

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

Sierra Building, Elizabeth Sturm Library  
Truckee Meadows Community College  
7000 Dandini Boulevard, Reno

Thursday, September 6, 2012, 8:30 a.m.  
Friday, September 7, 2012, 8:00 a.m.

Videoconference Connection to:  
System Administration, Las Vegas  
5550 W. Flamingo Road, Suite C-1, Conference Room  
and  
Great Basin College, Elko  
1500 College Parkway, Berg Hall Conference Room

Members Present: Dr. Jason Geddes, Chair  
Mr. Kevin J. Page, Vice Chair  
Mr. Mark Alden  
Dr. Andrea Anderson  
Mr. Robert Blakely *{Las Vegas}*  
Mr. Cedric Crear  
Dr. Mark W. Doubrava  
Mr. Ron Knecht  
Mr. James Dean Leavitt  
Mr. Kevin C. Melcher  
Dr. Jack Lund Schofield  
Mr. Rick Trachok  
Mr. Michael B. Wixom

Others Present: Chancellor Daniel J. Klaich  
Vice Chancellor, Academic & Student Affairs, Crystal Abba  
Vice Chancellor, Administration and Operations, Renee Yackira  
Vice Chancellor, Administration and Finance, Vic Redding  
Vice Chancellor, Business and Finance, Larry Eardley  
Vice Chancellor, Health Sciences System, Marcia Turner  
Vice Chancellor, Information Technology, Steven Zink  
Vice Chancellor, Legal Affairs, Brooke Nielsen  
Chief of Staff & Special Counsel to the Board, Scott Wasserman  
President Michael D. Richards, CSN  
President Stephen G. Wells, DRI  
President Mark Curtis, GBC  
President Bart Patterson, NSC  
President Maria C. Sheehan, TMCC  
President Neal J. Smatresk, UNLV

President Marc Johnson, UNR  
President Carol A. Lucey, WNC

Also present were faculty senate chairs Dr. Charles Milne, CSN; Dr. David Rhode, DRI; Dr. David Friestroffer, GBC; Ms. Angela M. Brommel, NSC; Ms. Dani Chandler, NSHE; Dr. Gregory S. Brown, UNLV; Dr. David W. Zeh, UNR; Mr. Brad Summerhill, TMCC; and Mr. Gil Martin, WNC. Student government leaders present included Mr. Travis Brown, ASCSN President, CSN; Ms. Kathryn Bywaters, GRAD President, DRI; Mr. Alex Porter, SGA President, GBC; Mr. Deuvall Dorsey, NSSA President, NSC; Mr. Mark Ciavola, CSUN President, UNLV; Ms. Sharon Young, GPSA Vice President, UNLV; Mr. Orion Cuffe, GSA President, UNR; Mr. Naveet Zed, SGA President, TMCC; and Mr. Curtis Blackwell, ASWN President, WNC.

Chair Geddes called the meeting to order on Thursday, September 6, 2012, at 8:31 a.m. with all members present except for Regents Knecht, Page, Schofield and Trachok.

Regent Anderson led the pledge of allegiance.

1. Informational - Introductions and Campus Updates (Agenda Item #1) – Meeting attendees made introductions and each institutional president provided campus-related updates on events that have occurred on their campuses since the Board of Regents last regular meeting.

Regents Page, Schofield and Trachok entered the meeting.

2. Informational - Institutional Student and Faculty Presentations (Agenda Item #2) – TMCC President Maria C. Sheehan introduced Mr. Naveet Zed, President of TMCC's Student Government Association (SGA). Mr. Zed addressed the Board regarding the characteristics and achievements of the typical TMCC student, the opportunities that TMCC provides to its community and the impact of budget reductions on students and on the community.

President Maria C. Sheehan also introduced Dr. Marie Mugolo-Poore, Dean of the Division of Business, TMCC, and Mr. Phil Smilanick, Professor of Accounting, TMCC. Mr. Smilanick addressed the Board regarding changes to the Business Emphasis degrees that will better support program participants to be more successful in their classes and respective fields of employment.

The meeting recessed at 9:00 a.m. for committee meetings and reconvened at 11:17 a.m. on Thursday, September 6, 2012, with all members present except for Regent Crear.

3. Informational - Public Comment (Agenda Item #3) – None.
4. Informational - Chair of the Nevada Student Alliance Report (Agenda Item #4) – Mr. Orion Cuffe, GSA President, UNR and Vice Chair of the Nevada Student Alliance (NSA), reported to the Board concerning NSHE related issues or events of importance to the Student Body Presidents including lobbying at the legislative level for higher education; organization of an “Education Day” that will include higher education as well as K-12; having a student regent elected to the Board of Regents; the work being conducted with the NSHE E-Learning Steering Committee to introduce more on-line learning opportunities; increasing awareness among student constituencies about the NSA and Board of Regents including a newsletter to be distributed among all campuses; establishing student voter registration kiosks at each campus and the implementation of a number of student government constitutional amendments.
5. Informational - Board Chair’s Report (Agenda Item #6) - Chair Geddes related that he and Chancellor Klaich had met with Governor Sandoval regarding the funding formula, the 2013-15 biennial budget and other issues facing higher education.

Chair Geddes provided a reminder that the Board of Regents will hold a special meeting and workshop on Friday, October 19, 2012. The meeting will serve as the biennial governing body retreat and evaluation as required by the Northwest Commission on Community Colleges and Universities (NWCCU) as part of its accreditation standards.

Chair Geddes thanked the Chancellor and System Administration staff for creating a summary of the status of each project outlined in the strategic directions document (*Ref. BOR-29*).

Regent Crear entered the meeting.

6. Approved - Consent Items (Agenda Item #7) – The Board of Regents approved the following consent items in their entirety:
  - 6a. Approved – Minutes (Agenda Item 7a) – The Board of Regents approved the May 31 – June 1, 2012, meeting minutes (*Ref. BOR-7a on file in the Board office*).
  - 6b. Approved - Divestiture of Gift - Ornithology Collection (Agenda Item #7b) – The Board of Regents approved a request from UNLV President Neal J. Smatresk to divest the gift from Dr. David Parmelee to the UNLV ornithology collection and transfer the gift to the Burke Museum at the University of Washington (*Ref. BOR-7b on file in the Board office*).

6. Approved - Consent Items (Agenda Item #7) – (Cont'd.)
  - 6c. Approved - Annual Reports of Tenure Granted to Academic Faculty Upon Hire (Agenda Item #7c) – The Board of Regents accepted the annual reports to the Board from the President of each institution naming any individual to whom tenure upon hire was granted pursuant to the provisions of Title 2, Chapter 3, Section 3.3.1 (b2) (*Ref. BOR-7c on file in the Board office*).

Regent Alden moved approval of the consent items in their entirety. Regent Trachok seconded. Motion carried. Regent Schofield was absent.

7. Informational - Code Revision, Confidential Personnel Information (Agenda Item #8) - Vice Chancellor of Legal Affairs Brooke Nielsen presented for informational purposes and for the Board of Regents consideration proposed amendments to the Code, Title 2, Chapter 5, Section 5.6.2 regarding confidential personnel information. The Code Review Task Force has been working on proposed amendments to the Code and recommends amendments to clarify that 1) certain student employee and other personnel records are confidential, 2) to allow the release of information to certain civil rights agencies in connection with discrimination claims, and to granting and contracting agencies or entities in connection with allegations of research misconduct and 3) make it clear to other students that their personnel or payroll records are also allowable for release. This item was presented for information only and will be presented for action at the Board of Regents' November 29-30, 2012, meeting (*Ref. BOR-8 on file in the Board office*).

8. Informational - DRI Graduate Training Program (Agenda Item #9) - DRI President Stephen G. Wells and Dr. Christian "Chris" H. Fritsen, Research Professor, Division of Earth and Ecosystem Sciences, provided an overview of DRI's graduate training programs including a review of the state of Nevada's 1959 legislative mandate for DRI; six primary purposes of the institute, DRI's Mission and academic activities that directly contribute to NSHE's current strategic initiatives, DRI graduate student programs, activities and training (*including salary and benefits*), and analysis to identify academic opportunities at UNR, UNLV and other sister institutions (*Ref. BOR-9a and Ref. BOR-9b (PowerPoint) on file in the Board office*).

UNR President Johnson added that UNR and DRI have conducted joint interdisciplinary programs for some time. He emphasized that although a great deal of uncertainty had been created during the last three years, graduate programs do create workforce.

9. Tabled- Nevada Teachers and Leaders Council Report (Agenda Item #10) – This agenda item was tabled until the November 29-30, 2012, Board of Regents meeting.

10. Approved – Honorary Degrees (Agenda Item #12) - The Board of Regents approved the winter 2012 Honorary Degree recipients (*Board of Regents Handbook, Title 4, Chapter 1, Section 14, and Procedures & Guidelines Manual, Chapter 8, Section 1.2*) (Ref. BOR-12 on file in the Board office):
- A. Honorary Doctorate Degrees:
- Mr. Joseph W. Brown, UNLV (Ref. BOR-12a(1) on file in the Board office).
  - Mr. Guy R. Fieri, UNLV (Ref. BOR-12a(2) on file in the Board office).

Regent Trachok moved approval of the nominations for Honorary Degrees. Regent Page seconded. Motion carried.

The meeting recessed at 12:00 p.m. and reconvened at 12:28 p.m. on Thursday, September 6, 2012, with all members present.

11. Informational - Chair of the Faculty Senate Chairs Report (Agenda Item #5) – Mr. Brad Summerhill, 2012-2013 Chair of the Faculty Senate Chairs, reported to the Board related issues or events of importance to the Faculty Senate of each campus (*full report on file in the Board office*).
12. Informational - UNLVNow Project (Agenda Item #11) - UNLV President Neal J. Smatresk, staff and project stakeholders presented an update on UNLVNow activities that have occurred since the May 31-June 1, 2012, Board meeting (Ref. BOR-11 on file in the Board office).

President Smatresk related that UNLV is currently involved with sensitive negotiations from which information will not be available until the November 29-30, 2012, Board of Regents meeting.

In the Investment and Facilities Committee meeting to be held later that day, President Smatresk related that UNLV will provide a status report on its campus master plan which will include preliminary activity on the UNLVNow project including its function within an academic environment and its compliance with Federal Aviation Administration and Clark County requirements. UNLV has begun negotiations with Clark County on a Memorandum of Understanding. Conversations with other major entities have also begun regarding land, airport traffic and vehicle traffic flow. The initial feedback from those conversations has been enthusiastic.

President Smatresk related that key partners are being brought into the project when necessary. The project's committees (*legal; planning and design; financing, fundraising, founders naming et al; and development advisory board*) remain in place and continue moving forward.

