BOARD OF REGENTS
NEVADA SYSTEM OF HIGHER EDUCATION
Third Floor Rotunda
Frank H. Rogers Science & Technology Building
Desert Research Institute
755 E. Flamingo Road, Las Vegas
Thursday, June 18, 2009, 8:30 a.m.
Friday, June 19, 2009, 8:00 a.m.

Members Present:	Mr. Michael B. Wixom, Chair Dr. Jason Geddes, Vice Chair Mr. Robert Blakely Mr. William G. Cobb Mr. Cedric Crear Mrs. Dorothy S. Gallagher Mr. Ron Knecht Mr. James Dean Leavitt Mr. Kevin Page Dr. Raymond D. Rawson Dr. Jack Lund Schofield
Members Absent:	Mr. Mark Alden
Others Present:	Chancellor James E. Rogers Executive Vice Chancellor Daniel J. Klaich Executive Vice Chancellor & CEO, HSS, Maurizio Trevisan Vice Chancellor, Academic & Student Affairs, Jane Nichols Vice Chancellor, Finance, Mike Reed Vice Chancellor, Health Sciences System, Marcia Turner Chief Counsel Bart Patterson Special Counsel Brooke Nielsen President Michael D. Richards, CSN President Stephen G. Wells, DRI President Carl Diekhans, GBC President Fred Maryanski, NSC President Maria C. Sheehan, TMCC President David B. Ashley, UNLV President Milton D. Glick, UNR President Carol A. Lucey, WNC Chief Executive Officer of the Board Scott Wasserman

Also present were faculty senate chairs Mr. N. Mark Rauls, CSN; Dr. Alan Gertler, DRI; Ms. Dr. Frank Daniels, GBC; Mr. Gregory Robinson, NSC; Mr. Jim Lowe, NSHE; Dr. John Filler, UNLV; Dr. P. Elliott Parker, UNR; Mr. Scott Huber, TMCC; and Mr. Gil Martin, WNC. Student government leaders present included Mr. Nathaniel Waugh, ASCSN President, CSN; Mr. Eron Sanchez, SGA President, GBC; Ms. Amsala Alemu-Johnson, NSSA President, NSC; Mr. Adam Cronis, CSUN President, UNLV; Ms. Jessica Lucero, GPSA President, UNLV; Mr. Eli Reilly, ASUN President, UNR; Ms. Jillian D. Murdock, GSA President, UNR; Mr. Adam Porsborg, ASTM Board Chair, TMCC; and Mr. Andy Pozun, ASWN President, WNC.

Chair Wixom called the meeting to order at 8:30 a.m. on Thursday, June 18, 2009, with all members present except Regents Alden, Page and Rawson.

Chair Wixom related that Mr. Stavros Anthony has resigned as a member of the Board of Regents due to his election to and the resulting swearing-in as Las Vegas City Councilman.

Regent Leavitt read a statement into the record from Regent Alden expressing his apologies for not being in attendance due to health reasons *(statement dated June 18, 2009, on file in the Board office)*. Regent Knecht requested that Chair Wixom extend to Regent Alden the Board's best wishes during this time.

Regent Rawson entered the meeting.

Mr. Ernest Michael Elliott and Mr. Caleb Darwin Elliott led the pledge of allegiance.

Regent Rawson offered the invocation.

1. Information Only – Introductions *(Agenda Item #1)* –President Lucey introduced WNC's incoming Faculty Senate Chair, Mr. Gil Martin.

   Chair Wixom related that the WNC Wildcats baseball team has been one of the strongest junior college baseball teams in the nation since the team's inception four years ago. WNC had a stellar season, winning both the Scenic West Athletic Conference title, the NJCAA Region 18 Championship and the Western District Championship before going on to the Junior College World Series in Grand Junction, Colorado where they finished third in the nation *(full statement on file in the Board office)*.

   President Sheehan introduced the incoming TMCC Faculty Senate Chair, Dr. Scott Huber. She introduced Ms. Jennifer Hilbert, Student Activities and Leadership Coordinator for TMCC, and related that Ms. Hilbert would be leaving the institution at the end of June and thanked her for her service to TMCC. Ms. Hilbert introduced incoming Student Body President, Mr. Adam Porsborg. President Sheehan introduced Dr. Jess Carreon as the new Interim Vice President of Academic Affairs and Student Services and related that Mr. Don Lowe had been appointed as the co-project lead for the iNtegrate project at TMCC.

   President Diekhans introduced their incoming Faculty Senate Chair, Dr. Frank Daniels and GBC's new Budget and Human Resources Officer, Ms. Sonja Siburt.

   President Richards introduced Mr. N. Mark Rauls, incoming Faculty Senate Chair and incoming Student Body President, Mr. Nathaniel Waugh.

   President Maryanski introduced incoming Student Body President Ms. Amsala Alemu-Johnson, and returning NSC Faculty Senate Chair, Mr. Gregory Robinson.

   President Wells introduced Ms. K.C. King, the Student Body President of DRI's first graduate student association. He also thanked Dr. David Decker, outgoing Faculty Senate Chair and introduced Dr. Alan Gertler, incoming Faculty Senate Chair.

1. Information Only – Introductions *(Agenda Item #1)* – *(Cont'd.)*

President Glick introduced incoming Faculty Senate Chair, Dr. P. Elliott Parker, and incoming GSA *(graduate)* Student Body President Ms. Jillian Murdock. He announced that Mr. Eli Reilly has returned as the ASUN *(undergraduate)* Student Body President.

Chair Wixom also related that the UNR softball team was establishing itself as one of the premier programs in the West. For the second straight season, the Wolf Pack won the Western Athletic Conference Championship and advanced to the NCAA Regional's *(full statement on file in the Board office)*.

President Ashley introduced incoming Faculty Senate Chair, Dr. John Filler, who is also serving as the Chair of Chairs. He announced that Mr. Adam Cronis was returning as the CSUN Student Body President and Ms. Jessica Lucero was returning as the GPSA Student Body President.

Chair Wixom also congratulated Mr. Reilly for his election as the Chair of the Nevada Student Association *(NSA)*, and Mr. Cronis as Vice Chair. Chair Wixom then introduced Assemblyman and UNR Professor, Mr. Paul Aizley.

2. Information Only - Chair's Report *(Agenda Item #2)* - Chair Michael B. Wixom, as part of the Chair's report, 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. He also discussed current NSHE events and his current activities as Chair.

President Stephen G. Wells introduced Dr. Duane Moser. Initially trained in geology, Dr. Moser obtained Masters' and Ph.D. degrees in Microbiology from the University of Wisconsin *(1992 and 1997)*. Prior to joining DRI in 2004, Dr. Moser pursued postdoctoral studies at Princeton *(Geology)* and the Pacific Northwest National Lab *(Microbiology)* where he managed the Witwatersrand Deep Microbiology project in South Africa. This effort established that a deep, isolated microbial biosphere, fueled by the radioactivity of crustal rocks, extends to at least 5 km depth on Earth and potentially elsewhere in the solar system. At DRI, through the cumulative efforts of three postdocs, two graduate students, and 19 undergraduates, Dr. Moser has pursued a range of stories at the boundary between microbiology and environmental science. Practical examples include demonstrations that microorganisms alter the fate of contaminants such as polyacrylamide *(a canal sealant)*, pharmaceuticals *(estrogens)*, and radionuclides. Work is also underway to better understand how microorganisms and algae at the base of the foodweb influence endangered or threatened species such as the Devils Hole pupfish and Walker Lake Lahontan cutthroat trout. The lab also focuses on fundamental discovery relating to life near its limits. Current themes include ultra-dry soils of Chile's Atacama Desert, algae inside rocks, clouds, nuclear device test cavities, and archaeological materials *(full presentation on file in the Board office)*.

Regent Blakely appreciated the potential application of Dr. Moser's research. Dr. Moser related that recently he had been notified of the acceptance of a $6 million proposal that he had co-written, of which $700,000 will be contributed to DRI and therefore the State of Nevada.

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

Regent Cobb felt that not many people understood that the research being conducted at DRI had an effect on external funding and the creation of potential jobs. Dr. Moser thanked Regent Cobb for acknowledging the importance of research grants to the success of the institution and its contribution to the local economy.

Chair Wixom asked Dr. Moser what governmental agency this project was involved with at the Nevada Test Site. Dr. Moser replied that he was working under a variety of programs within the Department of Energy *(DOE)*. The projects through the DOE are not EPSCoR programs, but are nationally competitive grants.

President Stephen G. Wells then introduced Ms. Mary Ehrsam, an Operation Iraqi Freedom veteran and a recent graduate of the University of Nevada, Las Vegas, with a Bachelor of Science in Biological Sciences and an emphasis in Cell and Molecular Biology. Since February 2007, Ms. Ehrsam has been performing research under the direction of Dr. Moser. In that time, she has been selected for two fellowships to further her research on the characterization of the microbial and microalgal communities of Devils Hole: The American Society for Microbiology Undergraduate Research Fellowship *(nationally competitive)* and the NSF-EPSCoR Academic Year Research Fellowship. Ms. Ehrsam has presented several posters and has spoken of her work in the Death Valley National Park both at national and regional conferences. She will be attending Touro University in July 2009 to pursue her Master's in Physician Assistant Studies *(full presentation on file in the Board office)*.

Chair Wixom expressed an appreciation for the collaboration occurring between UNLV and DRI. He asked Ms. Ehrsam what her background was. Ms. Ehrsam replied that she was initially from Pennsylvania and had joined the Navy immediately out of high school. After serving 13 years as a Corpsman, she left the Navy and relocated to Las Vegas. Chair Wixom thanked Ms. Ehrsam for her service to country.

Chair Wixom related that the past two years had possibly been the most challenging years ever faced by the System. In addition to enormous ongoing challenges to meet the needs of higher education in Nevada, the System has also faced unprecedented financial challenges. While not entirely unscathed, and with some serious budgetary issues remaining, the System has survived largely intact due to the efforts of Chancellor Rogers, Executive Vice Chancellor Klaich, the presidents and others. He also thanked Mr. Scott G. Wasserman, Chief Executive Officer of the Board of Regents, for his dedication and service, as well as the members of the Board of Regents staff, Ms. Nancy Stone, Ms. Keri Nikolajewski, Ms. Angela Palmer and Ms. Jessica Morris *(full statement on file in the Board office).*

On behalf of the members of the Board of Regents, Regent Leavitt presented Chair Wixom with a pair of Luchesse boots and thanked him for his service as Board Chair over the last two years and for his continuing service as a Regent. He related that although he had great respect for the previous two Chairs, Chair Wixom had raised the standard of the Chairmanship to a level not previously seen.

The meeting recessed at 9:25 a.m. and reconvened at 1:22 p.m. on Thursday, June 18, 2009, with all members present except for Regents Alden and Page.

3. Information Only - Public Comment *(Agenda Item #4)* – Dr. William Smith, President of the W.D. Smith Foundation, thanked Chancellor Rogers, the Regents and President Richards for their efforts in reaching an agreement with their Foundation to subsidize the cost of operating CSN's Boulder City campus building. Chair Wixom stated that this was a remarkable affirmation of the importance of higher education to the Boulder City community.

Dr. Edward *(Ted)* Lower addressed the Board regarding the strategies of the NSHE and its institutions. He felt he was representative of the vast majority of the constituents in stating that there needed to be a significant change within the System. Regrettably many of the issues addressed by the Board have remained the same since 1997. Although individual programs flourish, the System does not do well in aggregate. He emphasized that he was not speaking of the budgetary allocations from the legislature. Instead he was speaking of the actions of the individuals that lead the State of Nevada, of the business community and private activity of all. He asked the Board to worry less about satisfying everyone and worry more about doing the right things. By setting in motion some drama with respect to performance expectations, structures, facilities, faculty and administration, Mr. Lower felt that the culture of the System, by the Board's mandate, would change. He felt that Nevada and its higher education system needed some real heroes. He pointed out that Article 11 of the Nevada State Constitution gives the Regents much flexibility. He felt that flexibility provided motivation to change. However, when dealing with packed agendas full of tactical and operation details, it was hard to get there. He offered the thought that bureaucracies often stifle rather than engender changed behavior and often common sense leadership actions vary inversely with intelligence. He also felt that far too few people have thanked the Regents for their best efforts. However, he felt that the core problem was the dissidence of the core value, that not enough Nevadans have done enough to make the NSHE what it could be, and a number of those individuals are counting on leadership from the Regents *(full statement on file in the Board office)*.

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

Chair Wixom presented Dr. Stavros Anthony, former Member, Board of Regents, with a plaque in appreciation for service to the Nevada System of Higher Education from 2002 to 2009. Dr. Anthony expressed his appreciation to the Regents, System staff, Presidents and Board staff, Faculty Senate Chairs and Student Body Presidents.

4. Information Only - Farewell to Chancellor Rogers *(Agenda Item #6)* - On behalf of the Board of Regents, Chair Wixom presented Chancellor James E. Rogers with a formal resolution in honor of his service and dedication to the Nevada System of Higher Education *(copy of resolution on file in the Board office)*.

4. Information Only - Farewell to Chancellor Rogers *(Agenda Item #6) – (Cont'd.)*

Chancellor Rogers related that acting as Chancellor for the Nevada System of Higher Education had been the single greatest experience of his life.

Regent Leavitt expressed his respect for Chancellor Rogers, adding that he looked forward to their continued efforts in the advancement of higher education in the state of Nevada.

Regent Crear stated that it had been a pleasure working with Chancellor Rogers, adding that his tenacity, aggressiveness and passion for higher education were to be admired.

Regent Schofield expressed his appreciation to Chancellor Rogers for an outstanding job, adding that he would be missed. He appreciated Chancellor Rogers for having the courage to always "tell it like it is."

5. Approved - Appointment of Chancellor to the Nevada System of Higher Education *(Agenda Item #7)* – The Board of Regents approved the appointment of Mr. Daniel J. Klaich as Chancellor of the Nevada System of Higher Education, effective July 1, 2009 *(contract and terms on file in the Board office)*.

Chair Wixom stated that he understood that proposing a contract without a search has raised some questions. However, in response to those questions, he offered the following reasons. First, he felt that no one better understood the System, its problems and challenges as fully as Executive Vice Chancellor Klaich. He also felt that Executive Vice Chancellor Klaich was known, trusted and respected by the Regents and by governmental and legislative leaders. Secondly, in the midst of a budget crisis, the System needed someone to guide it through the budgetary swamp and who understood how to avoid the perils. The System did not have the luxury of time to train or to bring someone up to speed. Given those factors it made little sense to spend the time, energy and money on an executive search. Nor did it make sense to offer a contract for less than three years as the System needed continuity through the next legislative cycle. Chair Wixom urged the Regents to consider the proposal favorably. He firmly believed that it was within the best interest of the students, the faculty and the administration of the System served by the Board.

- Base Salary: $303,000 base salary effective July 1, 2009.
- Car Allowance: $8,000 per fiscal year, prorated for partial years of service.
- Housing Allowance: $24,000.00 per fiscal year, prorated for partial years of service.
- Host Account: $10,000.00 per fiscal year, prorated for partial years of service.
- Contract Period: Contract will be for 3 years; through June 30, 2012.
- Standard termination and discipline clause.
- Benefits: Standard benefits package given to all NSHE employees.

Regent Cobb moved approval of the appointment of Mr. Daniel J. Klaich as the Chancellor of the Nevada System of Higher Education. Regent Gallagher seconded.

5. Approved - Appointment of Chancellor to the Nevada System of Higher Education *(Agenda Item #7) – (Cont'd.)*

Regent Schofield left the meeting.

Regent Crear asked how the proposed salary had been determined. Chair Wixom replied that he and Vice Chair Geddes had worked with Ms. Carla Henson to determine an amount commiserate with other system chancellors. He added that the proposed salary fell roughly in the middle of the presidents' salary range.

Regent Crear asked if the salary was paid entirely by NSHE funds or if any foundation funds were involved. Chair Wixom indicated that no foundation funds were involved in the proposed salary.

Regent Crear asked if it was ever determined what Chancellor Rogers would have been paid, if he had accepted a competitive salary. Chair Wixom replied that had never been established.

Regent Leavitt thanked Chair Wixom for addressing the reasons for not conducting an executive search. Although he has long said that there was tremendous value in the search process, he agreed that in this particular situation, it was important to consider setting aside that process, particularly when there was a person available that was already more qualified than he felt a search would produce. He strongly concurred on the recommendation.

Regent Gallagher also felt this was a very good recommendation. She thought that if a search were to be conducted, it would have been important to include criteria that the potential candidate must have experience serving as a Regent. She felt that the Regents needed to understand the importance of Executive Vice Chancellor Klaich's experience in that regard.

Regent Rawson felt that Executive Vice Chancellor Klaich possessed a reasonable way of approaching concerns with the legislators that would serve the System well.

Regent Schofield entered the meeting.

Upon a roll call vote, Regents Rawson, Schofield, Wixom, Blakely, Cobb, Crear, Gallagher, Geddes, Knecht and Leavitt voted yes. Motion carried. Regents Alden and Page were absent.

Executive Vice Chancellor Klaich thanked the Regents for their support. He related that higher education was an absolute passion for him and that he could not imagine a greater honor than to work with the Regents, presidents, and faculty and student leaders to help make a better future for Nevada. He pledged to continue to work tirelessly to keep the Regents' confidence.

6. Approved - Consent Agenda *(Agenda Item #5)* - The Board of Regents approved the Consent Agenda in its entirety.

(1) Approved – Minutes *(Consent Agenda Item #1)* – The Board of Regents approved the minutes from the regular Board of Regents' meeting held April 2-3, 2009, the UNR Periodic President Evaluation Committee meetings held February 19-20, 2009, and the DRI Periodic President Evaluation Committee meeting held February 24 and 26, 2009 *(Refs. C-1a, C-1b, C-1c, C-1d and C-1e on file in the Board office).*

(2) Approved – Capital Improvement Fee Request, CSN *(Consent Agenda Item #2)* – The Board of Regents approved CSN President Michael Richards' request for the use of Capital Improvement Fee funds in the amount of $1,435,000 for several essential campus infrastructure projects *(Ref. C-2 on file in the Board office):*

➢ Torrey Pines ½ Street Improvements.	$267,000
➢ Charleston Campus Drainage/Street Addition.	$1,000,000
➢ Campus Development Standards.	$168,000
TOTAL:	**$1,435,000**

Regent Rawson moved approval of the Consent Agenda. Regent Blakely seconded. Motion carried. Regents Alden and Page were absent.

7. Approved - Request for Extension of Tenure, Vice Chancellor Mike Reed *(Agenda item #8)* – The Board of Regents approved Chancellor James E. Rogers' request to extend the tenure of the Vice Chancellor of Finance, Dr. Mike Reed, for an additional three years as permitted under the NSHE Code *(Title 2, Chapter 3, Section 3.4.8) (Ref. BOR-8 on file in the Board office).*

Regent Gallagher moved approval of extending the tenure of the Vice Chancellor of Finance, Dr. Mike Reed, for an additional three years. Regent Geddes seconded. Motion carried. Regents Alden and Page were absent.

