment for a scholarship to Art majors at UNR based on a donation from the Pecetti family (*Ref. C-5 on file in the Board office*).

5. Approved-Consent Agenda – (Cont’d.)
- (6) Approved-New Scholarship Account, TMCC – The Board approved TMCC Chief Advancement Officer Ms. B.J. North’s request to create the Robert and Barbara Thimot Endowment, which will provide scholarships for Vocational Training, all programs and/or technical studies with emphasis on pre-engineering (Ref. C-6 on file in the Board office).
- (7) Approved-Capital Improvement Fee Funds, CCSN – The Board approved CCSN President Richard Carpenter’s request for the use of \$109,804.60 in Capital Improvement Fee funds for the following projects (Ref. C-7 on file in the Board office):
- |  |                     |
|--|---------------------|
| ➤ Expansion of repair project Dental Hygiene Clinic    | \$32,104.60         |
| ➤ Installation of donated radiation therapy simulator  | \$45,000.00         |
| ➤ Provide new spray booths at the Desert Garden Center | <u>\$32,700.00</u>  |
| TOTAL:   | <u>\$109,804.60</u> |
- (8) Approved-Capital Improvement Fee Funds, GBC – The Board approved GBC President Paul T. Killpatrick’s request to expend up to \$50,000 in Capital Improvement Fee funds for installation of approximately 4,000-square feet of additional office space at the Elko campus (Ref. C-8 on file in the Board office).
- (9) Approved-Capital Improvement Fee Funds, GBC – The Board approved GBC President Paul T. Killpatrick’s request to expend \$30,000 in Capital Improvement Fee funds for adding two interactive video classrooms to the Winnemucca campus (Ref. C-9 on file in the Board office).

Regent Sisolak moved approval of the Consent Agenda with the exception of items #2 (*Handbook Revision, Extension of Military Leave for Professional Employees*) and #3 (*Procedures & Guidelines Manual, Student Health Service and Health Insurance Rates, Special Student Fees*) and withholding approval of the minutes from the regular Board of Regents’ meeting held March 15-16, 2007, the joint meeting with the State Board of Education held March 16, 2007, and the special Board of Regents’ meeting held May 2, 2007. Regent Knecht seconded. Motion carried. Regent Rosenberg abstained.

**CONSENT AGENDA ITEMS APPROVED SEPARATELY:**

- (2) Approved-Handbook Revision, Extension of Military Leave for Professional Employees – The Board approved Executive Vice Chancellor Dan Klaich’s request to extend the temporary policy to allow members of the professional staff to be compensated for the difference in their NSHE pay and their military pay through the end of the 2007-08 employment contracts, *Handbook (Title 4, Chapter 3, Section 17)* (Ref. C-2 on file in the Board office).

Regent Crear suggested approving the extension without the sunset clause to avoid any further agenda appearances. Chief Counsel Patterson indicated that would be appropriate.

5. Approved-Consent Agenda – (Cont'd.)
- (2) Approved-Handbook Revision, Extension of Military Leave for Professional Employees – (Cont'd.)

Regent Rosenberg moved approval of the *Handbook* revision and amendment concerning extension of military leave for professional employees without the sunset provision. Regent Anthony seconded. Motion carried.

- (3) Approved-Procedures & Guidelines Manual, Student Health Service and Health Insurance Rates, Special Student Fees – The Board approved the 2007-08 student health service fees and student health insurance rates. These revised student fees will be codified in the *NSHE Procedures and Guidelines Manual* and will become effective in the Fall 2007 semester (Ref. C-3 on file in the Board office).

Regent Sisolak asked why TMCC and WNCC were no longer eligible for UNR optional insurance. Interim President Sanford replied that TMCC was pursuing its own coverage options.

Regent Wixom requested a brief explanation of the health service fees. Dr. Cheryl Hug English related that at UNR, the fee was not mandatory for distance education courses and was mandatory for students taking more than 6 credits. Dr. Hug English related that for those students that pay the health services fee, walk-in office visits were unlimited. Some services such as extra lab results did require an additional charge.

Regent Sisolak moved approval of the *Procedures and Guidelines Manual* revision concerning student health service and health insurance rates. Regent Rosenberg seconded. Motion carried.

6. Information Only-Farewell to Outgoing Presidents - On behalf of the Board, Chair Bret Whipple expressed the Board's gratitude to outgoing Presidents Richard Carpenter and Philip M. Ringle for their service to the Nevada System of Higher Education.

Chair Whipple related that he was proud to have worked with President Carpenter, adding that he would be missed.

Chair Whipple expressed his sorrow in losing President Ringle who had served the institution so well. President Ringle thanked the Board for the opportunity to serve as President for the past five years and their support. He was grateful to have been able to work with a quality group of Presidents and faculty.

President Carpenter related that the Interim President would soon bring forward a proposal for the first building on the northwest campus. He expressed his gratitude to the Board for approving this fourth campus for CCSN. He said he was leaving many friends behind at CCSN and was grateful for the opportunity to have served as President.

6. Information Only-Farewell to Outgoing Presidents – (Cont'd.)

Interim President Sanford related that President Ringle would be remembered for his commitment to the students and his sense of humor. She thanked him for his service, adding that the college would miss him.

7. Approved-Appointment, Interim President, TMCC – The Board approved Board Chair Bret Whipple's and Chancellor James E. Rogers' recommendation for the appointment of Ms. Delores Sanford to serve as Interim President of TMCC while a search is conducted for a permanent replacement (*terms and conditions on file in the Board office*).

Regent Alden moved approval of the appointment of Ms. Delores Sanford as Interim President for TMCC. Regent Rosenberg seconded. Motion carried.

8. Approved-Appointment, Interim President, CCSN – The Board approved Board Chair Bret Whipple's and Chancellor James E. Rogers' recommendation for the appointment of Dr. Michael Richards as Interim President of CCSN while a search is conducted for a permanent replacement (*terms and conditions on file in the Board office*).

Chancellor Rogers recommended Dr. Michael Richards as Interim President for CCSN, noting that Dr. Richards will not become a candidate for the permanent position.

Regent Crear asked who else had been suggested as an interim appointment. Chair Whipple said he was unable to reply specifically because proper notice had not been provided to those individuals.

Regent Wixom moved approval of the appointment of Dr. Michael Richards as Interim President for CCSN. Regent Knecht seconded. Upon a roll call vote the motion carried unanimously. Regents Sisolak, Whipple, Wixom, Alden, Anthony, Crear, Dondero, Gallagher, Geddes, Knecht, Leavitt, Rosenberg and Schofield voted yes.

Chair Whipple indicated that this appointment would become effective August 1, 2007.

9. Approved-Employment Contract, Head Men's Basketball Coach, UNLV – The Board approved President David B. Ashley's request for a new employment agreement, effective 2007 through 2012 with UNLV Head Men's Basketball Coach Lon Kruger (*Ref. A on file in the Board office*). The increase in guaranteed payments for the term of his contract will be generated through athletic department revenues and will not impact state funded budgets.

Regent Alden moved approval of the employment contract for UNLV Head Men's Basketball Coach Mr. Lon Kruger. Regent Gallagher seconded.



9. Approved-Employment Contract, Head Men's Basketball Coach, UNLV – (Cont'd.)

President Ashley related that the renegotiated contract only partially rewarded Coach Kruger for his performance and appearance in the NCAA playoffs.

Regent Geddes asked whether it was traditional to offer the coach and his spouse a vehicle as well as membership to a country club. President Ashley replied that both cars and the country club memberships were provided by donors and would not be paid from university resources.

Regent Sisolak observed that Coach Kruger was highly visible within the community.

Regent Sisolak asked whether there was a formula for liquidated damages. President Ashley replied that the previous contract did contain a higher liquidated damage, which was representative of the length of time remaining on the contract. Mr. Mike Hamrick, Athletic Director-UNLV, replied the provision was intended to protect UNLV should another institution lure Coach Kruger away. Since Coach Kruger had already served a three-year period, it was part of the negotiations to reduce the amount of liquidated damages. All parties agreed it was appropriate.

Motion carried.

10. Approved-Employment Contract, Head Men's Basketball Coach, UNR – The Board approved President Milton D. Glick's request for an amendment to the employment contract of Men's Head Basketball Coach Mark Fox to extend the contract for three years (Ref. B on file in the Board office).

Regent Alden moved approval of the contract extension for UNR Head Men's Basketball Coach Mr. Mark Fox. Regent Anthony seconded.

Regent Sisolak expressed concern regarding the fairness of the buyout clause based on leaving for any reason, such as medical reasons. President Glick assured Regent Sisolak that should Coach Fox be forced to leave for non-competitive reasons, such as for health reasons, they could request Board approval to waive the requirements.

Motion carried.

11. Approved-Employment Contract, Head Softball Coach, UNR – The Board approved President Milton D. Glick's request for a five-year contract for Head Softball Coach Michelle Gardner, effective July 1, 2007, including compensation benefits up to 50% of her monthly base salary per round for post season play, an additional \$1,000 for winning Conference Coach of the Year and an increase in base salary to \$72,000. Additional benefits include a courtesy car and all associated registration fees (Ref. C on file in the Board office).

Regent Knecht moved approval of the employment contract for UNR Head Softball Coach Ms. Michelle Gardner. Regent Geddes seconded.  
Motion carried.

12. Approved-Faculty Hire Above Salary Schedule, Business, NSC – The Board approved President Fred Maryanski’s request to extend an employment offer to Ms. Grace Thomson as a Business Lecturer at a 9-month base salary of \$60,000 per year (*Ref. D on file in the Board office*). Ms. Thomson will be paid an additional \$4,997 per fiscal year exclusive of any merit or COLA increase.

President Maryanski related that Ms. Thomson holds an MBA and is very marketable in the business community. NSC does not currently have a separate salary schedule for the School of Business but the requested level is similar to UNLV’s maximum of \$78,000.

Regent Knecht moved approval of the faculty hire above salary schedule for NSC. Regent Anthony seconded.

Regent Sisolak asked whether the salary schedule was being adjusted. Vice Chancellor Nichols related that Nevada was a bit low. The study was completed just prior to this meeting. It is updated every four years and will be presented to the Board in the near future.

In answer to Regent Geddes question, Vice Chancellor Nichols indicated that COLA adjustments were applied automatically.

Motion carried.

13. Approved-Faculty Hire Above Salary Schedule, Nursing, UNLV – The Board approved President David B. Ashley’s request to extend an employment offer to Ms. Jennifer Kawi, UNLV School of Nursing, as a Visiting Lecturer, at a 12-month base salary of \$97,000 per year, effective for the 2007-08 academic year (*Ref. E on file in the Board office*).