12. Informational - UNLVNow Project (Agenda Item #11) – (Cont'd.)

President Smatresk related that although UNLV has been working on an economic impact statement. The Board's input has been well taken and a more conservative approach is being developed using a combination of real numbers from the Thomas & Mack Center during the down and up turns in the economy as well as information from third party providers. UNLV will launch the publication of the economic impact statement with a media event to which the Regents will be alerted of and invited to.

President Smatresk introduced Mr. Don Snyder, Dean of the UNLV Harrah's Hotel College, who will serve the UNLVNow project in the major role of public liaison officer. Dean Snyder has worked on other high-profile public-private partnerships in Las Vegas.

Regent Leavitt felt that it will be critical for the project to have the support of the casino industry and asked for information in that regard. Dean Snyder agreed that it will be important to have broad-based industry support. President Smatresk related that a general wide-spread agreement existed that the UNLVNow project will not be in competition with other projects currently in progress.

Regent Page expressed concern for the lack of financial information that had, to-date, been seen by Board. He expressed support for Dean Snyder's involvement in the project.

Regent Trachok asked what timeline was involved for when the Board could expect to see the financial details of the project. He emphasized that he did not want to be presented with that information the day before any decisions needed to be made. Dean Snyder related that significant work remained to be done in that regard. He was unsure that actual numbers would be available for the Board's review by the November meeting.

President Smatresk added that in addition to the cost of the new facility, there will be costs associated with the creation and relocation of existing infrastructure, the cost involved with building The University Village and retail space, as well as construction of the campus residential housing component. President Smatresk stated that significant discussions are being held with private partners regarding economic risk and to narrow the unknown factors so that a more narrow financial projection could be presented to the Board. He assured the Board that it would receive the financial information in ample time to allow for interaction with the project's development and financial teams.

Regent Trachok clarified that he was not pushing for a final number that could well end up being erroneous. Rather he was requesting that the Regents be provided with the information for its consideration far enough in advance of any decision making.

12. Informational - UNLVNow Project (Agenda Item #11) – (Cont'd.)

Regent Blakely stated that in addition to the economic study, he would also be interested in seeing the details on the conversations between UNLV and the FAA and the Las Vegas Convention and Visitors Authority (LVCVA) as well as a project timeline by the November meeting. Dean Snyder related that a timeline will be brought to the Board at its November meeting. President Smatresk related that the UNLV Campus Master Plan discussion scheduled during the Investment and Facilities Committee later that day would also contain some project information.

Regent Crear expressed his support of Dean Snyder's involvement in the project.

Regent Crear asked if Dr. Mark Rosentraub was still involved with the project. Dean Snyder confirmed that Dr. Rosentraub remains involved with the project and is currently working on the economic impact study.

Regent Leavitt expressed concern that the 2013 legislative session was fast approaching and he hoped that the System was doing everything it could to produce whatever legislation was necessary. Dean Snyder stated that the upcoming legislative session was a focus for their team.

Regents Crear and Page emphasized the importance of highlighting UNLV as the primary partner in the project. President Smatresk stated that UNLV is the prime beneficiary and prime director of the program and has chosen a superb private partner that provides expertise in various areas.

13. Approved - Employment Contract, Head Men's Basketball Coach, UNLV (Agenda Item #13) - The Board of Regents approved UNLV President Neal J. Smatresk's request of a new five year contract for Head Men's Basketball Coach, Mr. David Rice, to be effective October 1, 2012, through June 30, 2017 (*Ref. BOR-13 on file in the Board office*).

Regent Alden moved approval of a new five year contract for Head Men's Basketball Coach, Mr. David Rice, to be effective October 1, 2012, through June 30, 2017, with revision to Section 5.05 Season Tickets and Memberships to clarify that Coach Rice will receive tickets to all of the University's men's basketball games. Regent Page seconded.

Regent Trachok expressed his support of the UNLV basketball program but explained that he could not support the requested salary increase because he was philosophically opposed to the professionalization of college sports. He emphasized that unlike professional sports, the mission of the universities was education and not entertainment.

13. Approved - Employment Contract, Head Men's Basketball Coach, UNLV (Agenda Item #13) – (Cont'd.)

Mr. Jim Livengood replied that the salary increase will place Coach Rice in the middle of the Mountain West Conference coaching salary range. He also felt that, as a young coach and up-and-coming coach, Coach Rice would be highly sought after by other schools around the country.

Regent Blakely indicated that Coach Rice's initial contract had been for a significant amount less than his predecessor and expressed his support of the requested increase.

Regent Melcher noted that the contract states that Coach Rice may receive a number of season and post-season tickets to the men's basketball "home games" only and asked if that was an error. Mr. Livengood explained that error would be corrected to reflect that the indicated tickets would be available to Coach Rice for all games.

Regent Alden asked what portion of Coach Rice's salary was paid with state funds. Mr. Livengood replied that approximately \$200,000 of Coach Rice's salary would be paid for with state funds with the remainder paid through the self-supporting budget.

Regent Alden asked how much revenue was generated from the Thomas & Mack Center through UNLV's basketball program. Mr. Livengood indicated that amount was approximately \$6 M to \$6.5 M.

Regent Alden indicated that although he philosophically agreed with Regent Trachok that the level of salary increases needed to stop somewhere, he balanced that opinion with the fact that Coach Rice's salary was in the middle of the Mountain West Conference salary range. He expressed his support for Coach Rice and stated that he would vote in favor of the contract renewal and salary increase.

Regent Knecht indicated that although he understood the need to pay the market value, he also shared Regent Trachok's concern about the escalation in athletics salaries. With great regret and apology, Regent Knecht stated that he would vote against the requested salary increase.

Regent Leavitt asked if it was possible for the institutional foundations to supplement or perhaps entirely support athletic salaries. President Smatresk replied that at major institutions with a long and rich tradition of generous alums and donors, it is not uncommon for athletic programs to be fully endowed. However, the portion of Coach Rice's salary paid for through state funds represented a small fraction of what is considered a competitive salary at other major institutions. President Smatresk related that UNLV uses non-state funds generated through the Thomas & Mack Center as well as funds through the Rebel Athletics Fund. However, further support could be gained from generous donors, specifically in the form of endowing funds. Toward that goal, UNLV will be launching a major effort towards seeking sustaining endowments.



13. Approved - Employment Contract, Head Men's Basketball Coach, UNLV (Agenda Item #13) – (Cont'd.)

President Smatresk felt that large salaries will always draw criticism. However, when a university loses its Division I sports, it becomes increasingly difficult for that university to compete in the academic realm, foundation support drops through the floor and the university becomes less relevant to its community. He felt that the Running Rebels basketball team is the heart and soul of sports enthusiasm in the Las Vegas community. That interest helps UNLV to achieve the goal of attracting students across the country and the world who want to participate in a fine first rate academic institution. The attendant risk of no longer having Division I sports would be a difficult proposition for UNLV. UNLV is working hard to develop a plan that offloads state funds from athletic to academic programs by building on the success of the Rebel brand, which is not an instant process. He emphasized that athletic revenue must be generated as a business, or there would be failure.

Mr. Livengood expressed concern for supporting athletics programs entirely on private funding and asked that the Board not solve a national salary escalation problem on the backs of the local coaches. He asked the Board to work with the schools to see if something could be done to stop the salary escalation.

Regent Leavitt emphasized that he was strongly in support of the contract presented that day but wanted to make sure that there were stated goals and a way to minimize the use of hard funds for athletics.

Regent Crear expressed his support of the contract. He felt that Coach Rice exemplifies the type of person that is wanted to represent UNLV. He stated that having quality people requires that they be paid. Although he agreed with Regent Trachok philosophically, he felt that UNLV was within its means to pay the salaries requested. He added that Coach Rice came to UNLV at a substantial decrease from that of the previous coach.

Regent Schofield requested a brief summary of the requested increase. Mr. Livengood replied that the request was for an increase of \$100,000 to the base salary and \$100,000 in other compensation such as radio and television appearances and so forth.

Regent Schofield agreed that the UNLV basketball program was significant to the Las Vegas community and expressed his full support of the requested salary increase.

Regent Anderson felt that some colleges or universities become the heart and soul of their community. Although coaching salaries are significant, she felt that the community could not lose those programs. She expressed her full support of the requested increase.

Regent Page expressed support of Coach Rice, adding that he was an excellent representative of the community both as a coach and Alum.

13. Approved - Employment Contract, Head Men's Basketball Coach, UNLV (Agenda Item #13) – (Cont'd.)

Upon a roll call vote, Regents Schofield, Wixom, Alden, Anderson, Blakely, Crear, Doubrava, Geddes, Leavitt, Melcher and Page voted yes. Regents Trachok and Knecht voted no. Motion carried.

14. Approved - Employment Contract, Head Softball Coach, UNLV (Agenda Item #14) – The Board of Regents approved UNLV President Neal J. Smatresk's request of a new three year contract for Head Softball Coach, Ms. Lisa Dodd, to be effective June 26, 2012, through June 30, 2015 (Ref. BOR-14 on file in the Board office).

Regent Alden moved approval of a new three year contract for Head Softball Coach, Ms. Lisa Dodd, to be effective June 26, 2012, through June 30, 2015. Regent Crear seconded.

Mr. Livengood related that the salary was reflective of the previous coach's base salary of \$75,000 plus applicable bonus levels.

Motion carried.

15. Approved - Employment Contract, Head Women's Basketball Coach, UNLV (Agenda Item #15) – The Board of Regents approved UNLV President Neal J. Smatresk's request of a new five year contract for Head Women's Basketball Coach, Ms. Kathy Olivier, to be effective October 1, 2012, through April 21, 2017 (Ref. BOR-15 on file in the Board office).

Regent Alden moved approval of a new five year contract for Head Women's Basketball Coach, Ms. Kathy Olivier, to be effective October 1, 2012, through April 21, 2017. Regent Page seconded.

Regent Alden requested clarification for why the base salary for the first year will be \$210,000 for October 1, 2012, through April 21, 2013, and then will be \$180,000 for years two through five. Mr. Livengood replied that for the first three years that Coach Olivier was at UNLV, she was still legally under contract with another institution, which paid a portion of her salary. That changed this past season and will be reflected going forward.

Regent Knecht asked if Coach Olivier's annual base salary was paid with state general fund money. Mr. Livengood confirmed that was correct for the base salary.

15. Approved - Employment Contract, Head Women's Basketball Coach, UNLV (Agenda Item #15) – (Cont'd.)

Regent Knecht asked what the source of the \$129,570 longevity pay would be. Mr. Livengood stated that the source for that benefit would be non-state funds.

Regent Knecht asked for clarification on the pay out of the longevity pay. Mr. Livengood clarified that sum would be a one-time distribution only on April 21, 2013.

Motion carried.

Regent Alden left the meeting.

16. Approved- Employment Contract, Vice Chancellor, Administration and Operations, NSHE (Agenda Item #16) – In accordance with Title 4, Chapter 3, Section 24 of the NSHE Handbook, the Board of Regents approved Chancellor Daniel J. Klaich's request of the initial salary for Renee Yackira, Vice Chancellor of Administration and Operations. No change in compensation was requested with the change in title. Terms and conditions of the appointment were provided at the meeting (*summary of contract terms on file in the Board office*).

