SPECIAL MEETING
BOARD OF REGENTS
NEVADA SYSTEM OF HIGHER EDUCATION
University of Nevada, Las Vegas
4505 S. Maryland Parkway, Las Vegas
Student Union, Room 208 A, B and C
Thursday, August 6, 2009

Members Present:	Mr. James Dean Leavitt, Chairman Dr. Jason Geddes, Vice Chairman Mr. Robert Blakely Mr. William G. Cobb Mr. Cedric Crear Mrs. Dorothy S. Gallagher Mr. Ron Knecht Mr. Kevin Page Dr. Raymond D. Rawson Dr. Jack Lund Schofield Mr. Michael B. Wixom
Members Absent:	Mr. Mark Alden
Others Present:	Chancellor Daniel J. Klaich Vice Chancellor, Academic & Student Affairs, Jane Nichols Chief Counsel Bart Patterson President Stephen G. Wells, DRI President Carl Diekhans, GBC President Fred Maryanski, NSC President Maria C. Sheehan, TMCC Dr. Darren Divine *(representing CSN President Richards)* Chief Executive Officer of the Board Scott Wasserman

Also present were faculty senate chairs Mr. Jim Lowe, NSHE; and Dr. John Filler, UNLV. Student government leaders present included Mr. Adam Cronis, CSUN President, UNLV; and Ms. Jessica Lucero, GPSA President, UNLV.

Chairman Leavitt called the meeting to order at 3:37 p.m. on Thursday, August 6, 2009, with all members present except Regents Alden and Crear.

Regent Schofield led the pledge of allegiance.

1. Approved - Initial Salary of Vice Chancellor, for Information Technology, NSHE *(Agenda Item #2)* - In accordance with Title 4, Chapter 3, Section 21.2(b) of the NSHE *Handbook*, Chancellor Daniel J. Klaich requested approval of the initial salary for Ms. Robyn Render, Vice Chancellor for Information Technology *(Ref. BOR-2 on file in the Board office).*

   Chancellor Klaich related that one of the first things he began in 2008 was a plan to put permanent leadership in place at System Computing Services. A plan was brought forward to the Technology Committee.

1. Approved - Initial Salary of Vice Chancellor, for Information Technology, NSHE *(Agenda Item #2)* - *(Continued)*

Regent Crear entered the meeting.

Chancellor Klaich noted it was a bottom up plan, participated in by campuses that brought forward a position description for the Vice Chancellor for Information Technology. When the time came to fill the position, he considered who was on staff and that person was Ms. Robyn Render. Ms. Render has brought tremendous leadership. The initial salary recommendation is $200,000. The recommended salary is within Board policy, and comparable with regional and national data.

Regent Crear moved approval of the recommended initial salary of $200,000 for the Vice Chancellor of Information Technology. Regent Page seconded.

Regent Crear congratulated Ms. Render. As Chair of the Technology Committee he had the pleasure of working with Ms. Render on nearly a daily basis. It was evident immediately her intelligence, candor, ability to recognize a situation, and the ability to bring issues forward. He felt this was a wonderful nomination that he supported wholeheartedly.

Regent Wixom related the iNtegrate project began in 2005 and he has worked closely with the project. This project is crucial to the future of the System. Ms. Render has been enormously helpful bringing stability to the project. She has been very cognizant of what the board wants to accomplish. He views this appointment as crucial to the future of the project and he supports it enthusiastically.

Regent Gallagher expressed that she was particularly pleased with the appointment. Since Ms. Render's arrival good things have happened.

Regent Knecht related that Ms. Render has done a great job and the System is happy to have her.

Upon a roll call vote, the motion carried unanimously. Regent Alden was absent.

Ms. Render expressed her gratitude to the entire Board and the entire System. She was pleased and honored to have the opportunity to continue to serve. The System will have her complete dedication and application of skills to ensure its success.