Regent Rosenberg asked how far over the salary schedule this request was. Dr. Michael Bowers Associate Vice Provost-UNLV, replied that it was approximately \$20,000 over. Dr. Bowers indicated that she was a good candidate and the field is very competitive. President Ashley noted it was a 12-month salary.

Executive Vice Chancellor Klaich said that the issue of salary schedules has been lingering. The Chancellor appointed a committee to review the salaries, including nursing. Due to the legislative session, the committee was interrupted but will now return to a normal meeting schedule. The salary schedules for nursing in southern Nevada are in desperate need of review.

Regent Rosenberg noted that the salaries of part-time instructors had not been increased in quite some time.

Regent Wixom moved approval of the faculty hire above salary schedule for UNLV. Regent Anthony seconded. Motion carried.

14. Approved-Faculty Hire Above Salary Schedule and Reimbursement of Certain Expenses, Physicians, UNR – The Board approved President Milton D. Glick’s request for the hire of two physicians at the Associate Professor level at a salary of \$250,000 each, which exceeds the established maximum salary of \$220,286 and the reimbursement of their \$112,000 malpractice tail coverage and \$141,333 rent cost of their current practice location over a three-year period (*Ref. F on file in the Board office*). Drs. Ginsburg’s and Glyman’s salaries will be predominantly derived from clinical income, with some state support for teaching. Reimbursement of the malpractice tail insurance and rent expenses will be over a three-year period.

President Glick expressed UNR’s pleasure in being able to attract two doctors of such fine caliber and talent.

Regent Sisolak asked if the physicians were to leave prior to the three-year period, would they be required to reimburse UNR for the rent expenses but not the malpractice tail coverage. Dean John McDonald replied that the repayment of the tail coverage was staggered over a period of three years. If they depart prior to the end of the contract, they will be responsible to pay for whatever remains on the tail coverage.

Regent Crear asked whether they would be teaching positions. Dean McDonald replied that they were as well as merging their practice into the School of Medicine practice plan. The reimbursement of rent will be paid from the practice plan. Dean McDonald assured the Board they had employed very conservative business plan projections.

In response to Regent Crear’s question, Dean McDonald replied that the addition of these two physicians would double the size of the current neurology department as well enable the development of an acute stroke program.

Regent Knecht moved approval of the faculty hire above salary schedule and reimbursement of certain expenses for physicians at UNR. Regent Sisolak seconded.

Regent Leavitt disclosed that Dr. Glyman is his personal physician and that he would be voting on the matter. Chair Whipple noted that Dr. Glyman is also a member of the Health Sciences System Committee. It was determined there was no conflict.

Regent Geddes entered the meeting.

Motion carried.

The meeting recessed at 3:18 p.m. and reconvened at 3:50 p.m. on Thursday, June 21, 2007, with all members present.

Chair Whipple noted that Executive Vice Chancellor Klaich had been interviewed in a recent issue of the *Reno News and Review*.

4. Information Only-Public Comment – (Cont'd.)

Former Lt. Governor and former Regent Dr. Lonnie Hammargren complimented Chancellor Rogers' efforts in attempting to create a Health Sciences System, recalling his own past efforts as a Regent to create an integrated, comprehensive, articulated health care education program for Nevada. He observed that it had been a great idea that failed to receive the necessary funding to succeed.

15. Approved-Vice President for Advancement Employment Agreement, UNLV – The Board approved President David B. Ashley's request for an employment agreement in excess of one year for the proposed Vice President for Advancement, Dr. William G. Boldt, effective September 10, 2007, to June 30, 2010. The terms and conditions of the contract were provided at the meeting. Salary savings resulting from the reorganization, including elimination of the Vice President for Development and the Vice President for University and Community Relations will cover the salary and commitments for this position.

President Ashley related that three positions had been combined into this new position. Although Dr. Boldt has three offers in hand, including one for more money than UNLV is offering, he has indicated that he favors Las Vegas' climate and the challenge of the position offered. The terms of the contract also include a \$25,000/year performance bonus (*contributed by the UNLV Foundation*), temporary housing allowance and a position (*60% time*) for his wife.

Regent Sisolak moved approval of the employment agreement for UNLV. Regent Wixom seconded.

Chancellor Rogers expressed his support for the appointment.

Regent Sisolak agreed with the recommendation.

Regent Crear asked about the vacancies that combining these departments would create. President Ashley related that two of the vice presidencies were vacant due to the retirement of those individuals. Following discussions with staff, it was agreed this would be a wise move. Four units will report to this individual.

Regent Knecht also expressed this enthusiasm for this position. He asked that, in regards to the performance bonus, President Ashley focus on output rather than input.

Motion carried.

16. Approved-Faculty Hire Above Salary Schedule and Exceeding 12 Months, Orthodontics, UNLV – The Board approved President David B. Ashley's request for an employment contract exceeding 12 months duration with salary above the applicable schedule for Clifford C. Seran, DMD, Interim Program Director, Advanced Dental Education in Orthodontics, School of Dental Medicine, effective academic year 2006-07 through 2008-09 at \$235,000 per year (*Ref. G on file in the Board office*).

President Ashley reported that the recommended salary was within their estimate of the current market value for this skill set.

16. Approved-Faculty Hire Above Salary Schedule and Exceeding 12 Months, Orthodontics, UNLV – (Cont'd.)

Regent Sisolak asked about the range. President Ashley said they usually rely upon College and University Professional Association (CUPA) data, which was not available for this position. Dr. Michael Bowers, Associate Vice Provost-UNLV, replied they had offered a comparable salary based on current faculty salaries and current market conditions.

Regent Gallagher moved approval of the faculty hire above salary schedule and contract exceeding 12 months for the orthodontics program at UNLV. Regent Anthony seconded. Motion carried.

17. Approved-Report: Outcomes of the 2007 Session of the Nevada Legislature – The Board approved the reallocation of student fees. Executive Vice Chancellor Dan Klaich reported to the Board on the outcomes of the 2007 Nevada State Legislature regarding the budget, capital improvement projects, one-shot requests and policy bills impacting the Nevada System of Higher Education. The Presidents of the institutions discussed the financial outcome of the 2007 Nevada State Legislature with respect to their institutions. Additionally, staff presented recommendations to the Board concerning the redistribution of previously allocated student fee increases for the 2007-09 biennium to bring such allocation into conformance with closing actions of the Legislature. These revisions were necessary to align Board policy with changes in state law and general fund budgets as enacted by the 2007 Nevada State Legislature.

Executive Vice Chancellor Klaich provided a presentation regarding the outcome of the 2007 legislative session (*full presentation available in the Board office*). The Board presented five bill drafts, two of which passed (*AB 18 UNSOM Review Committee and AB 455 NSHE bonding authority increased*). SJR 4 was also passed concerning an appointed Board of Regents.

Executive Vice Chancellor Klaich reported that the Board will be affected by SB 490 that limits the number of measures that may be requested by most non-legislative requesters and eliminates the authority of the Board of Regents to request legislative measures on behalf of the NSHE. Chair Whipple observed that closer ties would need to be employed in order to legislatively sponsor bills of Board interest. Executive Vice Chancellor Klaich related that the System would need to work harder during the off-session years.

SB 123 (*Public Records Requests*) also passed. Regent Sisolak asked whether a cost was associated with such requests. Executive Vice Chancellor Klaich replied that the statute provides for minimal recovery of actual costs. Reasonable reproductive costs are allowed. Chief Counsel Patterson related that when the requested records must be redacted it can result in enormous costs.

Chancellor Rogers stated that a specific request is necessary in order to respond. He felt the requests thus far had been reasonable.

17. Approved-Report: Outcomes of the 2007 Session of the Nevada Legislature – (Cont'd.)

SB 239 establishes in statute a P-16 Advisory Council to assist in the coordination between elementary, secondary and higher education in Nevada, with the Chancellor and Superintendent of Public Instruction serving as ex-officio, non-voting members.

Vice Chancellor Nichols reported that the Governor's office will be providing staff for the P-16 Advisory Council.

Regent Wixom asked whether there was a way to transfer the information from the System's P-16 Council to this new Advisory Council. Vice Chancellor Nichols replied that this would occur.

Executive Vice Chancellor Klaich related that nine Millennium Scholarship measures were introduced during the regular Session with only one measure passing during the Special Session (*SB 5 originally introduced as AB 434 during the regular Session*). SB 5 provides an exception from the two-year residency requirement for students who have a Nevada parent or legal guardian on active duty in the Armed Forces of the United States effective July 1, 2008. SB 5 also requires the Board to establish procedures by which an applicant for the scholarship would be required to execute an affidavit declaring his or her eligibility for the scholarship.

Executive Vice Chancellor Klaich reported that 85.5% formula funding for FY 2008 and 2009 equate to an increase in state funding of \$15.8 million over the biennium. State appropriations in the NSHE operating budget increased 14.5% over the previous biennium.

With regard to hold harmless funding, Executive Vice Chancellor Klaich related that constricting enrollments at the two four-year institutions resulted in the need for hold harmless funding for UNR, UNLV, CCSN, GBC and TMCC totaling \$39.8 million dollars in order to maintain current service levels.

Regent Wixom asked about the lag between enrollment and funding. Executive Vice Chancellor Klaich responded that the formula considers three years of enrollment. Each year of the three-year rolling average is weighed differently (*50% the current year, 30% the previous year and 20% the year prior to that*). A critical year for all institutions to consider is the 2008-09 school year, for which the institutions are currently planning.

Chancellor Rogers observed that if the System had been funded at 100% of the formula instead of 84 or 85% there would have been no troubles. However, the under-funding only exasperated lower than anticipated enrollments.

Executive Vice Chancellor Klaich reported that the Legislature provided funding for the classified and professional employees COLA (*2% in FY 2008 and 4% in FY2009*) totaling \$44.4 million including part-time professionals. Professional merit was funded at 2.5% of state-funded professional positions (*with exclusions*) totaling \$25.9 million. Fringe benefits were increased (*\$30.4 million*) and other inflationary considerations (*leases, contracts*) totaled \$5.4 million.

17. Approved-Report: Outcomes of the 2007 Session of the Nevada Legislature – (Cont'd.)

Executive Vice Chancellor Klaich noted that NSC and WNCC received some new funding due to positive growth. However, all institutions will be working hard just to keep pace over the next two years. Regent Rosenberg observed that the System needs to find a better way of relating the story.