Regent Trachok moved approval of the initial salary for Renee Yackira, Vice Chancellor of Administration and Operations. Regent Page seconded. Motion carried. Regent Alden was absent.

Regent Alden entered the meeting.

Regent Crear asked Chancellor Klaich to outline the role of the Vice Chancellor of Administration and Operations. Chancellor Klaich replied that as part of his last personnel evaluation and based on comments from the Regents at that time, he had been urged to delegate more and to designate a staff person to serve as his right hand. When Vice Chancellor Yackira had interviewed for her previous position (*Executive Director of Government Relations*) the Chancellor had seen the potential in her for an expanded role. Vice Chancellor Yackira will handle the agendas and follow-up duties for the Council of Presidents and will also deal with other day-to-day matters that will free him up and allow him to pursue deeper interaction on policy issues with the presidents.

Regent Alden asked that Vice Chancellor Yackira's resume be provided to the Board.

17. Approved- Employment Contract, Vice Chancellor, Legal Affairs, NSHE (Agenda Item #17) – In accordance with Title 4, Chapter 3, Section 24 of the NSHE Handbook, The Board of Regents approved Chancellor Daniel J. Klaich's request of the initial salary for Ms. Brooke Nielsen, Vice Chancellor for Legal Affairs. No change in compensation was requested with the change in title. Terms and conditions of the appointment were provided at the meeting (*summary of contract terms on file in the Board office*).

17. Approved- Employment Contract, Vice Chancellor, Legal Affairs, NSHE (Agenda Item #17) – (Cont'd.)

Regent Page moved approval of the initial salary for Ms. Brooke Nielsen, Vice Chancellor for Legal Affairs. Regent Trachok seconded. Motion carried.

18. Approved- Employment Contract, Chief of Staff & Special Counsel, Board of Regents (Agenda Item #18) - In accordance with Title 1, Article 4, Section 5 of the Board of Regents Bylaws, and Title 4, Chapter 3, Section 24 of the NSHE Handbook, the Board of Regents approved the Board Chair and Vice Chair's recommendation of the employment contract with Mr. Scott Wasserman, Board of Regents Chief of Staff and Special Counsel. An increase in salary was offered as a retention contract. Terms and conditions of the contract were provided at the meeting (*summary of contract terms on file in the Board office*).

Regent Alden moved approval of a new employment contract with Mr. Scott Wasserman, Board of Regents Chief of Staff and Special Counsel. Regent Page seconded.

Regent Knecht expressed his full support of Mr. Wasserman but indicated that he could not support salary increases at this time.

Chair Geddes, Vice Chair Page, and Regents Leavitt, Wixom, Schofield, Crear and Blakely expressed their support of Mr. Wasserman.

Motion carried. Regent Knecht voted no.

19. Action Taken - Personnel Session – DRI President Stephen G. Wells (Agenda Item #19)–  
The Board of Regents heard the periodic presidential evaluation report of Desert Research Institute's President Stephen G. Wells, along with President Well's self-evaluation. The Board discussed the self-evaluation and report, as well as other matters pertaining to President Well's performance as specified in NRS 241.033 including competence, alleged misconduct, character and mental or physical health (*Consultant's Final Evaluation, President Wells Self-Evaluation and the DRI Faculty Senate's Evaluation are on file in the Board office*).

Regent Knecht reported that the Regents' DRI Periodic Presidential Evaluation Committee met on July 9, 2012, to discuss the process, procedures and topics to be considered as part of the periodic evaluation of the performance of President Wells as the President of the Desert Research Institute.

Committee members discussed with President Wells all matters relating to the periodic evaluation including strategic plans, goals, objectives, resource allocation policies,

19. Action Taken - Personnel Session – DRI President Stephen G. Wells (Agenda Item #19) – (Cont'd.)

major challenges and successes, as well as the President's self-evaluation. Dr. David Decker, DRI faculty member submitted the results of an institutional survey designed to assess the performance of President Wells that was administered by the Faculty Senate in February 2012, and requested that the report be taken into consideration by the Board and Evaluation Consultant, Dr. Karen Holbrook, as part of Dr. Wells' periodic evaluation.

Upon the adjournment of the July 9, 2012, Committee meeting, Dr. Holbrook began conducting interviews with a variety of individuals knowledgeable about the work of President Wells. The interviewees included a representative sample of vice presidents, deans, academic and administrative department heads, faculty, students, trustees, community leaders and presidents of other NSHE institutions.

The Committee met again on July 12, 2012, to discuss Dr. Holbrook's preliminary findings and provided guidance on the preparation of her final report to the Board.

Dr. Holbrook presented the Board her final report and findings including a general statement about DRI, Dr. Wells' personal leadership style and success as a leader; budgetary matters and fiscal management; administration, management and planning; student affairs; personnel management; decision making and problem solving; external relations and fund-raising; relationship to the Board; progress toward master plan and other performance goal; and communication with key constituents (*see consultant's final evaluation on file in the Board office*).

Regent Knecht moved approval of the final Periodic Presidential Evaluation as presented by Dr. Karen Holbrook. Regent Trachok seconded. Motion carried.

20. Action Taken - Presidential Contract, DRI (Agenda Item #20) - Pursuant to NRS 241.033, the Board approved a new contract with DRI President Stephen G. Wells, including a determination of the employment terms and conditions.

Regent Knecht moved approval of a new contract with DRI President Stephen G. Wells. Regent Alden seconded.

Regent Alden asked when President Wells last received a salary increase. President Wells replied that his last salary increase had been in 2005. Regent Alden requested that a \$40,000 salary supplement be added to President Wells' contract.

Regent Leavitt expressed his support of President Wells.

20. Action Taken - Presidential Contract, DRI (Agenda Item #20) – (Cont'd.)

Regent Crear concurred with Regent Alden, adding that the System needed to return to compensating staff for work performed. He expressed his support for President Wells.

Regent Knecht expressed his support of Present Wells and thanked him for his leadership of DRI.

Regent Melcher echoed the supportive comments expressed for President Wells and thanked him for the impact that he has had throughout the state of Nevada.

Chancellor Klaich saluted President Wells as a great partner. Listening to Regents Crear and Alden, he acknowledged that the recommendation before the Board that day was not indicative of the service that President Wells performs.

Regent Page echoed the sentiments of his colleagues. He indicated that seven years was a long time to go without a raise.

Motion carried.

The meeting recessed at 3:08 p.m. for committee meetings and reconvened at 10:00 a.m. on Friday, September 7, 2012, with all members present except for Regent Blakely.

Chancellor Klaich introduced Ms. Constance Brooks, new Director of Government Relations.

Chair Geddes thanked President Sheehan and TMCC for hosting the Board meeting

21. Informational - Public Comment (Agenda Item #22) – Regent Wixom distributed a book “*A Primer for Investment Trustees*” to the members of the Board and urged them to take the time to read it.

Mr. Curtis Blackwell thanked President Sheehan and the staff of TMCC for hosting the Board meeting and for offering a warm welcome.

22. Informational - Athletics Reporting, UNLV and UNR (Agenda Item #21) - UNR President Marc A. Johnson and UNLV President Neal J. Smatresk presented for information purposes a list of reports on Intercollegiate Athletics that both universities recommend be presented to the Board of Regents on an annual basis (*Ref. BOR-21 on file in the Board office*).

Pursuant to the Board of Regents request, President Johnson and President Smatresk presented a timeline of four annual reports that are currently compiled and that will be shared with the Board of Regents in the future:

22. Informational - Athletics Reporting, UNLV and UNR (Agenda Item #21) – (Cont'd.)
1. The annual Equity and Athletics Disclosure Act report to the Department of Education on or about October 15th of each year;
  2. The annual Statement of Revenues and Expenditures to the NCAA on or about January 31st of each year;
  3. An annual summary of self-reported and other reported secondary violations and corrective actions, along with Conference and NCAA responses, on or about July 15th of each year; and
  4. All reports of major violations when they occur, with follow-up communications on NCAA and Conference actions.

President Johnson related that generally it was felt to be more prudent to report secondary violations (*level 1 and level 2*) annually. He clarified that all level 1 secondary violations are reported to the NCAA and to the applicable conference while level 2 secondary violations are reported only to the conference. He added that secondary violations are self reported and typically take some weeks for response from the NCAA and/or conference. For example President Johnson related that if while traveling a student athlete is provided with a stamp to send a postcard home that is in violation of NCAA rules. He provided another example that is included in the latest report that the vendor supplying trail mix for the locker room included carob chip that is categorized as giving the athletes extra consideration and is therefore a violation of NCAA rules.

President Smatresk called UNLV and UNR zealous over-compliers of NCAA and conference rules. He stated that for UNLV, the NCAA has reviewed all of their secondary violations and minor adjustments have been made where required. He felt that both universities are dedicated to maintaining the highest standards and that dedication will be reflected in the reports.

President Johnson added that the NCAA is currently undergoing a review of their rules and violations.

23. Approved - Handbook Revision, Possession of Weapons on NSHE Property (Agenda Item #23) – The Board of Regents approved Vice Chancellor of Legal Affairs Brooke Nielsen's request for amendments to the Board of Regents' Handbook Title 4, Chapter 1, new Section 31 regarding possession of weapons on NSHE property (Ref. BOR-23 on file in the Board office).

Vice Chancellor Nielsen reported that in 1989, the Legislature passed Nevada Revised Statute (NRS) 202.265 which prohibited the possession of dangerous weapons, including firearms, on the property of the Nevada System of Higher Education, unless written permission to have the weapon was received from the president of the institution. Individuals authorized to carry a concealed weapon (*CCW permit holder*) must still request the permission of the president pursuant to NRS 202.3673(3). In addition, NRS 396.110(2) provides the Board of Regents with the authority to prescribe the rules for the granting of permission to carry or possess a weapon (*pursuant to NRS 202.265*).

23. Approved - Handbook Revision, Possession of Weapons on NSHE Property (Agenda Item #23) – (Cont'd.)

Vice Chancellor Nielsen explained that the proposed amendment creates a new Chapter 31, in Title 4 of the *Handbook* that sets forth the policy of the Board of Regents regarding possession of weapons on NSHE property. The policy establishes a procedure to be followed at the institutions in reviewing requests for permission to carry a weapon or firearm on NSHE property. She felt that in the absence of a specific procedure, the decision of the presidents may somewhat be subject to challenge as arbitrary or capricious. The proposed policy would apply to all NSHE institutions (*with the president as the permission granting authority*) and the NSHE Administration (*with the Chancellor as the permission granting authority*).