8. Approved - Employment Contract, Head Men's Basketball Coach, UNR *(Agenda Item #9)* – The Board of Regents approved UNR President Milton D. Glick's request to approve a multi-year employment agreement with Mr. David Carter as Head Coach for the Men's Basketball Team with a base salary of $275,000 annually plus benefits *(Ref. BOR-9 on file in the Board office).*

Regent Geddes moved approval of the employment contract for Mr. David Carter as Head Coach for the Men's Basketball Team, UNR. Regent Gallagher seconded.

8. Approved - Employment Contract, Head Men's Basketball Coach, UNR *(Agenda Item #9) – (Cont'd.)*

President Glick related that Mr. Carter has been Assistant Coach of the UNR Men's Basketball Team for approximately ten years. He had met with Mr. Carter and together they had agreed that the first three priorities of the team were to graduate the student athletes, win games and produce good citizens. Although Mr. Carter has already encountered some difficult situations in the first few weeks, he has handled them with grace, decisiveness and, most importantly, with principle.

Regent Geddes felt that Mr. Carter was an excellent choice, adding that he was very much respected by the basketball community.

Regent Blakely questioned the length of the contract *(5 years)*, adding that he would have felt more comfortable with a higher monetary offer but shorter contract length. President Glick explained that UNR chose a five year contract because the longer contract would assist the new coach in his recruitment efforts.

Motion carried. Regents Alden and Page were absent.

9. Approved - Tenure upon Hire, School of Life Sciences, UNLV *(Agenda Item #10)* – The Board of Regents approved UNLV President David B. Ashley's request for approval for tenure upon hire of Martin R. Schiller, Ph.D., effective August 1, 2009. This agenda request is pursuant to Board policy which specifies that Board approval is necessary only in circumstances where the faculty member is not tenured at another institution *(Ref. BOR-10 on file in the Board office).*

Regent Knecht moved approval of tenure upon hire for Martin R. Schiller, Ph.D., effective August 1, 2009, in the UNLV School of Life Sciences. Regent Leavitt seconded.

Regent Crear asked if this request was also for a hire above salary range. Dr. Neal J. Smatresk, UNLV Provost, replied that the proposed salary was within range, adding that this request was strictly for the granting of tenure.

Motion carried. Regents Alden and Page were absent.

10. Approved - Faculty Hire Above Salary Schedule, Department of Pathology, UNR *(Agenda Item #11)* – The Board of Regents approved UNR President Milton D. Glick's request for approval for employment salary above the schedule for Sanford Barsky, M.D., in the University of Nevada, School of Medicine, as Professor and Chairman of the Department of Pathology *(Ref. BOR-11 on file in the Board office).*

10. Approved - Faculty Hire Above Salary Schedule, Department of Pathology, UNR
(Agenda Item #11) – *(Cont'd.)*

President Glick related that Dr. Barsky had been offered an annual salary of $375,000 and that he was currently the Chair of Pathology at Ohio State University.

President Glick introduced Dr. John Ruckdeschel, Director and CEO of the Thoracic Oncology Program, Nevada Cancer Institute *(NCI)*. President Glick related that without NCI's assistance, UNR may not have been able to attract Dr. Barsky to the System.

Dr. Ruckdeschel related that as the new Director of the NCI, he has been working with Dr. Maurizio Trevisan, Executive Vice Chancellor, and with Dr. Ole Thienhaus, Dean of the School of Medicine, to establish a relationship to ensure that NCI could bring a research focused center into the state's higher education system. One of the early key successes of that activity is the recruitment of Dr. Barsky. Dr. Ruckdeschel indicated that NCI would be contributing to Dr. Barsky's salary, adding that $375,000 was actually on the lower end of the national market for Dr. Barsky's skill level. However, Dr. Barsky was very excited to be coming to Nevada and to be building something unique.

Regent Crear asked what the normal salary range was for this position and for further clarification of the salary contribution referred to by Dr. Ruckdeschel. Dr. Ruckdeschel replied that Dr. Barsky's salary would be paid through state funds. However, NCI will be contributing to that salary as Dr. Barsky will be spending some of his time at NCI.

Regent Crear asked if NCI's contribution would be a donation to the School of Medicine strictly earmarked toward that salary and how much of Dr. Barsky's time would be at the School of Medicine versus NCI. Regent Crear also asked if Dr. Barsky's salary was being supplemented through other revenue.

President Glick replied that Dr. Barksy's full salary was $375,000. However, over time, Dr. Barsky would generate additional salary in both clinical and research income. The maximum salary for general medicine was $278,000 and the maximum salary for specialty medicine was $433,000. President Glick explained that pathology, although considered a specialty, was not specifically listed as a department within the specialty medicine salary schedule, therefore UNR opted for full disclosure and had been more comfortable with requesting an exception under the general medicine salary range.

Dr. Thienhaus added that Dr. Barsky also brings research funding in the amount of $761,000, over a two year period, which nearly covered the cost of his salary. UNR also expects Dr. Barksy to increase his clinical operations over the course of three years to generate 25% of his salary from pathological clinical work. Although that percentage could be higher, the School of Medicine would like to emphasize Dr. Barsky's contributions in research areas.

Dr. Thienhaus related that this was a significant appointment for the School of Medicine and could only have been accomplished through collaboration with NCI. Dr. Barsky will reside in Reno where the Pathology Department is based and where the main development of the faculty will occur. He will be making contributions to NCI in the form of a collaborative enterprise with the School of Medicine, mainly in the area of

10. Approved - Faculty Hire Above Salary Schedule, Department of Pathology, UNR *(Agenda Item #11) – (Cont'd.)*

grant-funded projects. Dr. Barsky's primary responsibility will be the development of teaching and research within the Department of Pathology so that the School of Medicine may continue to reach its accreditation standards.

Executive Vice Chancellor Trevisan encouraged support of this hire.

Regent Gallagher moved approval of the faculty hire above salary schedule for Sanford Barsky, M.D., in the Department of Pathology, UNR. Regent Rawson seconded. Motion carried. Regents Alden and Page were absent.

Regent Cobb noted the importance of the School of Medicine to emphasize the amount of grant contributions that these researchers bring to the System and therefore the state. Chair Wixom concurred, adding that it was incumbent upon the System to tell the story accurately and fully.

11. Approved - Faculty Hire Above Salary Schedule, Assistant Professor-In-Residence of Clinical Services in Pediatric Dentistry, UNLV (*Agenda Item #12)* – The Board of Regents approved UNLV President David B. Ashley's request for the employment salary above schedule for Cody C. Hughes, D.M.D., in the UNLV School of Dental Medicine, as Assistant Professor-In-Residence of Clinical Sciences in Pediatric Dentistry *(Ref. BOR-12 on file in the Board office).*

President Ashley related that Dr. Hughes had been offered an annual salary of $130.000.

Chair Wixom asked what the current salary range was for this position. UNLV Provost Smatresk indicated the maximum salary was $106,000. However, he was unsure why that was so low, adding that the national average for pediatric dentistry was $191,000.

Chair Wixom asked if the System was in the process of reviewing salary schedules. Vice Chancellor Nichols indicated that, per Board policy, all schedules are reviewed every four years. The scales were reviewed two years ago. However, an analysis can be considered at any time.

Regent Geddes noted that the issue of market driven salaries versus salary schedules appeared frequently and questioned the use of salary schedules at all. He expressed frustration at seeing the scales so inconsistent.

Regent Geddes moved approval of the faculty hire above salary schedule for Cody C. Hughes, D.M.D., in the School of Dental Medicine, UNLV. Regent Rawson seconded.

11. Approved - Faculty Hire Above Salary Schedule, Assistant Professor-In-Residence of Clinical Services in Pediatric Dentistry, UNLV (*Agenda Item #12)* – *(Cont'd.)*

Regent Rawson felt that the School of Dental Medicine had been conservative in establishing its salary schedules because they were a new school and because of the budgetary situation. He felt that they were acting responsibly although that meant they would suffer competitively. He added that credit needed to be given to programs that have gone out of their way to help the System.

Chair Wixom asked if a specialist in pediatric dentistry would generate practice revenue. Dr. Karen West, Dean of the School of Dental Medicine, UNLV, related that the School is in the process of developing a faculty practice plan for this specialty. Dr. Hughes will primarily be teaching while conducting very little patient care. Chair Wixom asked when the patient care component would begin. Dean West indicated that would hopefully occur within one year.

Regent Blakely acknowledged that Dr. Hughes had made a great personal sacrifice in choosing to teach.

Motion carried. Regents Alden and Page were absent.

12. Approved - Salary Supplement for CSN President Michael D. Richards *(Agenda Item #13)* – The Board of Regents approved Chancellor James E. Rogers and the CSN Foundation's request for a salary supplement for CSN President Michael D. Richards. The supplement will be entirely funded by the CSN Foundation in the amount of $50,000.00 per fiscal year *(Handout and Ref. BOR-13 on file in the Board office).*

- Addendum is for employment period of May 1, 2008, through June 30, 2012.
- Compensation will be supplemented (a) for FY 08-09, $50,000 in a lump sum payment on June 30, 2009; (b) for each succeeding fiscal year, $50,000 per fiscal year exclusive of benefits paid to the President in evenly divided monthly payments.
- Supplemental compensation is entirely contingent on the CSN Foundation providing the funds.
- The NSHE has no obligation to provide any of the supplemental payments, except to the extent that the NSHE receives funds earmarked specifically for this purpose from the CSN Foundation.

Chancellor Rogers related that it was important that each foundation become involved in the financial support of the presidents whenever possible.

Ms. Robbie Graham, Chairman of the Board of Trustees for the Foundation of the College of Southern Nevada, related that the Foundation wanted to ensure that it had the ability to help secure the leadership of the College.

Chair Wixom asked if the funds involved could be considered state funds. Ms. Graham replied that the funds were entirely privately raised donations by the Foundation.

12. Approved - Salary Supplement for CSN President Mike Richards *(Agenda Item #13)* – *(Cont'd.)*

Regent Crear asked if the supplemental funds were in addition to President Richards' current base salary. Chair Wixom indicated that was correct.

Regent Crear asked if President Richards' salary was currently being supplemented. Ms. Graham indicated that it was not. However, the previous president's salary had been.

Regent Rawson noted that, as one of the largest institutions in the state, the position of President of CSN was a tremendous responsibility. He felt that President Richards was well respected on campus, had brought stability to the institution and should be complimented.

Regent Crear asked what the total compensation would then be. Ms. Graham replied that the supplement would raise President Richards' annual salary to $268,000.

Regent Geddes indicated his support but requested clarification on the affect that the supplemental salary would have on retirement contributions, although no state funds were used for the supplement. Chief Counsel Bart Patterson indicated that the institution will be responsible to contribute a small portion towards the President's retirement account based on the supplemental salary.

Chair Wixom expressed his appreciation to the CSN Foundation for their generosity and support of the College of Southern Nevada.

Regent Leavitt moved approval of a salary supplement for CSN President Mike Richards, funded by CSN Foundation in the amount of $50,000.00 per fiscal year. Regent Rawson seconded. Motion carried. Regents Alden and Page were absent.

Chair Wixom requested that a letter of appreciation to the CSN Foundation be prepared for his signature.

The meeting recessed at 2:51 p.m. and reconvened at 3:08 p.m. on Thursday, June 18, 2009, with all members present except for Regents Alden and Page.

13. Information Only - Required Board Approvals *(Agenda Item #14)* - Chief Counsel Bart Patterson led a brief review and discussion of items currently requiring Board approval *(Ref. BOR-14 on file in the Board office).*

Chief Counsel Patterson related that the goal of this process was to focus the Board on the vision of the NSHE and on how the Board could function in more of an oversight role. He indicated that the reference material included a list of approvals or actions that, over time, the Board has taken responsibility for, including certain types of personnel contracts,

13. Information Only - Required Board Approvals *(Agenda Item #14) – (Cont'd.)*

academic programs and issues associated with property and investments. Those items are in addition to the review of annual reports that is within the Board's responsibility. Although all of those roles are important at some level, it is important that the Board find compromise between the exercising of its constitutional authority versus oversight of the details.

Chief Counsel Patterson suggested that the Board Workshop scheduled for July would provide an opportunity for the Board to begin the discussion of its philosophical goals. Then at the following Board meeting, the discussion could continue in relation to the efficiency and effectiveness issues.

Regent Leavitt related that because the Regents wanted to stay vitally involved with the System, it was somewhat of a battle to stay out of its operational aspects. Since the Board does not meet often, there is reluctance in the perceived giving up of authority. For him the question is what the Board should or should not delegate, adding that delegation makes it more incumbent upon the staff to keep the Board updated. He indicated that time will be dedicated to this discussion at the Board Workshop and that it may even require subsequent meeting time. He encouraged the Board to have the courage and confidence to determine which issues could be delegated.

Regent Geddes was in support of the establishing of priorities. He thanked Chief Counsel Patterson for his time in bringing these ideas together. In regard to those items that include establishing thresholds, such as for financial limits, he asked that timelines and deadlines also be considered. Chief Counsel Patterson replied that although there are not many dollar thresholds, there are some deadlines that can be considered.

Chair Wixom observed that this is part of an ongoing effort to streamline processes that has already included the consolidation of committees, attempts to eliminate off-cycle meetings, the creation of an ad hoc Efficiency and Effectiveness Committee, the use of laptop computers for Board meetings and conducting business electronically whenever possible. He felt that this discussion was the next step in the process. He recalled what Dr. Lower had said under Public Comment earlier that morning and hoped those comments were listened to carefully. Chair Wixom hoped that through this process the Board could transfer those issues that are better left to other venues so that it could focus its time and energy on the bigger policy issues. He recognized that it would take time to accomplish, but some progress had already been made and this was one more step in that direction.

Chief Counsel Patterson agreed, adding that as part-time elected officials, it was not fair for the System to bury them in paper. A balancing act existing in the Board's oversight responsibility versus being overwhelmed in so many matters that it became difficult for the Board to discharge its obligations. Chair Wixom agreed, adding that the volume of information contained within the Board agenda was at times overwhelming and there existed an opportunity to miss the truly important materials.

14. Information Only - Mission, Master Plans and Goals *(Agenda Item #15)* – The Board considered how to support the presidents and institutions while holding them accountable within the established framework of missions, master plans and goals, during a difficult fiscal climate. Regents discussed and reviewed potential directions, prioritization and processes that will be needed in the coming months in relation to missions, master plans and goals of both the system and individual institutions.

Vice Chancellor Nichols provided the following presentation *(full presentation on file in the Board office)*.

- NSHE Mission Sets Priority *(Title 4, Chapter 1, Section 1)*:
  - The Mission of the Nevada System of Higher Education is to provide higher education services to the citizens of the state at a high level of quality consistent with the state's resources.

- Seven Goals* Define Ultimate Outcomes:
  - Quality Education – Nevada's system of higher education will provide consistently excellent learning experiences for its students through instruction, research and service.
  - A Prosperous Economy – Through instruction, research and service, higher education in Nevada will be an essential element in developing and sustaining a strong, dynamic, knowledge-based economy for Nevada.

- Seven Goals* Define Ultimate Outcomes: - *(Cont'd.)*
  - P-16 Education – Higher education will increase partnerships with the K-12 system to ensure the cooperative delivery of education from pre-kindergarten through college degrees.
  - Building Quality of Life – Higher education in Nevada will be instrumental in advancing society's objectives and enriching the lives of Nevada's citizens.
  - Opportunity and Accessible Education for All – Nevada's system of higher education will increase the overall participation and success of Nevadans enrolling at all levels of higher education and in all ethnic groups, and will address the unique educational needs of a highly diverse and non-traditional population.
  - Student-Focused System – The higher education system in Nevada will create a welcoming, respectful and friendly environment where all students have the opportunity to participate and of success at every level of higher education.
  - Reputation for Excellence – Nevada's institutions of higher education will increase their national, regional and statewide reputation based on targeted, outstanding, innovative programs and other accomplishments.

- Potential Board Directions:
  - Limit or prioritize Goals to give presidents a clearer sense of Board expectations when tough choices have to be made.
  - Set specific targets within Goals for institutions or system in light of limited budget and in preparation for 2011 Legislative Session.
  - Develop specific strategies system wide – coming out of efficiency and effectiveness work and potential new programs.

14. Information Only - Mission, Master Plans and Goals *(Agenda Item #15)* – *(Cont'd.)*

- Specific Targets for Goals:
  - Should each institution have measurable targets within Goals approved or reviewed by Board?
  - Should these reflect impact of budget cuts, but also efficiencies and new strategies?
  - Would these demonstrable outcomes assist in preparation for 2011 Legislative Session?
  - Would data also demonstrate impact of budget cuts in ways that communicate need for future funding as economy improves?

- Develop Specific Strategies:
  - Are there redundant, unnecessary or bureaucratic policies and practices in place?
  - Are there innovative, strategic, exciting new approaches to instruction, student services and administration?
  - Is the current financing model an incentive for top performance in student success and research?
  - Should cutting-edge, productive changes be rewarded and recognized?

- Mission, Master Plans and Goals:
  - These are the Board's tools to communicate where Nevada Higher Education should go and how it will get there.
  - These are NSHE's blueprint for accountability and public transparency.
  - Going forward, these will frame the Board's, the Chancellor's and the presidents' difficult decisions.

Executive Vice Chancellor Klaich felt that the Board and System needed to have a clear plan in place by January 1, 2010, so that higher education remained at the forefront of the legislative pre-session discussions. He felt it was important that the opportunities presented by the current budget crisis not be wasted.

Chair Wixom emphasized that, with the assistance of Chief Counsel Patterson, the Board needed to address the ideas presented in the previous agenda item before it could fully address this discussion. He felt that the next six months to a year would be a critical period of time for the Board.

Regent Leavitt indicated that this would be an orchestrated and monumental effort and asked that the Board be put on notice that there may be the need for special meetings. He felt it would be a full eighteen month process with the legislature, adding that it was important for the Board to be as cohesive and strategic as possible for the next biennium.

Regent Knecht pointed out that the Budget & Finance Committee's recent discussion on the development of an information package would be very helpful to this type of strategic planning and management.

14. Information Only - Mission, Master Plans and Goals *(Agenda Item #15)* – *(Cont'd.)*

Regent Gallagher felt that a discussion regarding efficiencies should include a discussion by the Board on the inclusion of measurable goals in the presidents' evaluation process. Chair Wixom agreed that measurable evaluation parameters were needed.

Executive Vice Chancellor Klaich felt that these concerns would naturally flow into the discussion to be held at the Board Workshop. It would be up to the Board to keep this discussion at the forefront by scheduling it as a standing agenda item. Chair Wixom asked that there be a follow up discussion for this topic at the Board Workshop.