On a positive note, with regard to non-formula budgets, Executive Vice Chancellor Klaich reported that there were 18 appropriation areas requested including DRI, the dental, law and medical schools, athletics programs, System Administration, Business Centers, SCS, University Press, Agricultural Experiment Station and Cooperative Extension. These requests were funded at approximately 100% of the base budget request plus COLA/merit and fringe benefit increases. Enhancements included key administrative positions for DRI.

Executive Vice Chancellor Klaich related that the Legislature's approved 2007-09 budget included a redistribution of fees consistent with the Letter of Intent. The Legislature anticipated 65% of the tuition increase to be returned to the state general fund and 35% to the institutions. In 2007, although more dollars were reverted to the state general fund than ever before and a large portion was directed to need-based student financial aid, it did not meet the expected percentage. This issue will continue to be discussed with the Legislature as well as moving to a different tuition model allowing institutions to charge more tuition while retaining a greater portion for need-based financial aid.

Chair Whipple related that the Board of Regents was held accountable for not returning the anticipated amounts with resulting measures such as SJR 4 to hold the Board more accountable. Chancellor Rogers related that some legislators viewed it as approaching misappropriation of state funds. Chair Whipple related that the Legislature had requested the Board minutes in order to determine the Board's mindset at the time of this discussion. Executive Vice Chancellor Klaich indicated that a recommendation to reallocate the fee increases would be made later in the meeting.

The meeting recessed at 5:03 p.m. on Thursday, June 21, 2007, and reconvened at 8:12 a.m. on Friday, June 22, 2007, with all members present.

Chair Whipple opened discussion on agenda items #33 (*Report: Outcomes of the 2007 Session of the Nevada Legislature*) and #32 (*Information Only-NSHE Master Plan Strategies*) in order not to limit discussion.

17. Approved-Report: Outcomes of the 2007 Session of the Nevada Legislature – (Cont'd.)
18. Information Only-NSHE Master Plan Strategies – The Board discussed potential strategies designed to improve the success of the colleges, universities and research institute in reaching the goals of the NSHE Master Plan. Particular areas of concern related to student access, retention and graduation rates, workforce development and research. Future directions and policy were discussed by the Board (*full presentation on file in the Board office*).

Executive Vice Chancellor Klaich related that \$246.96 million dollars was appropriated to the NSHE in SB 578 for the following Capital Improvement Projects:

- UNLV Science Engineering & Technology Building - \$21 million.
- UNR Knowledge Center - \$18.9 million.
- UNR Math & Science Building - \$17 million.
- CCSN West Charleston Classroom Building - \$4.5 million.
- CCSN Cheyenne Transportation Tech Building - \$2.6 million.
- GBC Electrical & Industrial Tech Building - \$1.76 million.
- UNLV Greenspun College of Urban Affairs – \$19.4 million.
- DRI CAVE Facility – \$7.98 million.
- WNCC ADA Retrofit – \$3.72 million.
- NSC Nursing Building Planning and Design – \$3.3 million.
- TMCC IGT Building (*Structural Reinforcement*) – \$2.33 million.
- TMCC Red Mountain Building (*Fire Code*) - \$1.75 million
- Campus Improvements (*HECC/SHECC*) - \$15 million.
  - UNLV – \$5.04 million
  - UNR – \$5.28 million
  - NSC – \$ .1 million
  - CCSN – \$1.66 million
  - GBC – \$ .5 million
  - TMCC – \$1.08 million
  - WNCC – \$ .97 million
  - DRI – \$ .27 million
  - System Administration – \$ .1 million

SB 579 – TMCC Spanish Springs Education Center \$500,000 appropriated for planning and design with NSHE matching funds required.

UNHSS – Capital Improvements:

- Shadow Lane Biomedical Research - \$15.75 million.
- Savitt remodel for UNSOM - \$3.0 million.
- Cain Hall remodel for School of Nursing - \$1.0 million.
- Shadow Lane Advanced Clinical Training & Research - \$59.69 million, and
- Medical Learning Lab - \$47.93 million subject to a \$38.7 million match.

SB 192 iNtegrate Project:

- \$10 million in state funding.
- \$15 million in NSHE investment reserves must be expended first.
- Unexpended funds revert to the general fund on September 16, 2011.



17. Approved-Report: Outcomes of the 2007 Session of the Nevada Legislature – (Cont'd.)
18. Information Only-NSHE Master Plan Strategies – (Cont'd.)

Additional State Funding:

- Assembly Bill – 629
  - \$400,000 – Women’s Research Institute
  - \$250,000 – Boyd School of Law, Saltman Center for Conflict Resolution
- Senate Bill – 579
  - \$200,000 Black Mountain Institute
  - \$100,000 Center for Health Disparities Research, UNLV

Executive Vice Chancellor Klaich related this was a very tight budget that would require close observation.

In answer to Regent Geddes question, Executive Vice Chancellor Klaich indicated that the Legislature was holding the money for the iNtegrate project until NSHE funds had been expended.

Letters of Intent were issued for the following:

- COLA for part-time employees. Dollars must be expended to benefit part-time employees only.
- UNLV Paradise School lease agreement. Lease savings must be reverted to the general fund.
- UNSOM medical malpractice. Sets parameters for use of future medical malpractice savings.
- UNR and UNLV Athletic Fee Waivers – New athletic fee waivers must be built into future base budgets as enhancements.

Executive Vice Chancellor Klaich requested that the Board realign the fee distribution to the percentages requested in the 2005 Letter of Intent by the Legislature. Although some flexibility will be lost at the institutional level, the money will remain with the institutions. This is proposed as a sign of good faith between the Board of Regents and the Nevada State Legislature that will enhance future discussions regarding tuition increases and the institutions retaining a portion of those increases.

Regent Rosenberg clarified that Executive Vice Chancellor Klaich was recommending this action.

Chair Whipple thanked Executive Vice Chancellor Klaich for putting the requirements of the Letter of Intent into a format that can be better understood.

Executive Vice Chancellor Klaich recommended that the allocation of the fee increase for 07-09 biennium be reallocated in the amounts displayed in the recommendation presented in the handout (*on file in the Board office*) with the direction that the Presidents return to their campuses and allocate the change of numbers in the various categories and report those back to the next meeting of the Board.

17. Approved-Report: Outcomes of the 2007 Session of the Nevada Legislature – (Cont'd.)
18. Information Only-NSHE Master Plan Strategies – (Cont'd.)

Regent Rosenberg moved approval of reallocating the student fee increases for the 2007-09 biennium in the amounts recommended and to direct the Presidents to change the numbers accordingly in the various categories and report back to the next meeting of the Board. Regent Wixom seconded.

Regent Sisolak asked whether everyone at the Legislature had signed off on the resolution of future tuition increases. Chancellor Rogers replied they had not but they were working towards an agreement. Executive Vice Chancellor Klaich felt there was good reception for this solution.

Motion carried. Regent Crear abstained.

Regent Wixom related the \$15 million used for the iNtegrate project comes from the reserve account, which is excess operating income.

Regent Geddes asked whether it was reasonable that the funds be spent by 2011. Regent Wixom related they would not know the total price of the project until the contract negotiations were completed. The focus is to try and get the student services module in place for \$25 million. Executive Vice Chancellor Klaich related that timing would be critical, adding that they are committed to moving deliberately and slowly. If an extension is required, NSHE may approach IFC for an extension.

Regent Wixom related that two RFP's have been released. They are now in the process of re-evaluating the responses to the second RFP and will need to come to agreement by the end of summer.

President Glick explained what the universities are doing to address their deficiencies. He expressed appreciation for the COLA, which is important for staff morale. UNR will have a \$2 million net shortfall due to lower than anticipated enrollments. The Letter of Intent will cost approximately another \$1 million. Due to the WUE (*Western Under-Graduate Exchange*) tuition arrangement, another \$1 million was under-achieved. They have also inherited an approximate "structural" deficit of \$2 million. They must now close a \$6 million total gap by increasing revenue or decreasing expenses over several years.

Regent Alden left the meeting.

President Glick said they were making several immediate reductions in their base across the campus. The commitment to staff the new student union will be honored. Reductions will also be made in marketing communication and other non-academic units. These actions will reduce the shortfall to approximately \$2.5 million. Notice must be given to senior employees by July 1<sup>st</sup> or they will still have another two years on their contracts. He said the universities would protect student access and student success.

17. Approved-Report: Outcomes of the 2007 Session of the Nevada Legislature – (Cont'd.)
18. Information Only-NSHE Master Plan Strategies – (Cont'd.)

In response to Regent Dondero's question, Executive Vice Chancellor Klaich stated the Legislature understands the situations that some of the institutions are in. He felt that actions taken by the campuses will be viewed in a positive light by the Legislature. Regent Dondero felt the Legislature must know when promoting education they cannot cut off the required funding. Executive Vice Chancellor Klaich replied that they attempted during the Session to communicate the importance of not penalizing institutions for past decisions.

President Glick related that the goal was to minimize damage to the students.

Regent Rosenberg felt that faculty might be more understanding with awareness of the magnitude of these challenges. Executive Vice Chancellor Klaich related that part of the problem was created by decreasing enrollments. The Presidents are now challenged to do more with less while also increasing enrollments.

President Glick explained that they now have more dollars but they are not allocated in areas that the institution can control.

President Ashley expressed his gratitude for the Legislature's appropriation in a difficult year. He related that the \$50 + million deficit that UNLV faced at the beginning of the legislative session was reduced to approximately \$13 million. President Ashley said that \$9.4 million relates to maintaining current service levels and approximately \$4 million is a result of the utilities shortfall.

President Ashley related that UNLV is also facing a \$5.7 million deficit in the base budget that must be dealt with after the biennium. UNLV must now explore mechanisms for addressing this shortfall including a 2%-4% budget reduction in strategic units across the campus with the goal of \$5 million in savings.

President Ashley stated that student recruitment and retention will be a core component of the master plan. UNLV needs to do a better job of matching resources to student demand. If no structural changes were made, the technical hold harmless would yield a \$52 million deficit. Budget reductions and deliberate budget decisions will need to be made in spite of the support provided by the Legislature.

President Glick related that if the Legislature had not provided hold harmless relief the institutions would have been in a much more desperate situation.

Regent Knecht related that the Governor had recommended more than what the Legislature actually approved.

Chair Whipple complimented Chancellor Rogers' efforts throughout the Session.

Interim President Sanford related that TMCC and CCSN were both facing belt tightening in several ways. Projections for the second year of the biennium are that further reductions will be necessary.

President Glick complimented those institutions who did not benefit from the hold harmless funding for supporting the high priority of hold harmless funding.

19. Not Approved-Handbook Revision, Political Endorsements/Contributions, Executive Employees, NSHE – The Board did not approve the enactment of a requirement for NSHE executive personnel to disclose to the Board office contributions to or endorsements of political candidates and referred the matter to the Board Development Committee.