Vice Chancellor Nielsen stated that under the proposed policy, the president must consider, investigate and evaluate each request on a case by case basis. The factors to be considered by the president, include, but are not limited to: 1) a specific risk of attack presented by an actual threat; 2) a general risk of attack presented by the nature of the individual's current or former profession; or 3) a legitimate educational or business purpose. Such review may include evaluation by the institution's law enforcement; interview of the applicant; background check; review of the applicant's permit to carry a concealed firearm; and evaluation of other means to alleviate the perceived risk of attack or educational or business purpose. The applicant will then be issued a written decision, with an explanation of the reasons for the decision, including any geographic or time limitations that may have been imposed. The statutory exception for peace officers and school security guards was included and set forth in the proposed policy. A practical exemption had also been made for those services that require cutting implements such as food service, ground maintenance, health care personnel and researchers.

Vice Chancellor Nielsen emphasized that the policy states that permission must be obtained before a weapon is brought on campus, including weapons that are possessed for educational, business, recreational or training purposes. A process to request reconsideration of a denial of a request for permission to carry a weapon was also made available.

The policy provides a timeframe of ten working days to process an initial request or a request for reconsideration. An extension may be granted for a reasonable time for additional investigation.

Regent Crear asked if there was a difference between the proposed policy presented that day and the one presented a few years ago by former Regent Anthony which had included a mechanism for peace officer training and was ultimately not passed by the Board. Mr. Wasserman clarified that the policy being presented by Vice Chancellor Nielsen that day was much narrower than the previous proposal and is narrowly addressing the process for considering an exception to the general prohibition of possessing weapons on NSHE property.



23. Approved - Handbook Revision, Possession of Weapons on NSHE Property (Agenda Item #23) – (Cont'd.)

Regent Crear requested clarification that the Board was really being asked to adopt NRS as its formal policy. Vice Chancellor Nielsen agreed with Regent Crear's statement, adding that the policy will implement the statutory authority of weapons on campus.

Regent Alden asked if any administrators carried a weapon with a permit and with the permission of a president or Chancellor. Vice Chancellor Nielsen and the presidents indicated that there were not any to their knowledge.

Vice Chancellor Nielsen emphasized that the Board was being asked to adopt its own procedure for presidents to implement state law that had been in effect since 1989. Chancellor Klaich also clarified that a statute has been in place for many years that basically prohibits weapons from being on campus unless specifically approved by the president. The proposed policy is being responsive to criticism that standards do not exist from which the presidents may exercise their discretion. The proposed policy was simply taking the rules contained in the statutes and providing the presidents with guidelines for how discretion may be exercised within the law. Based on that current law, he and Vice Chancellor Nielsen strongly recommended the adoption of the proposed policy.

Regent Knecht asked if Vice Chancellor Nielsen was advising the Board that without the proposed measure the System was in violation of state statute. Vice Chancellor Nielsen stated that she was not and emphasized that the System was not in violation of the statute. However, without written standards or criteria, the decisions that have been made, or will be made in the future, are at risk of being challenged as having been made arbitrarily.

Regent Knecht asked if there was any reason that instead of requiring the applicant to show a circumstance of danger or vulnerability, that presentation of a concealed carry permit could be considered sufficient basis for a president to issue a waiver. Chancellor Klaich replied that could be a decision of the Board but it would be one that he would not recommend. He felt that college campuses were places where there are appropriate restrictions on second amendment rights and that the presidents have, and should continue to have, authority to make that judgment of granting exceptions independent of whether a citizen has a CCW permit.

Regent Knecht asked what legal requirements are involved in obtaining a CCW permit from a sheriff's department. Vice Chancellor Nielsen noted that the concealed fire arm law also has the exception that permit holders still cannot take a firearm onto a campus without the permission of the president. She related the requirements for applying for a CCW permit as being 21 years of age or older, must have demonstrated competence with a particular weapon, completion of safety courses and a number of other criterion such as no outstanding warrants, completion of a background check and so forth. However, there is not a requirement to demonstrate a specific threat as in the policy being presented to the Board.

23. Approved - Handbook Revision, Possession of Weapons on NSHE Property (Agenda Item #23) – (Cont'd.)

Regent Knecht felt that Vice Chancellor Nielsen was reading too much into the legislature's intent. He felt that the legislature had sought to harmonize the applicable statutes but that there was nothing implied that would prevent the presidents from using the presentation of a CCW permit as grounds for an exception.

Vice Chancellor Nielsen stated that she had not spoken to legislative intent other than counseling that the legislature could have made an exception to the prohibition on campus but did not and left that discretion in the hands of the president and the chancellor.

Regent Knecht asked if Vice Chancellor Nielsen was advising the Board that it would be inconsistent with the legislative intent if it adopted presentation of a CCW permit as a standard for presidential waiver. Vice Chancellor Nielsen stated that the Board could adopt such a standard but clarified that she was advising the Board that Nevada Revised Statute states that the Board of Regents could set forth the manner in which those decisions are made.

Regent Knecht found it unpersuasive and concerning that the assumed burden of proof is so high that a special circumstance of having a specific risk of attack presented by an actual threat was needed. Vice Chancellor Nielsen replied that it was a recommendation from various sources that the best type of process to have is one where the individual that is requesting permission must show a need (*business, educational or personal*) for safety. Those criteria are clear and sustainable. She noted that the recommendation also comes from the National Association of University and College Attorneys and that such a process is in place at some schools across the country.

Regent Knecht felt that those sources were not unbiased. He asked if any aspect of the concealed carry permission that a Nevada citizen gets from a sheriff's department addresses need or is it an application process. Vice Chancellor Nielsen indicated that showing an actual threat was not a requirement of the CCW application.

Regent Knecht felt that many people could not know or anticipate the specific nature of a threat and that simply stating that it is a dangerous world and providing statistics would not meet the needed requirement. Vice Chancellor Nielsen stated that although she could not speak for each case presented, she was not certain such a general statement would be enough of an argument.

Regent Knecht felt that there is a strong presumption against a person's right or need to carry a weapon unless and until they make specific, clear and strong argument showing to the contrary. Vice Chancellor Nielsen indicated that was correct and based both on Nevada statute and on obtaining permission. She stated the bands on weapons, particularly firearms, is a prevailing policy throughout the country in post-secondary institutions.

23. Approved - Handbook Revision, Possession of Weapons on NSHE Property (Agenda Item #23) – (Cont'd.)

Regent Knecht clarified his point that the proposed policy places a substantial and highly unnecessary burden on the applicant. He felt that an alternative could be to allow the possession of a CCW permit, with its applicable screening process, as one threshold for consideration to receive permission to carry a weapon on campus. He felt that there had been a number of instances that reflect an inherent danger on campuses and a demonstrated need for protection. Unless and until the proposed policy is modified to change that presumption and to extend consideration of a CCW permit as a standard threshold, he would not be in support of the proposed policy.

Regent Trachok moved approval of amendments to the Board of Regents' *Handbook* Title 4, Chapter 1, new Section 31 regarding possession of weapons on NSHE property. Regent Crear seconded.

Regent Melcher related that he had worked under the same statute as a school administrator in a very pro-gun, rural area. He felt that the situations being discussed were not prevalent although basic guidelines existed so that implementation was consistent. He asked, once the approval or denial is presented, if the information was treated confidentially or as public information. Vice Chancellor Nielsen stated that although the proposed policy does not address confidentiality that information would not be considered confidential.

Regent Schofield expressed concern that the System needed to be careful and cautious on how it dealt with gun control.

Regent Page asked if a CCW permit was a matter of public record. Vice Chancellor Nielsen stated that CCW application and information is confidential by state statute.

Regent Page expressed concern that under the policy the permit holder's information could be released by the System.

Regent Melcher recommended that the policy be amended to address confidentiality of those carrying a CCW permit. Vice Chancellor Nielsen agreed that the issue needed to be reviewed, adding that although NRS allows for CCW information to be kept confidential, the System policies have not considered that information confidential for a very long time.

Motion carried. Regent Knecht voted no. Regent Blakely was absent.

24. Approved - Handbook Revision, Conflicts of Interest (Agenda Item #24) – The Board of Regents approved Vice Chancellor of Legal Affairs Brooke Nielsen's request of amendments to the Board of Regents' *Handbook*, Title 4, Chapter 3, new Section 8, to clarify prohibition on outside activities of the Chancellor and presidents that conflict with the official duties of their position. This item had been presented for initial discussion at the May 31-June 1, 2012, meeting of the Board of Regents (*Ref. BOR-24 on file in the Board office*).

Regent Melcher moved approval of amendments to the Board of Regents' *Handbook*, Title 4, Chapter 3, new Section 8, to clarify prohibition on outside activities of the Chancellor and presidents that conflict with the official duties of their position. Regent Alden seconded.

Regent Alden asked what the potential impact of the proposed policy may have in discouraging recruitment. Chancellor Klaich felt that those that accept positions of public trust in the state of Nevada should hold themselves to the highest standards.

Regent Alden asked if a president would be prohibited from writing a book or profiting from an endeavor on his or her own time. Chancellor Klaich and Vice Chancellor Nielsen confirmed that the policy would not prohibit that type of outside activity.

Regent Knecht related that he was generally supportive of the policy. If there is something to report that passes muster, than he felt that was a good thing. However, there also needed to be reasonable standards of disclosure to prevent conflicts. He asked Vice Chancellor Nielsen if, for example, a president is asked to speak at an event or conference and expenses will be covered or small honorarium provided, would that kind of situation generate a problem. Vice Chancellor Nielsen felt that the policy applied more to those situations that were ongoing such as service on corporate boards.

Chancellor Klaich agreed with Vice Chancellor Nielsen, adding that the presidents keep him well informed when they are out of the office.

President Wells requested confirmation that faculty serving as editors of professional journals and so forth would not have an issue with the proposed policy. Vice Chancellor Nielsen stated that the proposed policy applies only to presidents and the Chancellor.

Regent Crear related that he had initially expressed concern for this issue due to various situations occurring around the country. He felt that such a policy keeps honest people honest and is not intended to discourage anyone from making money.

Motion carried. Regent Blakely was absent.

25. Approved - Code Revision, Curricular Review(*Agenda Item #25*) – The Board of Regents approved Vice Chancellor of Legal Affairs Brooke Nielsen’s request of amendments to the Board of Regents’ *Code*, Title 2, Chapters 1 and 5, including, but not limited to, amendments to curricular review provisions, separation of curricular review and financial exigency and procedural amendments. This item had been presented for initial discussion at the May 31-June 1, 2012, meeting of the Board of Regents (*Ref. BOR-25 on file in the Board office*).

Regent Trachok moved approval of amendments to the Board of Regents’ *Code*, Title 2, Chapters 1 and 5, including, but not limited to, amendments to curricular review provisions, separation of curricular review and financial exigency and procedural amendments. Regent Knecht seconded. Motion carried. Regent Blakely was absent.