15. Approved - Amendment of DRI Letter of Credit *(Agenda Item #16)* – At the recommendation of the Budget & Finance Committee, the Board of Regents approved a resolution to allow the Nevada System of Higher Education, on behalf of the Desert Research Institute, to enter into an amendment of the Reimbursement Agreement in order to extend the Letter of Credit with Bank of America, N.A. for a period of 3 years *(Ref. BF-6 on file in the Board office).*

Regent Knecht, as Chair of the Budget and Finance Committee, related that in 2002 the System issued taxable lease revenue bonds, payable from and securable by lease payment due to the System under a United States government lease for real property. As a condition of the rating on that bond, the System was required to obtain an irrevocable standby Letter of Credit for the principle and interest in the event that timely lease payments were not received from the federal government. On July 11, 2003, the System obtained an irrevocable letter of standby credit from Bank of America, N.A. Under the lease, the government has agreed to pay the costs of obtaining the Letter of Credit as part of an additional fixed rent, up to 4% of the annual bond payments. The parties agreed to renegotiate if the cost of the Letter of Credit exceeds 4%. The Letter of Credit has been extended twice and now expires July 10, 2009.

Regent Knecht continued that Vice Chancellor Reed has requested an additional extension of the Letter of Credit. In response, Bank of America, N.A. has requested an increased fee and certain amendments to the agreement related to potential future decreased ratings on the System's revenue bonds. This would result in increased fees due under the Letter of Credit and deletion of the automatic extension clause of the Letter of Credit. Bank of America, N.A. has proposed an annual fee of 70 basis points for a one year extension and 85 basis points for a three year extension. The proposed fees do not exceed 4%. Upon deliberation, the Budget and Finance Committee has recommended approval of the three year Letter of Credit.

Regent Knecht moved approval of DRI to enter into an amendment of the Reimbursement Agreement in order to extend the Letter of Credit with Bank of America, N.A. for a period of 3 years. Regent Geddes seconded.

15. Approved - Amendment of DRI Letter of Credit *(Agenda Item #16)* – *(Cont'd.)*

Regent Rawson asked if this request was unusual, in that it appears to be questioning whether or not payment would be received from the federal government. Regent Knecht replied that this was more in relation to the System's credit rating and to the possibility that the financial circumstances of the last year may jeopardize that rating.

Regent Rawson asked if the System's current bond rating was suffering. Regent Knecht replied that the System still enjoyed AAA bond rating. However, even the most credit worthy borrower has faced increasingly stringent terms in the last ten months.

Mr. Scott Nash, JA Consulting Group *(NSHE financial advisor)*, explained that as part of the rating agency's request for additional assurances of payment, a Standby Letter of Credit was obtained in the event that if payment fails to be received by the federal government, the investors would continue to be paid.

Executive Vice Chancellor Klaich asked if the bonds were backed by full faith and credit promises. Mr. Nash replied that they were not. Executive Vice Chancellor Klaich felt that helped to address Regent Rawson's concern in that there was extra consideration because there was not a sovereign promise.

Chair Wixom related that this type of request was fairly typical when a nonrecourse obligation was involved as it enhanced the credit worthiness of the nonrecourse obligation so that it becomes more marketable.

Regent Knecht related that the Budget and Finance Committee had discussed the possibility of an RFP process, if the situation so called for it, to save the 70 basis points. However, Regent Knecht indicated that Mr. Nash has advised the System that the Bank of American N.A. terms were favorable. Chief Counsel Patterson has also advised that based on that representation, it was reasonable for the System to obtain the Standby Letter of Credit without entering an RFP process.

Motion carried. Regent Wixom recused himself. Regents Alden and Page were absent.

16. Information Only - Public Relations, Branding, Marketing and Recruitment Efforts, DRI *(Agenda Item #17)* - Each of the institutions and System Administration have been requested to provide a report on their efforts undertaken in relation to their public relations, branding, marketing and recruitment. At this meeting, representatives from DRI provided an overview of their current and planned public relations, branding, marketing and recruiting efforts *(Ref. BOR-17 on file in the Board office).*

President Stephen G. Wells related that DRI's communication mission was to essentially tell the story of its faculty's innovation in basic and applied research. Through the communication process, DRI enhances the ability of its faculty to receive support, to raise funds nationally and internationally, and to educate the citizens of the state and national leaders on how a return on the investment in science and technology can be achieved. DRI has shared the accomplishments of its faculty through a variety of methodology including flyers, field days, articles, lecture series, social networking,

16. Information Only - Public Relations, Branding, Marketing and Recruitment Efforts, DRI *(Agenda Item #17)* – *(Cont'd.)*

newspapers, bulletins, research publications, special events, open houses, newsletters, pamphlets and the DRI website. DRI's communications plan accomplishes three goals in accordance with the NSHE mission: 1) developing a reputation for excellence, 2) building a quality of life for local citizens and those around the world, and 3) positively impacting the economy.

President Wells related that the celebration of DRI's 50th anniversary in 2009 has offered a unique opportunity to consider its communications plan.

- Communications Plan:
  - Commissioned study in 2006 to evaluate Institutional Advancement *(IA).*
  - Communications/Public Relations separated out from IA.
  - Webmaster hired.
  - Funding from donor to secure hiring of PIO *(Public Information Officer)*.
  - Outreach also moved to Communications.

President Wells related that DRI's Communications Office is staffed by Mr. Greg Bortolin, Director of Communication and Government Affairs, and by Ms. Kelly Frank, Interim Public Information Officer. Mr. Bortolin's background provides a wealth of knowledge and a deep understanding of how government functions within the state.

Although DRI was very proud of how it has evolved, President Wells related that it has outgrown the title "Desert" and will begin a campaign to change the brand to convey that environmental research is conducted within a variety of environments. However, the name Desert Research Institute will remain intact. A new communications has been launched with the golden anniversary celebration that will incorporate several elements including a commemorative magazine, a portable panel display, a video and a redesigned website. The magazine has a circulation of approximately 15,000 and reflects information that is also included on the portable panel display and the video. The thirteen minute video was unveiled at the Nevada Medal Dinner and is available for staff and faculty to take with them while traveling. A series of lecture and open houses, including a tour of its new Computational Research and Visualization Building *(CRVB)* has also been initiated.

Looking forward, President Wells related that DRI was making every effort to improve its internal communications. Those changes include the posting of a regular President's message in regard to budget cuts and accomplishments. In addition, he has begun visiting with faculty at their research sites and communicating that research to the outside community.

President Wells related that the scientific research being conducted includes:

- Air: Important climate change studies recognized and cited internationally in many prestigious scientific journals.
- Land & Life: DRI investigating structures built at test site during Cold War, which may lead to national Registrar of Historic Places listing.
- Water: Embarked on studies to understand and preserve lakes Mead, Tahoe and Walker.

16. Information Only - Public Relations, Branding, Marketing and Recruitment Efforts, DRI *(Agenda Item #17)* – *(Cont'd.)*

DRI's most important publications are the ones that its faculty publishes in the most prestigious journals as possible. Those publications show the quality of research that is being conducted and is also how the faculty communicates to other scientists and to funding agencies.

- Critical examples of research and outreach:
  - DRI has been working very successfully with UNR in attempting to preserve Walker Lake and the local economy of its upstream agricultural areas.
  - The Intel International Science and Engineering Fair *(ISEF).* In May of 2009, 1,500 students from 51 countries attended the Fair that was held in Reno. Eight noble laureates were in attendance and allowed themselves to be questioned by the students. The culmination of this event was that Intel has indicated that this year's event was the best in five years and they would like to return to Reno in the future.
  - GreenPower Outreach is a critical outreach program in partnership with NV Energy. Every NV Energy power bill has a mechanism to donate money to this program. The donations are then used to place demonstration projects at middle schools in urban and rural areas. This has been a very effective program.

In conclusion, President Wells related that DRI's 50th anniversary provides an opportunity for their institution to revisit its brand and to communicate who they are on an international level.

Chair Wixom related that he had attended the Nevada Medal Dinner and that it was a remarkable experience.

Regent Crear agreed that DRI was much more than a "Desert" Research Institute and that Nevada was privileged to have DRI. He felt there was such an opportunity to get DRI's message out to the entire community. He felt it was very unfortunate that, overall, the System still does not successfully get that message out. President Wells replied that DRI is doing what it can to address that. He related three years ago, DRI had held its first open house which had been overwhelmingly successful. There is a thirst to understand what DRI is.

Chair Wixom asked if DRI interfaces with public K-12 schools. President Wells replied that the GreenPower program focuses on outreach to the K-12 schools. There was also a program that provides science bags containing standardized information on the basic sciences including chemistry to water resources. That program had been in place for a quite a while. However, it needs to be renovated and brought back up to speed when the funding becomes available once again.

Regent Rawson related that in 1959, as a freshman at UNLV, he was told that there was a new approach to bring private research into Nevada called the Desert Research Institute. It has been interesting to see how successful DRI has been in the fifty years since.

Chair Wixom congratulated Ms. Angela Palmer, Program Officer I with the Board of Regents Office for ten years of service to the Board.

17. Information Only - Update on UNLV William S. Boyd School of Law Saltman Center for Conflict Resolution *(Agenda Item #18)* - At the request of Chair Michael B. Wixom, a presentation was provided to the Board of Regents on the origin, programs and leadership of the William S. Boyd School of Law Saltman Center for Conflict Resolution *(Ref. BOR-18 on file in the Board office).*

President Ashley introduced Mr. Michael Saltman, Founder of the Saltman Center for Conflict Resolution and Dr. John V. White, Dean of the UNLV William S. Boyd School of Law.

Mr. Saltman related that he and his wife, Sonja, have been residents of Las Vegas for 35 years and he considered his career as being UNLV centric. In 2002, after reading an article in the London Times on mediation and conflict resolution in the United Kingdom, he contacted then Dean of the School of Law, Dr. Dick Morgan. Together they developed a concept and vision for the Saltman Center for Conflict Resolution. He felt they were very fortunate in finding Dr. Jeanne Sternlight, Professor and Director of the Saltman Center, as well as her colleagues Professors Ray Patterson and Peter Reilly.

Dean White conveyed that the goal of the Saltman Center was not only to provide high quality instruction but to also provide students with inspiration of the role of law and lawyers. He related that the School of Law was highly ranked this year by *US News and World Report.* Although he cautioned against placing too much weight on that particular rating, there were rankings within a particular specialty program and a ranking of the ADR programs around the country that was a much better indication because it involves a direct survey of professionals in the field. Due to the success of the Saltman Center, the School of Law has been able to bring world renowned experts to Las Vegas such as Dr. Sternlight.

Dr. Sternlight related that the Center hoped to make contributions to world peace through scholarships, programs and service. The other goal of the Center was to focus directly on its law students. The belief at the Center is that although it is appropriate at times for lawyers to reflect the typical aggressive courtroom behavior, it is also appropriate for lawyers to be conflict resolvers and avoiders. She quoted President Abraham Lincoln in saying that "the nominal winner is often a real loser in fees, expenses and waste of time." One of the things that the Center tries to impart to its students is that effective representation not only includes effective litigation, it also includes effective negotiation, mediation and arbitration skills.

Dr. Sternlight related that the Center was honored to have received a number of awards including the *US News and World Reports* ranking of 9th in the country as well as an award from the Ninth Circuit Court of Appeals for having the best program in 2008 within its jurisdiction. These awards were thrilling to receive as the Saltman Center is a very young program only having been in existence for five years.

17. Information Only - Update on UNLV William S. Boyd School of Law Saltman Center for Conflict Resolution *(Agenda Item #18)* – *(Cont'd.)*

Dr. Sternlight related that the Center's focus is similar to all traditional teaching institutions with an additional component involving practical work. Specific courses are offered to law students on mediation, negotiation and arbitration. She felt that it was also important that those components were integrated into the more traditional courses.

Dr. Sternlight related that due to the generosity of major donors, Stephen and Sharon Stausser, the Center was able to develop a Mediation Clinic. Under supervision, the students play the role of mediator to resolve actual disputes. This allows the students to gain insight into how real clients think about disputes and what different approaches were available for possible resolution other than going to court. The students also participate in various competitions, including traditional moot court competitions, negotiation competitions, client interviewing and counseling. In three of the last four years, students have placed 1st, 2nd or 3rd in the National Bar Association National Competition in Interviewing and Counseling.

In addition to the teaching, Dr. Sternlight related that the Center engages in scholarship through the hosting of a number of conferences that have resulted in articles also being published in the Nevada Law Journal. In 2008, a conference entitled "Collaboration of the Colorado River" dealt with the issues surrounding disputes that have arisen over the limited available resources due to lack of water. A number of other conferences have been held on various issues such as the Middle East or the Federal Arbitration Act. Looking forward to the spring of 2010, a conference will be held entitled "Conflict Resolution in the Economic Crisis" to determine how creative conflict resolution could be used to deal with some of the fallout from the economic crisis. All of these events are open to the public.

Dr. Sternlight related that the Center also provides service. One of the Center's main services, "Peace in the Desert Lecture Series," focuses on particular parts of the world that are experiencing problems to determine if a resolution could be reached. The last lecture focused on the reduction or elimination of international nuclear arms build-up. That particular series was co-sponsored by Woodrow Institutional Scholars.

Dr. Sternlight also indicated that the Center offers various training that is open to the public and not necessarily geared to attorneys or law students.

In addition to those services, Dr. Sternlight related that the Center also participates in a parking arbitration program that deals with the significant parking issues that are particular to UNLV. The law students serve as the arbitrators between the parking services staff and the individuals that feel they have been improperly ticketed and then render a final decision. She felt that this not only provided good experience for the students but was also a good service for the community. The Center has also been called upon to assist with conflict resolution within the university community.

Dr. Sternlight related that the Center also has a very exciting program in Israel that brings Jewish and Arab Israelis together to play 3 on 3 street basketball. The key is

17. Information Only - Update on UNLV William S. Boyd School of Law Saltman Center for Conflict Resolution *(Agenda Item #18)* – *(Cont'd.)*

that each team of three has at least one member from each culture. The participants not only play the game together but also live in dormitories with each other. She indicated that there was a link to a video on the Center's website that shows the process that the participants go through, adding that in the beginning there were obvious hesitancies. However, by the end of the program, many achievements had been made.

Dr. Sternlight reported that some of the law students also participate in a program called MINT *(Mediation in Nevada Today).* That particular program allows the students to provide direct service.

Dr. Sternlight related that the Saltman Center planned to continue its current direction. However, once beyond the economic crisis, the Center would like to pursue development of a Master's program for law students to receive an additional degree in conflict resolution, or to possibly develop a certificate program, or summer program and training for various public or private sector groups.

Regent Cobb asked if the Center's students would have the opportunity to become involved in the recent legislation on the mediation of foreclosures. Dr. Sternlight replied that although she has reached out to make the Center available for that process, she is aware that the primary resource appears to be Clark County attorneys. However, she stated that the Center was ready and willing to provide assistance if asked to.

Chair Wixom asked if the Regents could do anything to assist in that particular cause. Dean White related that there has been communication between Speaker Barbara Buckley and the Nevada Supreme Court to determine what role the Center could play without overwhelming its resources. He added that the School of Law operates a community service program that provides important information to the public regarding legal rights in any particular area. He hoped, at a minimum, that program could be utilized, or that the Mediation Clinic could handle some of the cases. Chair Wixom asked that the Board be contacted if it could provide assistance in any way.

The meeting recessed at 5:04 p.m. on Thursday, June 18, 2009, and reconvened at 8:00 a.m. on Friday, June 19, 2009, with all members present except for Regents Alden, Crear and Page.

18. Approved - Personnel Session – DRI President Stephen G. Wells *(Agenda Item #19)* - The periodic annual evaluation report of DRI President Stephen G. Wells, along with President Wells' self-evaluation, were presented to the Board. The Board discussed the self-evaluation and report, as well as other matters pertaining to President Wells' performance as specified in NRS 241.033 including competence, alleged misconduct, character and mental or physical health *(full evaluation on file in the Board office)*. The Board approved the periodic annual evaluation report of DRI President Stephen G. Wells.

18. Approved - Personnel Session – DRI President Stephen G. Wells *(Agenda Item #19)* – *(Cont'd.)*

Executive Vice Chancellor Klaich thanked former Governor Kenny Guinn as well as Regents Anthony, Geddes and Schofield and Ms. Margaret Shanafield for serving on the evaluation committee. He also thanked Dr. Dave Decker, Faculty Senate Chair, DRI, for leading an exhaustive survey that resulted in a mid-70% capture rate.

Executive Vice Chancellor Klaich introduced the consultant retained to conduct President Wells' evaluation, Dr. Charles G. Groat, Distinguished Professor at the University of Texas, Austin *(full evaluation report on file in the Board office)*.

Regent Crear entered the meeting.

Dr. Groat reported that during the evaluation period, DRI had seen strong growth in programs and funding. The total revenue had increased by 17% to $58.2 million. Facility expansion had been notable with five capital improvement projects, the most significant being the Computer Research and Visualization Building *(CRVB)*. The role of DRI leadership in identifying research areas and in seeking funding had increased, which was a move beyond the bottoms-up approach in these areas that had been dominant in the past. Efforts had been made to increase the visibility and recognition of DRI programs and expertise on both the national and international levels. President Wells has been very active in advancing the interests of DRI at the federal level through contacts with the Nevada Congressional Delegation. Dr. Wells has articulated his vision for DRI program growth in climate change impacts on Earth systems, renewable energy resources, and water resources assessment.

Dr. Groat related that President Wells' aggressive and energetic activities in these areas have been acknowledged by all and cheered by most. However, there were divergent views on some aspects of the changes that have occurred at DRI over the past few years. These differences of opinion do not necessarily indicate that a particular action of President Wells' was right or wrong, but simply indicate that change is difficult for some and that members of academic institutions, at times, have a particular adversity to change directed from above.

Dr. Groat reported that President Wells was well liked, including by those who do not agree with him about some things. His caring and collegial style was appreciated and was a very positive facet of his leadership. Faculty members at DRI have great respect for his scientific credentials. Many reflected very positively on the quality and importance of his research as a practicing scientist and his understanding of the research process and needs of researchers. He received uniformly high marks from inside and outside DRI for his effectiveness as an ambassador for the organization. He has raised DRI's profile across all sectors - public, private, citizens, and students.

Dr. Groat added that President Wells has worked cooperatively with other NSHE presidents, especially at UNR where DRI has a major involvement with academic programs including teaching and graduate student supervision and employment. Representatives of the business community spoke highly of President Wells'

18. Approved - Personnel Session – DRI President Stephen G. Wells *(Agenda Item #19)* – *(Cont'd.)*

relationship with them. Dr. Groat also stated that President Wells received high praise for his recognition of the importance of raising funds from private sources, especially in times of strained state funding.

Dr. Groat related that vice-president-level managers complimented President Wells' ability to meet the challenges of a modern, increasingly complex, research organization. The use of a professional advocacy firm for program development work in Washington D.C. is seen as very beneficial to DRI. President Wells received broad praise for his ability to raise funds to support DRI research and facilities, noting that state and external funding support for DRI have continued to grow during this performance evaluation period.