Chair Whipple said that as more public/private partnerships are being explored, there has been more contact with potential donors. He was concerned about potential conflicts. Chief Counsel Patterson supplied suggested *Handbook* language (*on file in the Board office*).

Regent Wixom echoed Chair Whipple's concerns. He felt it was crucial to maintain the Board's credibility especially in light of potential, large, future contributions.

Regent Knecht presented a seven-point proposal concerning Regent campaign contribution reporting (*on file in the Board office*).

Regent Knecht moved approval of enacting a *Handbook* revision regarding the disclosure of contributions to or endorsements of political candidates. Regent Leavitt seconded.

Regent Geddes was concerned that the proposed revision does not address donors that are contributing large amounts. Additionally, he was concerned that the provisions of the sixth proposal point places the responsibility of reporting contributions on the donor. He felt the onus should be on the solicitor of the campaign contributions.

Regent Knecht replied that if a donor holds certain corporate entities, a recipient may or may not know who the owners of the corporate entity are. The information is in the hands of the donor. The recipient cannot be assured that he has it or can get it. He felt the donors were very sophisticated and would not be unduly burdened.

Regent Geddes could not recall receiving a contribution from an unknown course, adding that he would have returned the contribution under such circumstances.

Regent Sisolak indicated that he does not believe in implementing a policy to which the Regents would not hold themselves. He asked if there was a legal precedent regarding holding donors to such a restriction. Chief Counsel Patterson replied that higher education was exempt from the limitations regarding what public employees can do under the Hatch Act, but legal precedent is found in the Act for restricting political activities. Staff did not find any precedent requiring public employees to disclose campaign contributions. Regent Knecht is correct that federal candidates are required to report the name and occupation of the donor. Chief Counsel Patterson related that such restrictions are subject to strict scrutiny, but so long as the governmental entity can demonstrate a substantial relation to an important governmental purpose, they have been upheld. He felt this restriction would not be unconstitutional.

19. Not Approved-Handbook Revision, Political Endorsements/Contributions, Executive Employees, NSHE – (Cont'd.)

Regent Knecht agreed that rules should apply equally to Regents and executives. He explained that he did not intent to require disclosure of contributions to a congressional campaign, but only contributions to matters that concern NSHE.

Regent Sisolak felt this policy differed from advice provided by a previous General Counsel. Chief Counsel Patterson felt there was no specific authority that would prevent this proposal. Special Counsel Nielsen related there are restrictions on public employees regarding political contributions that have been upheld. If there is a legitimate governmental purpose to be served, and the restriction is substantially related to that purpose, it is believed that the proposed restriction would be upheld. She noted that the proposed policy is not written to be solely limited to higher education.

Regent Leavitt left the meeting.

Regent Wixom felt the language applied to all candidates and all contributions, which was too broad.

Regent Anthony felt the policy should be constricted specifically to Regent elections. He agreed the onus should be on the donor and not on the candidate. In response to Regent Anthony's question regarding the 48 hour reporting requirement, Regent Knecht related that 48 hours was imposed to avoid contributions slipping in at the last minute which are not reported until after the election has taken place.

Chair Whipple felt the larger issue related to accepting outside donor money when embracing public-private partnerships. He felt that there needed to be guidelines for when it was appropriate to accept money.

Regent Leavitt entered the meeting.

Regent Knecht provided several suggested amendments. Chief Counsel Patterson suggested withdrawing the motion and restating rather than amending.

Regent Knecht withdrew his motion. Regent Leavitt withdrew the second.

Regent Knecht amended the first sentence of the proposed revision to state "NSHE Executive Personnel shall, within 48 hours, disclose to the Board Chief Executive Officer significant contributions to a particular candidate *for the Office of Regent* or to a committee(s) *supporting* or opposing a particular *Board of Regents'* candidate."

Regent Knecht moved approval of enacting a *Handbook* revision regarding the disclosure of contributions to or endorsements of political candidates as amended. Regent Leavitt seconded.

19. Not Approved-Handbook Revision, Political Endorsements/Contributions, Executive Employees, NSHE – (Cont'd.)

Regent Sisolak again questioned the 48 hours time period and what the applicable penalties are. Regent Knecht replied that due to the requirement that the onus be placed on the donor, the 48 hours would begin upon submission either via mail or upon hand delivery. This is a policy of the Board with associated penalties for violations.

Chief Counsel Patterson clarified that absent a specific penalty it would fall within the existing guidelines of violating Board policy and the process associated with that to determine whether or not any action would be taken.

Regent Sisolak felt that a better solution would be to provide more time, citing a situation in which there was a three-day weekend.

Chair Whipple suggested the Board Development Committee undertake the matter.

Regent Gallagher suggested sending #19 (Handbook Revision, Political Endorsements/Contributions, Executive Employees, NSHE) and #20 (Handbook Revision, Donor Policy) to the Board Development Committee for further consideration and recommendation.

Upon a roll call vote the motion failed. Regents Whipple, Wixom, Anthony, Knecht, Leavitt and Rosenberg voted yes. Regents Crear, Gallagher, Geddes, Schofield and Sisolak voted no. Regent Dondero abstained. Regent Alden was absent.

Chair Whipple referred this item to the Board Development Committee for further review.

20. Approved-Handbook Revision, Donor Policy – The Board approved a policy that places certain restrictions on the involvement of donors in institutional decisions. The policy requires that the usual NSHE personnel processes be followed when selecting individuals for a position that is fully or partially funded by a donor contribution and that donor gifts may not interfere with scholarly or other institutional endeavors (Ref. I on file in the Board office).

Regent Geddes moved approval of a *Handbook* revision placing certain restrictions on the involvement of donors in institutional decisions. Regent Gallagher seconded.

In response to Regent Gallagher's question, Vice Chancellor Nichols related that paragraph (j) will restrict donors from involvement in determining curricula.

Motion carried. Regent Alden was absent.

Regent Alden entered the meeting.

21. Approved-Handbook Revision, NSHE Policy on Restricted Access Research – The Board approved Presidents David B. Ashley’s, Milton D. Glick’s and Stephen G. Wells’ request for a policy on classified and proprietary research. The policy includes applicable definitions for restricted access research (*Title 2, Chapter 9, Section 1*), protocols for the inspection of research-related records by Regents (*Title 4, Chapter 1, Section 4*), regular reporting of the status and outcome of research endeavors and provisions for appropriate oversight of restricted access research projects (*Title 4, Chapter 12, Sections 9 and 10*). A portion of this proposal (*Title 2, Chapter 9, Section 1*) required a Code change. The proposal was presented to the Research and Economic Development Committee at its January 18, 2007 meeting. This was the second reading of the proposal (*Ref. J on file in the Board office*).

Vice Chancellor Nichols recalled that the Board had requested a policy that specifically defines the responsibility of the President for all types of research. The media has requested copies of a number of proprietary contracts that were part of the UNLV Research Foundation. Under the Open Records Law, confidential information must be clearly defined with a specific reason for such. From the policy proposal, she suggested removing the word “strictly” from the first sentence in Section 9.1.1 (*Ref. J, page 3 of 8*) and removing the word “strict” from the first sentence in Section 10.2 (*Ref. J, page 7 of 8*) (*amendments to proposal on file in the Board office*).

Dr. Stephen Rock, Faculty Senate Chair-UNR, suggested additional language for the second option (*Revised Ref. J, Page 5 of 8 on file in the Board office*) and indicated his preference for the second alternative.

Chief Counsel Patterson related that while a Code change requires two readings, it does not prevent modifications from being made on the second reading. He related that changes made to Title 4 only require one reading and that it was also acceptable to amend proposed language upon first reading.

Regent Gallagher moved approval of a *Handbook* revision establishing a policy on restricted access research as amended with the selection of the second option (*Revised Ref. J, Page 5 of 8*) with the modifications referred to by Vice Chancellor Nichols. Regent Knecht seconded. Motion carried.

The meeting recessed at 10:06 a.m. and reconvened at 10:24 a.m. on Friday, June 22, 2007, with all members present.

22. Accepted-Evaluation, Chancellor James E. Rogers – The Board discussed the annual evaluation of Chancellor James E. Rogers. The Board accepted the evaluation, discussed the Chancellor’s future with the NSHE and provided direction regarding the Chancellor’s role, performing his duties and responsibilities to the Board and managing the NSHE.

Mr. Carl Rowe, Senior Advisor, Clarity Advisors to Management, reported that he was retained to conduct interviews regarding the annual evaluation of Chancellor Rogers. All Regents, the Chancellor’s Cabinet and the eight institution Presidents were interviewed. The report contains feedback from questions in seven specific areas including reaction to the Chancellor’s self-evaluation, the Chancellor’s efforts on new initiatives, the

22. Accepted-Evaluation, Chancellor James E. Rogers – (Cont'd.)

Chancellor's effectiveness with state government, his relationship with media, his relationships with Regents, and performance objectives for the coming year (*on file in the Board office*).

Chair Whipple observed the evaluation revealed mixed feelings. He felt the System was in a better position than it was a year ago and that Chancellor Rogers had done a good job. He was pleased with the positive relationship between the Presidents, the Chancellor and the Chancellor's staff. His primary criticism is the relationship that has developed between the Chair and Chancellor over the last six months. He felt the Chancellor should be accountable and reportable to the Board. He expressed his concern with investing so much power in one person. He felt it was important to maintain a system of checks and balances. With as many positives as Chancellor Rogers brings, he is not perfect, and must be held accountable to the Board. It is the Board's job to hold employees accountable. Chair Whipple felt it was inappropriate for a person in the position of a Chancellor to not hold himself accountable to the Board. Chair Whipple recognized the Chancellor's passion is higher education and to create a better System.

Regent Alden said he recognized that they had hired "Jim Rogers" and his "bluster", and that he to be the CEO and the person in charge. Regent Alden felt that Chancellor Rogers tends to allow mission creep between the institutions. He felt they were setting the model for the future of the state and that it was important to stick to that model.

Regent Knecht provided a handout synthesizing his impression of the Chancellor's performance. He thanked the Chancellor for the good work he has done and indicated his comments are intended to be thoughtful and constructive. He requested that his comments be attached to the permanent minutes.

Regent Leavitt expressed a desire to move forward and for the Board to support the Chancellor. He noted they shared a passion for the Health Sciences System and vowed to work harder on an improved relationship. He expressed his admiration for the Chancellor's efforts. He encouraged the Chancellor to respect the line between Board and Chancellor. Regent Leavitt pledged his support to the Chancellor and the System. Regent Leavitt requested that Mr. Rowe expand upon his suggestions for an "intervention".