2. Approved - Appointment, Acting President, UNLV *(Agenda Item #1)* - In accordance with Title 2, Chapter 1, Section 1.5.5 of the NSHE *Handbook*, Chairman of the Board James Dean Leavitt and Chancellor Daniel J. Klaich recommended approval of Dr. Neal J. Smatresk for appointment as Acting President of UNLV. The terms and conditions of the appointment were provided at the meeting *(Ref. BOR-1 and handouts on file in the Board office).*

Chairman Leavitt related that during the week of interviews with campus constituents, it became clear from the inception that this was all about UNLV and how UNLV could

2. Approved - Appointment, Acting President, UNLV *(Agenda Item #1)* – *(Continued)*

achieve its mission for the next 50 years. It was very inspiring to see the level of support, the enthusiasm and the commitment. Three names kept surfacing, Provost Smatresk, former Dean Morgan and former President Harter. Each had ardent, enthusiastic and appropriate supporters. Time was spent with each and each pledged to support whoever the president might be. Chairman Leavitt thanked the participants, in particular the faculty senate, and the former and past chairs, who spent a lot of time educating and assisting.

Chief Counsel Patterson explained the process employed. There was some confusion at the start of what the process should be. With respect to the selection of a permanent president for an institution the Board has an elaborate process in the *Code*. It involves the selection of a search committee and the taking of applications. There was some question about why that was not employed in this situation. The reason it was not, is because there is also a provision in the *Code* about the selection of an interim president. Although there is no specific requirement, what has developed over time is an informal protocol of consulting with the stakeholders at the institution and in the community in order to arrive at a recommendation. Although the recommendation today is for an interim president, the title is expected to be that of President, with a recommendation of a two year contract. In the event that the Board was to make a decision as to a permanent selection, there would be an additional process that would need to be followed, or the Board would have to decide to suspend or waive the process.

Chairman Leavitt asked if the Code refers to "acting," instead of "interim." Chief Counsel Patterson felt they were interchangeable, but the Code does refer to "acting."

Regent Cobb asked Chief Counsel Patterson to explain the process that will take place in two years. Chief Counsel Patterson clarified that the Code requires a search to be completed. Obviously the Board will be in a position to evaluate whether it wants to initiate the search or suspend the *Code* provision. This particular contract is structured so the Board has the option to extend the term for a third year.

Regent Rawson noted that when talking about an "acting" or an "interim" officer, in their contacts with people outside the System, it is lesser of a title and an image is formed by the title. He assumed that it was not necessary to print stationary, and the like, with "interim" or "acting" upon it, so they can go forward with full authority.

Chancellor Klaich indicated that although the appointment is in typical form, he specifically provided in the contract that he shall be referred to as President for all purposes. This meeting will be the last time the terms "interim" or "acting" will be used.

Chancellor Klaich related that the week following the July 10 meeting of the Board, he and Chairman Leavitt met with as many campus constituencies as possible. He thanked Fred Tredup for coordinating the schedule over the weekend on very short notice. Mr. Tredup did a remarkable job keeping everyone on schedule.

2. Approved - Appointment, Acting President, UNLV *(Agenda Item #1)* – *(Continued)*

He also acknowledged the efforts of Mr. Mark Fine, Chairman of the UNLV Foundation Board of Trustees. While the Board retains the right to appoint officers, the fixing of compensation has been a joint effort with the Foundation. Mr. Fine and the entire Board of Trustees have been very supportive.

Finally, Chancellor Klaich thanked the UNLV community for taking the time to tell them who and what they wanted in a president.

Chancellor Klaich entered the process with a number of preconceived notions. Those being there would be a short term interim president who would not be a candidate for the position, and that a search would commence very quickly. As he listened he knew he was wrong on these points. Chancellor Klaich stated it was clear to him what the campus wanted and who this campus wanted. The campus made it clear they wanted an engaged, compassionate, communicative leader. Someone who is student centered, could hit the ground running and who could continue the work that has been done at UNLV. A number of remarkable names were heard who have dedicated a greater part of their professional lives to UNLV. But it was clear that the individual who the campus wanted as its president at this point is Dr. Neal Smatresk. There were many remarkable things about the process, but probably most remarkable was the breadth and depth of support that the Provost enjoys. More remarkable was that support was generated while he had to cut everyone's budget. It is clear that he is approachable. He listens well to thoughts and constructive ideas about what is expected of him and what others might have to offer in his job performance. It is clear there is a deep yearning in this community for UNLV to be the heart and soul of Las Vegas and that is what this university, Las Vegas and Nevada deserves. Chancellor Klaich believed that Dr. Smatresk has the passion, commitment and knowledge to bring that to Nevada. He has the energy and a wonderful support system.