Dr. Groat continued that representatives from the faculty, administrative and technical staff, and students uniformly find DRI a great place to work and conduct research. The low overall employee turnover rate of 5% over the past five years and 2% for the past year, speaks highly of the work environment. Business and technical support of research is viewed as excellent and Dr. Wells is given credit for enabling a research- and people-friendly collegial environment at DRI. Dr. Wells is given broad-based credit for having a clear vision of the future of DRI. His belief that growth is essential and his views on the impacts of climate change on Earth's systems, renewable energy resources and technology, water resources assessments, and an enhanced role for science in policy formulation has been well articulated.

In terms of areas of concern, Dr. Groat reported that interviews with constituents from outside DRI produced no notable concerns about President Wells' performance or priorities. The same is true for discussions with some individuals from within DRI. However, most DRI employees had questions about some aspects of Dr. Wells' performance. Several of those questions were generic and related to a president being an active leader of an organization, which, Dr. Groat noted, inevitably does not please all of the people all of the time. Where these reflect presidential style or a particular preference of an individual that is not fundamental to effective leadership, little concern is warranted. However, where patterns of concern about more essential elements of performance emerge, it was worth noting and discussing. There were two such areas of concern.

Dr. Groat reported that the first area of concern was in the realm of Program Priorities and Funding. DRI's approach to research project development and funding has historically been bottom-up in a way common to universities. President Wells has actively advocated growth and program development in certain areas. This would affect research priorities in the divisions and integrated science centers. One of the most cited examples of this top-down prioritization and project funding was the Computational Research and Visualization Building *(CRVB)* and the visualization facility *(CAVE)*. Several applauded the effort as forward looking in providing both needed office space and cutting-edge computational and visualization capabilities. Others questioned the process through which this project was committed to, the decision to use revenues for this

18. Approved - Personnel Session – DRI President Stephen G. Wells *(Agenda Item #19)* – *(Cont'd.)*

purpose rather than others, and the ability to bring in the research programs and funding necessary to sustain the facility. There were similar feelings expressed by some about the overall process for selecting institutional priorities for program growth and funding. While one-page idea papers were solicited and meetings were held to discuss project priorities, some faculty members felt that the decisions were made by upper management, not through a more broad participatory process. Dr. Groat added that this example illustrates the challenges facing any leader that, through evolution or more immediate change processes, alters the traditional mechanism for carrying out the mission of an organization and for determining the direction of its programs.

Dr. Groat reported that the second area of concern was in Executive Leadership. The area of presidential performance where the most concerns were expressed was the number of people in and the role of the executive level of management *(vice presidents)*.

Dr. Groat continued that there were strong opinions expressed by several members of the faculty and some other staff members about the increased role of vice presidents in decision making and management, and the corresponding decreased contact of the president with the faculty. Some identified examples of vice presidents who did not perform well and questioned their being retained in spite of their poor performance. They also questioned the President's ability in hiring decisions at this level and to make necessary personnel changes when performance was sub-par. This concern about roles was not broadly shared by those outside the research scientist ranks, although individual issues were identified by administrative and technical support staff that paralleled faculty concern about the performance of some vice presidents.

Dr. Groat's final observations included that DRI has fared very well under the presidency of Dr. Wells over the evaluation period. Total institutional revenues have grown from $49.8 million in FY 2005 to $58.2 million in FY 2008. He obtained the largest state capital improvements appropriation in DRI's history in support of the CRVB. Federal appropriations have provided approximately $41.8 million during this period, a product, due in large degree to his increased efforts at the federal level. DRI has moved into the top 20 universities and colleges in research and development expenditures in the environmental sciences. President Wells has carried out a major organizational and budgetary assessment and conducted internal and external reviews of key program areas including Institutional Advancement and Technology. Dr. Wells' accomplishments are widely recognized inside and outside DRI. Concerns about the outcomes of some of his activities and the effectiveness of some of the changes do exist among some segments of the DRI organization. Many of these are related to changes accompanying an evolution of DRI toward a more centrally planned organization with stronger roles for vice presidents as the President turns more toward activities on behalf of DRI outside of the organization. Much of the concern in this area centered around growth in the size and role of upper management, particularly the vice presidents, and feelings that there are unresolved performance issues at this level. It was also expressed that although the Executive Vice President position was the identified single point of contact when President Wells was not available, it was not a comprehensive single point of contact that needed to be able to speak on all aspects of the organization.

18. Approved - Personnel Session – DRI President Stephen G. Wells *(Agenda Item #19)* – *(Cont'd.)*

In regard to a final area of concern, Dr. Groat related that, as in all growing organizations, improving communication within DRI appears to need further consideration. Dr. Wells has taken steps to increase communication with all employees, but interviews conducted across the DRI workforce indicate that some of the concerns expressed stem more from a lack of understanding about why things are being done in certain ways. Better communication of the benefits of Dr. Wells' increased activities outside of DRI and clearly communicating that input sought through meetings, surveys, and written recommendations regarding program priorities, were being considered, would be helpful.

Dr. Groat explained that per the NSHE Procedures and Guidelines Manual, the following recommendations were identified for future focus and improvement:

- Stabilization of the vice president positions through qualified permanent hires and clear identification of an executive vice president empowered to act in all areas in the absence of the president
- Re-evaluation of communication within DRI, especially input into major program priority decisions and explanations of important activities and strategic decisions
- Consideration of ways to reinforce the importance of investigator-motivated research projects and of incorporating them into the fabric of institution level research priorities

Dr. Groat continued that as a relatively long term holder of the DRI presidency it is important for President Wells to keep his perspective fresh and his motivations strong. In the rapidly changing field of environmental science, there are many challenges and opportunities that make maintaining vigorous leadership of DRI essential. President Wells' history with DRI, his productivity during this performance review period and his vision for the future indicate no decline in his commitment to innovative leadership of DRI.

President Wells recognized the efforts of the faculty for their work on the faculty survey, as that aspect of the evaluation had never been conducted before. That survey required a level of trust by both the president and the faculty that the responses would be handled with the highest level of integrity. He acknowledged that there were issues that needed to be addressed and included communication about situations that may not be easily understood. The other area of difficulty is with changes in the vice president level as all but one are in their positions on an interim basis. Dr. Cleve McDaniel, Executive Vice President of Research has been asked to fill an interim role as Senior Vice President to handle the budgetary issues. He stated that Dr. Groat's comments were taken seriously and that he has already started responding. He appreciated the efforts and felt it was a healthy process, adding that a 72% response rate by an institution was remarkable.

Executive Vice Chancellor Klaich asked President Wells to further address the questions raised regarding priority setting from the bottom up instead of the top down. President Wells related that all aspects of the institution were rooted in the efforts and ideas of the faculty. For example, the visualization program was initially brought to his attention by

18. Approved - Personnel Session – DRI President Stephen G. Wells *(Agenda Item #19)* – *(Cont'd.)*

Dr. Tim Brown. Based on Dr. Brown's recommendation that the future of fire prediction includes immersive environments, DRI sought to build that program. President Wells explained that each research project involves risk and that time is often involved to realize a pay off in the end. He felt that when all parties worked together, a successful outcome would be achieved.

Chair Wixom asked Dr. Dave Decker, former DRI Faculty Senate Chair, to respond to the evaluation process. Dr. Decker related that the faculty of DRI appreciated President Wells for his willingness to initiate a process of communication and to amplify those aspects that work well for DRI. In terms of the evaluation process itself, Dr. Decker felt that the reporting and review of reports earlier in the process would allow more time to assimilate and integrate all of the information into one cohesive plan of action.

Regent Cobb asked President Wells what his goals where to communicate DRI's accomplishments to the public, and secondly, where he saw DRI in ten or twenty years. President Wells related that he has spent a fair amount of time with people from the community both inside and outside of DRI, adding that a more open door policy was needed. He related that in ten to twenty years, DRI would essentially stay within the top 20 research institutions in the country. He was not certain of DRI's ability to attain a higher standing due to its much smaller FTE. In the long term, DRI would need to bring in an endowment of $100 million to stabilize the institution's funding through difficult periods.

Regent Leavitt thanked President Wells for his hard work and responsiveness to the Board. He stated that he often relates to DRI as a crown jewel in the state's higher education system.

Regent Knecht asked President Wells to further expand upon the mission and research areas that DRI expects to be in and their process for developing new initiatives and winnowing out old programs. President Wells felt that there was a clear agreement among faculty and leadership at DRI that the current critical environmental concerns related to air and water would not change. Next to the U.S. Geological Survey, DRI has the largest program in hydrological sciences in an academic institution. A fair amount of emphasis has and will continue to be placed on atmospheric sciences. Energy is also a critical area where collaboration among all the institutions could make Nevada a leader in that industry. President Wells related that the initial ideas come from the faculty and there needs to be a better job of informing the faculty that the institutional leadership is dependent upon their talents. DRI had a remarkable team in the areas of geology, hydrology and biology and life in extreme environments. The nexus of that research is the implication of climate change as it impacts water resources, air dynamics and energy resources.

Regent Knecht asked President Wells what DRI's defensive plan would be if federal funding were to decline. Present Wells related that, strategically with the current administration, there was a tremendous emphasis being placed on science. If this country is to stay competitive with China and other parts of Asia, science had to remain a focus. DRI's future was very much tied to the country's leadership and the

18. Approved - Personnel Session – DRI President Stephen G. Wells *(Agenda Item #19)* – *(Cont'd.)*

perceptions that science and technology are critical to its future. In additional to state and federal funding, DRI needed to increase its external fundraising through philanthropic approaches. His efforts to increase that philanthropic funding have begun to affect changes in his position. He recognized that he could do a better job of communicating the reasons for his actions in that area.

Regent Gallagher stated that she has worked closely with DRI and felt privileged to have seen its tremendous growth and change. She felt that President Wells has done an outstanding job. She realized that DRI was evolving and that sometimes change was difficult for faculty, but felt that could be settled with fairness and communication.

Executive Vice Chancellor Klaich related that three years ago, President Wells had the vision to begin laying the groundwork for DRI to be at the forefront of the renewable energy revolution. President Wells acknowledged that the support and leadership of Senators Harry Reid and Randolph Townsend had been critical in DRI receiving what was hoped to be the first installment of a grant from the Nevada Renewable Energy Consortium. Although he appreciated the level of collaboration currently taking place among the institutions, he indicated that he would like to see stronger efforts.

In relation to some of the difficulties being experience, Executive Vice Chancellor Klaich felt that, philosophically, when someone is experiencing challenges, he likes to provide that person with every opportunity to positively bring those challenges around before disciplinary action is taken. The timeframe that he feels is necessary for that process may not be the same as what the faculty believes appropriate.

Regent Schofield commented that change was constant and preparations should be made for that, especially in the current economic climate. He felt that research was the key to the future, followed closely by teamwork. He thanked President Wells for a job well done.

Regent Rawson related that NASA recently reported that by 2020, man would be back on the moon. He asked if DRI was involved with any of that exploration. President Wells replied that although DRI does conduct some research in astrobiology, it lacks many of the technical programs that are available at other institutions. He did point out that UNR currently has a very aggressive program on the exploration of Mars and has been part of the rover mission.

Regent Rawson felt that President Wells was a model for the type of president the Regents would like to work with. He wished him many more years of success.

Regent Knecht related that when looking to the future, he could predict a decline of federal funding and wanted to urge the institutions to consider contingency plans and the diversification of resources.

Regent Knecht moved approval of the periodic annual evaluation report of DRI President Stephen G. Wells. Regent Geddes seconded. Motion carried. Regents Alden and Page were absent.

19. Approved - Presidential Contract, DRI *(Agenda Item #20)* - Pursuant to NRS 241.033, the Board took administrative action to offer a new contract to DRI President Stephen G. Wells, including a determination of the employment terms and conditions as follows *(Handout on file in the Board office)*.

- Base Salary: $260,428.98 base salary.
- Salary Supplement: $22,000.00 funded by the DRI Foundation.
- Club Membership: Approximately $7,180.00 in support of club membership in Reno and Las Vegas funded by the DRI Foundation.
- COLA: Will be eligible for COLA award on July 1, 2009, if approved by the legislature.
- Car Allowance: $8,000.00 per fiscal year.
- Housing Allowance: $24,000.00 per fiscal year.
- Host Account: $5,000.00 per fiscal year.
- Contract Period: Contact will be through June 30, 2013.
- Standard Clauses: for termination and discipline.

Executive Vice Chancellor Klaich related that no changes had been made between the existing and proposed contract terms.

Regent Gallagher moved approval of extending the contract for DRI President Stephen G. Wells through June 30, 2013. Regent Knecht seconded.

Regent Cobb asked how furloughs would be addressed within the President and Chancellor contracts. Executive Vice Chancellor Klaich related that he would be voluntarily reducing his contract in both years of the biennium regardless of the actions to be considered by the Board later in that meeting. The presidents' salaries will be subject to whatever action the Board takes in regard to furloughs.

Regent Cobb asked Chief Counsel Patterson if that was appropriate. Chief Counsel Patterson indicated that the presidents' base contracts were subject to the terms of the NSHE Code. The Board's determination later that day would be legally applicable to the presidents.

Motion carried. Regents Alden and Page were absent.

20. Information Only - Report: Outcomes of the 2009 Session of the Legislature *(Agenda Item #21)* - Executive Vice Chancellor Dan Klaich provided a report (see below) to the Board on the outcomes of the 2009 regular Session of the Nevada Legislature as it pertains to the budget, capital improvement projects and policy measures impacting the Nevada System of Higher Education *(full presentation on file in the Board office)*.

Executive Vice Chancellor Klaich thanked Ms. Crystal Abba, Assistant Vice Chancellor, Academic and Student Affairs, for her efforts on this and so many other reports presented to the Board of Regents.

20. Information Only - Report: Outcomes of the 2009 Session of the Legislature *(Agenda Item #21)* – *(Cont'd.)*

Executive Vice Chancellor Klaich related that the 75th regular Session of the Nevada State Legislature convened on February 2, 2009, and closed on June 2, 2009, at 12:24 a.m., lasting a total of 120 days. Legislative measures enacted impact NSHE in many areas including policy, operating budgets and capital. A summary report of the enacted legislation impacting higher education is available and can be found on the NSHE Web site www.nevada.edu.

- NSHE Specific Measures:
  - AB 401 – NSHE Bonding Capacity;
  - AB 535 – Permanently removes the Board's authority to request Bill Drafts;
  - SJR 4 – Appointed Board of Regents *(Measured Failed)*;
  - SB 137 – Recycling;
  - SB 427 – Public Employees' Retirement System *(PERS)*;
  - SB 415 and SB 427 – Public Employees' Benefits Program *(PEBP)*;
  - SCR 37 – Study of State's Revenue Structure to Provide for Long-term Stabilization of Revenue;
  - SB 433 – Furloughs for NSHE Employees;
  - SB 152 – Green Jobs Initiative;
  - The Governor Guinn Millennium Scholarship;
    - Ten Millennium Scholarship measures introduced during the Session.
    - Two policy measures enacted impacting Board policy *(AB 96 & SB 209)*.
  - AB 549 – Suspension of Unclaimed Property Transfer;
  - Nevada National Guard and the U.S. Armed Forces *(AB 188)*; and
  - Veterans of the U.S. Armed Forces *(SB 318)*.

- Restoration of Funding - $592.5 million state support approved for FY2010 and FY2011. These amounts include $12.4 million in FY2010 and $15.5 million in FY2011 to restore health insurance benefits, and $11.5 million in FY2010 and $11.5 million in FY2011 for the 2 percent salary restoration.

Regent Rawson asked if the System held a reasonable assumption that the stimulus funds would be available in the second year of the biennium. Executive Vice Chancellor Klaich replied that the stimulus funds will be accounted for and reported separately and that a reasonable assumption did exist.

- Stop-Loss / Equity Funding *(in millions)*:

	FY2010	FY2011	
UNR	$1.95	--	Stop-Loss
UNLV	$5.87	$5.60	Stop-Loss
NSC	$0.96	$0.96	Stop-Loss
CSN	$1.5	$1.5	Equity

20. Information Only - Report: Outcomes of the 2009 Session of the Legislature *(Agenda Item #21)* – *(Cont'd.)*

- 2009-11 Enrollment Calculation – Three-year Weighted Average versus Flat Enrollment Growth:
  - The Legislature approved use of the Flat Enrollment Growth methodology recommended by the Board of Regents:
    - The Flat Enrollment method was agreed to be more reasonable particularly given enrollment fluctuations and the uncertainty of the budget situation.
  - The Flat Enrollment Growth methodology redistributes formula funding resulting in increases at the higher growth institutions and decreases at the lower growth institutions.
  - Letter of Intent – 2011-13 biennium budgets should utilize the traditional three-year weighted average methodology.

Regent Cobb asked if it had been communicated to the legislature that the flat enrollment methodology had been a recommendation from the NSHE presidents. Executive Vice Chancellor Klaich stated that had not been communicated in that specific manner. However, once the Board votes to approve something, it then becomes an action of the Board. Regent Cobb felt that perhaps on this particular issue, a direct recommendation from the presidents would have held additional meaning.

- Formula Funding:
  - 74.10 % formula funding in FY2010.
  - 74.12% formula funding in FY2011.
  - Funding for the previous biennium:
    - 85.5% in FY2008.
    - 85.5 % in FY2009.

  FY2010 and FY2011 effective percentages include one-time stimulus funds that effectively increased the formula percentage by approximately 10%.

Regent Gallagher asked if the 10% in stimulus funding was in addition to, or already included in the 74%. Executive Vice Chancellor Klaich explained that without stimulus funding, the funded percentage would have been in the mid-60%.

- Federal ARRA Education Stabilization Funding:
  - "Waiver" versus "Non-Waiver" debate.
  - Approved Stabilization Funds.
    - $92.4 million in FY2010.
    - $92.4 million in FY2011.

- Dental Residency Transfer:
  - The Legislature approved, as recommended by the Board of Regents, the transfer of the Dental Residency Program from the School of Medicine to UNLV's School of Dental Medicine.

20. Information Only - Report: Outcomes of the 2009 Session of the Legislature *(Agenda Item #21)* – *(Cont'd.)*

- 2009 Letter of Intent:
  - Future Enrollment Calculation – 2011-13 formula funding budgets should utilize the three-year weighted average methodology.
  - Non-Formula Equipment Funding – reallocated to NSC for 2009-11 only, 2011-13 non-formula budgets should be restored with equipment funding.
  - Fee Increases – setting aside the current letter of intent to provide NSHE with flexibility in expending any additional fee increases or surcharges approved by the Board for the 2009-11 biennium – to be included in state budget and authorized by IFC.
  - Investment Income – 2011-13 budget requests must include investment income.
  - Athletic Facilities – a study of the funding of athletic facilities at UNR and UNLV.