26. Informational - Course Content Accountability (*Agenda Item #26*) - Regent Ron Knecht led a discussion on institutional best practices with regard to the establishment and accountability of course content while assuring the content is within the instructional mission of the institution and the goal of academic excellence. The focus of the discussion was institutional best practices to promote openness and accountability of the institutions in establishing course content and issues of concern or limitations in doing so. Responses from the institutions to questions regarding course content were also discussed by the Board (*Ref BOR-26 on file in the Board office*).

Regent Knecht related that a number of the responses from the teaching institutions reflected that, most, if not all, require faculty to have developed a syllabus and schedule that explains necessary information for any particular class. He felt that for very little additional cost, the System’s obligation to the public could be met by placing that information on publicly accessible servers.

Regent Knecht indicated that he had discussed the possible technical issues involved with Vice Chancellor Zink and had received the response that the issues were not technological in nature. Vice Chancellor Zink related that normally it is not difficult to post things onto the website. However, in this instance, the issues were more related to intellectual property.

Regent Knecht related that he had been encouraged that the campuses were able to provide a good account of information in their reports on how standards are implemented and maintained. However, he felt that it was not enough to just say “trust us.” He wanted to show the public and let them raise their own questions.

President Smatresk related that UNLV is implementing a new PeopleSoft and blackboard system (*approximately 10,500 courses per year*). The course syllabi are considered to some extent a copyright or intellectual property to the particular faculty member. According to UNLV General Counsel, it would require agreement from faculty to post their information publicly. He emphasized that the issues were not insurmountable, just varied.

26. Informational - Course Content Accountability (Agenda Item #26) - (Cont'd.)

Regent Knecht explained that he was not as much concerned about higher level courses as he was about 101 courses. He asked if the institutions wanted faculty to be able to develop their programs without having to worry about intellectual property issues. President Smatresk replied that when someone develops a great training program they do not necessarily want to give it away to the world to be claimed by everyone else. He indicated that there has always existed some dynamic tension between intellectual property versus work obligation and responsibility.

Regent Knecht asked President Smatresk if he felt that the problem was solvable in some way. President Smatresk related that institutions have been publishing course catalogs for centuries although those are not as clear as modern syllabi which include a variety of information.

Regent Knecht indicated that was one of his points that the course descriptions did not give the public as much information about the course as a syllabus would. Regent Knecht asked that the Board find a way to work with the presidents and Vice Chancellor Zink to bring forth a proposal on how to implement a time and cost effective plan to meet the need of providing transparency to the public while preserving the rights of the faculty.

Regent Alden asked if the concern involved self supporting classes or regular curriculum. Regent Knecht replied that the intent of his proposal was for classes that are part of the standard curriculum.

Regent Wixom was not sure that the incremental benefit was obtainable and he did not want to impose another administrative burden on the campuses. He asked if it would be possible, on a case-by-case basis, for a constituent or a Regent to contact any of the institutions to request a course syllabus. Regent Wixom questioned if it would be better to approach the concern on an ad hoc basis than to make it a System policy.

President Patterson stressed that there also existed a competitive component. There is a way in which the materials are used, the organization of the syllabi and the way that the course is presented that is felt to be the real product of the work by the faculty. Although he appreciated the issue of public accountability, he stressed that because intellectual property is difficult to protect, there is an uncomfortable factor in having all the syllabi available on the website.

President Richards related that CSN is already posting some syllabi on the website but it is left to the faculty members' prerogative. He suggested that the Board also seek the input of the faculty senate on this topic.

President Johnson hoped that by reading the materials presented that the Board could be assured that the institutions have a process in place to monitor quality control. Secondly, President Johnson feared that it would require a significant amount of staff

26. Informational - Course Content Accountability (Agenda Item #26) - (Cont'd.)

time to respond to public questions related to approximately 10,500 courses whereas the systems of controls in place already protect the quality of the offerings paid for by taxpayers.

Regent Wixom cautioned that philosophically there needed to be responsiveness to the public while not creating a burden on the campuses or on property rights. He felt that the question remained as to why concerns could not be answered on a case-by-case basis rather than on a policy level.

President Smatresk added that there is a burden in reviewing and maintaining approximately 10,500 syllabi every year and for permissions and administrative costs. He also agreed that the competitiveness issue is absolutely relevant. The third issue is what legal permissions are required for intellectual property. Those three concerns need to be balanced against the public's interest. He felt that the questions should be 1) how high a level is the public interest and 2) what is the appropriate level of disclosure that would need to be created to address legitimate questions. He suggested that perhaps the answer could be to have a slightly enhanced catalog description without having to reveal the entirety of the syllabi.

Regent Wixom felt that enhancing the course catalog may not fully address some of the issues that arise from time to time. However, he suggested that perhaps the answer could be to allow constituents to call the institutions directly to request a syllabi as well as to provide an enhanced on-line course catalog.

Regent Knecht related that it was the intent of his proposal to make little or no burden. He felt that requesting a course syllabus on an ad hoc basis presented two problems. The first was that many people may not want to identify themselves or it may take too much time and they stop in exasperation. Secondly, he felt that there was a risk for increasing administrative burden with a large number of inquiries rather than having independent access to the information on-line. He stated that the intellectual property issues complicated the situation. However, he thought that the vast majority of those issues could potentially be resolved by developing a mechanism that would allow the faculty to easily object or not object to posting their syllabi publicly every time a new one is uploaded.

President Curtis related that type of information was already being shared on an ad hoc basis when a student transfers from one institution to another. He clarified that a syllabus is an individual faculty member's interpretation of approved course curriculum which could be quite different as long as the end results meet the approved curriculum outcome.

Regent Alden cautioned the Board to be careful not to infringe upon academic freedom and intellectual property rights.

26. Informational - Course Content Accountability (Agenda Item #26) - (Cont'd.)

Regent Trachok recommended that all institution administrations continue working with and supporting their faculty and assuring quality control, while protecting intellectual property rights, as programs are developed for their students and stakeholders.

Regent Knecht felt that some serious concerns had been voiced in a number of places. He understood the concern for intellectual property issues. However, he felt that the public had the absolute right to know what is being done with taxpayer funds.

Regent Knecht asked Vice Chancellor Zink if some of the institutions were in fact already providing that type of information. Vice Chancellor Zink replied that Blackboard could be opened at the syllabus level. However, since the faculty believes the syllabi to be intellectual property, the information made available to the public may be reduced.

Regent Knecht stated around the country there were a number of initiatives to reach out to the public to make more information available as an open source. He felt that the System and Board was taking a poor defensive posture to withhold information. He felt that the public has a right to know on reasonable terms the course syllabi and other materials without a high time cost or initiative threshold to overcome. He felt that the System should take steps to make the information more easily accessible by the public and that can also protect the property rights of the faculty.

Regent Knecht requested the opportunity to work more closely with the faculty senates to develop a policy proposal to be presented to the Board at a future meeting.

27. Approved - Handbook and Procedures and Guidelines Manual Revision, Technology Fee (Agenda Item #27) – The Board of Regents approved Chancellor Daniel J. Klaich’s request for a revision to Board policy concerning the Technology Fee (*Title 4, Chapter 10, Section 16 and new Section 17, and Title 4, Chapter 17, Section 24 of the Handbook; Chapter 7, Sections 1 and 8 of the Procedures and Guidelines Manual*). Specifically, the proposed revision clarifies the authorized use of a portion of the Technology Fee for the iNtegrate Project, currently included within the regular Technology Fee, and separately identifies the amount for the regular Technology Fee and the Technology Fee for the iNtegrate project within the list of Student Fees. (*Ref. BOR-27 on file in the Board office*).

Chancellor Klaich explained that at the end of the second phase of the iNtegrate project the Board will be asked to consider a sunset of the iNtegrate Technology Fee.



27. Approved - Handbook and Procedures and Guidelines Manual Revision, Technology Fee (Agenda Item #27) – (Cont'd.)

Regent Trachok moved approval of a revision to Board policy concerning the Technology Fee (*Title 4, Chapter 10, Section 16 and new Section 17, and Title 4, Chapter 17, Section 24 of the Handbook; Chapter 7, Sections 1 and 8 of the Procedures and Guidelines Manual*). Specifically, the proposed revision clarifies the authorized use of a portion of the Technology Fee for the iNtegrate Project, currently included within the regular Technology Fee, and separately identifies the amount for the regular Technology Fee and the Technology Fee for the iNtegrate project within the list of Student Fees. At the end of the second phase of the iNtegrate project the Board will be asked to consider a sunset of the iNtegrate Technology Fee. Regent Knecht seconded. Motion carried. Regent Blakely was absent.

The meeting recessed at 12:00 p.m. and reconvened at 12:29 p.m. on Friday, September 07, 2012, with all members present except for Regent Blakely.

Chair Geddes thanked President Sheehan and the staff of TMCC for hosting the Board meeting.

28. Informational - Report on the Committee to Study the Funding of Higher Education (Agenda Item #28) - Chancellor Daniel J. Klaich presented a report on the progress of the Legislature's Interim Committee to Study the Funding of Higher Education, including a review of the final recommendations of the Interim Committee (*Memo from Chancellor Klaich on file in the Board office*).

Chancellor Klaich reported on the three major inconsistencies between the actions of the Board of Regents and those of the Interim Committee:

- The Board of Regents had recognized a factor for the operation and maintenance of facilities to be considered within the weighted student credit hour concept (*approved by the Interim Committee*). However, the Interim Committee did not act upon the Board's recommendation of providing an exception of direct O&M support for research facilities at UNLV and UNR.

28. Informational - Report on the Committee to Study the Funding of Higher Education  
(Agenda Item #28) – (Cont'd.)

- The Board of Regents had recommended a four year plan to phase in and mitigate the impact of the new funding model, and it had accepted the recommendation to accomplish such mitigation through a combination of one-time State general funds, partial deferral of the reallocation, and implementation of additional budget cuts. The Interim Committee recommended full mitigation with new state funding (*hold harmless*) for two years only.
- The Board of Regents had recommended funding based upon a weighted student credit hour concept as measured by the discipline matrix developed by the National Center for Higher Education Management Systems. The Interim Committee approved this recommendation but eliminated the 10% research factor and imbedded it as a 10% weight added across all disciplines at the upper division, master's and doctoral level for the universities only.

Chancellor Klaich related that in regard to the performance pool, the Interim Committee recommended that the performance pool go back to the Board and asked the Board Chair to appoint a working group to come up with a final recommendation on the performance pool.

Chair Geddes added that there had not been much discussion on the metrics themselves but on how much weight and the details involved.

In regard to the Interim Committee's action on the weighted student credit hour concept, Regent Knecht asked if the Interim Committee effectively increased the weights by 10% so that an 8 becomes 8.8. Chancellor Klaich replied that was correct.

Former Assemblyman John Carpenter asked if the small northern institutions were to be held harmless for two years. Chair Geddes replied that was correct. Mr. Carpenter hoped that the Board of Regents would support that action.