Regent Schofield expressed his support for the Chancellor, adding that he has the resources and contacts to help make the System better. He was hopeful the Chancellor would remain with the System in order to capitalize on all of the good that has been accomplished.

Regent Geddes said he was happy with the direction the System was headed. He asked the Chancellor to commit to working with the Regents to move forward. He too asked how a mediation or intervention would work.



22. Accepted-Evaluation, Chancellor James E. Rogers – (Cont'd.)

Mr. Rowe said it was very difficult to conduct such an exercise under the provisions of Nevada's Open Meeting Law. An intervention sometimes becomes very personal and he has never seen a public board willing to do that but felt there were several options available without breaking the law. He called attention to the fact that a broad rift exists between the Chancellor's supporters and detractors, and if possible, there needs to be some sort of conflict resolution.

Regent Rosenberg stated that the Chancellor's motives are good. When the Board hired the Chancellor, they felt his powerful presence would be helpful during the legislative session and that he would bring forward an enlightened businessman's view. The Board was previously the final authority on the hiring and termination of Presidents. The Board, in good faith and by majority vote, gave Chancellor Rogers the full authority to terminate Presidents. The Chancellor must balance the individual needs of the constituent institutions of the System. He equated the Chancellor's style to absolute autocracy. He was hopeful a relationship could exist free of intimidation and fear. He felt that the Chancellor had engaged in intervening on presidential territory and the running of the individual campuses. He felt the Chancellor regards Board members as his subordinates. He was also disturbed the Chancellor had taken a position on a legislative measure without first discussing it with the Board, knowing that many Board members opposed the measure. While he appreciates the good things the Chancellor has done, he felt the Chancellor's behavior needs to change.

Regent Crear felt the Chancellor was moving the System forward in a positive direction. He acknowledged there were challenges that need to be addressed. He said that exemplary improvements had been made and felt that Chancellor Rogers enjoys the respect of the universities.

Regent Sisolak complimented Board members for keeping their comments constructive in nature. He acknowledged the difficulty of responding to thirteen different bosses. He felt there had been a breakdown in communication. One of the Chancellor's strengths is that he is always willing to meet and talk about issues. He felt that Board members might not take advantage of that as often as they could or should. He felt Chancellor Rogers had done a good job overall. He encouraged Board members to look forward to achieve the goals that will best serve the students. He asked Board members to commit personally to move forward.

Regent Gallagher stated that she freely communicates her disagreement with Chancellor Rogers. She felt that Mr. Rowe's suggestion for intervention should be taken very seriously, although she was unsure that it could be conducted openly. She encouraged Board members to also evaluate their own actions. While an intervention may not be achievable, the Board can evaluate how each member conducts themselves. She felt a lot of the problems were due to a break down in communication.

Regent Sisolak moved acceptance of Chancellor Rogers' evaluation. Regent Gallagher seconded. Motion carried.

23. Information Only-Handbook Revision, Review of the Board of Regents' and Chancellor's Roles in the Discipline of Presidents - The Board discussed the roles of the Chancellor and the Board regarding the discipline, including termination, of Presidents of the NSHE. The discussion included a review of the most recent revision to the Bylaws of the Board of Regents concerning these roles (*Title 1, Article 7, Sections 2-4*). This was the first reading of a proposed change to the Bylaws. Final action will be taken in August 2007 (Ref. P and handout on file in the Board office).

Regent Wixom related that because there is not a uniform policy across the country regarding this issue, he desired more information prior to making a final decision. He was interested in seeing how such a policy works with other institutions across the country.

Chair Whipple noted that Nevada is the only elected Board governing multiple institutions in the United States.

Executive Vice Chancellor Klaich offered to discuss respective policies with the AGB and report back to the Board. Regent Wixom said he would like to find out how similar systems deal with such matters before making a decision.

Vice Chancellor Nichols offered to provide a background paper for the next meeting, including whether each Board is governing or guiding in nature and what other systems are doing.

Regent Schofield noted that Nevada was unique and expressed his pride in the Nevada Board of Regents. He felt the Board needs to do what is right for Nevada. He felt the power for the Chancellor to fire Presidents was necessary, needed and right for Nevada.

24. Information Only-Handbook Revision, Duties of the Chancellor - The Board discussed the roles of the Chancellor and the Board in relation to the Chancellor's authority to establish new positions within the Nevada System of Higher Education and to set the salary, terms and conditions of their employment (*Title 1, Article 7, Section 3*). This was the first reading of a proposed change to the Bylaws. Final action will be taken in August 2007 (Ref. P and handout on file in the Board office).

The Chair noted this was the first reading of this item and it would be an action item at the next Board meeting.

25. Approved-Handbook Revision, Capitalization Threshold – The Board approved Vice Chancellor Mike Reed's request for an amendment to the capitalization threshold in the Board of Regents' *Handbook* (*Title 4, Chapter 9, Section C.2.12, NSHE Internal Audit, Finance and Administration Policies, Capitalization Threshold*) (Ref. K on file in the Board office).

Regent Alden moved approval of a *Handbook* revision increasing the capitalization threshold.  
Regent Anthony seconded.

25. Approved-Handbook Revision, Capitalization Threshold – (Cont'd)

Regent Sisolak questioned why there would not be a fiscal savings if they were no longer tracking. Ms. Sandra Cardinal, Assistant Vice Chancellor, Finance, replied that sensitive items valued between \$500 and \$2,000 would continue to be tracked.

Motion carried.

26. Approved-Handbook Revision, Publications Policy – The Board approved President Richard Carpenter's request for a *Handbook* revision (*Title 4, Chapter 19*) to include CCSN's new policy on the Coyote Press student newspaper (*Ref. L on file in the Board office*).

Regent Geddes moved approval of a *Handbook* revision to include CCSN's new policy on the Coyote Press student newspaper. Regent Knecht seconded.

Regent Crear questioned the policy changes. Chief Counsel Patterson explained that CCSN was one of the few institutions that did not have a formal publications policy. This policy has been reviewed by the faculty senate and through their legal counsel's office.

Motion carried.

22. Accepted-Evaluation, Chancellor James E. Rogers – (Cont'd.)

Chancellor Rogers thanked the Board for his evaluation. He pledged that he would continue to work harder and develop the desired lines of communication. He encouraged Board members to feel free to contact him at any time. He assured the Board he would do his share of the work.

27. Approved-Handbook Revision, Bylaws, NSC – The Board approved Dr. Joan McGee's request for approval of the Nevada State College bylaws for inclusion in the Board of Regents *Handbook* (*Title 5*) (*Ref. M on file in the Board office*).

Regent Alden moved approval of a *Handbook* revision to include NSC's bylaws. Regent Gallagher seconded. Motion carried.

28. Approved-Handbook Revision, Bylaws, UNLV – The Board approved President David B. Ashley's request for *Handbook* revisions (*Title 5, Chapter 6, Chapter II, Sections 3.1 and 11, and Title 5, Chapter 6, Chapter III, Sections 6.1.A and B, and 9.3*) concerning faculty course assignments, admissions policy, personnel recommendations for academic faculty and personnel files (*Ref. N on file in the Board office*).

Regent Alden moved approval of a *Handbook* revision amending UNLV's bylaws. Regent Anthony seconded. Motion carried.

29. Approved-Procedures & Guidelines Manual Revision, Independent Learning Fees 2007-08, UNR – The Board approved President Milton D. Glick’s request for approval of the Independent Learning Program fees for the University of Nevada, Reno for the 2007-08 academic year, which will be incorporated into the *Procedures & Guidelines Manual* (Ref. Q on file in the Board office).

Regent Rosenberg moved approval of the *Procedures & Guidelines Manual* revision concerning 2007-08 independent learning fees for UNR. Regent Dondero seconded. Motion carried.

28. Approved-Handbook Revision, Bylaws, UNLV – (Cont’d.)

Regent Sisolak asked if the Faculty Senate needed to approve cases of alternate admissions and how that would be conducted during the summer months. President Ashley related that there is a mechanism in place for assembling the Faculty Senate so that there is no lapse of coverage.

30. Approved-Evaluation, Chief Executive Officer, Board of Regents – The Board approved the annual evaluation of Mr. Scott G. Wasserman, the Chief Executive Officer, acting ex officio as Secretary of the Board of Regents, including the renewal and revision to the terms and conditions of his contract (*Full evaluation on file in the Board office*).

Regent Knecht moved acceptance of Mr. Wasserman’s annual evaluation and setting his salary at \$145,000. Regent Dondero seconded.

Regent Sisolak stated that he was very supportive of this item and asked whether this increase would preclude Mr. Wasserman from receiving merit. Mr. Patterson indicated that the new compensation would be set to include merit, but subject to COLA

Regent Leavitt left the meeting.

Regent Alden related that Mr. Wasserman has done a great job in moving the Regents into the 21<sup>st</sup> Century.

Regent Crear commented that Mr. Wasserman has done an excellent job as well as his entire staff, which is indicative of his leadership.  
Chair Whipple complimented the Board staff.

Regent Rosenberg complimented Mr. Wasserman’s efforts. He asked that the salaries of Board staff also be reviewed in recognition that the work could not be accomplished without them. Mr. Wasserman said he is in conversations with Human Resources to accommodate that request.

Regent Schofield commended the Board staff, adding that they are outstanding individuals.

30. Approved-Evaluation, Chief Executive Officer, Board of Regents – (Cont'd.)

Regent Dondero related that staff does an outstanding job of anticipating the Regents' needs.

Executive Vice Chancellor Klaich complimented Mr. Wasserman's ability to communicate between Board staff and Chancellor's staff, adding that he does a wonderful job of bringing the Board perspective to the Chancellor's staff.

Chair Whipple stated that Mr. Wasserman represents this Board so strongly and so well, they are fortunate to have him.

Regent Knecht complimented the efforts of Board staff.

Regent Leavitt entered the meeting.

Motion carried.

Mr. Wasserman thanked the Board, acknowledging that his performance is the direct result of having an excellent staff.

31. Approved-Procedures & Guidelines Manual, Distribution of Fees & Tuition, School of Medicine, UNR – The Board approved President Milton D. Glick's request for a revision to the semester based distribution of fees and tuition for the School of Medicine per the NSHE *Procedures & Guidelines Manual (Chapter 7, Section 13)* for 2007-08 and 2008-09 in order to align the distribution with the total annual tuition and fees for 2007-08 and 2008-09 as shown in the NSHE *Procedures & Guidelines Manual (Chapter 7, Section 2)* (Ref. R on file in the Board office).