Chancellor Klaich stated his recommendation was given without condition or reservation, and with great enthusiasm and great passion. He felt this is what is right for UNLV and the Las Vegas community right now.

3. Information Only – Public Comment – Chairman Leavitt read Mr. Don Snyder's letter into the record. *(See Exhibit 1)*

Mr. Ted Quirk, former Chair of the UNLV Foundation related that he had the opportunity to work with Dr. Smatresk on a number of significant projects. He thanked the Chancellor and Chairman for their near "commando" like effort to reach out to every conceivable constituency. He stated it was clear UNLV has a good leadership team in place. He felt the Board was on the verge of making a superb choice. Dr. Smatresk has passion and enthusiasm for the university and the community that is inescapable and infectious. He has good people skills and relates well to donors. He may be one of very few people that really enjoy fundraising. He also has a good grasp of the importance of the relationship between the university and the community.

Mr. Mark Fine, Chairman of the UNLV Foundation, stated he has had the pleasure of being a member for 25 years. He is an active member of business community and has always thought

3 Information Only – Public Comment – *(Continued)*

UNLV is integral to the community. Today is a totally different environment. This is a great state and we're entitled to have great educational institutions. He reported he found an openness and transparency in the process that was fabulous. The Foundation is excited about the prospects of what lies ahead. This recommendation is unanimously supported by the executive committee. The Board has our commitment to help with continued financial support that is needed in order to be competitive in today's market. The Foundation appreciated being included in the process and look forward to continued collaboration.

Chairman Leavitt indicated that although the contract will be discussed later in the meeting, he added that it would not have been possible without the generous contribution of the UNLV Foundation.

Mr. Jim Ratigan, past president of the Alumni Association, expressed his gratitude to the Board. The events of the last month have been difficult and tough decisions were made. He thanked Chancellor Klaich and Chairman Leavitt for allowing the alumni association to be part of the process. They appreciated the transparency, which bodes well for the university. Dr. Smatresk is passionate about everything that he takes on.

Mr. Jeff Knight, President of the Alumni Association, related they were all in agreement today and are very excited that Dr. Smatresk will be the next UNLV President. He thanked Chancellor Klaich and Chairman Leavitt for taking the time to meet with them, and hoped their discussion regarding the future leadership of UNLV was helpful. Mr. Knight expressed his support for Dr. Smatresk becoming UNLV's 9th President. During his tenure at UNLV Dr. Smatresk has worked hard and very closely with association and staff and board to establish a strong relationship. Upon his arrival at UNLV he became an active member of the UNLV Alumni Association. He attends all of major events and activities. He demonstrates a strong commitment to improving the alumni experience and seeks out opportunities to keep alumni engaged. The UNLV Alumni Association has been in existence since 1967 and has long enjoyed a strong connection with the UNLV campus and its administrators. The association feels strongly that a close connection with the university president and other administrators is the key to future success of this institution. The UNLV Alumni Association hopes you will accept their enthusiastic approval of Dr. Smatresk. He has passion for the university, community, Nevada and higher education as a whole. He is a strong leader who is committed to improving UNLV.

Dr. John Filler, UNLV Faculty Senate Chair, strongly supports the appointment of Dr. Smatresk as President of UNLV. He related he has the highest regard and respect for him. UNLV is faced with many daunting tasks and challenges, but the Faculty Senate stands ready to work cooperatively and collaboratively with the new president. He sincerely thanked Chancellor Klaich and Chairman Leavitt for the tremendous amount of time and effort that they put into assuring that the opinions and concerns of all constituencies were heard prior to the recommendation. As a result, everyone has a much better perception of what is expected of our new president. By taking this exhaustive approach, they have not only upheld the letter and intent of the *Code*, but have also presented a model to the campus and community for consultation prior to selection.