Regent Knecht asked if the hold harmless (\$13.2 M) was essentially to be added to the Board's budget request of \$473 M for the coming biennium. Chair Geddes explained that the \$13.2 M approved by the Interim Committee would be added to the Board's request for an additional \$5 M in new funds making it a total of \$18.2 M above the Board's requested budget.

Regent Melcher felt that at its meeting on August 24, 2012, the Board had taken action to allow the System to build the Interim Committee's actions into the budget approved by the Board that day. Chair Geddes stated that was correct and clarified that the Board did not need to take any further action.

29. Informational - Implementation of NSHE Strategic Directions (Agenda Item #29) - Chancellor Daniel J. Klaich provided a report on the status of the Strategic Directions adopted by the Board of Regents on January 20, 2012. The report provided information on the progress of various projects (*as listed below*) including information on the lead staff person assigned to the project, the estimated time of completion, the project's current status and the project's estimated status in the next six to 12 months (*Ref. BOR-29 on file in the Board office*).

Chancellor Klaich elaborated that the information provided also highlights the exceptional work being done on the projects. The various initiatives that are part of the Board-adopted Strategic Directions include:

- NGA Policy Academics – Metrics
- Complete College America
- Efficiency & Effectiveness Committee
- Remedial Education Project
- Salary and Benefits Schedule Review
- P-20 Initiatives Alliance
- Diversity EDIC Council Recommendations
- Formula Funding Study
- iNtegrate to iNtegrate 2
- NSHE Data Warehouse
- Code Review Task Force
- Statewide Longitudinal Data System (*SLDS*)
- Government Relations/Communications Plan
- Nevada Health Care and Medical Services Sector Council
- Low Yield Policy Proposal (*eff. Fall 2012*)
- Academic Health Center – UMC Partnership
- Access and Affordability Committee
- State Board of Economic Development

- 29.a Informational - Access and Affordability Report (Agenda Item #29.a) - Vice Chancellor of Academic and Student Affairs Crystal Abba presented the final report of the Access and Affordability Committee, an ad hoc committee created by the Chancellor charged with making recommendations in the context of tuition and fees and financial aid that encourage full-time enrollment and degree completion. The presentation included the Committee's general recommendations that will be presented for final action at the November 29-30, 2012, meeting of the Board (*Ref. BOR-29a(1) and Ref. BOR-29a(2) on file in the Board office*).

Vice Chancellor Abba reported on the context and charge of the Access and Affordability Committee, the Committee's membership, average undergraduate resident tuition and fees (*Public WICHE universities and public 2-year institutions*), NSHE 2010-11 institutional cost of attendance (*off campus*), cost of living in Nevada, financial aid and completions, tuition and fee and financial aid recommendations (*as summarized below*) and next steps (*full presentation (BOR-29a(2) on file in the Board office*).

29. Informational - Implementation of NSHE Strategic Directions (Agenda Item #29) – (Cont'd.)

29.a Informational - Access and Affordability Report (Agenda Item #29.a) – (Cont'd.)

- Tuition and Fee and Financial Aid Recommendations:
  - Recommendation #1: Tuition Bracket Models for Further Study.
  - Recommendation #2: Adopt an Excess Credit Policy.
  - Recommendation #3: Ensure Predictability and Transparency of Tuition.
  - Recommendation #4: Adopt Financial Aid Reporting Measures.
  - Recommendation #5: Limit Financial Aid for Excess Credits.
  - Recommendation #6: Increase State Funding for Financial Aid.
  
- Next Steps:
  - Draft policy changes for consideration at the November 29-30, 2012, Board of Regents meeting.
  - Work with State Legislature and Governor's Office on securing state funding for need-based financial aid.
  - Continue dialogue on ensuring NSHE institutions are accessible and affordable.

Regent Wixom related that it was his understanding that on a whole, students in Nevada do not take advantage of financial aid at the same levels as do students in other states. Vice Chancellor Abba replied that challenge boils down to whether or not students fill out the FAFSA. However, that can be impacted by cultural deterrents.

With respect to those cultural deterrents, Regent Wixom asked unless students are required to fill out the form then they are not taking full advantage of federal dollars. Vice Chancellor Abba stated that was true, adding that students must complete the form to receive the aid.

Regent Wixom asked if there were ways to encourage students to take full advantage of those federal aid opportunities. He felt that needed to be part of this analysis going forward. He felt that there may be a perception held by some legislators that the Millennium Scholarship dollars are being utilized without taking full advantage of other opportunities.

Vice Chancellor Abba stated that given the total cost of attendance, the Millennium Scholarship dollars are very important to students. She indicated that having a policy requiring all students to complete the FAFSA application was worth exploring. However, she was not yet willing to say that would make good public policy without further exploring the impacts of such a policy.

29. Informational - Implementation of NSHE Strategic Directions (Agenda Item #29) – (Cont'd.)

29.a Informational - Access and Affordability Report (Agenda Item #29.a) – (Cont'd.)

Regent Crear felt that there had been previous discussion regarding the correlation of “financial aid” to acceptance of welfare or a handout. He asked if it was possible to consider changing the name. Vice Chancellor Abba indicated that she would need to go back to the minutes of a previous Academic and Student Affairs Committee meeting at which that conversation occurred.

In regard to Recommendation #1: Tuition Bracket Models for Further Study, Regent Melcher related that when he started college he was under a system where he paid a flat fee for a certain number of credits. He remembered that had been problematic since students would register for the same classes and then drop what they did not need. Vice Chancellor Abba agreed that “shopping for classes” is problematic and is being addressed by the Tuition and Fees Committee, adding that perhaps there could be a way to limit the number of classes dropped by a student.

Regent Page asked if there were best practices from other states for requiring completion of the FAFSA application. Vice Chancellor Abba indicated that she would research that information and report back to the Board.

29.b Informational - Remedial Education Report (Agenda Item #29.b) - Vice Chancellor of Academic and Student Affairs Crystal Abba reported on the work completed in summer 2012 on remedial education, including the outcome of campus remedial education pilots, best practices, and policy considerations that will be brought back to the Board for final action at the November 29-30, 2012, meeting of the Board (Ref. BOR-29b on file in the Board office).

29.c Informational - On-Line Education Strategies (Agenda Item #29.c) - Vice Chancellor of Academic and Student Affairs Crystal Abba presented the framework for which NSHE institutions will begin to explore alternative online education strategies through a steering committee whose work will be supported by Richard N. Katz & Associates. The work of the steering committee will include evaluating various on-line education strategies in the context of current distance education programs in place at each NSHE community college, assessing funding/revenue potential associated with preferred alternatives, identifying barriers, and developing realistic timelines for implementing preferred options (Ref. BOR-29c on file in the Board office).

29. Informational - Implementation of NSHE Strategic Directions (Agenda Item #29) – (Cont'd.)

29.c Informational - On-Line Education Strategies (Agenda Item #29.c) – (Cont'd.)

Chancellor Klaich related that the faculty has expressed a concern that the Board is trying to take over curriculum. He emphasized that was not the case. However, the Board was interested in understanding how things currently work and how they can be improved.

Regent Anderson expressed concern that the evaluation will concentrate on the potential outsourcing of distance education. She cautioned not to lean too far toward the outsourcing concept and to keep in mind what can be done with current faculty and resources. Chancellor Klaich replied that was part of the Community College Task Force report. He felt that the System could utilize its talent and in-source for this particular recommendation. He felt that in that report, Mr. Bruce James was stating that the NSHE must attend to alternate modes of delivery or higher education was going to run right past Nevada.

Regents Knecht cautioned it was not just a central command to identify right or wrong technological choices but that it was more about how the System can participate in those choices and what incentives could be given to faculty and staff to exploit and market new ideas and technology.

Regent Wixom agreed that on-line and distance education can be very dynamic areas that change quickly. He respectfully requested that this topic be an ongoing discussion perhaps on the Academic and Student Affairs Committee agenda.

Regent Leavitt felt that on-line education will be a significant part of the future of higher education.

Regent Page felt that the Chancellor may want to consider dedicating a staff position to on-line education instead of the use of a consultant. Chancellor Klaich replied that upon the conclusion of the first phase of this process (*approximately six months*), that could well be something discussed within the context of the report.

Regent Crear expressed concern for the potential of losing the impact of in-person learning and the personal interaction with professors, through extracurricular activities and the on-campus experience. Chancellor Klaich felt that part of the e-learning revolution is to provide a certain amount of on-line education and was not intended to be the sole content. A fundamental piece of instruction delivered electronically frees up the professor for the more intensive aspects of learning.

29. Informational - Implementation of NSHE Strategic Directions (Agenda Item #29) – (Cont'd.)

29.c Informational - On-Line Education Strategies (Agenda Item #29.c) – (Cont'd.)

Regent Trachok stated that if the NSHE is going to reach its goal of doubling its number of graduates without receiving a doubling of its budget, then different ways of accomplishing that goal needed to be found. He agreed with Regent Knecht that any form of technology or means of delivery could not be discounted and it was important to remain flexible. He also agreed with Regent Wixom that this topic needed to be on every meeting agenda. He also felt that it was important to make certain that funding recognizes new tools and that faculty are rewarded and not penalized for using those tools.

Regent Anderson expressed her concern that one-on-one interaction between students and their teachers not be lost.

Regent Knecht did not feel that the delivery of education had to be an “either/or” situation and having a mix of delivery methods was important. He also agreed with Regent Trachok that this topic should be recurring so that the Board can remain informed of all developments and options. He requested a high level review of all available technology-based education delivery initiatives be presented to the Board at its December 2012 or March 2013 meeting.

The meeting recessed at 1:57 p.m. and reconvened at 2:06 p.m. on Friday, September 7, 2012, with all members present except for Regent Blakely.

29.d Informational - Community College Task Force (Agenda Item #29.d) -

Chancellor Daniel J. Klaich reported on the recommendations of the *Fresh Look at Nevada’s Community Colleges Task Force* in the context of specific actions that must take place at a future Board meeting for implementation (Ref. BOR-29d on file in the Board office).

The ten recommendations of the Community College Task Force include:

- Create a strategic plan focused on student learning outcomes;
- Focus on future technology needs;
- Leverage resources to benefit learners;
- Create pathways for K-16 learners to succeed;
- Remake remedial education;
- Implement variable tuition pricing;
- Increase meaningful certificates;
- Expand dual high school and college enrollment;
- Change the State funding formula for community colleges; and
- Move governance to the source.

29. Informational - Implementation of NSHE Strategic Directions (Agenda Item #29) – (Cont'd.)

29.d Informational - Community College Task Force (Agenda Item #29.d) – (Cont'd.)

Chancellor Klaich related that significant progress was being made on the fundamental elements of the Task Force recommendations. He emphasized the importance of remaining flexible to allow consideration of all recommendations.