Regent Knecht felt that the basic assumptions built into the formula were invalidated by recent experiences and that perhaps, instead of retreating back to the formula as a fundamental constant, the System needed to consider it in a more general way with a wider set of assumptions. Executive Vice Chancellor Klaich agreed. He added that the Chancellor raised some of those questions in his first memorandum in which he asked if the funding formula took into consideration that the state had three research institutions. As the formula is reconsidered, fairness, equity and other issues will need to be considered. Although an interim study was not funded by the legislature, the basic discussion will continue with legislative leadership to determine how such a study could be accomplished.

Regent Knecht noted that although a measure may not have been supported by the legislature, did not mean that the System could not pursue sensible analysis and planning. He emphasized that this needed to be a collaborative effort throughout the System that took into account the history, the formula and the actions taken by both the System and legislature.

- AB564 – Capital Improvement Projects - $334.6 million.
  - NSHE will receive $87.4 million or 36% of the funding for capital provided under AB564.
    - $69.64 million in state funds.
    - $17.8 million in non-state funds.
      - Furniture, Fixtures and Equipment *(FF&E)*
        - UNR, Davidson Math & Science Center - $3.73 million *(state funds).*
        - UNR Center for Molecular Medicine - $7.43 million *(state funds)*.
      - Planning
        - UNLV, Hotel College – $3.22 million *(state funds)* and $3.22 million *(institutional funds).*

20. Information Only - Report: Outcomes of the 2009 Session of the Legislature *(Agenda Item #21)* – *(Cont'd.)*

- New Construction
  - HSS, Reno Medical Education Building - $30.99 million *(state funds)* and $11.09 million *(non-state)*.
- Upgrades, Compliance and Critical Maintenance Projects.
  - CSN, Cheyenne Laboratory Upgrade and Remodel - $13.38 million *(state funds)* and $1.0 million *(institutional funds).*
  - WNC, Carson Campus, ADA Compliance - $0.89 million.
  - HECC/SHECC, deferred maintenance *($12.5 million)*.
- Fire Science Academy – As part of the Military's capital budget allocation, the Elko County Readiness Center was approved with $7.93 million *(state funds)*, and an additional $8.63 million in federal funding. AB564 allows the State Public Works Board to approach IFC to determine the site of the new facility, which may include the Fire Science Academy.

21. Approved - *Handbook* Revision, Fee Waivers, Nevada National Guard, POW's, MIA's *(Agenda Item #22)* – The Board of Regents approved Vice Chancellor Jane Nichols' request of revisions to Board policy concerning registration fee waivers for the children and spouses of certain members for the Nevada National Guard and servicemen identified as prisoners of war or declared missing in action *(Title 4, Chapter 17, Section 13 and Title 4, Chapter 18, Section 8)*. This proposal was brought forward in light of the passage of Assembly Bill 188 of the 2009 Session of the Nevada Legislature *(Chapter 28, Statutes of Nevada 2009)*. *(Ref. BOR-22 on file in the Board office)*

Regent Knecht moved approval of a revision to the *Handbook (Title 4, Chapter 17, Section 13 and Title 4, Chapter 18, Section 8)*. Regent Leavitt seconded.

Regent Rawson has always been supportive of this type of legislation but asked if the total fiscal impact of all fee waivers to the System was known. Vice Chancellor Nichols related that a financial impact report was provided to the legislature at the time of testimony. It was important to remember that when the legislature approved a fee waiver, they were in essence creating forgiveness in their own state budget. Regent Rawson requested that the Board be provided a total overall calculation of the fiscal impact of a fee waiver. Chair Wixom concurred with Regent Rawson's request.

Regent Knecht left the meeting.

Vice Chancellor Nichols felt that in that context, it was important to note that fee waivers were excluded from the professional schools *(Medical, Dental, etc.).*

Motion carried. Regents Alden, Knecht and Page were absent.

Regent Knecht entered the meeting.

22. Approved - *Handbook* Revision, Free Tuition For Veterans of the Armed Forces *(Agenda Item #23)* – The Board of Regents approved Vice Chancellor Jane Nichols' request of revision to Board policy concerning free tuition for veterans of the Armed Forces *(Title 4, Chapter 15, Section 3).* Under existing state law and Board policy, members of the U.S. Armed Forces who are on active duty and stationed at a military installation in Nevada are deemed residents for tuition purposes and therefore pay resident registration fees only. Non-resident students are traditionally charged registrations fees and non-resident tuition. Senate Bill 318 *(Chapter 420, Statutes of Nevada 2009)* provides that veterans upon honorable discharge from the military shall be deemed residents for tuition purposes, and therefore will be subject to resident registration fees only. *(Ref. BOR-23 on file in the Board office)*

Regent Rawson moved approval of a revision to the *Handbook (Title 4, Chapter 15, Section 3).* Regent Geddes seconded. Motion carried. Regents Alden and Page were absent.

23. Approved - *Handbook* Revision, Millennium Scholarship *(Agenda Item #24)* – The Board of Regents approved Vice Chancellor Jane Nichols' request for revisions to the Board policy on the Governor Guinn Millennium Scholarship program resulting from the passage of Assembly Bill 96 (*Chapter 38, Statutes of Nevada 2009)* and Senate Bill 209 *(Chapter 192, Statutes of Nevada 2009)* during the 2009 Session of the Nevada State Legislature. Specifically, AB96 clarifies that a student who is enrolled in more than one eligible institution is eligible for a Millennium Scholarship if the student meets existing eligibility requirements. SB 209 requires the Board of Regents to establish criteria with respect to students who actively served or participated in a charitable, religious or public service assignment or mission to exempt such students from the 6-year limitation on applications for the Millennium Scholarship. *(Ref. BOR-24 on file in the Board office)*

Regent Geddes moved approval of a revision to the *Handbook (Title 4, Section 18, Chapter 19).* Regent Gallagher seconded. Motion carried. Regents Alden and Page were absent.

The meeting recessed at 9:45 a.m. and reconvened at 10:00 a.m. on Friday, June 19, 2009, with all members present except for Regents Alden and Page.

24. Approved - Discussion of 2009-2011 NSHE Biennial Budget *(Agenda Item #25)* - The Board of Regents took action to approve: 1) the adoption of a temporary surcharge for registration fees as set forth in the tuition and fee increase reference materials; 2) the adoption of a Code amendment subject to the considerations numbered 1-7 set forth at pages 3-4 in the Memorandum of Chair Wixom and Vice Chair Geddes, dated June 17, 2009, to the NSHE Regents, entitled "Senate Bill 433" Implementation Recommendation;" and 3) the adoption of an emergency amendment of the NSHE Code

24. Approved - Discussion of 2009-2011 NSHE Biennial Budget *(Agenda Item #25)* – *(Cont'd.)*

(immediately effective for 120 days, to be made permanent by further Board action), in accordance with Title 2, Chapter 1, Sec. 1.3.3.b due to the 2009 legislative budgetary action and NSHE faculty contract provisions *(Ref. BOR-25 and handouts available in the Board office)*.

Chair Wixom referred to the memo dated June 17, 2009, *(on file in the Board office)* from the Chair and Vice Chair of the Board in regard to "SB 433 implementation recommendations." He expressed his deep appreciation to the System staff, presidents, faculty, students and others that have contributed to this process. He felt it was crucial that the action taken by the Board reflect the legislative intent of SB 433. He related that in his appearance before the legislature in January, he stated that it was the Systems' view that everyone has "skin in the game."

Executive Vice Chancellor Klaich related that the legislatively mandated furlough program did not work as well in the NSHE as it might in other state agencies because of the academic calendar. As Chair Wixom stated, it was important to comply with the legislative intent. He felt that in this situation, the legislative intent was easily identifiable as everyone needed to participate in reducing pay in order to balance the state's budget. In recognition that the System could not do that within the context of the NSHE's Code or its contractual provisions, the legislature adopted an alternative provision that allowed the System to demonstrate how it will cut professional staff costs in some other way.

Executive Vice Chancellor Klaich continued that while the statutory intent of SB433 could not be implemented in year one of the biennium due to Code and contractual obligations, the presidents have managed those cuts through layoffs and notices of nonrenewal. Secondly, in discussion with the Chair and Vice Chair, the System has not determined any employee group as being more critical than another. The focus remained on the statutory intent and the extent that the System could implement a legal furlough program. For tenured faculty, with implied property rights in continued employment as well as in a continued level of salary, the System could not affect a major change without significantly impacting the Code or without declaring a financial exigency. In May, the Board determined that making a declaration of financial exigency would not be the best course of action. He advised that although the System will not undertake making major changes to the Code at this time, the situation has exposed weaknesses that will need to be addressed in the future.

Executive Vice Chancellor Klaich explained that for tenured faculty, an alternative recommendation had been made to increase their workloads in the second year of the biennium in an amount equivalent to that which others have received furloughs. He asked that the presidents be allowed to manage that adjustment.

Executive Vice Chancellor Klaich indicated that it had been asked if discussions should be limited to only those employees that save money directly for the state. He stated that the answer to that question was no. With the exception of DRI, the state did not provide exemptions based on any course of funding. There are many employees in the state of Nevada that are not funded with general fund dollars and those workers are participating in this recommendation.

24. Approved - Discussion of 2009-2011 NSHE Biennial Budget *(Agenda Item #25)* – *(Cont'd.)*

Executive Vice Chancellor Klaich explained that DRI is fundamentally different than the other institutions in that it is recognized by Nevada Revised Statutes to be more entrepreneurial in nature and dependent upon its faculty and the grants that they receive. He emphasized that the quality of the work between DRI's faculty and those similarly situated at UNR and UNLV could not be differentiated. However, a fundamental difference does exist in DRI in that it is primarily funded on research grants *(approximately 80%),* compared to UNR and UNLV that have a significantly smaller base. Except for DRI, the recommendation includes that the source of funding for particular professional employees not be a basis for differentiation of the furloughs.

Executive Vice Chancellor Klaich stated that Chair Wixom's concept that everyone share in the pain was important. He related that the legislature expected a student fee increase to occur, adding that the calculations for the overall impact of the budget cuts had included the impact of a 5% fee increase. The taxpayers of Nevada have been asked to participate, as well as the classified staff through a legislatively-mandated furlough program. Executive Vice Chancellor Klaich stated that System Administration salaries would also be reduced because it was the right thing to do.

Regent Geddes felt it was critical that the two recommendations *(increased fees and the faculty and professional salaries)* be considered together. He felt that the recommendation brought forward all of the issues within the legislative intent and within legal parameters. He also felt it was important to take into consideration that the System had started with a recommendation for an approximate 50% budget reduction and the possibility of having to make a declaration of financial exigency. He acknowledged that the furloughs did have a sunset. However, he felt that the recommendation was perfect in that everyone hated it because everyone was losing something. He personally would rather have seen a higher student fee increase but recognized that it was a balancing act. The System has never seen this situation before and needed to adapt, adding that he felt the recommendation offered the best compromise.

Executive Vice Chancellor Klaich asked that the faculty and professional staff be allowed to voluntarily begin their furloughs in the first year, thereby spreading it over the entire biennium. The System was also asking that the presidents have the authority, in consultation with the faculty leaders, to devise a voluntary program and determine the options available in assisting the faculty in meeting their obligations to the students.

Dr. John Filler, Faculty Senate Chair, UNLV, and the Chair of Chairs, read the following statement into the record on behalf of the Council of the Faculty Senate Chairs:

> "The Faculty Senate Chairs of the Nevada System of Education applaud the efforts of the institutional presidents and the newly appointed Chancellor in drafting the proposal. We recognize the sacrifices that have been made by a great number of individuals and the hard work done by so many to bring this to this point. We are particularly pleased to observe in this proposal the flexibility afforded to the institutions in its implementation. We believe that the NSHE Code should be preserved to the greatest extent possible and should be suspended or changed only after careful and lengthy discussion. We trust that

24. Approved - Discussion of 2009-2011 NSHE Biennial Budget *(Agenda Item #25)* – *(Cont'd.)*

these discussions will continue to take place. We believe that consultations between the faculty senates and the presidents in this proposal are beneficial and healthy and are encouraged to see that this proposal supports this position. However, the Faculty Senate Chairs would like to draw your attention to two areas of concern. First, we support treating tenure track faculty the same as the proposal treats tenured faculty. The tenured track faculty is the most important to our future and the easiest for us to lose. We understand from System Counsel that if that were the Board's will, it could be accomplished relatively easily. Secondly, they would support applying salary cuts only to salaries paid with state funds, especially if the cuts would not provide any savings to the NSHE. Faculty members funded through outside sources often bring students, money and recognition to the System. In conclusion, we understand the gravity of the situation and realize that the Regents have the best interest of the students and faculty in mind and they share that value. Thank you for the support you have provided us under these difficult conditions."

As UNLV Faculty Senate Chair, Dr. Filler, stated that the UNLV Faculty Senate, on behalf of the more than 2,000 tenure and non-tenured faculty, wished to express their appreciation for the very difficult task the Board of Regents has in trying to reach an equitable plan for dealing with a very difficult financial situation. They joined the Board in the recognition that above all else, the System must preserve and grow the excellent educational programs and critical research initiatives of the institutions. He concluded by stating that no less was owed to the students or citizens of the State of Nevada.

Dr. P. Elliott Parker, Faculty Senate Chair, UNR, provided the following statement on behalf of the UNR Faculty Senate:

"The faculty of UNR is grateful to the Legislature, the Board of Regents, and the citizens of this state for their efforts to defend higher education from a devastating budget reduction that would have effectively dismantled the NSHE system into the indefinite future. We also want to express our admiration for our students for recognizing that the education they receive is valuable, and appreciate that they are willing to pay more to help us keep providing it. We recognize that this proposal represents serious work by many people, in an effort to balance what the Legislature wanted us to do with what we can legally do and what is wise to do. We know that the regents are doing their best to balance these demands.

The Legislature recognized in SB 433 that the NSHE was a special and complicated case, and gave the regents the flexibility to institute pay cuts in other ways. We need to take this opportunity to make sure that we are taking the wisest path.

This proposal explicitly exempts DRI's professional staff if they are entirely funded by grants. We strongly support this. What we would ask you to understand is that there are units at UNR that are exactly like DRI, and we assume these exist at UNLV too. The Terawatt Facility and the Center for the

24. Approved - Discussion of 2009-2011 NSHE Biennial Budget *(Agenda Item #25)* – *(Cont'd.)*

Application of Substance Abuse Technologies, for example, both depend entirely on grants. There are also many research programs within departments that greatly augment their budgets and their support for students through extramural grant activities, and provide additional overhead for the university.

Some of you work for law firms, or other similar professional firms. Suppose the office manager has reduced the wages of the secretarial staff because of budget problems. To be fair, your office manager tells you that you must also work less and reduce your billable hours. It seems to me that that would only make the firm's budget problem worse.

The UNR faculty senate overwhelmingly supported a resolution to apply reductions in state support only to state-funded salaries. At least, we should allow our Presidents to exempt some of our people from salary cuts if no savings would result. The principle that exempts DRI is equally applicable to similarly-generated funds at any of the NSHE institutions.

One part of the rationale for making higher education absorb most of the state's budget reduction was that higher education should and could be more entrepreneurial, more like DRI, and less dependent on state funding. Thus, I think we may be missing out on an opportunity. There are potential outside resources now available to many of our people. Now is the time to develop creative policy that empowers and incentivizes faculty seeking these resources, but we have rules that undermine some of the incentive to go after them, and these salary cuts will make it worse. Let us take this time of crisis to encourage our people to apply for more grants and contracts, to allow them the opportunity to make up for the reduction in their state funding, and to encourage more entrepreneurship by our faculty.

If there is interest by our Board in exploring this issue further, there is no need to change the proposal before it. They have been advised by counsel that the specifics can be developed and presented prior to the August Board meeting." *(Statement on file in the Board office,)*

Dr. Gregory Brown, Professor, Department of History, UNLV, and a representative of the Nevada Faculty Alliance *(NFA)*, related that the NFA has taken a great interest in the development of this proposal and expressed their support of the statements made by the Faculty Senate Chairs. They were particularly supportive of the efforts made to minimize intrusions in the Code and to preserve the integrity of faculty rights and protections. They were gratified that the proposal focused on workload adjustment that ensures that personal contributions made to solving the budget crisis go to keeping course sections open and students enrolled. They requested that the Board consider a modification that concerns "tenure track" or "junior faculty." Dr. Brown related that category of faculty are fewer than 500 System-wide and are by definition at the lower end of the salary schedule. The NFA felt that inclusion of that category of faculty would help tremendously with retention. He added that the junior faculty, by de facto, would be included and impacted by the recommended adjustment and felt it would be more efficient and more useful to the students and to the long term interest of the System for that category of faculty to be included in the recommendation.

24. Approved - Discussion of 2009-2011 NSHE Biennial Budget *(Agenda Item #25) – (Cont'd.)*

Regent Crear asked what the line was between tenure and tenure-track faculty, adding that no one wants to take a furlough. He asked how the System could say that one position was more important than another. Dr. Filler explained that when a person accepts a tenure track position, he or she understands there are additional expectations on which they will be evaluated. Due to those additional expectations and closer scrutiny on a yearly and mid-tenure basis, tenured faculty are highly qualified and recruited at a national level. The distinction between tenure and tenure-track faculty is mainly a distinction of seniority, although the expectations are the same which explains the preference for them to be grouped together. Dr. Parker added that one of the concerns expressed was that the time lost for furlough days may impact when a tenured-track faculty is eligible for full tenure.

Regent Crear noted that tenure did not exist in other agencies or businesses. He questioned if the Board had an obligation to protect tenure-track or if the obligation lied with finding ways to keep the doors open and classes available so students could graduate with a sound quality of education. Dr. Parker felt that the distinction made between the private sector and academia was an excellent one. However, he related that the situation between assistant professors that were up for tenure track was separate from the issue of faculty funded by grants and contracts, as the faculty funded with grants and contracts could leave and take their funding with them. He was mostly concerned that the System make wise decisions for its long-term interests, that the researchers be retained and that the assistant professors be provided the incentive to stay and have a chance to achieve tenure.

Regent Cobb related that when he campaigned for the office of Regent, he routinely heard concerns from the public that the teachers were not teaching and questioned if the recommendation played into that perception. Dr. Filler replied that as a member of the tenured faculty, he had a choice between taking a 4.6% salary reduction or to increase his teaching load. Last year he taught three and three while also maintaining a very good publishing record. He stated that he would be opting to increase his teaching load. He felt that support for a research university came at some cost for direct face-to-face contact and defended his research activities as having a value that informs his teaching. Regent Cobb felt that this argument referred back to the problem that the System does not do enough to sell itself and agreed with Regent Crear's comments. He also disagreed to a certain extent with the information in the memo regarding the vested property rights of employment. The issue of contract rights concerned him the most, in that it exposed the inability of the presidents in having the flexibility to make decisions.

Executive Vice Chancellor Klaich agreed with Regent Cobb's emphasis that the System needed to sell itself better and that sometimes perception became reality. However, he did not feel that Regent Cobb's question implied that the faculty was not working hard enough. The workload policies throughout the System were consistent with national workload standards. There may be other legitimate areas of criticism, but he did not feel that was one of them. Regent Cobb indicated that he did not mean to convey that impression. He was more concerned with the public's perception and his disappointment with the faculty for not helping to sell the System.