Regent Alden moved approval of the *Procedures & Guidelines Manual* revision concerning the distribution of fees and tuition for UNR's School of Medicine. Regent Rosenberg seconded.

Regent Sisolak expressed concern regarding a reduction in student access and CIP funds. Mr. Ron Zurek, Vice President, Administration & Finance, explained that it was merely a technical adjustment to bring the distribution in line with the actual approved tuition.

Motion carried.

32. Approved-Technologist Manual, DRI – The Board approved President Stephen G. Wells' request for approval of the DRI Technologist Manual (Ref. S on file in the Board office).

Regent Alden moved approval of DRI's *Technologist Manual*. Regent Rosenberg seconded.  
Motion carried.

Executive Vice Chancellor Klaich related that this document was achieved with a great deal of institutional support.

18. Information Only-NSHE Master Plan Strategies – (Cont'd.)  
Chair Whipple indicated that the institution Presidents had requested this item be delayed until the August meeting. He felt this is one of the most important issues the Board can address and encouraged the Regents to keep this item in the forefront.
33. Approved-Resolution #07-02, Marguerite Petersen Foundation Athletic Academic Center, Pack Village, UNR – The Board approved Resolution #07-02, President Milton D. Glick's request to: 1) Proceed to construct the new Marguerite Petersen Foundation Athletic Academic Center at Pack Village on the campus of the University of Nevada, Reno and 2) Adopt the Loan Resolution to permit the Nevada System of Higher Education, on behalf of the University of Nevada, Reno, Intercollegiate Athletics, to secure a \$3.4 million, 10-year, tax-exempt bank loan as part of the Marguerite Petersen Foundation Athletic Academic Center project financing plan (Ref. T on file in the Board office).

Regent Alden moved approval of Resolution #07-02 regarding the Marguerite Petersen Foundation Athletic Academic Center at Pack Village at UNR. Regent Geddes seconded.

Executive Vice Chancellor Klaich reported that the issue was fully vetted in the Investment Committee.

Regent Sisolak recalled that the System would borrow money, which will be served by a revenue stream consisting of outstanding pledges that have not yet been received.

Executive Vice Chancellor Klaich related that the athletic program is committed to excellence in academics as well. This loan resolution is the culmination of a wonderful outreach on the part of UNR.

Vice Chancellor Reed related that 400 student athletes will benefit from this action.

Motion carried.

The meeting recessed at 11:51 a.m. and reconvened at 12:27 p.m. on Friday, June 22, 2007, with all members present.

34. Approved-Foundation Loan Payoff, UNLV – The Board approved President David B. Ashley's request to pay off the UNLV Foundation loan for the Foundation building of approximately \$1.120 million. The funding for this request will not be state funded but rather institutionally retained funding from capital improvement fees. The justification for this request is the recent repeal of the 5% overhead charge that the UNLV Foundation has been levying on incoming gifts in order to fund operating costs (*including payment on the Foundation loan*). Both the UNLV administration and the UNLV Foundation board feel that the elimination of this overhead charge will assist both the university and the Foundation to generate additional donor support, however, in the near term, it creates a financial burden in the budget of the development program during critical phases of the capital campaign. By paying off this debt, for a 100% state O&M funded building for

34. Approved-Foundation Loan Payoff, UNLV – (Cont'd.)

which NSHE holds the deed, will assist the development program in balancing its operating budget (*Ref. U on file in the Board office*).

Regent Alden moved approval of the Foundation loan payoff for UNLV. Regent Rosenberg seconded.

In response to Regent Gallagher's question, President Ashley replied that the property title has been transferred to the Board of Regents.

Motion carried.

35. Information Only-NSHE Online Degree Offerings - Mr. Neil Woolf, System Administration Research Analyst, reported on on-line degrees currently offered by NSHE institutions and future plans to offer additional on-line degrees (*Ref. V on file in the Board office*).

Mr. Woolf related that distance education in the NSHE has seen significant growth in recent years. The range of subjects for on-line offerings include areas of study such as Ph.D. in nursing education; master's degrees in hospitality administration, justice management; bachelor's degrees in social sciences, criminal justice education; and certificates in education administration, computing technology, hotel, restaurant and casino management. There are currently 120 degree offerings on-line.

Chair Whipple asked about comparisons regarding the quality of education received between on-line offerings versus in-class offerings. Mr. Woolf related that on-line courses are perceived to be even more rigorous than in-class offerings. Dr. Fred Lokken, TMCC, replied that research had been conducted and found generally, on-line courses are viewed as harder than the traditional in-person classes.

Regent Rosenberg related that upper division students tend to perform better on-line than lower division students.

Regent Anthony asked whether there was a duty to increase the number of on-line offerings. Dr. Lokken replied that the institutions were responding to student demand. It provides greater access to higher education. Regent Anthony asked about the potential for offering a majority of the courses on-line. Dr. Lokken felt it was unlikely. The goal is to increase student access and meet the demands of the students. Regent Anthony questioned how growth in this area would impact facility space. Vice Chancellor Nichols replied that the master plan includes a goal for every NSHE graduate to take at least one on-line course so as to develop the skills to be lifelong learners. It also frees valuable classroom space while attempting to provide various pathways to a degree or certification.

35. Information Only-NSHE Online Degree Offerings – (Cont'd.)

President Glick related that 80% of all on-line students in public universities are students who are on-campus students and fully enrolled and are taking a single on-line course for convenience. Quality on-line offerings are often more expensive than in-person offerings. It does provide much needed additional access. He did not believe the campus experience will be replaced.

Regent Dondero asked why it was more expensive. President Glick replied that class size must be limited because of the demands placed upon the instructors to respond to the immediate expectations of the students.

Regent Gallagher said she has always been concerned that they could be doing the students a disservice by allowing them to do everything on-line. She felt there was value to the campus experience.

Regent Wixom asked whether by offering an increased number of on-line courses there may be increased equipment costs but also an associated decrease in bricks/mortar costs. President Glick said that, although a good point, it was difficult to generalize.

President Lucey related that when comparing benefits and detractions of on-line offerings, it is important to remember that one size does not fit all students. On-line offerings have greatly expanded WNCC's capabilities.

36. Approved-Board Meetings-Electronic Agendas and Reference Materials – The Board approved transitioning to a paperless meeting environment. Staff presented a report and provided a demonstration on how to use electronic agendas and reference materials. The Board made recommendations to staff on changing the format of agendas and reference materials.

Mr. Wasserman stated that he had reviewed previous Board surveys regarding past attempts by the Board to accomplish paperless meetings. He cited reasons in support of moving to a paperless system including, cost savings in duplication and mailing as well as reduction of staff travel expenses. For the Regents there would be the added convenience of not having to carry the heavy agenda binders to each meeting.

Regent Alden asked whether this included the costs of mailing to all people receiving paper copies. Mr. Wasserman replied that currently staff reproduces the full packets for Regents, Presidents and other key staff (*approximately 75*) as well as just paper agendas for another 75 individuals.

Executive Vice Chancellor Klaich related that staff was attempting to contact recipients to see if they would be receptive to a disc as opposed to a paper copy. However, the Board must produce a paper copy upon request from the general public.

Regent Alden related that many Boards and agencies throughout the State are already doing this and requested additional training before this goes into affect.



36. Approved-Board Meetings-Electronic Agendas and Reference Materials – (Cont'd.)

Mr. Wasserman related that after initial costs of moving to a paperless system, the System would save approximately \$5,000 per meeting or \$30,000 per year. Upon a request from the general public, staff would first offer the website or disc before making a paper copy. Internally, there would be no exceptions since producing electronic as well as paper copies would defeat the purpose.

Mr. Wasserman proposed that the Regents, Presidents and Chancellor's Cabinet would receive the discs. All other staff would need to download from the website.

The transition would begin in October 2007 with a one time production of both the electronic and paper agenda. The fully paperless system would begin in November. The Board will also need to purchase 13 laptops for the Regents and begin training.

Regent Alden moved approval of transitioning to a paperless environment.

To answer Regent Geddes question, Mr. Wasserman indicated that the transition to electronic format should not be a hardship to the students as they are often well versed in technology.

Regent Gallagher asked if the bound reports would also be available electronically. Mr. Wasserman stated that if the Board accepts the proposal, all reference material would need to be provided electronically. The campuses would be responsible for providing paper copies at the meeting.

Mr. Wasserman provided a visual demonstration of using the electronic agenda including the use of electronic post-it notes.

Regent Sisolak expressed concern about the various levels of training that will be required. Mr. Wasserman said that System Computing Services would provide the necessary training as well as having sufficient additional staff available at the first few meetings to help troubleshoot.

Regent Crear expressed his support for the use of electronic material.

Regent Dondero echoed her support.

Regent Anthony asked about using the on-line version versus disc. Mr. Wasserman explained that could be problematic if the internet system went down during a meeting.

Regent Sisolak seconded. Motion carried.

37. Approved-Board Meeting Calendar 2008 – The Board reviewed and discussed proposed dates and set a meeting schedule for the Board of Regents’ meetings in 2008.

Recommended meeting dates were as follows:

- February 7-8
- April 3-4
- June 12-13
- August 7-8
- October 2-3
- December 4-5

Regent Rosenberg asked to move the June date up one week. Mr. Wasserman explained that the Budget and Finance Department had requested the June meeting be held as late in the month as possible. This was the best date that could be worked out within the constraints of holidays.

Regent Alden moved approval of the 2008 meeting dates. Regent Dondero seconded. Motion carried.

38. Information Only-Lou Ruvo Brain Institute - Representatives from the Lou Ruvo Brain Institute made a presentation on the progress of the Lou Ruvo Brain Institute, the Institute’s relationship with the NSHE and the Institute’s plans for the future.

Dr. Zaven S. Khachaturian reported that the Lou Ruvo Brain Institute and the University of Nevada School of Medicine are forming a partnership to plan, develop and administer the Nevada Brain-Behavior Institute (*NBBI*). The primary objective of the proposed Brain-Behavior Institute is to elevate the status of neuroscience in Nevada to a position of international prominence. The NBBI, with a mission to foster research on a broad range of brain behavior problems, will be developed in partnership with all other public and private organizations devoted to brain related problems. The NBBI model will be designed, developed and administered as an integral part of the proposed Nevada Health Sciences System. The Institute will serve as a prototype for organizing and managing other clusters of related health problems with high incidence, cost or burden.

Regent Leavitt praised Dr. Khachaturian’s efforts, noting that Dr. Khachaturian participated with the Health Sciences System Committee. Dr. Khachaturian suggested that a permanent liaison be assigned from the System.

Executive Vice Chancellor Klaich related that Mr. Larry Ruvo’s enthusiasm for the project was infectious.