29.e Informational - Integrate Phase II (Agenda Item #29.e) - Vice Chancellor of Information Technology Steven D. Zink presented a report on the status of the second phase of the iNtegrate Project. The second phase of the project will address Finance and Human Resources modules and will include a comprehensive review and restructuring of NSHE business practices.

Vice Chancellor Zink cautioned that the System's broad band infrastructure has been fairly inexpensive over the last decade due to economic circumstances. However, those prices have bottomed out and are on the rise.

Vice Chancellor Zink reported that the iNtegrate project had initially been authorized by the Board in 2007 to replace antiquated student information systems. Implementation has been most complex due to the NSHE's multi-institutional and multi-functional mission.

Prior to moving forward on the technology aspects of the project, Vice Chancellor Zink related that he insisted that a business process analysis be conducted to determine what should be done, what was being done in common and what may no longer need to be done in order to make this project the best investment possible. The System was being presented with a tremendous opportunity to make a real difference in internal operations. He referred to the previous day's action taken by the Investment and Facilities to recommend approval of the release of up to \$1 M of the \$20 M earmarked for future phases of the iNtegrate project to be used to fund a comprehensive System-wide analysis of business processes and practices that will encompass and expand upon the general recommendations outlined in the Board's June 2011 Report on efficiency and Effectiveness.

Regent Page asked if there were fundamental changes that needed to be made. Vice Chancellor Zink did not feel that there were any to bring forward at that time. However, the PeopleSoft software was catching a number of inconsistencies in audit that could be handled in a more precise manner.



29. Informational - Implementation of NSHE Strategic Directions (Agenda Item #29) – (Cont'd.)

- 29.f Informational - NGA Grant – Common Core State Standards Postsecondary Collaborative (Agenda Item #29.f) - Chancellor Daniel J. Klaich and Vice Chancellor of Academic and Student Affairs Crystal Abba presented a brief overview of the grant NSHE received in August 2012 from the National Governors Association (NGA) to help Nevada map and execute key actions related to postsecondary implementation of the Common Core State Standards.

Regent Wixom complimented Chancellor Klaich, Vice Chancellor Abba and the System Administration staff for the hours of behind the scenes work that has been incredibly valuable. He expressed his appreciation for all they have done and how proactive the work has been.

- 29.g Informational - Communication Plan (Agenda Item #29.g) - Vice Chancellor of Administration and Operations Renee Yackira presented a demonstration of a new communications campaign for NSHE to demonstrate the positive impact of higher education throughout the state.

Vice Chancellor Yackira related that although the institutions have communication plans, one does not exist for the combined System.

Vice Chancellor Yackira stated that communication has various components including educational outreach, general outreach and government relations among other things.

Vice Chancellor Yackira related that the Association of Public Land Grant Universities had reached out to the System to participate in a pilot project to tell one cohesive statewide story. The project was modeled on the Missouri state system. The NSHE's goal is to have this communication tool in place by the 2013 Legislative Session with further development to occur over time. The first step of the project is to create an interactive map of the entire state, broken down by county that then provides specific information highlighting the impact of higher education in each county or possibly by congressional districts.

Vice Chancellor Yackira provided a demonstration of some of the interactions that will occur on the pilot website, including one of a "bubble map" that captures information from different institutions or departments that are relevant. Further information will be added to reflect the diversity of the NSHE's institutions and its integration and partnerships throughout the state of Nevada. The site can also be used as a communication tool with public service announcement (PSA) videos or banners of celebrity alums.

30. Approved - Academic & Student Affairs Committee (Agenda Item #30) - Chair Andrea Anderson reported that the Academic & Student Affairs Committee met on September 6, 2012, and heard the following:

Dr. Darren Divine, CSN Vice President for Academic Affairs, reported on a plan to revitalize the Occupational Therapy Assistant program. The plan includes a proposal for hiring the necessary faculty, recruiting students and restoring program accreditation.

Dr. Erika Beck, NSC Provost, and members of the NSC faculty presented information on the instructional strategies practiced at NSC, including information on the innovative, technology-rich teaching strategies employed by NSC faculty that promote career success and enhanced quality of life for a diverse population of students.

Faculty Senate Chairs from UNR, GBC, TMCC and WNC presented a report concerning general education curriculum requirements that includes information regarding recently adopted core curriculum changes and anticipated changes across the System, as well as how the institutions work together in coordinating such curricular revisions.

Kenneth Woods, Executive Director of the College Board's Western Regional Office, presented information concerning students from the 2011 high school graduating class who took the SAT, including testing outcomes and student performance on various portions of the test.

Action items

Board action was requested to approve the following recommendations of the Academic and Student Affairs Committee.

- The Committee recommended approval of the minutes of the May 31, 2012, meeting of the Academic and Student Affairs Committee (*Ref. ASA-2a on file in the Board office*).
- The Committee recommended elimination of the MEd in Equity and Diversity in Education Settings at UNR (*Ref. ASA-2b on file in the Board office*).
- The Committee recommended revision to Board policy concerning withdrawal policies for NSHE universities and colleges (*Title 4, Chapter 16, Sections 12, 21 and 32*). Specifically, the proposed revision will align withdrawal policies across the System providing that students may drop or withdraw from a course up until 60 percent of the course instruction has occurred. If approved, this proposal will become effective Fall 2013 (*Ref. ASA-7 on file in the Board office*).

Regent Anderson moved approval of the Committee's recommendations and acceptance of the report. Regent Trachok seconded. Motion carried. Regent Blakely was absent.

31. Approved – Audit Committee (Agenda Item #31) - Chair Mark Alden reported that the Audit Committee met on September 6, 2012, and received follow-up responses for five internal audit reports that were presented to the Audit Committee at its March 1-2, 2012, 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 its May 31, 2012 meeting (*Ref. A-2a on file in the Board office*).
- Internal Audit Reports – The Committee recommended approval of the following internal audit reports: (*Ref. Audit Summary on file in the Board office*)
  - ✓ University of Nevada School of Medicine Clinical Practice Reorganization Plan, UNR (*Ref. A-3 on file in the Board office*).
  - ✓ Housing and Residential Life, UNLV (*Ref. A-4 on file in the Board office*).
  - ✓ EPSCoR Program, NSHE (*Ref. A-5 on file in the Board office*).
  - ✓ Hosting Expense Review, NSC (*Ref. A-6 on file in the Board office*).
  - ✓ Controller’s Office, WNC (*Ref. A-7 on file in the Board office*).
  - ✓ Grants and Contracts, WNC (*Ref. A-8 on file in the Board office*).
  - ✓ Student Housing, GBC (*Ref. A-9 on file in the Board office*).
- Audit Exception Report – The Committee recommended approval of the Audit Exception Report for the six months ended June 30, 2012 (*Ref. A-10 on file in the Board office*).
- Internal Audit Department Work Plan, NSHE – The Committee recommended approval of the Internal Audit Department Work Plan for the year ending June 30, 2013 (*Ref. A-11 on file in the Board office*).
- *Handbook* Revisions, Foundation Audit Waivers - The Committee recommended approval of revisions to the *Handbook* governing external audits (*Title 4, Chapter 10, Section 10*) (*Refs. A-12a; A-12b and A-12c on file in the Board office*).

Regent Melcher moved approval of the Committee’s recommendations and acceptance of the report. Regent Trachok seconded. Motion carried. Regent Blakely was absent.

32. Approved – Business & Finance Committee (Agenda Item #32) - Chair Mark Alden reported that the Business & Finance Committee met on September 6, 2012, and heard the following:

- Self-Supporting Budget revenue and expenditure revisions of the NSHE for fiscal year 2011-2012 (*Ref. BF-2b(1) and Ref. BF-2b(2) on file in the Board office*).

32. Approved – Business & Finance Committee (Agenda Item #32) – (Cont'd.)

- Transfers of State Supported Operating Budget funds between functions for the fourth quarter of fiscal year 2011-2012 (*Ref. BF-2c(1) and Ref. BF-2c(2) on file in the Board office*).
- Transfers of expenses from non-state budgets to state funds after May 1, 2012, for fiscal year 2010-2011 (*Ref. 2d on file in the Board office*).
- Fiscal Exceptions of NSHE self-supporting budgets for the fourth quarter of fiscal year 2011-2012 (*Ref. 2e on file in the Board office*).

Action Items:

Board action was requested to approve the following recommendations of the Business and Finance Committee:

- The Committee recommended approval of the minutes from the May 31, 2012, Business & Finance Committee meeting (*Ref. BF-2a on file in the Board office*).
- The Committee recommended approval of the fiscal year 2012-2013 Accountability Report reconciling the NSHE Legislative approved operating budget to the Board of Regents approved operating budget (*Ref. BF-2e(1) and Ref. BF-2e(2) on file in the Board office*).
- The Committee recommended approval of the fiscal year 2012-2013 NSHE Self-Supporting Budget (*Ref. BF-3a and Ref. BF-3b on file in the Board office*).
- The Committee recommended approval of the fiscal year 2012-2013 NSHE State Supported Operating Budget (*Ref. BF-4a and Ref. BF-4b on file in the Board office*).
- The Committee recommended approval of a resolution, on behalf of the University of Nevada, Reno, authorizing the funding of an escrow account to defease to maturity or earliest prior redemption date the remaining \$3.865 M of outstanding bonds issued in 2004 to construct the Clark County Office of Cooperative Extension in Las Vegas (*Ref. BF-6 on file in the Board office*).
- The Committee recommended approval for the NSHE to request State Board of Examiners and Interim Finance Committee (IFC) approval for a \$14,000 allocation from the IFC contingency fund to support the Trust Fund for the Education of Dependent Children through FY 2012-13 pursuant to AB 476 of the 2011 Legislature (*Ref. BF-7 on file in the Board office*).

Regent Melcher moved approval of the Committee's recommendations and acceptance of the report. Regent Doubrava seconded. Motion carried. Regent Blakely was absent.

33. Approved - Investment & Facilities Committee (Agenda Item #33) - Chair Michael B. Wixom reported that the Investment & Facilities Committee met on September 6, 2012, and heard the following:

- David Breiner and Wendy Walker from Cambridge Associates reported on asset allocation and investment returns for the pooled endowment and pooled operating funds for the quarter ending June 30, 2012.
- Director of Banking and Investments Ruby Camposano reported that the balance of the reserve account of the operating pool as of close of business on September 5, 2012, was positive \$13.3 M.
- The Committee discussed the current NSHE distribution from the endowment fund, including the spending rate and management fee distribution, in relation to current investment allocation, projected returns, and Board policy. The Chair will place this item on the Committee's next agenda for consideration of additional comparative information and recommendations for implementing changes should the spending policy be revised.
- UNLV President Neal Smatresk updated the Committee on the UNLV Master Plan.
- NSC President Bart Patterson reported on the process the college will utilize to identify a master developer for the NSC campus property. NSC will update the Committee as appropriate.
- NSC President Bart Patterson updated the Committee on a potential capital project for the construction and lease of a Nursing/Science Building and Student Services/Administration Building on the Nevada State College campus.