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Regent Geddes added that he would dispute that anyone on tenure track would lose their progress towards tenure. Although he hoped that the System would not lose professors due to the situation, he understood that opportunities may exist elsewhere. He emphasized that everybody has to give up something and he felt this was the fairest way to deal with the situation.

Regent Knecht asked Dr. Filler what the standard workload was currently. Dr. Filler replied that at UNLV the standard workload is 3/3. Regent Knecht asked if that indicated the number of classes and the number of credit hours per class. Dr. Filler replied that was correct, with the average class at UNLV being three credit hours.

Regent Knecht observed that, essentially, over the course of the academic year, if the average student load was 15 credit hours per semester, the faculty member, just in instructional terms, is spending half as many hours in class as a student. However, he asked if it was a fair representation to state that faculty members also have advising and administrator duties, as well as research and public service duties. Dr. Filler indicated that was correct. He felt that the faculty workload reports would reflect an average of 55 to 56 hours per week. Regent Knecht did not feel there was a fair claim that the faculty did not work hard enough. He added that in his role as Chair of the Audit Committee, he had requested a cycle of faculty workload audits in order to validate and verify workload compliance.

Mr. N. Mark Rauls, Faculty Senate Chair, CSN, related that at CSN the average teaching load is 5/5 but acknowledged that they do have decreased responsibility for research. Regent Knecht agreed that 5/5 was a full time teaching load at any institution, adding that the community college faculty is also obligated to advising, administering and public service duties as well. He also indicated that faculty at the community colleges also contribute to research and participate in comparable professional activities as their counterparts at the universities.

Regent Knecht felt that looking at the total factor productivity would allow the System to improve its performance, its value in education as well as the public service it provides. In facing 5% budget cuts, it does not follow that everyone gets there the same way. He expressed his support of the proposal because it let the Board set the policy and then delegated the implementation of that policy to the institutions.

Executive Vice Chancellor Klaich related that during the Systems' normal tuition and fee process, the Board had approved increases over the biennium of 5% per year. That increase had been built into the budget. A recommendation is being made for the Board to consider a subsequent 5% surcharge for each year of the 2009-11 biennium and that will sunset at the end of that biennium. He stated that there was also a great deal of uncertainty surrounding the legislative Letter of Intent and the manner in which any additional fee increases would be built into the permanent budgets of the institutions, and if the presidents would have flexibility on the allocation of those fees. Executive Vice Chancellor Klaich added that during the interim, it is important for the System to evaluate its tuition and fees process and consider changes that make more sense. He related that Vice Chancellor Nichols has already initiated that discussion with national leaders on this subject.

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Mr. Eli Reilly, ASUN Student Body President, UNR, and the Chair of the Nevada Student Alliance *(NSA)*, related that the students are also citizens of the State of Nevada and subject to the same taxation. The students are willing to step up and endorse Option A of the recommendation before the Board. He related that the current registration fee at UNR is $140.00 per credit hour. A 10% increase would equate to approximately $168.00 additional dollars per student per semester, adding that was a reasonable number. However, he felt that the most important aspect of this increase was that it should be applied to financial aid. He related that $168.00 for some students may make or break their educational success. It was of fundamental importance to the students, institutions and the System that 100% of all future increases must remain on campus.

Mr. Adam Cronis, CSUN Student Body President, UNLV, related that he had sent the Board members an e-mail containing data from a recent survey in which approximately 1,000 students responded. An overwhelming number of students indicated that they have been affected by the budget crisis on an individual basis. A majority of the students also indicated that the budget situation has affected their life at UNLV. When it came down to a question of whether the students would support a fee increase, the response was 50/50. He related that the comments included in the survey reflected an equal amount of understanding and begrudging support. He felt that the students understand why an increase was necessary but wanted to see the funds kept at the campus level. He echoed Mr. Reilly's earlier comments, adding that it is was very important to recognize that the proposed increases may make it very difficult for some students to attain their degrees. However, in order to continue offering the benefits of higher education to the community as a whole, this was a necessary development.

On behalf of Mr. Eron Sanchez, SGA President, GBC, Mr. Cronis related that Mr. Sanchez has been interacting with the students on the GBC campus and wished to convey to the Board that the majority of the GBC students understood the need for a fee increase as well.

Mr. Nathaniel Waugh, ASCSN President, CSN, indicated his support of Option A. He asked the Board to keep in mind that CSN was experiencing the largest percentage of growth of any institution in the System. However, the students acknowledge the need for shared sacrifice.

Mr. Adam Porsborg, ASTM Board Chair, TMCC, indicated the students understood the obstacles being faced by the System and have indicated their support of the fee increase as well. He related that students will almost always be opposed to fee increases. However, it was not always about what is wanted. It was about what was best. He requested that the Board find some way to better inform and educate the students on how the funds will be spent.

Dr. Matthew Schofield, Student Body President, School of Dental Medicine, UNLV, related that the budget reductions over the last two years were beginning to constrain the School's ability to provide proper care to the community. Instead of raising rates for services to the point where the underserved could no longer enjoy proper dental care, the students have decided to pay more in tuition. He related that the School of

24. Approved - Discussion of 2009-2011 NSHE Biennial Budget *(Agenda Item #25)* – *(Cont'd.)*

Dental Medicine was just coming into its own on a national level and hoped the budget situation would not cause a loss in the education it provides, or of any of the faculty members.

Mr. Jeremy Cox, former Student Body President, School of Dental Medicine, UNLV, related that the School of Dental Medicine was different from other programs because it had a set schedule of classes that could not be adjusted. The effects of a budget cut often plays out in the availability of faculty and staff to teach those classes. The increase in tuition would be significant for the dental students *(approximately $8,000 over the course of the program)* but the students understood the alternative consequences of not being able to complete their education.

Ms. Amsala Alemu-Johnson, NSSA President, NSC, indicated their association's support of Option A, noting that was assuming a tuition increase meant more funds for their education, the increase in part-time faculty and that some percentage of the funds would go to financial aid.

Chair Wixom expressed his pride in the students and their willingness to support the recommended tuition increase.

Regent Rawson felt that it was important to note that during this budget crisis there has been an increase in enrollment although there has been a decrease in revenue. The System will survive the immediate crisis but it could not sustain this type of pressure. He indicated that he would support giving up his per-diem although he recognized that small amount would not supply a faculty member. He indicated his desire to develop a budget stabilization plan that could be proposed to the legislature to prevent this situation from occurring again. He noted that other states and even other in-state agencies have such a plan and he felt that it was essential.

Regent Leavitt felt that it was important for the System to adhere to the legislative intent of SB 433, adding that it would be critical to maintaining and improving the System's relationship with the legislature.

Regent Schofield emphasized that in order to achieve success in any situation, there must be compromise. He added that compromise was needed during the next legislative session so that satisfactory results could be achieved.

Regent Knecht asked if the recommendation applied to adjunct faculty. Executive Vice Chancellor Klaich felt the answer would be no, explaining that adjunct faculty were not part of the funding calculation. Regent Knecht felt that was an appropriate exception.

Regent Crear asked what the total amount realized for the temporary student surcharge would be. Executive Vice Chancellor Klaich replied that the 5% tuition increase previously approved by Board would place the per credit hour fee for the 2009/10 year at $136.00. If the Board approves an additional 5% temporary surcharge, the 2009/10 per credit hour fee would then become $142.75. Then in 2010/11, that fee would become $156.70 per credit hour.

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Regent Crear asked what the total dollar amount of revenue would be for 2009/10 and then for 2010/11. Executive Vice Chancellor Klaich replied that the System would realize approximately $17.7 million in 2009/10 and $37.3 million in 2010/11.

Chair Wixom related that the Board would take emergency action that would require further or permanent action within 120 days. Chief Counsel Patterson stated that final action could be taken at either the August or the October Board meeting.

Regent Cobb asked for detail on the allocation of the funds. Executive Vice Chancellor Klaich explained that the legislature authorized the expenditure of the additional fees, subject to the approval of the Interim Finance Committee. However, the presidents and System staff must first seek the Board's approval before the Interim Finance Committee could be approached. A number of the presidents have indicated their intent to request to set aside a portion of the fees to offset the damage done by the budget recommendations.

Regent Cobb asked for a more specific concept. President Glick related that UNR will request that a portion of the fee be used for access in two different ways, that 25% be allocated for need-based financial aid and that the remainder be used to hire temporary faculty to provide adequate classes.

Regent Knecht moved approval of the following three actions: 1) The adoption of Option A--a temporary surcharge for registration fees as set forth in the tuition and fee increase reference materials; 2) The adoption of a Code amendment set forth below which is subject to the considerations numbered 1-7 set forth at pages 3-4 in the Memorandum of Chair Wixom and Vice Chair Geddes to the NSHE Regents, dated June 17, 2009, entitled "Senate Bill 433" Implementation Recommendation;" and 3) The adoption of an emergency amendment of the NSHE Code *(requires 7 votes and is immediately effective for 120 days, to be made permanent by further Board action),* in accordance with Title 2, Chapter 1, Sec. 1.3.3.b due to the 2009 legislative budgetary action and NSHE faculty contract provisions. The proposed amendment to the Code is the adoption of a new Code provision added to Title 2, Chapter 5, as Section 5.5.7, as follows:

"Notwithstanding Title 2, Section 5.4, as the 75th Session of the Nevada Legislature has explicitly appropriated a lower amount for NSHE salaries than would otherwise be authorized and appropriate according to the NSHE salary policies,

24. Approved - Discussion of 2009-2011 NSHE Biennial Budget *(Agenda Item #25)* – *(Cont'd.)*

> the Board of Regents does hereby and for the 2009-2011 biennium only, temporarily reduce salaries through the use of unpaid leave in an amount equivalent to the amount of legislative salary cut for FY 2011. The Board shall, to the extent feasible, devise methods that protect base compensation and benefits and shall offer tenured faculty an alternative of unpaid teaching workload increases in lieu of unpaid leave. The various Presidents shall consult with their respective faculty senates regarding the implementation of this section. Unpaid leave or temporary workload increases required by this section are final and not subject to appeal, grievance or reconsideration. The provisions of this section shall constitute constructive notice to all faculty and no individual notice to any such faculty member shall be required hereunder to implement the foregoing. To the extent any conflict or inconsistency between this and any other section of the Code exists, the provisions of this section shall control. This section will terminate on June 30, 2011." Regent Geddes seconded.

Regent Crear asked if the motion would implement a 4% furlough in year two of the biennium for every employee, except for tenured faculty, including the presidents. Chief Counsel Patterson clarified that some administrative faculty do have tenure. However, this furlough would apply to the administrative portion of those salaries on a pro-rata basis. Since the presidents are completely administrative, it would apply completely to them. He clarified that, for this purpose, the term "tenure" applied only to those engaged in instruction.

Regent Crear asked if the motion included System staff as well. Chief Counsel Patterson clarified that under the NSHE Code, all professional administrative staff and teaching individuals are termed "faculty." Regent Crear asked if the motion applied to tenured administrative System professionals. Chief Counsel Patterson indicated that it did.

Regent Cobb asked if the motion included the exception for DRI. Executive Vice Chancellor Klaich indicated that it did. Chair Wixom added that the exception made for DRI conceivably falls into the doctrine of unintended consequences. He expressed concern for the process of exempting specific groups because he felt that everyone could make a legitimate claim for exemption.

Regent Cobb indicated that it could also be said that no one should be exempt, including DRI. Chair Wixom explained that because DRI's funding sources were so unique, what initially appeared to be a 4-5% reduction could too easily magnify into a 20-25% reduction.

24. Approved - Discussion of 2009-2011 NSHE Biennial Budget *(Agenda Item #25)* – *(Cont'd.)*

Regent Cobb asked Chair Wixom if a vote in favor of the emergency motion, as it is currently worded, would still allow the Board to address the exemption issue and the "doctrine of unintended consequences" at a subsequent meeting. Chair Wixom stated that was exactly what he was saying, adding that the concern was being addressed under the emergency motion because that allows 120 days for adjustments to be made within the parameters in which the motion was drafted.

Chief Counsel Patterson explained that the motion was being proposed in this form at this time because it allowed proper notice to be given for nonrenewal prior to the next contract year, which was legally significant. To include the faculty of DRI in this motion would create significant legal issues not only because DRI was legislatively recognized as a different entity, but because instead of classified staff, they have what are called technologists which are not subject to SB 433 from the standpoint of having a mandatory salary reduction in place. DRI also has separate provisions over notices of nonrenewal, as well as a different definition for the declaration of financial exigency.

Regent Cobb asked if DRI were to take the 4% reduction, would the funds still remain at DRI. Executive Vice Chancellor Klaich explained that the funds would never reach DRI to begin with because the majority of their funding is in the form of grants.

Upon a roll call vote, Regents Schofield, Wixom, Blakely, Cobb, Crear, Gallagher, Geddes, Knecht, Leavitt and Rawson. Motion carried. Regents Alden and Page were absent.

Chair Wixom acknowledged that it was not an ideal solution, but in terms of a collaborative approach to a difficult problem, it had been an extraordinary process to have participated in. He expressed his profound gratefulness to the staff, faculty and students and felt that the System could look back over the last few months with great pride.

The meeting recessed at 12:04 p.m. and reconvened at 12:18 p.m. on Friday, June 19, 2009, with all members present except for Regents Alden, Gallagher and Page.

25. Approved - *Procedures & Guidelines Manual* Revision, 2009-2011 Student Surcharge Request, School of Dental Medicine, UNLV *(Agenda Item #26)* – The Board of Regents approved UNLV President David B. Ashley's request for a UNLV School of Dental Medicine proposed student surcharge for the 2009-2011 biennium 1`*(Ref. BOR-26 on file in the Board office).*

UNLV Provost Smatresk related that the structure of this fee request was parallel to that of the change in graduate student fees. He added that this is a 10% surcharge request that will not be repeated in the second year. The funds will cover approximately half of the budget reductions so that services can be maintained.

25. Approved - *Procedures & Guidelines Manual* Revision, 2009-2011 Student Surcharge Request, School of Dental Medicine, UNLV *(Agenda Item #26)* - *(Cont'd.)*

Dean West related that this 10% surcharge would amount to $750.00 per semester for all in-state School of Dental Medicine students. This surcharge would increase the overall cost of a four year dental education from $133,000 to $141,000, which was still below the average estimated public cost of dental education.

Regent Crear requested clarification of when the proposed surcharge would be implemented. Dean West indicated that, if approved, the surcharge would become effective beginning in 2009/10.

Regent Crear asked if there was a sunset for this fee. Dean West replied that the fee will be reconsidered at each biennium.

Regent Crear asked if there had been any student input. Dean West related that this was the fee that Dr. Schofield had referred to during the previous budget discussion.

Regent Rawson moved approval of *Procedures & Guidelines Manual* Revision, 2009-2011 Student Surcharge Request, School of Dental Medicine, UNLV. Regent Leavitt seconded. Motion carried. Regents Alden, Gallagher and Page were absent.

Regent Gallagher entered the meeting.

26. Approved - *Procedures & Guidelines Manual* Revision, Registration & Special Fee Request for the Advanced Education Program in Pediatric Dentistry, School of Dental Medicine, UNLV *(Agenda Item #27)* – The Board of Regents' approved UNLV President David B. Ashley's request of a UNLV School of Dental Medicine, Registration and Special Fee Request and Advanced Education Program in Pediatric Dentistry. *(Ref. BOR-27 on file in the Board office)*

UNLV Provost Smatresk related that the proposed fee would be assessed to Pediatric Dental residents only and would replace costs that were provided by an initial start up grant.

Dean West related that this fee was to help the Pediatric Dentistry program achieve a self sustaining status when the initial start-up grant *(HERSA)* is no longer available in three years. Programs across the country are either tuition based or stipend funded, with the average tuition based programs being $20,000 plus $5,000 for fees. This request was for an annual $25,000 fee plus $5,000 for special fees.

Chair Wixom requested further explanation for whom and how the fee will be allocated. Dean West replied that the proposed fee will be applicable specifically to the pediatric dentistry residents. She stated that there are currently four students in the program. Next year there will be six in the first semester and then four in the second semester. Dean West indicated that the students have all been informed of the potential for an additional tuition-based fee.

26. Approved - *Procedures & Guidelines Manual* Revision, Registration & Special Fee Request for the Advanced Education Program in Pediatric Dentistry, School of Dental Medicine, UNLV *(Agenda Item #27) – (Cont'd.)*

Regent Crear asked if the students complete their dental school education and decide that they want to go into pediatric dentistry, does it cost them an additional $25,000. Dean West clarified that it would be $25,000 per year of the two-year program. Regent Crear asked for clarification if it was $25,000 plus the $5,000 fee. Dean West indicated that the additional $5,000 fee was for supplies and equipment but the total yearly fee would be $30,000. She added that the average annual salary for a pediatric dentist was $191,000.

Chair Wixom asked Chief Counsel Patterson to provide guidance to ensure that, in essence, these fees are not tuition dollars. Chief Counsel Patterson felt that the request was acceptable under the Board's fee policy.

UNLV Provost Smatresk added that as self supporting programs, all School of Dental Medicine program fees were recovered by the program and not by the state.

Regent Gallagher moved approval of the *Procedures & Guidelines Manual* Revision for Registration & Special Fee Request for the Advanced Education Program in Pediatric Dentistry, School Of Dental Medicine, UNLV. Regent Knecht seconded. Motion carried. Regents Alden, Page and Schofield were absent.

27. Approved - Suspension of Annual Step Increases on the Community College Academic Salary Schedule, FY2010 and FY2011 *(Agenda Item #28)* – The Board of Regents approved the request of Executive Vice Chancellor Daniel J. Klaich and Presidents Lucey, Sheehan, Richards and Diekhans, to temporarily suspend *(FY2010 and FY2011 only)* the annual step/salary increase provisions for academic faculty at the community colleges due to the non-appropriation of state funds for these increases. Board policy *(Title 4, Chapter 3, Section 30)* and procedures established by the Chancellor *(P&G Manual, Chapter 3, Section 2.3)* require that annually, a full-time faculty member will automatically receive a one step increase if the faculty member's annual evaluation indicates satisfactory or above performance. Faculty at the universities and state college will not receive a merit increase for FY2010 and FY2011 due also to lack of state funding.

Regent Geddes moved approval of the suspension of annual step increases on the Community College Academic Salary Schedule, FY2010 and FY2011. Regent Rawson seconded

Regent Crear asked if this request was the equivalent of COLA. Executive Vice Chancellor Klaich clarified that it was equivalent to merit at the universities, which had also not been approved.

27. Approved - Suspension of Annual Step Increases on the Community College Academic Salary Schedule, FY2010 and FY2011 *(Agenda Item #28)* – *(Cont'd.)*

Regent Crear noted that, in addition to the 4% furlough and that COLA had not been approved, the community colleges would now not receive merit. Executive Vice Chancellor Klaich indicated that was correct, however, that applied to all of the institutions, not just the community colleges.