3 Information Only – Public Comment – *(Continued)*

Dr. Nasser Daneshvary, the immediate past Chair of the UNLV Faculty Senate and current member of the Faculty Senate Executive Committee, thanked the Board for their time. It is very important that the Board act promptly in selecting a UNLV president. If they take the recommendation and appoint Dr. Smatresk, it shows the collective wisdom and care of this Board. It allows UNLV the opportunity to move forward and pursue the teaching and research mission without interruption. Dr. Daneshvary thanked Chairman Leavitt and Chancellor Klaich for the significant campus involvement prior to a decision being made. It showed the respect that the Board has for the campus community. Over the course of the last two challenging years, Dr. Smatresk has taken a leadership role in establishing the institution's vision, mission and goals. He anticipates that in his new role, he will continue to go forward with tremendous passion for UNLV. He wanted Dr. Smatresk to know that he can count on faculty and staff to achieve goals. Finally, he urged that as the Board makes future decisions for UNLV, the Board consider the fact that in addition to financial stability, a stable leadership is essential in recruiting and retaining quality faculty, staff and students.

Mr. Al Isola, Ms. Sandra Bowings and Mr. John Farley, members of the Nevada Faculty Alliance, thanked each Regent, the Chairman and the Chancellor for their efforts in allowing the campus community to be heard in the process of determining a replacement in the office of president. They support the recommendation of Dr. Smatresk. While working with him, they have found that he is someone that listens and then leads. They look forward to working with him in the future.

Ms. Jessica Lucero, GPSA President, related that the GPSA met and discussed Chancellor Klaich's recommendation. They overwhelmingly supported the recommendation. The GPSA appreciated that the Chancellor listed the needs of the graduate students as being important to the president. The GPSA knows that Dr. Smatresk values their input and involvement. He knows and has spoken of the dire need to increase graduate student stipends in order to increase the ability of the graduate and professional programs to attract and retain the best and brightest students. After reading Chancellor Klaich's well thought out memo, the GPSA is assured that all due process was followed. Dr. Smatresk is highly regarded and they have full confidence in his ability to lead UNLV.

Mr. Adam Cronis, CSUN President, extended his sincere thanks to Chairman Leavitt, Chancellor Klaich and Regent Alden. Chancellor Klaich's memo summarized the discussions very well and the qualities desired in a president were accurate. One of the key points was approachability. He felt that Dr. Smatresk was willing to walk in someone else's shoes. He is very sensitive to the general and economic needs of the student and the access issues that the community and the student body faces. Some of the most numerous qualities that were noted by students were humility and being approachable. Mr. Cronis believed that if the person in that position understands the concerns and needs of others, they can forge ahead and provide leadership that represents everyone. He was pleased to hopefully be able to collaborate with Dr. Smatresk over the next year.

3 Information Only – Public Comment – *(Continued)*

Ms. Elise Hanseman, representing the membership of Osher Lifelong Learning Institute *(OLLI)* at UNLV stated that Dr. Smatresk has shown more interest than any other university official since the inception of OLLI. Dr. Smatresk and his wife donated a full Saturday of their time to come to Nellis Air Force Base where OLLI was having a booth to advertise to the community. While at Nellis helping with this event, Dr. Smatresk donated money towards a scholarship that a UNLV student was starting in honor of his brother who was killed in Iraq. The young man was shocked that the Provost would take time out of his schedule to do an event like this. OLLI is very thankful to Dr. Smatresk for his involvement and they have tripled their membership due to the hard work of his wife.

Ms. Nancy Flagg, 30+ year member of the UNLV professional staff, stated that this was one the finer moments she has witnessed with the Board because of their willingness to put aside the attitude that the same is better and looking at a creative course of action for the university to move forward. Dr. Smatresk is good hearted, willing to let you disagree with him, smart and intuitive, and he will serve UNLV well. When inevitable missteps occur, she hoped the Board would grant him the freedom to make those mistakes. Remember the actions that presidents take are made with the best of intentions, even when they go awry.