Action Items:

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

- The Committee recommended approval of the following Consent Agenda items.
  - ✓ Minutes from March 9, 2012, and May 31, 2012 (*Ref. IF-2a(1) and Ref. IF-2a(2) on file in the Board office*);
  - ✓ The transfer of real property located at 819-821 Center St., Reno, from the UNR foundation to NSHE for the benefit of UNR (*Ref. IF-2b on file in the Board office*);
  - ✓ The acquisition of residential real property located at 1317 N. Virginia St., Reno, by UNR (*Ref. IF-2c on file in the Board office*); and
  - ✓ The NSHE property inventory reports (*Ref. IF-2d on file in the Board office*).
- The Committee recommended approval of the following recommendation from Cambridge Associates:
  - ✓ Redeem \$1.0M from the Vanguard Mid-Cap Index-Endowment account to add to the current cash balance, in order to have sufficient cash to fund the pool's regular quarterly distribution to the campuses for quarter ending September 30, 2012.

33. Approved - Investment & Facilities Committee (Agenda Item #33) – (Cont'd.)
- ✓ A new \$5.0M commitment to the HarbourVest's Dover Street VIII, a secondary Private Equity fund.
  - ✓ Hire two Marketable Alternatives Fund of Funds firms: Forester Diversified and Maverick; and direct the liquidation proceeds from the Och Ziff and Farallon Endowment accounts to these two new firms, distributed equally as the funds are received.
- The Committee recommended approval to expend up to \$1 M of the \$20 M earmarked in December 2010 for future phases of the iNtegrate Project to fund a System-wide analysis of business processes and practices (*Ref. IF-6 on file in the Board office*).
- The Committee recommended approval of the proposed memorandum of understanding for the development of a University of Nevada School of Medicine facility to be built on the University Medical Center campus (*Ref. IF-7 on file in the Board office*).

Regent Wixom moved approval of the Committee's recommendations and acceptance of the report. Regent Schofield seconded. Motion carried. Regent Page abstained. Regent Blakely was absent.

34. Approved - Workforce, Research and Economic Development Committee (Agenda Item #34) - Chair Kevin C. Melcher reported that the Workforce, Research and Economic Development Committee met on September 6, 2012, and heard the following:

Steve Hill, Executive Director of the Office for Economic Development, was not able to attend the meeting and as a result the report on the economic development initiatives was tabled.

Karsten Heise, Technology Commercialization Manager, Nevada Governor's Office of Economic Development (*GOED*), presented information on the various technology commercialization initiatives of the *GOED*. The report included information on state efforts to catalyze innovation in core and emerging industries. In addition, the report noted potential priorities of the Knowledge Fund, including hiring impact faculty, technology outreach, industry partnerships, and investment in research and development facilities.

Frank Woodbeck, Director of the Nevada Department of Employment, Training and Rehabilitation (*DETR*), presented information concerning the work of his office in relation to the State's economic development efforts, including information on the national career readiness certificates, the administration of those certificates through certain NSHE community colleges, and the role of the certificates in identifying students for job placement.

34. Approved - Workforce, Research and Economic Development Committee (Agenda Item #34) – (Cont'd.)

Chair Kevin C. Melcher reported that the Workforce, Research and Economic Representatives from the technology transfer offices at UNLV (*Tom Piechota, Interim Vice President for Research and Dean of the Graduate College, and Rob Nielsen, Business Development Officer*) and UNR-DRI (*Ryan Heck, Patent Counsel and Director Technology Transfer Office*) presented information on the support their offices provide for patent and other commercialization to researchers at their respective institutions.

Staff presented a document requested at the March 2012 Committee meeting that maps the sponsored projects of the universities and DRI to the eight targeted industry sectors identified in the State's economic development plan (*Moving Nevada Forward: A Plan for Excellence in Economic Development 2012-2014*).

Action Items:

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

- The Committee recommended approval of the minutes of the May 31, 2012, meeting of the Workforce, Research and Economic Development Committee (*Ref. WRED-2 on file in the Board office*).

Regent Melcher moved approval of the Committee's recommendation and acceptance of the report. Regent Knecht seconded. Motion carried. Regent Blakely was absent.

35. Approved – Cultural Diversity Committee (Agenda Item #35) - Chair Cedric Crear reported that the Cultural Diversity Committee met on September 7, 2012, and heard the following:

Lauren Burke Bennett presented information on Black Girls Code, which is a 501(c) (3) non-profit organization whose mission is to empower girls of color to make a lasting contribution to society through the science, technology, engineering and mathematics (STEM) fields. The presentation included information on the various programs of the organization being conducted in the greater Las Vegas areas.

Dr. Barbara Wright-Sanders, Office of Equity and Inclusion, TMCC, presented information on the institution's new Office of Equity and Inclusion, including its role in promoting student diversity and ensuring student success.

35. Approved – Cultural Diversity Committee (Agenda Item #35) – (Cont'd.)

Assistant Vice Chancellor Magdalena Martinez presented information on the status of certain NSHE institutions in achieving status as a designated Hispanic Serving Institution (HSI), including statistical data on the Hispanic population in Nevada and at NSHE institutions, and information on the federal process involved in the designation of Title III and Title IV status, which is required before pursuing HSI designation and grants.

President Maria C. Sheehan, TMCC, and Dr. Reginald Stewart, UNR, co-chairs of the Equity, Diversity and Inclusion Council, reported on the recent work of the Council and initiatives that the group is pursuing, including the upcoming Diversity Summit at CSN in October. Constance Brooks, CSN Director of Government Affairs & Diversity Initiatives, provided details on the Summit format.

Action Items

Board action was requested to approve the following recommendations of the Cultural Diversity Committee:

- The Committee recommended approval of the minutes of the June 1, 2012, meeting of the Cultural Diversity Committee (*Ref. CD-2 on file in the Board office*).
- The Committee recommended approval of a revision to Board policy concerning bid evaluations for prime contractors (*P&G Manual, Chapter 5, Section 2*). At the request of Committee members during the June 2012 meeting, the proposed revision requires that bid documents and resulting contracts include a list of Tier 2 businesses and suppliers, including any minority-owned, women-owned, other small disadvantaged business enterprises and local suppliers that will be given the opportunity to bid as subcontractors (*Ref. CD-3 on file in the Board office*).

New Business

Chair Crear asked for an update at the next meeting on the implementation of the Tier 2 supplier policy and the supplier inclusion policy as a whole.

Regent Crear moved approval of the Committee's recommendations and acceptance of the report.  
Regent Doubrava seconded. Motion carried.  
Regent Blakely was absent.

36. Approved - Health Sciences System Committee (Agenda Item #36) - Chair Mark W. Doubrava reported that the Health Sciences System Committee met on September 7, 2012, and heard the following:

- Chair Doubrava stated he is looking forward to being Chair of this Committee and working with everyone.



36. Approved - Health Sciences System Committee (Agenda Item #36) – (Cont'd.)

- Vice Chancellor Turner presented an update on the Health Sciences System activities since the last meeting. She presented the Committee with an overview of major initiatives HSS is working on and documented the status of these initiatives. Vice Chancellor Turner provided a more detailed overview of the following three HSS initiatives: (1) the inventory of all health sciences programs; (2) the NSHE Research and Scholar searchable database; and (3) the Health Workforce in Nevada study. More detail on the program inventory and updates on the database and workforce study will be forthcoming.
- Dean of UNSOM/Vice President of the Division of Health Sciences, Dr. Thomas Schwenk, presented a status report on the strategic planning and operating relationship between UNSOM and the University Medical Center of Southern Nevada (UMC) in addition to other UNSOM affiliations in Reno and with the VA hospitals in Las Vegas and Reno. He stated that much progress has been made in the selection of the electronic health record system and that the intensive conversion process will soon be underway. He also provided the Committee with an update on practice plan board restructuring, curriculum transformation and research development. An in-depth discussion of Graduate Medical Education (GME) and residency education ensued. More information on the complexities of residency/fellowship programs will be presented at a future meeting. Governance at UMC was discussed and Regent Wixom stated that the Regents continue to support the efforts of expanding and strengthening the relationship between UMC and UNSOM and are available and willing to assist. Brian Brannman, CEO of UMC, stated that the County has included this issue in one of its four legislative requests. Consultants are also continuing with their study of best practices related to governance options.
- Dr. Thomas Schwenk presented UNSOM's plan to develop a facility on the UMC Campus including the development of a Memorandum of Understanding (MOU) between UNSOM and UMC to support this effort. This MOU was approved by the Clark County Commissioners. A building steering committee to help facilitate the planning process will be created.
- Dean Schwenk provided a high-level overview of space utilization in the new building including an auditorium, research and some clinical space. He indicated that much internal discussion has taken place resulting in a change in approach for clinical services. An effort will be made to move clinical activities out into the community versus having one central hub.
- President Richards provided an update on the status of the Occupational Therapist Assistant Program and their efforts to revive this program. Chancellor's staff will review direction given at the Academic Affairs Committee to help identify the next steps in this process. Vice Chancellors Turner and Abba provided an explanation of when such programmatic issues need to appear before the Regents. Regent Melcher asked the Chancellor's staff to review and identify the appropriate venue for further discussion on this issue at the next Regents' meeting.

36. Approved - Health Sciences System Committee (Agenda Item #36) – (Cont'd.)

Action Items:

Board action was requested to approve the following recommendations of the Health Sciences System Committee:

- The Committee recommended approval of the minutes from the June 1, 2012, meeting (*Ref. HSS-2 on file in the Board office*).
- The Committee recommended approval of the Memorandum of Understanding related to the development of a UNSOM facility to be built on the UMC campus and for the Board Chair and the Chair of the HSS Committee to appoint Regent representation on the building steering committee for this facility (*Ref. HSS-6 on file in the Board office*).

New Business:

- Regent Wixom recommended that Regent Doubrava and Dean Schwenk meet to explore how best to provide the Committee with an overview of the issues facing residency/fellowship programs and to help identify opportunities to expand such programs in the state.
- Regent Doubrava asked for an update at the next meeting on the DRI/Nevada Cancer Institute relationship.

Regent Doubrava moved approval of the Committee's recommendations and acceptance of the report. Regent Leavitt seconded. Motion carried. Regent Blakely was absent.

37. Informational – New Business (Agenda Item #37) – None.

38. Informational – Public Comment (Agenda Item #38) – Regent Schofield requested a moment of silence for the passing of Ms. Lucille Rogers and expressed his condolences to the Rogers Family.

The meeting adjourned at 2:59 p.m.

Prepared by: Jessica C. McMullen  
Special Assistant and Coordinator to the Board of Regents

Submitted by: Scott G. Wasserman  
Chief of Staff and Special Counsel to the Board of Regents

*Approved by the Board of Regents at its November 29-30, 2012, meeting.*