Regent Sisolak complimented Dr. Khachaturian’s efforts. Dr. Khachaturian related that development of this facility could contribute to the economic diversification of Nevada.

39. Approved-Election of Officers – The Board approved the election of officers for FY 2007-08 in accordance with Regents’ Bylaws (*Article IV, Section 2*). These officers will serve from July 1, 2007, through June 30, 2008.

- A. Chair – Regent Alden nominated Regent Sisolak as Board Chair. Regent Geddes nominated Regent Wixom as Board Chair.

39. Approved-Election of Officers – (Cont'd.)

During the roll call vote Regent Sisolak withdrew his name from consideration. Special Counsel Brooke Nielsen stated that, since the Board had already begun voting, they should conclude the vote prior to the withdrawal of any nominations.

Upon a roll call vote Regent Wixom was elected Board Chair. Regents Wixom, Anthony, Geddes, Knecht, Leavitt, Schofield, and Sisolak voted for Regent Wixom. Regents Alden, Crear, Dondero and Rosenberg voted for Regent Sisolak. Regents Gallagher and Whipple abstained.

Regent Alden moved approval for the Board to make the vote unanimous. Regent Rosenberg seconded. Motion to elect Regent Wixom as Board Chair carried unanimously.

- B. Chair – Regent Knecht nominated Regent Rosenberg as Board Vice Chair. No other nominations were tendered.

Motion carried unanimously.

40. Approved-Audit Committee Recommendations – Chair Steve Sisolak reported the Audit Committee met June 21, 2007, and received follow-up responses for ten internal audit reports that were presented to the Committee in August 2006, October 2006, November 2006, and January 2007. The Committee heard a report from Vice Chancellor Mike Reed and the athletic directors at UNLV, UNR, CCSN and WNCC regarding a fiscal analysis of the intercollegiate athletic programs, including the fundraising plans for intercollegiate athletics. Mr. Blane Claypool, Chief Operating Officer, University of Nevada School of Medicine (UNSOM), presented a follow-up report on the external auditor recommendations for the University Health System Practice Plan for the year ending June 30, 2006. Dean John McDonald, UNSOM, presented a report on the UNSOM Practice Plan. The Committee requested the following items be placed on the next Audit Committee agenda:

- Chief Counsel Bart Patterson was asked to review the state statute regarding the limits on gifts to employees and report back to the Committee.
- The UNLV and UNR Athletic Directors were asked to bring specific action plans to address future intercollegiate athletic funding.
- A report on the use of NSHE facilities for political events was deferred to the August meeting. This report was requested by the Committee at its March 2007 meeting.

Regent Sisolak requested Board action on the following Committee recommendations:

- Minutes – The Committee recommended approval of the minutes from the March 15, 2007, Committee meeting (*Ref. A-1 on file in the Board office*).
- Internal Audit Reports – The Committee recommended approval of the following internal audit reports (*Ref. Audit Summary on file in the Board office*):
  - ✓ Hosting, NSHE (*Ref. A-2 on file in the Board office*).
  - ✓ Cashier's Office, UNR (*Ref. A-3 on file in the Board office*).

40. Approved-Audit Committee Recommendations – (Cont'd.)

- ✓ Presidential Exit Audit, UNR (01/05-12/05) (Ref. A-4 on file in the Board office).
- ✓ Presidential Exit Audit, UNR (01/06-07/06) (Ref. A-5 on file in the Board office).
- ✓ Nevada Center for Advanced Computational Methods, UNLV (Ref. A-6 on file in the Board office).
- ✓ Center for Mechanical & Environmental Systems Technology, UNLV (Ref. A-7 on file in the Board office).
- ✓ Human Resources Department, NSC (Ref. A-8 on file in the Board office).
- Internal Audit Positions – The Committee recommended approval of funding the addition of two internal auditor positions (approved at the October 2006 meeting) through the annual assessment to the campuses effective July 1, 2007. Funding of two additional auditors will be reviewed after the System Administration budget is presented in August.
- Change in Scope, External Audit – The Committee recommended approval of a change in the scope of the annual financial statement audit in regard to alternative investments. The actual cost for Moss Adams to perform the work was \$12,500 (Ref. A-23 on file in the Board office).

Regent Sisolak moved approval of the Committee recommendations and acceptance of the report.  
Regent Rosenberg seconded. Motion carried.

41. Approved-Budget & Finance Committee Recommendations – Regent Steve Sisolak reported the Budget & Finance Committee met June 21, 2007, and heard the following reports:

- All funds revenues and expenses of the NSHE for the third quarter of fiscal year 2006-07.
- Fiscal exceptions of self-supporting budgets and the status of state appropriations for the third quarter of fiscal year 2006-07.
- Self-supporting budget revisions for the third quarter of fiscal year 2006-07.
- State supported operating budget transfers for the third quarter of fiscal year 2006-07.

Regent Sisolak requested Board action on the following Committee recommendations:

- Minutes – The Committee recommended approval of the minutes from the March 15, 2007, Committee meeting (Ref. BF-1 on file in the Board office).
- Interim Finance Committee (IFC) Approval to Expend Additional Student Fee Revenues - The Committee recommended approval for the NSHE to seek IFC authorization to expend additional student fee revenues within the state operating budgets for fiscal year 2006-07 (Ref. BF-6 on file in the Board office).
- Interim Finance Committee (IFC) Approval to Expend Additional Federal Fund Revenues - The Committee recommended approval for the Nevada Agricultural Experiment Station to seek IFC authorization to expend additional federal funds within the state budget (Ref. BF-7 on file in the Board office).

41. Approved-Budget & Finance Committee Recommendations – (Cont'd.)

Regent Sisolak moved approval of the Committee recommendations and acceptance of the report.  
Regent Rosenberg seconded. Motion carried.

42. Approved-Cultural Diversity and Security Committee Recommendations - Chair Stavros S. Anthony reported the Cultural Diversity and Security Committee met June 21, 2007. Mr. Jose Elique, Chief of Police-UNLV, Mr. Adam Garcia, Chief of Police-UNR, Mr. Sandy Seda, Chief of Police-CCSN, and Mr. Randy Flocchini, Chief of Police-TMCC, presented their established response protocols in the event of an active shooter situation on campus. The procedures and response protocols provide for immediate response to the situation with all available resources. In addition, protocols provide for appropriate training; staffing; campus-wide communication; education of students, faculty and staff; and collaboration with municipal police departments.

Regent Anthony requested Board action on the following Committee recommendations:

- Minutes – The Committee recommended approval of the minutes from the March 15, 2007, Committee meeting (*Ref. CDS-1 on file in the Board office*).
- After a lengthy discussion concerning the current and potential use of reserve police officers for institutions with police departments (*UNLV, UNR, TMCC and CCSN*), the Committee requested the development of a policy for Board consideration that will authorize institutions to provide for faculty and staff to become reserve officers after they complete the necessary training under the Peace Officer Standards and Training (*POST*) certification. The proposed policy would include: a) voluntary participation, b) sponsorship by NSHE Police Departments, c) a rigorous selection process, d) mandatory POST academy training, e) continuing training for participants, f) paid professional leave for POST training and the cost of training.

Regent Anthony moved approval of the Committee recommendations and acceptance of the report.  
Regent Alden seconded. Motion carried.

43. Approved-Student and Academic Affairs Committee Recommendations - Chair James Dean Leavitt reported the Student and Academic Affairs Committee met June 21, 2007. Ms. Sharon Wurm, NSHE Director of Financial Aid, presented a report on NSHE relationships with financial aid lenders. The report highlighted the national discussion regarding “preferred lender” status of lenders and how NSHE financial aid offices process student loans and work with lenders.

Regent Leavitt requested Board action on the following Committee recommendations:

- Minutes – The Committee recommended approval the minutes from the March 15, 2007, Committee meeting (*Ref. SAA-1 on file in the Board office*).
- New Academic Programs, Degrees or Units - The Committee recommended approval of the following new proposals:
  - ✓ Center for Regional Studies, UNR (*Ref. SAA-2 on file in the Board office*).

43. Approved-Student and Academic Affairs Committee Recommendations – (Cont'd.)

- ✓ B.S., Ecohydrology; Elimination of Watershed Science Option in the Environmental & Natural Sciences Major, UNR (*Ref. SAA-3 on file in the Board office*).
- ✓ B.S., Education of Deaf and Hard of Hearing, NSC (*Ref. SAA-4 on file in the Board office*).
- ✓ B.A.S., Construction Management, NSC (*Ref. SAA-5a on file in the Board office*).
- ✓ B.A.S., Criminal Justice, NSC (*Ref. SAA-5b on file in the Board office*).
- ✓ B.A.S., Engineering Technology, NSC (*Ref. SAA-5c on file in the Board office*).
- ✓ B.A.S., Fire Science, NSC (*Ref. SAA-5d on file in the Board office*).
- ✓ B.A.S., Information Technology, NSC (*Ref. SAA-5e on file in the Board office*).
- ✓ B.A.S., Media Technologies, NSC (*Ref. SAA-5f on file in the Board office*).
- Academic Master Plan, WNCC – The Committee recommended approval of WNCC's 2007-2013 Academic Master Plan (*SAA-6 on file in the Board office*).

Regent Leavitt moved approval of the Committee recommendations and acceptance of the report.  
Regent Rosenberg seconded. Motion carried.

44. Approved-Technology Committee Recommendations - Chair Michael B. Wixom reported the Technology Committee met June 14, 2007, and heard discussion on the following matters:

- Executive Vice Chancellor Dan Klaich reported that SB 192 passed at the Legislature, providing \$10 million toward funding the iNtegrate project. The original bill was amended allowing for the dollars to be spent over a four year period instead of two. The bill also required that NSHE funds be expended prior to state funds and that any unused state funds be reverted.
- Executive Vice Chancellor Klaich reported that the position for the iNtegrate Project Director had been opened and that approximately 24 applications had been received so far; the closing date to apply is June 24. A search committee with representation from each campus has been formed with Vice Chancellors Reed and McCollum co-chairing.
- Executive Vice Chancellor Klaich reported on an earlier visit to the California State University system and a follow-up meeting of NSHE Presidents with CSU's David Ernst and Richard West. These meetings involved discussions on best practices for such projects. Continuing ongoing discussions with CSU are expected as this project evolves.
- Executive Vice Chancellor Klaich reported on progress in the development of the iNtegrate governance model. A memo from consultant Phil Goldstein was handed out addressing possible models for governance of the iNtegrate project. Discussion of the various tiers of governance and their respective purposes was held.
- Vice Chancellor Jane Nichols reported on the work the Student Affairs Work Group is doing, including the workshops held in March on the universal ID and collaboration and the possible next steps to reach more detailed requirements. The Committee Chair emphasized and the Committee agreed that it wanted to be

44. Approved-Technology Committee Recommendations – (Cont'd.)

sure that Vice Chancellor Nichols and her group have the resources and support they need to continue to detail the student services module requirements.