Mr. Emmanuel Ayim, 2009 UNLV graduate, had the opportunity to work with Dr. Smatresk during the 50-100 meetings in 2007, where they examined UNLV's first 50 years and planned the next 50 years. As a graduate student at the time, he saw that Dr. Smatresk was an exemplary leader, organized in thought and expression, and he brought a human aspect to leadership. He listens well and he was visible. So as it is written in a good book, when a good person is elevated to a position of authority, the masses rejoice, so will UNLV when Dr. Smatresk is confirmed as UNLV President.

Dr. Thom Reilly, Harrah's foundation, was thrilled the Board was considering Dr. Smatresk for this position. The Harrah's Foundation is 100% behind him and UNLV and the community will be well served by his appointment.

Ms. Punan Mather, Vice President of Human Resources for NV Energy, related she had met Dr. Smatresk in her former position at the MGM Mirage. The superlatives that she has heard regard the same skills that he has delivered every day on the UNLV campus. The degree of support expressed underscores the person that he is. All organizations are having a very rough time. The role of a leader will be more important over the next 24 months, than any other time in history. When you have the ability to go to someone that has already been on deck, it seems like the wise way to do it. She applauded the Board for exercising common sense, wisdom and trust.

Mr. Buck Wong, UNLV Foundation member, noted he has worked closely with Dr. Smatresk on a new initiative on climate change. Dr. Smatresk has a very strong entrepreneurial streak and thinks outside the box. Under his able leadership they hope to have a national center for climate change here in southern Nevada.

2. Approved - Appointment, Acting President, UNLV *(Agenda Item #1)* – *(continued)*

Regent Wixom shared his thoughts on the events of the last few months leading up to this recommendation. He publicly thanked the Board and Chairman Leavitt for the professional, fair and thoughtful manner in which they have dealt with this situation. In the same vein, he thanked Chairman Leavitt and Chancellor Klaich for their efforts and the amount of time they spent listening to the stakeholders. He stated it was clear to him that there was overwhelming support for Dr. Smatresk to serve as president of UNLV. He understands UNLV and the unique Las Vegas community, he understands the budget problems and the problems that are being faced and he has been a creative and proactive problem solver. His passion and vision for the institution is boundless. Regent Wixom understands that Chancellor Klaich's proposal is a bit outside the typical process, but it seems the process should serve the institution and not the other way around. We need leadership at UNLV now to guide the institution through stormy and challenging seas. He strongly supports this recommendation. It is the right course of action, makes sense, he serves the needs of the institution and he has the support that is needed.

Regent Wixom moved approval of the appointment of Dr. Neal J. Smatresk as Acting President of UNLV in accordance with the contract terms as proposed. Regent Crear seconded.

Regent Knecht clarified that the motion was to approve the recommendation and the contract terms proposed by the Chancellor for Dr. Neal J. Smatresk to lead UNLV as Acting President of UNLV for two years. Regent Knecht thanked Chairman Leavitt and Chancellor Klaich. He thanked the students, faculty, staff, administration, the alums, and the entire UNLV community for their response to this situation. This recommendation is in the best interest of UNLV and the NSHE. He will lead us to a great next 50 years. There is continuity and momentum. I'm excited that UNLV is going to do great things in teaching, research and public service.

Regent Crear indicated that it is very fortunate they have someone that is more than able and capable of stepping into the shoes as President of UNLV. He feels that Dr. Smatresk is a good and candid person and felt those qualities were important in dealing with the Board. UNLV is in a very tough time, having been through a grueling and painstaking process with the presidential situation and budget cuts. There is not one person on the Board that does not take this personally. This is a good time and the Board should celebrate. He looks forward to working with Dr. Smatresk.

Regent Gallagher related there have been many searches in the last thirty years. With this search she witnessed the faculty, students and administrators coming forth with all the things they expected in a president. It is a very time consuming process. It is important all areas of higher education be a team. She indicated that she was asked if this could be done without a national search and she did not know. However, when she received the Chancellor's memo and learned about the tremendous support for Dr. Smatresk by the constituents of UNLV, she was convinced it was the right thing to do. The process cannot be cast in concrete; we have to be able to roll with the situation and find the best way.

2. Approved - Appointment, Acting President, UNLV *(Agenda Item #1)* – *(continued)*

Regent Schofield emphasized the importance of teamwork. He has observed Dr. Smatresk's action and skills while at UNLV; he sees teamwork and collaboration. UNLV is just beginning to do great things.