Chair Wixom asked if it was fair to say that this was to address the overall budget crisis. Executive Vice Chancellor Klaich replied that this request was being made to avoid an unfunded mandate for the community colleges which would require them to essentially cut their operating budgets by this amount. He added that a sunset did apply to this request.

Motion carried. Regents Alden and Page were absent.

28. Approved - *Procedures & Guidelines Manual* Revision, Student Health Service and Health Insurance Rates *(Agenda Item #29)* – The Board of Regents approved Vice Chancellor Mike Reed's request for revision of Student Health Service and Health Insurance Rates. In accordance with Board policy *(Title 4, Chapter 17, Section 18),* student fees require Board approval. This agenda item addresses 2009-10 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 be effective for the Fall 2009 semester *(PGM Chapter 7, Section 5(F)). (Ref. BOR-29 on file in the Board office.)*

Vice Chancellor Reed pointed out that all of the Health Insurance Rate changes, as proposed, were voluntary programs except for the international students, as noted on page 3 of the reference material *(Ref. BOR-29).* The Student Health Service fee was mandatory per semester, and per summer school semester at UNLV.

Mr. Jamie Davidson, Assistant Vice President for Wellness, UNLV, related that the requested increase was pursuant to a policy passed in 2003 that allows the health fee to increase by the medical inflation rate as determined by the Consumer Price Index, which was 2.6% for the current year.

Regent Rawson asked how many students currently utilize the health service. Mr. Davidson indicated that last year there were 40,000 visits to UNLV's integrated health center. There were approximately 19,000 students served.

Regent Rawson asked if the health center financially broke even. Mr. Davidson replied that it did.

Regent Geddes clarified that these fees were all voluntary except for the international and summer school students at UNLV. Vice Chancellor Reed replied that the Health Services fees were mandatory, including the summer school semester at UNLV, and that the Health Insurance Rate fees were voluntary, except for international students *(Page 3 of reference BOR-29).*

28. Approved - *Procedures & Guidelines Manual* Revision, Student Health Service and Health Insurance Rates *(Agenda Item #29)* – *(Cont'd.)*

Regent Gallagher moved approval of *Procedures & Guidelines Manual* Revision, Student Health Service and Health Insurance Rates. Regent Leavitt seconded. Motion carried. Regents Alden and Page were absent.

29. Information Only - Regents' Ad Hoc Efficiency and Effectiveness Committee for the Nevada System of Higher Education *(Agenda Item #30)* – The Board of Regents continued its discussion of the intended goals of the Regents' Ad Hoc Efficiency and Effectiveness Committee *(handout on file in the Board office)*.

Chair Wixom related that the Board's efforts in connection with this item were particularly important as there had been several initiatives proposed during the last legislative session that sought to impose this type of mandate upon the System. The Board asked the legislature not to impose those mandates because it would be counterproductive given the ongoing efforts of the System.

Chair Wixom related that Regent Geddes had been asked to lead that effort with the presidents. Regent Geddes reported that the budget and furlough situation had hampered progress on this item. However, some efficiencies had already been identified. He related that specific action will be requested at the August Board meeting.

Chair Wixom related that this was a vital effort on the part of the Board and needed to be pursued diligently. In regard to long-term efforts, the Board was trying to resolve a number of important items so that it could more appropriately focus on policy-related issues. He added that the budget process for the next biennium will begin in just a few days and it will be important for the System to document and convey the efforts that it has made.

Regent Cobb asked if the itemized information on the impacts of the budget reductions to each campus should be part of this initiative. Executive Vice Chancellor Klaich felt that would be appropriate, adding that the information will also be reformatted into a more user-friendly document.

Regent Leavitt reminded the Board that a Board self-assessment workshop had been scheduled in July. In preparation for that meeting, a survey had been distributed to the Regents. He urged those Regents that had not already returned that survey, to do so as the information was crucial for a productive discussion.

30. Information Only - Distance Education as Cost-Saving Strategy *(Agenda Item #31)* – Vice Chancellor Jane Nichols made a presentation reviewing current information on whether distance education was a potential cost saving strategy for NSHE institutions in the current fiscal environment *(Ref. BOR-31 on file in the Board office).*

30. Information Only - Distance Education as Cost-Saving Strategy *(Agenda Item #31)* – *(Cont'd.)*

- Success of Distance Education *(DE)*:
  - DE has highest rate of growth for any classes within NSHE. 24,656 students were enrolled in at least one DE course in Fall 2007.
  - CSN and UNLV have the largest number of students taking distance education courses.
  - NSC, GBC and TMCC have largest proportion of students enrolled in distance education courses.
  - Fifty degrees and six certificates are currently offered completely online within NSHE.

- Major Driving Forces:
  - Value to student in flexibility.
  - Learning effectiveness in DE or "blended" courses is equal to or better than face-to- face alone.
  - Instructor can treat all students equally and prepare and deliver course as a single entity.
  - Growing competitive environment in higher education and need to provide quality online instruction is a matter of survival.
  - NSHE Master Plan Target: Expand distance education offerings so that, on average, all students participate in some technology-mediated instruction prior to graduation.
  - Today's students are accustomed to current web technology and expect state-of-the-art use in all classes. Even students living on campus often take at least one course through distance education.

- Cost of Distance Education:
  - Accreditation requirements demand equivalent access for remote distance education students to all student services provided on campus, including disability accommodations, counseling, tutoring, library references, and testing.
  - New technological tools for online learning are emerging monthly, requiring new updates and technology.
  - Faculty development/training essential to learn different strategies for teaching online or by video, necessitating an extra expense.
  - Rather than saving faculty time, distance education courses generally require faculty to spend more time communicating with students, at all hours and often seven days a week.

- Additional often overlooked costs:
  - Program management.
  - Instructional Designers to assist faculty with course development.
  - Online tutorials for faculty and students.
  - Online student services.
  - Server administration.
  - Course software administration.
  - Helpdesk support.

30. Information Only - Distance Education as Cost-Saving Strategy *(Agenda Item #31)* – *(Cont'd.)*

Vice Chancellor Nichols related that the costs associated with distance learning are not necessarily greater or less than those for traditional teaching, adding that the costs were simply different.

- Cost to Students:
  - Small additional fee per credit may be offset by savings - such as transportation to and from campus every day or on-campus housing.
  - Always less expensive for students in remote geographic areas who would have to travel long distances.
  - Most of NSHE students enrolled in DE courses are students who also take courses on campuses and whose savings are less certain.

- Cost to State/Institutions:
  - DE courses may enable institutions to build fewer classrooms, heat/cool fewer buildings, construct fewer parking lots, but such savings are difficult to quantify.
  - DE courses do allow institutions to collaborate on degrees without duplicating every course and thus to use faculty more effectively, a cost savings.
  - Additional DE costs that are often hidden include licensing fees, royalties, technology infrastructure, technicians to support delivery, space for offsite delivery of video courses or services.
  - Institutions try to find efficient methods of DE instruction and delivery at lowest cost. But, the use of part-time, perhaps out-of-state, faculty and prepackaged courses have to be evaluated carefully in relation to quality and monitored by the institution's faculty.
  - Thus, significant cost savings are difficult to realize.

- Conclusions:
  - DE courses are vital for providing <u>access</u> to higher education for all students in Nevada, regardless of their location.
  - The demand for DE courses is expected to continue to grow.
  - There are many on-going costs associated with the support of DE courses that are crucial to offering quality courses.
    - Therefore, distance education cannot be viewed as a cost-saving strategy.
  - The potential exists for collaboration among NSHE institutions on DE courses and programs, but currently no specific strategy exists for the development and reward of these collaborations.
  - Limited <u>long-term</u> cost savings <u>may</u> result from collaborations and less physical plant, but higher delivery costs mean that Presidents cannot use distance education to save costs in times of budget shortfall.

Regent Rawson asked if the online courses were less expensive to the student than traditional courses. Vice Chancellor Nichols clarified that the cost for an online course was exactly the same as for a traditional course.

30. Information Only - Distance Education as Cost-Saving Strategy *(Agenda Item #31)* – *(Cont'd.)*

Regent Cobb asked if it was true that Great Basin College was the institution with the greatest number of distance education students. President Diekhans replied that as of the last SCS survey, GBC utilized 45% of the System's video bandwidth for its videoconference classes. He added that GBC owned approximately 30-35 video sites throughout their service area as well as access to the high school sites.

Chair Wixom felt that there was a difference between numbers of students taking online courses versus successful outcomes. He would like to know how outcomes are measured, what those successful outcomes were and how the System has been doing in those measures. Vice Chancellor Nichols related that in the System's annual report on distance education, information is provided on the number of ways to look at student success in individual courses. She indicated that data on degree completion was not tracked at the System level, but would need to come from the institutions. However, most of the degrees available were offered completely online.

Chair Wixom indicated that his concern was that overtime it will have been determined that distance education courses will not have had a significant impact on graduation or completion rates and the significant cost and use of resources will have been for nothing. Before those resources are devoted to this level of project, he asked for some comfort that it will have been money well spent.

President Richards related that CSN has approximately 19,000 online enrollments per year and currently offered 28 degree programs completely online. However, they are finding that the majority of enrollments are a combination of online and traditional courses.

Chair Wixom asked if there was national data from which lessons could be extrapolated to our own System. President Richards related that CSN's data indicates that among the various departments, success *(completion)* rates range from 38% to 63% in individual courses.

Chair Wixom asked how successful online students were compared to traditional students. President Richards related that comparison has not been conducted.

President Sheehan indicated that TMCC currently offered 25% of their classes online. She related that online students complete at a lesser rate than traditional students by approximately 20% to 30%. Also, the younger the online student is, the more likely they are to not complete the course. She related that TMCC was in the process of tracking that information. They are also in the process of developing a mandatory online orientation program.

Chair Wixom felt that there would be a higher success rate if students were guided through an online course. For example, if there was a particular major that required a certain number of online courses and a certain number of traditional classes, and that it was controlled through a guidance process as opposed to allowing students to determine which classes to take. He sensed a rush towards online and distance learning, yet he

30. Information Only - Distance Education as Cost-Saving Strategy *(Agenda Item #31)* – *(Cont'd.)*

has not seen data on whether or not this leads to successful outcomes on a long term basis. Vice Chancellor Nichols replied that the models of institutions that do primarily online education have been very successful in student success. However, it depends in great part on how and for whom it is done. Certain groups must be targeted. It was also important that the academic perspective for online courses be exactly the same as for traditional courses.

President Maryanksi related that NSC offers approximately 30% of its courses online. NSC Provost Lesley Di Mare related that NSC had appointed an online task force to consider the positive and negative effects of online teaching. Consequently, NSC joined an organization called Eduventures. That organization allows its partners to look at the research that has been done on these exact questions both nationally and comparatively.

Chair Wixom asked Provost Di Mare to coordinate with Vice Chancellor Nichols and with the other institutions. He also asked that this topic be an ongoing Council of Presidents' issue. The System needed to make sure that its online efforts were in line with its productivity measures. He asked Vice Chancellor Nichols to coordinate the collection of that data and to provide a report to the Board at some point in the future.

Regent Leavitt asked, for Northwest accreditation purposes, how many online credits could be taken for a bachelor's degree. Vice Chancellor Nichols replied that, for accreditation purposes, no differentiation existed between distance education and traditional courses.

Regent Leavitt asked if it was possible for all 120 credits to be taken online. Vice Chancellor Nichols stated that was very possible, adding that accreditation standards do not prevent or limit that possibility. However, the standards do require that there be the same level of faculty oversight and educational quality.

Regent Leavitt asked if the System should or could provide all degrees online. Vice Chancellor Nichols replied that each institution was different in their approach, adding that there was no single blueprint.

Regent Leavitt asked if there was a desire among the students to completely finish their degrees entirely online. President Glick felt that there was not a demand from the student body at UNR for a completely online degree. However, that did not mean that the students do not want the individual courses online for convenience. He emphasized that offering online courses was not a cost savings measure, it was an access measure. He also reinforced that he would hope that distance education be left in the realm of mission differentiation. UNR has not received a great demand except for students who are in rural areas, adding that there were not a significant number of those students.

President Ashley indicated that within the last year, UNLV's online program has experienced 30% growth. There were several graduate level courses fully on line, as well as some undergraduate degree programs that have the majority of content courses

30. Information Only - Distance Education as Cost-Saving Strategy *(Agenda Item #31)* – *(Cont'd.)*

fully online. Offering entirely online graduate degrees has not been pursued. He related that online courses were supported primarily through education outreach and was therefore almost entirely self supporting. He felt that the increased demand for online courses was due to the increased demand for flexibility.

Regent Rawson felt that online courses allow students to receive their degree in 3-4 years instead of 5 years. However, there were some classes that do not lend themselves to the online environment. He related that he had taught a dental anthropology course in the regular and online classroom. It was a far harder course for him to teach online but it did not require the classroom space. He could see why campuses that are pressed for classroom space may want to implement more online courses. He did agree that online courses increased the faculty workload.

President Lucey stated that this was an incredibly complex issue. 18% of WNC's classes were available online and that lower number reflected their caution due to the available data on retention and success. She felt that it came down to the type of student, the type of class and how committed the instructor was to achieving high levels of completion despite the medium. She stated that for a young learner that does not have college experience, it can be a devastating experience that may seriously undermine their future educational goals. However, for a 30-35 year old returning student who simply does not have time to deal with their job and family and get to campus, online courses are a life saver.

President Diekhans related that nationally, the average completion rate for online courses was 50%. However, GBC averages 70% completion for online courses and 80% completion rate for their traditional courses.

The meeting recessed at 1:28 p.m. and reconvened at 1:37 p.m. on Friday, June 19, 2009, with all members present except for Regent Alden.

31. Approved - Election of Officers *(Agenda Item #32)* - In accordance with Regents' Bylaws *(Article IV, Section 2)*, the Board of Regent held an election of officers for FY 2009-10. These officers will serve from July 1, 2009, through June 30, 2010. *(Ref. BOR-32 on file in the Board office.)*

Chair Wixom related that nominations for the Chair will be requested, followed by a roll call vote. If one nominee receives 7 or more votes, he or she will be elected Chair. The same process will be followed for the election of Vice Chair.

A. Regent Knecht nominated Regent Leavitt.

Upon a roll call vote, Regents Wixom, Blakely, Cobb, Crear, Gallagher, Geddes, Knecht, Leavitt, Page, Rawson and Schofield voted to approve the nomination of Regent Leavitt as Chair. Motion carried. Regent Alden was absent.

31. Approved - Election of Officers *(Agenda Item #32) – (Cont'd.)*

B. Vice Chair – Regent Wixom nominated Regent Geddes.

The nomination of Regent Geddes as Vice Chair was approved unanimously. Regent Alden was absent.

Regent Page left the meeting.

32. Approved – Audit Committee *(Agenda Item #33)* – Acting Chair Dorothy S. Gallagher reported that the Audit Committee met on June 18, 2009, and heard the following reports:

The Committee received a report from representatives Ms. Kim McCormick and Mr. Brian Wallace, of the external audit firm, Grant Thornton, LLP. They reviewed their independence letter and their audit preparation for the June 30, 2009, audit.

The Committee received follow-up responses for four internal audit reports that were presented to the Audit Committee at its December 2008 meeting. The Committee also received a follow-up report on the University of Nevada, School of Medicine Practice Plan Management Letter for the year ended June 30, 2008.

The Committee requested the Business Officers Council review institution equipment inventory and accounts receivable procedures at the next meeting.

Action Items:
Board action was requested to approve the following recommendations of the Audit Committee.

- Minutes – The Committee recommended approval of the minutes from the April 2, 2009, Committee meeting *(Ref. A-1 on file in the Board office).*
- Internal Audit Reports – The Committee recommended for approval the following internal audit reports *(Ref. Audit Summary)*:
  - ✓ Educational Outreach, UNLV *(Ref. A-4 on file in the Board office)*.
  - ✓ Grants-In-Aid & Fee Waivers, System Administration & SCS *(Ref. A-5 on file in the Board office).*
  - ✓ Presidential Exit Audit, TMCC *(Ref. A-6 on file in the Board office)*.
  - ✓ Utilization of Instructional Space, WNC *(Ref. A-7 on file in the Board office)*.
  - ✓ Utilization of Instructional Space, NSC *(Ref. A-8 on file in the Board office)*.
- *Procedures & Guidelines Manual* Revision, Identity Theft Prevention Programs – The Committee recommended for approval the UNR, WNC and NSHE Identity Theft Prevention Program *(Ref. A-14 on file in the Board office).*

Regent Gallagher moved acceptance of the report and approval of committee recommendations. Regent Geddes seconded. Motion carried. Regents Alden and Page were absent.

33. Approved – Budget & Finance Committee *(Agenda Item #34)* – Chair Ron Knecht reported that the Budget & Finance Committee met on June 18, 2009, and heard the following reports:

All Funds revenues and expenses of the NSHE for the third quarter of fiscal year 2008-2009.

NSHE Fiscal Exceptions of self-supporting budgets and the status of state appropriations for the third quarter of fiscal year 2008-2009.

Budget transfers of state appropriated funds between functions for the third quarter of fiscal year 2008-2009.

The Committee discussed the development and reporting of various data elements that would be useful for budgeting, assessment, strategic planning, and management decisions, in addition to the current NSHE Performance Indicators. The discussion touched upon the need for Higher Education to look at the NSHE is doing and the possibility of assembling a package of short, concise facts and figures about NSHE that could guide strategic planning and management decisions.

Action Items:
Board action was requested to approve the following recommendations of the Budget and Finance Committee:

- Minutes – The Committee recommended approval of the minutes from the April 2, 2009, Committee meeting *(Ref. BF-1 on file in the Board office).*
- The Committee recommended approval for Truckee Meadow Community College and Great Basin College to expend excess student registration fees for the purpose of funding additional part time faculty due to an increase in enrollments *(Ref. BF-5 on file in the Board office)*.

- The Committee recommended approval of a resolution to allow the NSHE, on behalf of the Desert Research Institute, to enter into an amendment of the Reimbursement Agreement in order to extend the Letter of Credit with Bank of America, N.A. for a period of 3 years *(Agenda Item #16)*.

Regent Knecht moved acceptance of the report and approval of committee recommendations. Regent Geddes seconded. Motion carried. Regents Alden and Page were absent.

34. Approved – Cultural Diversity & Security Committee *(Agenda Item #35)* - Chair Cedric Crear reported that the Cultural Diversity & Security Committee met on June 18, 2009, and heard the following reports:

The Committee received a report from CSN representatives on the current initiatives of the institution that are designed to promote diversity and inclusive practices. The

34. Approved – Cultural Diversity & Security Committee *(Agenda Item #35)* – *(Cont'd.)*

Committee requested a system-wide report in six months on the drop-out rates of Native American students and what institutions are doing to improve such rates in light of the 100 percent dropout rate among students at Moapa Valley High School.