- Chief Counsel Bart Patterson reported on the status of negotiations with the vendors. He explained that: 1) Term letters have been signed for the software portion of the negotiations and 2) Negotiations have begun and will continue for implementation services. Chief Counsel Patterson further indicated there are several areas that must be addressed before negotiations can be completed in order to have the best possible information for the vendors to base their proposals on, which include:
  - ✓ Requirements.
  - ✓ Common business rules and practices.
  - ✓ Governance structure.
  - ✓ Data center.
  - ✓ Clear project teams at the campuses.
  - ✓ Number of instances.
- Moran Technology Consulting delivered their report on the respective costs of various models and campus' ability to support a data center. Both UNR and CCSN have data centers that could be used, however, neither have full 24/7 staff or clearly defined disaster recovery plans and facilities. The cost to add staff and prepare for 24/7 coverage could be as much as an additional \$720,000 per year over a single data center model and backup housed at current SCS centers. Outsourcing was compared over a wide range of services and institutions including the Kentucky Community and Technical College System, Arizona State University and California State University with an estimate for NSHE falling in the \$3 million-\$5 million per year range. The full report will be attached to the Committee minutes that will be mailed. Regent Wixom encouraged members to read it.
- Vice Chancellor Mike Reed discussed the variety of funding sources. He suggested the possibility of a mechanism for trigger points aligned with Board goals. He and the business officers will be looking at this further and reporting back to the Committee.
- Executive Vice Chancellor Klaich led a discussion regarding the iNtegrate budget. There will be no recommendation to change sequencing at this time.

Regent Wixom requested Board action on the following Committee recommendations:

- Minutes – The Committee recommended approval of the minutes from the March 6, 2007, Committee meeting (*Ref. TC-1 on file in the Board office*).
- The Committee recommended that:
  - ✓ A governance model for the iNtegrate project be developed and that Executive Vice Chancellor Klaich work with the Presidents to present a model to the Committee within 30 days; and
  - ✓ Institution Presidents report on their collaboration with regard to shared instances of software within 30 days so that project negotiations may continue. Written reports are to be submitted to Executive Vice Chancellor Klaich who in turn will provide a report to the Committee.

44. Approved-Technology Committee Recommendations – (Cont'd.)

- The Committee recommended that the project move forward with the single data center concept, with redundancy for security and catastrophic reasons, and that Executive Vice Chancellor Klaich be directed to create an advisory committee model for SCS that allows the institutions to have significant input in the way SCS provides its services.

Regent Wixom moved approval of the Committee recommendations and acceptance of the report.  
Regent Alden seconded. Motion carried.

45. Approved-Research and Economic Development Committee Recommendation - Chair Jack Lund Schofield reported the Research and Economic Development Committee met June 14, 2007, and discussed the following:

- The Committee received a report on the renewable energy efforts throughout the NSHE. The report highlighted the academic programs, research projects and institutional practices related to renewable and alternative energy. Currently, NSHE institutions are conducting research projects that total in excess of \$38 million.
- Dr. Ron Smith, Interim Vice President for Research and Dean of the Graduate School-UNLV, reported a recently established community partnership named “UNLV 21.” This grassroots effort combines the research activities of UNLV to find workable solutions to the sustainability and growth challenges facing the Las Vegas area. In addition to the interdisciplinary research activities on campus, UNLV 21 partners with other regional universities to form the Southwest Urban Studies consortium. This consortium will work together to solve similar sustainability issues facing the southwest United States.
- Dr. Bob Boehm, Professor, Mechanical Engineering-UNLV, discussed the hydrogen fueling processes. Immediately following Dr. Boehm’s presentation, the Committee toured the hydrogen fueling station located at the Las Vegas Valley Water District facilities. The hydrogen fueling station combines research activities at UNLV and provides hydrogen fuel to vehicles operated by the Las Vegas Valley Water District.

Regent Schofield requested Board action on the following Committee recommendation:

- Minutes – The Committee recommended approval of the minutes from the March 8, 2007, Committee meeting (*Ref. RED-1 on file in the Board office*).

Regent Schofield moved approval of the Committee recommendation and acceptance of the report.  
Regent Dondero seconded. Motion carried.

Regent Schofield encouraged Board members to attend the Committee meetings.



46. Approved-Investment Committee Recommendations - Chair Thalia M. Dondero reported the Investment Committee met May 23, 2007, and heard the following reports:

- Update on the interlocal agreement between the city of Henderson, NSHE and Nevada State College.
- Update on the site authority legislation for Nevada State College.
- Update on the Nevada State College Master Plan.

Regent Dondero requested Board action on the following Committee recommendation:

- Allocation of Funds to Drum Capital for Investment – The Committee recommended approval to allocate \$10 million from the endowment fund to Drum Capital for placement in private equity.

Regent Dondero moved approval of the Committee recommendation and acceptance of the report.

Regent Geddes seconded. Motion carried.

Regent Dondero reported the Committee met again on June 19, 2007, and heard the following reports:

- Cambridge Associates reported on asset allocation and investment returns for the pooled endowment and pooled operating funds for the quarter ending March 31, 2007.
- An update on the Marguerite Petersen Foundation Athletic Academic Center at UNR.
- A review of the UNLV property inventory.

Regent Dondero requested Board action on the following Committee recommendations:

- Minutes – The Committee recommended approval of the minutes from the March 9, 2007, Committee meeting (*Ref. INV-1 on file in the Board office*).
- City of Henderson Interlocal Agreement, NSC – The Committee recommended approval of an interlocal agreement where the city of Henderson conveyed approximately 511 acres of federal land to the Nevada System of Higher Education and Nevada State College for educational and recreational purposes (*Ref. INV-4 on file in the Board office*).
- Right of Entry, CCSN – The Committee recommended approval of a Right of Entry to Nevada Power Company, Reference Document: 270-229471 from CCSN (*Ref. INV-5 on file in the Board office*).
- U.S. Bank Retail Lease Agreement, UNLV – The Committee recommended approval of a five-year lease with UNLV and U.S. Bank for 676 square feet of rentable space in the UNLV Student Union, with the option to extend the term an additional five years (*Ref. INV-6 on file in the Board office*).
- Acquisition of Real Property, UNR – The Committee recommended approval for UNR to purchase real property located at 839 Lake Street and 839½ Lake Street, Reno, Nevada (*Ref. INV-7 on file in the Board office*).
- Utility Easements, Valley Road Field Laboratory Research Complex, UNR – The Committee recommended approval for UNR to allow a Grant of Easement to Sierra Pacific Power Company for electrical and natural gas utility extensions at the Valley Road Field Laboratory Research Complex (*Ref. INV-8 on file in the Board office*).

46. Approved-Investment Committee Recommendations – (Cont'd.)

- Land Lease to Construct a Pilot Aeroponics Vegetable Production Greenhouse, Valley Road Field Laboratory, UNR – The Committee recommended approval for the UNR Nevada Agricultural Experiment Station to enter into a one-acre land lease with NewGardens, LLC (*Ref. INV-9 on file in the Board office*).
- Sale of Vacant Land, Pleasant Valley, Washoe County, UNR – The Committee recommended approval of the UNR sale of 9.73 acres of vacant land in Pleasant Valley, Washoe County (*Ref. INV-10 on file in the Board office*).
- Lease, Port of Subs, Inc., UNR – The Committee recommended approval of the operation of Port of Subs, Inc., at the Joe Crowley Student Union (*Ref. INV-11 on file in the Board office*).

Regent Dondero moved approval of the Committee recommendations and acceptance of the report.  
Regent Rosenberg seconded. Motion carried.

Regent Dondero introduced Ms. Stephanie Garcia-Vause, Deputy Director, Community Development, City of Henderson. Ms. Garcia-Vause stated that this agreement is a mark of their continued commitment to work together.

President Maryanski thanked the Board and the Investment Committee for the time invested on individual briefings and providing their input to produce an excellent product.

Regent Sisolak related that a significant amount of time had been devoted to the Memorandum of Understanding.

17. Approved-Report: Outcomes of the 2007 Session of the Nevada Legislature – (Cont'd.)

Executive Vice Chancellor Klaich noted that SB 374 provided site authority legislation for NSC which allows the creation of a quasi governmental entity on that property and captures a portion of the tax revenue.

47. Approved-Health Sciences System Committee Recommendations - Chair James Dean Leavitt reported the Health Sciences System Committee met March 22, 2007, and heard the following reports:

- Update on staff development and planning activities within the University of Nevada Health Sciences System (*UNHSS*).
- Update on the search for the Executive Vice Chancellor/CEO.
- Update on the legislative activities to establish a Nevada Academy of Health.
- Update on the UNHSS legislative funding request, including an overview of the capital improvement projects (*CIP*) requests and the operational funding requests.
- Information regarding Dr. Lenhart's temporary appointment to serve as a special assistant to the Chancellor for health sciences.
- Update on UNHSS Foundation activities.

Regent Leavitt requested Board action on the following Committee recommendations:

- Minutes – The Committee recommended approval of the minutes from the November 9, 2006, Committee meeting (*Ref. HSS-1 on file in the Board office*).

47. Approved-Health Sciences System Committee Recommendations – (Cont'd.)

- The next Committee meeting was not immediately scheduled to give time for the legislative session to be completed and enable the Regents to reassess the dynamics of the Committee.

Regent Leavitt moved approval of the Committee recommendations and acceptance of the report.

Regent Geddes seconded. Motion carried.

48. Information Only-New Business – Regent Wixom thanked the Board and especially Regent Sisolak for his extraordinary gesture. He related that the Board is opinionated, engaged and wants to do a good job. Public policy is made in the tension of differing opinions and he felt that is a positive thing. He welcomed and appreciated the opportunity to serve as Chair. He felt the Board would help change the System in a very positive manner. He also extended his gratitude to Chair Whipple for his service during a difficult time.

Regent Knecht thanked Chair Whipple for his leadership.

Chair Whipple thanked Mr. Phil Kowalski for his sound expertise, Interim President Sanford and the TMCC staff for hosting a successful meeting, as well as the Chartwells catering and SCS staff.

The meeting adjourned at 2:12 p.m.

Scott G. Wasserman  
Chief Executive Officer of the Board of Regents

***Approved by the Board of Regents at its August 16 & 17, 2007, meeting.***