Regent Blakely indicated his support for the proposal. He requested Dr. Smatresk have an open door to Dr. Ashley to the make the transition as positive as possible.

Regent Page thanked Chairman Leavitt and Chancellor Klaich for an outstanding job. He related that you cannot teach someone passion, Dr. Smatresk has it. He is the right guy for the right time and place.

Regent Cobb asked that Regent Page be allowed to second the motion, as he is a UNLV graduate and a Distinguished Nevadan.

Regent Wixom withdrew his motion. Regent Crear withdrew his second.

Regent Page moved approval of the appointment of Dr. Neal J. Smatresk as Acting President of UNLV with terms and conditions outlined by Chancellor Klaich. Regent Crear seconded.

Regent Cobb referred to the contract; while serving as the president of UNLV, compensation will be not less than the base salary of $289,000, which infers that it can be an amount in excess of $289,000. He was curious about the phraseology. Chancellor Klaich replied that during the term of the proposed contract, the total compensation will be $348,000 which is the base salary plus the supplemental salary from the UNLV Foundation. He explained that the contract is worded that way in the event that the legislature approved COLA and/or merit increases. However, Chancellor Klaich indicated that, absent those types of increases, he did not see the possibility for a raise in the current budgetary climate.

Regent Rawson indicated that when he read the students expectations, he was amused by their comments that they wanted someone charismatic and engaging, but someone with great humility. He remembered the times of being a student and understood exactly what they were saying. As a former legislator and current Regent, he liked more the idea of access, as UNLV has not always had that. He has seen Dr. Smatresk in action solving difficult issues and felt there were still some to face. He indicated that he has heard opposition from some specific areas but related that Dr. Smatresk has already started working with those groups to better understand their concerns.

Chairman Leavitt noted he had the opportunity to spend time with Dr. Smatresk at the conclusion of the process. He indicated to Dr. Smatresk two concerns that needed to be addressed in order to receive his support, 1) that his cabinet and the UNLV campus would have the ability to vigorously disagree with him and his administration and 2) that he contact him when there is a problem without waiting. Chairman Leavitt stated he had full confidence in the recommendation.

2. Approved - Appointment, Acting President, UNLV *(Agenda Item #1)* – *(continued)*

Upon a roll call vote, the motion carried unanimously. Regent Alden was absent.

Dr. Smatresk thanked Chancellor Klaich and Chairman Leavitt, the Board and the many stakeholders that have shown their care and support and have entrusted this appointment to him. It has been a hard year at UNLV. He hoped that in the next year, they would rededicate themselves to better the university, the community and the state. To the students, he asked them to know that the UNLV students are the first commitment. He wanted faculty and staff to know how much he has appreciated their support and how much he appreciates the sacrifices they have made as budgets have been cut. The faculty and staff are the core of the institution. He wants the members of the diverse community to know that UNLV is not only in Las Vegas, they are truly a part of Las Vegas.

Dr. Smatresk indicated that UNLV is going to work really hard to diversify the economy, develop human capital and social systems and create the critical infrastructure that Nevada needs for a sustainable future. He will work tirelessly to gain support. To be successful, he needs help from donors, alumni, foundation leaders, elected officials, and public and private partners. UNLV is an institution born of this dynamic city, it has an entrepreneurial and innovative spirit that brought us here, and a passion for those qualities is what keeps us here. In the weeks and months ahead, we will show the world how far UNLV has come. He related that UNLV has a great team; incredible people that are working really hard to make things better every day. This Monday, U.S. Senator Harry Reid and UNLV will host the National Clean Energy Summit. At the end of August, UNLV will announce a major gift that will transform UNLV in the community and then shortly thereafter they will announce one of the most exciting partnerships they have ever engaged in with an international institution.

Dr. Smatresk stated that he and his wife have been heartened by the kind words of support, humbled by the trust and excited about working with everyone to meet the challenges of the future.

4. Information Only – New Business – None.

The meeting adjourned at 5:18 p.m.

Prepared by: Angela R. Palmer
Program Officer I

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.