Dr. Christine Clark, Co-chair of the NSHE Equity, Diversity, and Inclusion Council, presented a report on the outcome of the Council's recent meetings.

Assistant Vice Chancellor Crystal Abba presented highlights from the 2007-08 *NSHE Diversity Report* including information on the ethnic/racial distribution of students, faculty, and staff and diversity-related performance indicators.

Mr. Michael Murray, Deputy Director of the UNLV Department of Police Services presented an update to the UNLV campus crime statistics report submitted for the April 2, 2009, Committee meeting. The update addressed specific questions regarding the number of illegal weapons possession incidents reported and other UNLV campus crime statistics.

The Committee reviewed and discussed UNLV's Hate Crimes Policy, including a discussion of specifically how the policy was developed over time and modifications made to address the concerns of all campus constituents. The institution is in the process of refining the policy on bias in an effort for the UNLV Faculty Senate to address all concerns expressed on the matter.

Action Items:
Board action was requested to approve the following recommendations of the Cultural Diversity and Security Committee:

- Minutes – The Committee recommended approval of the minutes of the April 2, 2009, Committee meeting *(Ref. CDS-1 on file in the Board office)*.

Regent Crear moved acceptance of the report and approval of committee recommendations. Regent Blakely seconded. Motion carried. Regents Alden and Page were absent.

35. Approved – Student & Academic Affairs Committee *(Agenda Item #36)* - Regent Schofield reported that the Student & Academic Affairs Committee met on June 18, 2009, and requested Board action to approve the following recommendations:

- Minutes – The Committee recommended approval of the minutes from the April 2, 2009, Committee meeting *(Ref. SAA-1 on file in the Board office)*.
- The Committee recommended approval of a revision to Board policy on university requirements for graduation, changing the minimum number of credits required for a bachelor's degree from 124 to 120 credits *(Title 4, Chapter 16, Section 17) (Ref. SAA-2 on file in the Board office);*

35. Approved – Student & Academic Affairs Committee *(Agenda Item #36)* – *(Cont'd.)*

- The Committee requested that staff explore the matter of eliminating the university credit requirement completely, which will be brought to a future meeting for discussion.
- The Committee recommended approval of arevision to Board policy concerning the early admission and enrollment of vocational secondary students at NSHE institutions providing that credit may be given for tech prep courses previously completed in the freshman and sophomore year of high school by high school juniors and senior identified as Vocational Program Completers *(Title 4, Chapter 16, Section 7) (Ref. SAA-3 on file in the Board office) ;*
- The Committee recommended approval of an update to the joint policy statement of the Nevada State Board of Education, the State Board for Career and Technical Education, and the Board of Regents concerning the Tech Prep/Associate Degree program developed in accordance with the goals of the Carl D. Perkins Vocational and Applied Technology Education Act of 1990;
- The Committee recommended approval ofa revision to NSHE grading policy providing that institutions may denote a course as "in progress" or IP pending completion of the course or end of the term, and further providing for appropriate grade indicators for replaced grades and for cases of academic renewal when all course grades within a term are removed according to an institution's academic renewal policy *(Title 4, Chapter 16, Section 39) (Ref. SAA-4 on file in the Board office)* ;
- The Committee recommended approval of a revision to the Board's policy regarding the student information system, providing a System-wide "opt-out" provision, incorporating recent changes to the Family Educational Rights and Privacy Act, revising the definition of "school officials" to be consistent with the Procedures and Guidelines Manual, and providing campus guidelines for a non-disclosure statement to student regarding student directory information *(Title 4, Chapter 16, Section 26 and P&G Manual, Chapter 6, Section 13) (Ref. SAA-5 on file in the Board office)*;
- The Committee requested additional information on the use of collection agencies by institutions and at what point student accounts are turned over to an agency for collection – this information will be brought back to a future meeting for discussion.
- The Committee recommended approval of a revision to the Board's policy on deferred payment plans allowing institutions to implement deferred payment plans that align with their institutional mission and meet the needs of all students and that offers greater flexibility in establishing requirements and minimum balance amounts *(Title 4, Chapter 17, Section 15)*. In response to student concerns, the Committee changed the policy as presented to make the final allowable date for payment under deferred payment plans the end of the semester or course, whichever comes first, rather than the tenth week of the semester *(Ref. SAA-6 on file in the Board office)*.

Regent Schofield moved acceptance of the report and approval of committee recommendations. Regent Blakely seconded. Motion carried. Regents Alden and Page were absent.

36. Approved – Technology Committee *(Agenda Item #34)* - Chair Cedric Crear reported that the Technology Committee met on June 16, 2009, and heard the following reports:

Executive Vice Chancellor Klaich provided an update on the activities to establish permanent leadership for the System Computing Services *(SCS)* organization at NSHE. Since Interim Vice Chancellor Moulton has come on board, Executive Vice Chancellor Klaich states that feedback about SCS has been complimentary.

Executive Vice Chancellor Klaich stated that Project Director Robyn R. Render has proven herself in the management of the iNtegrate Project which anticipates its first go lives this fall currently on time and under budget. As part of the plan for transformation of SCS, it is intended that a recommendation will be brought before the Board of Regents in August that Robyn Render be hired as Vice Chancellor of IT. Further, Bob Moulton has been asked to extend his consulting services contract acting as Chief Operating Officer of SCS.

Chair Crear led a discussion among Committee members and staff to update all on recent developments, current status and future direction of the iNtegrate project. The discussion included general project progress and project risks. Director Robyn Render reported on an overview of the project's financials. iNtegrate will have approximately $7.5 million remaining in the budget at the end of fiscal year June 2009. Starting June 2010, NSHE would need an additional infusion into the project budget to complete the third implementation year. To date, Director Render stated that the project is under budget by approximately $300,000.

Chair Crear led a discussion that included a review of campus backfill funding. In FY10, the two pilots will submit a request to Director Render on how they want to use their allocation of $250,000 for backfilling staff, which will consume the backfill amount for the entire project.

Chair Crear confirmed with Executive Vice Chancellor Klaich that despite recent budget cut actions, the funds for iNtegrate have not been touched nor deferred and that those dollars are there for the institutions' backfill needs. NSHE was fortunate with a portion of their investments funds allocated to the iNtegrate project to have cashed out before the downturn in the market. However, Executive Vice Chancellor Klaich declared that there are other backfill costs at the campus level that are not funded in the iNtegrate project and have never been funded in the iNtegrate project. Executive Vice Chancellor Klaich stated that the staffing burden on campuses is made more difficult with the budget crisis. NSHE is investigating alternatives that will satisfy future funding challenges. However, Executive Vice Chancellor Klaich acknowledged there will be pain at the co-pilot campuses as stretched staff perform their regular duties as well as continue to work on the project.

Director Render continued her report on major pilot institution milestones. The first go live deadlines are for Admissions -- September 14 for UNLV; and October 12 for TMCC. Subsequent to that in February, March and Fall of 2010 will be the remaining go live milestones for the pilots. Then the process starts over again for the remaining co-pilots in 2010 and 2011.

36. Approved – Technology Committee *(Agenda Item #34)* – *(Cont'd.)*

Director Render explained that NSHE has always maintained a commitment to a "vanilla" implementation – as close to out of the box software set up as possible. However, vanilla does not satisfy all of the business requirements of NSHE and it was always planned in the contract to have a few modifications. Thus far, the number of approved modifications is minimal.

Chair Crear queried whether these modifications were included at the time of contract negotiations and that there was a consistent "apples-to-apples" comparison. Chief Counsel Bart Patterson answered that all bidders were treated equally – and that all were required to bid on certain software customizations that NSHE knew it would need. In addition, hourly rates were contractually locked in should other customizations be required at a later date. Further, Chief Counsel Patterson affirmed that software enhancements would have been required regardless of what vendor NSHE contracted with as none of the products were written to suit all of the business practices of Nevada.

Executive Vice Chancellor Klaich went on to explain that the goal for NSHE has always been to have an integrated resources planning platform. The endeavor is that the platform is in place and it stays in place – where the campuses are not allowed to tweak the configuration to the point that disparate models exist that don't allow for apples-to-apples management. Executive Vice Chancellor Klaich went on to say that the campuses would sometimes not be able to do what they wish to do with the system because project management has been tasked with keeping base elements consistent and constant.

Chair Crear asked what difference the students would experience when go lives occurred in the fall for the UNLV and TMCC institutions. Director Render stated that for students being admitted this fall, they will simply use a new tool to submit and process their applications. For students already familiar with the online access to these resources, it will be perceived as a seamless transition. Chair Crear stated that it was extremely important that word of these positive improvements happening in our community be conveyed as institutions implement and go live.

Director Render stated that a major project milestone will be reached before the end of June with the completion of bio-demo conversion effort: the combining of all institutions' student information data into in a single representation of the population of students and faculty in NSHE. This process has required the reconciliation and removal of duplicates for over 1.5 million records, a heroic undertaking at the institutions.

Regent Wixom expressed concern at a negative divergence seen in a graph in the summary report, and potential project slippage. Director Render stated that a negative divergence is not untypical and attributed the divergence to the bio demo conversion. The planned timeline was missed, but the project caught up. The project implementation team closely monitors all activities to ensure timely progress is made and that changes are made when needed. Regent Wixom suggested that a monthly report be sent to the chair of this committee. When Regent Leavitt reminded Regent Wixom this is the last meeting of the ad hoc Technology Committee, it was suggested the monthly project report be folded into the Business and Finance report for that committee's chair. Executive Vice Chancellor

36. Approved – Technology Committee *(Agenda Item #34)* – *(Cont'd.)*

Klaich clarified that the iNtegrate project governance structure created an Executive Oversight Committee to oversee any major changes to the project and the project's governance calls for a Regent to sit on that committee. Regent Leavitt agreed that the Board should consider Regent Crear to sit on the Executive Oversight Committee. Director Render affirmed that report would be prepared and made available starting in July.

As this is the last meeting for this committee, Regent Leavitt thanked Chair Crear for his service and hard work. Regent Wixom and Regent Schofield avowed their appreciation as well.

Action Items:
Board action was requested to approve the following recommendations of the Technology Committee:

- Minutes – The Committee recommended approval of the minutes from the March 30, 2009, Committee meeting *(Ref. TC-1 on file in the Board office)*.

Regent Crear moved acceptance of the report and approval of committee recommendations. Regent Geddes seconded. Motion carried. Regents Alden and Page were absent.

37. Approved – Board Development Committee *(Agenda Item #38)* - Chair James Dean Leavitt reported that the Board Development Committee met on June 12, 2009, and heard the following reports:

The Committee reviewed and discussed proposed changes to the NSHE mission statement, as presented by Vice Chancellor Nichols *(Ref. BD-2 on file in the Board office).*

Regent Knecht recommended that a sentence regarding public service be added to the governance section. He also felt it was important to recognize the diversity of the institutional missions within the System mission statement.

The Committee agreed that the System's primary mission is to provide higher education services to the citizens of Nevada. Regent Rawson suggested that a sentence be added to the first paragraph recognizing the System's additional responsibility of providing services to those beyond the borders of our state.

Chair Leavitt recommended an addition to the mission statement citing Article 11 of the Constitution of the State of Nevada. He believes that a constitutional mandate for the System to provide these services of higher education is of tremendous value and weight.

The Committee requested that Vice Chancellor Nichols bring forward a revised proposal to the full Board at its August 2009 meeting reflecting these changes.

37. Approved – Board Development Committee *(Agenda Item #38)* - Chair James Dean
Action Items: - *(Cont'd.)*

Board action was requested for the following recommendations of the Board Development Committee:

- Minutes – The Committee recommended approval of the minutes from the March 27, 2009, Committee meeting *(Ref. BD-1 on file in the Board office).*

Regent Leavitt moved acceptance of the report and approval of committee recommendations. Regent Blakely seconded. Motion carried. Regents Alden and Page were absent.

38. Approved – Investment Committee *(Agenda Item #39)* - Chair James Dean Leavitt reported that the Investment Committee met on June 12, 2009, and heard the following reports:

Mr. David Main from Commonfund gave an update on the liquidity status of NSHE's short term accounts.

Vice Chancellor Mike Reed and System Office staff reported on the activities and the most current balance of the reserve account of the operating pool fund.

Vice Chancellor Mike Reed and System Office staff reported on the liquidity status of the operating pool.

Action Items:
Board action was requested to approve the following recommendations of the Investment Committee:

- Minutes – The Committee recommended approval of the minutes from the March 27, 2009, Committee meeting *(Ref. INV-1 on file in the Board office).*
- The Committee heard a report from Cambridge Associates and approved the recommendation to invest 10 million dollars of endowment funds in the Adage Company on July 1, 2009, and access the 10 million dollars from the Vanguard S&P Index portfolio.
- The Committee approved for both operating and endowment funds to exchange existing shares in the Och Ziff fund, which include side pockets investments, for shares in the general fund with no side pocket investments.

38. Approved – Investment Committee *(Agenda Item #39)* – *(Cont'd.)*

Action Items: - (Cont'd.)

- The Committee approved UNLV's interlocal agreements between the City of North Las Vegas and the Nellis Airforce Base as required to support federal land conveyance legislation currently under consideration by the United States Congress. In discussing the matter, Regent Wixom expressed concern that the interlocal agreements are ambiguous about the extent to which the Board and/or UNLV may be obligated to address the remediation effort which must be completed before title is transferred. Further, Regent Wixom also expressed concern that the land use restrictions for promoting commercial development as noted in the interlocal agreements may impede UNLV's ability to secure financing in the future *(Ref. INV-6 on file in the Board office).*
- The Committee recommended approval of UNLV's ground lease for the Hotel/Conference Center for the Hospitality Campus Project *(Ref. INV-7 on file in the Board office).*
- The Committee recommended approval of UNLV's property acquisition of 5111 Dalton Drive *(Ref. INV-8 on file in the Board office).*
- The Committee recommended approval of UNLV's property acquisition of 961 Toni Avenue *(Ref. INV-9 on file in the Board office).*
- The Committee recommended approval of a deed that transfers 29.36 acre feet of water rights to TMWA for UNR's Center for Molecular Medicine *(Ref. INV-10 on file in the Board office).*
- The Committee recommended approval of UNR's lease with College Optical Express Nevada, LLC, for retail space in the Joe Crowley Student Union *(Ref. INV-11 on file in the Board office).*
- The Committee recommended approval for the title to the Shadow Lane Campus be re-titled from the "Board of Regents of the University and Community College System of Nevada, on Behalf of the University of Nevada, Las Vegas" to the "Board of Regents of the Nevada System of Higher Education" *(Ref. INV-13 on file in the Board office).*

New Business:

- Vice Chancellor Mike Reed reported that there will be a discussion at next week's Business Officers meeting regarding the development of procedures and guidelines for space utilization and deferred maintenance of NSHE facilities, and the progress will be reported at the next meeting of the Investment Committee.

Regent Leavitt moved acceptance of the report and approval of committee recommendations. Regent Blakely seconded. Motion carried. Regents Alden and Page were absent.

39. Approved – Research & Economic Development Committee *(Agenda Item #40)* - Chair Jack Lund Schofield reported that the Research & Economic Development Committee met on June 11, 2009, and heard the following reports:

The Committee received an update on the Walker Basin project, including communications projects, status reports on research projects, meetings of the stakeholders committee, activities of the acquisitions team, and details on the upcoming report to the Basin and the International Desert Terminal Lakes Symposium. The Committee was informed of an upcoming event on June 24, 2009, in the Yerington High School multipurpose room where project researchers will present their work in an interactive session to residents of the Walker Basin.

Staff presented the first annual report on compensated outside professional and scholarly services and conflicts of interest submitted by NSHE institutions and System Administration as is required by Board policy.

The Committee also received a report from Dr. Oliver Hemmers, Executive Director of the Harry Reid Center for Environmental Studies, and Emeritus Professor Dr. David Emerson on the many activities currently underway and planned at UNLV related to clean energy, including solar, biofuels, geothermal, and nuclear research. The presentation highlighted the work of the Harry Reid Center and the Center for Energy Research.

Action Items:
Board action was requested to approve the following recommendations of the Research and Economic Development Committee:

- Minutes – The Committee recommended approval of the minutes from the March 26, 2009, Committee meeting *(Ref. RED-2 on file in the Board office)*.
- The Committee recommended approval of the Nevada Science and Technology Plan *(Ref. RED-5 on file in the Board office)*.

Regent Schofield moved acceptance of the report and approval of committee recommendations. Regent Blakely seconded. Motion carried. Regents Alden and Page were absent.

40. Approved – Health Sciences System Committee *(Agenda Item #41)* - Chair Dorothy S. Gallagher reported that the Health Sciences System Committee met on June 11, 2009, and heard the following:

The Committee was provided with an update on the Health Sciences System Work Plan by Dr. Trevisan, including details on progress that is being made in various initiatives highlighted in the Plan and an overview of the strategic planning efforts.

Dr. Karen West, Dean of the University of Nevada, School of Dental Medicine, provided the Committee with an overview of the School of Dental Medicine and its educational, clinical and outreach programs and its student profile. This overview included a video which provided additional details on these programs and students.

40. Approved – Health Sciences System Committee *(Agenda Item #41)* – *(Cont'd.).*

The Committee discussed a proposed change to the title of the Shadow Lane Campus and an adjacent parcel and recommended to the Investment Committee that it consider changing the title from "Board of Regents of the University and Community College System of Nevada, on behalf of the University of Nevada, Las Vegas" to "Board of Regents of the Nevada System of Higher Education." In discussing this proposed title change, the Committee discussed and recognized the importance of efforts currently underway to determine an appropriate and equitable means of addressing UNLV's investment in the Shadow Lane Campus. Staff will be providing the Committee with a progress report on these efforts at its next meeting.

The Committee was provided with an overview of the initial efforts to work on the Shadow Lane Campus master plan for the development of inter-institutional and interdisciplinary health sciences activities. Vice Chancellor Turner reported that a team of architects is working to identify the physical capacity of the Campus, as well as helping to facilitate a team of NSHE health science stakeholders in identifying potential programmatic opportunities for developing research, academic, clinical and/or administrative space on the Campus. HSS staff will be providing the Committee with an update on these efforts at its next meeting.

Action items:
Board action was requested to approve the following recommendations of the Regents' Health Sciences System Committee:

- Minutes – The Committee recommended approval of the minutes of the March 26, 2009, Committee meeting *(Ref. HSS-1 on file in the Board office).*

Regent Gallagher moved acceptance of the report and approval of committee recommendations. Regent Rawson seconded. Motion carried. Regents Alden and Page were absent.

41. New Business *(Agenda Item #42)* – None.

The meeting adjourned at 1:51 p.m.

Prepared by: Jessica C. Morris
Administrative Assistant IV

Submitted for approval by: Scott G. Wasserman
Chief Executive Officer of the Board of Regents

Approved by the Board of Regents at the September 17-18, 2009, meeting.