

SPECIAL MEETING
BOARD OF REGENTS
NEVADA SYSTEM OF HIGHER EDUCATION

System Administration, Las Vegas
4300 South Maryland Parkway, Board Room

Thursday, January 17, 2019
Friday, January 18, 2019

Video Conference Connection from the Meeting Site to:
System Administration, Reno
2601 Enterprise Road, Conference Room
and
Great Basin College, Elko
1500 College Parkway, Berg Hall Conference Room

Members Present:

Mr. Kevin J. Page, Chairman
Dr. Jason Geddes, Vice Chairman
Dr. Patrick R. Carter
Ms. Amy J. Carvalho
Mrs. Carol Del Carlo
Dr. Mark W. Doubrava
Mr. Trevor Hayes
Mr. Sam Lieberman
Mrs. Cathy McAdoo
Mr. Donald Sylvantee McMichael Sr.
Mr. John T. Moran
Ms. Laura E. Perkins
Mr. Rick Trachok

Others Present:

Dr. Thom Reilly, Chancellor
Ms. Crystal Abba, Vice Chancellor, Academic and Student Affairs
Mr. Andrew Clinger, Chief Financial Officer
Mr. Dean J. Gould, Chief of Staff and Special Counsel to the Board
Mr. Nate Mackinnon, Vice Chancellor, Community Colleges
Mr. Joe Reynolds, Chief General Counsel
Dr. Federico Zaragoza, President, CSN
Dr. Kristen Averyt, President, DRI
Ms. Joyce M. Helens, President, GBC
Mr. Bart J. Patterson, President, NSC
Dr. Karin M. Hilgersom, President, TMCC
Dr. Marta Meana, President, UNLV
Dr. Vincent R. Solis, President, WNC

Faculty senate chairs in attendance were: Dr. Darin Dockstader, CSN; Dr. Abby Peters, NSC; Mr. Mike Holmes, TMCC; and Mr. Douglas Unger, UNLV. Student body presidents in attendance were: Mr. Andrew Sierra, ASCSN President, CSN; and Ms. Stephanie Molina, GPSA President, UNLV.

Chairman Page called the meeting to order at 2:00 p.m. on Thursday, January 17, 2019, with all members present except Regent Trachok. Chairman Page welcomed the newly elected and re-elected Regents. A moment of silence was held for former Regent Mark Alden. Regent Moran led the Pledge of Allegiance.

1. Information Only – Public Comment – Ms. Barrie Lynn stated UNR's expansion should not come at the expense of the 19th-century Gateway homes. She indicated President Johnson promised at an April 2016 Reno City Council meeting that he was committed to preserving these homes.

Former Regent Robert Blakley acknowledged the Board's commitment to student success. He thanked the Board of Regents for its hard work.

Dr. Janis McKay, UNLV Faculty Senate Vice Chair, reported 41 percent of UNLV students come from low-income families. Colleagues have all encountered students living with diversity but are determined to better themselves and their families. With the right support, these students are able to graduate. As the Board works to improve graduation rates it is asked to keep in mind the unique needs of the student population.

Mr. Bill Hanlon noted NSHE and K12 are working at opposite ends as it relates to remediation. NSHE tests incoming students to place them in the appropriate coursework for success. K12 students are placed in classes based on their grade level whether they are ready for the class or not. He stated if NSHE is concerned with the remediation rate it will have to look at where it starts to begin fixing it. The students must be put first.

Dr. Paul Aizley, UNLV Professor, reported the Board should be asking the high schools why students are arriving at NSHE not prepared and needing remediation.

2. Information Only – Opening Remarks from the Chancellor – Chancellor Thom Reilly reported on efforts underway intended to support the Board of Regents' Student Success goal.

Chancellor Reilly welcomed Chief Financial Officer Andrew Clinger.

Chancellor Reilly stated the Regents will hear many great ideas today, along with national statistics related to student success. A key cultural change that has made significant progress at institutions is receiving data from the department/director level. NSHE has to have ownership in the data. For example, UNLV has produced the data and is now beginning conversations with faculty and department heads to review why students are dropping out. The next issue is to rethink how remedial is done. Statistics show a student that starts with remedial has a lower chance of graduating. Other systems are producing encouraging results by having students entering higher education take corequisites such as mandated tutoring while being mainstreamed into math and English

2. Information Only – Opening Remarks from the Chancellor – (Continued)

classes. NSHE has to work with the school districts to move remedial back to K-12. Sophomores can be tested and then remediated in their junior and senior years.

Chancellor Reilly thanked Vice Chancellor for Academic and Student Affairs Crystal Abba for gathering the data that will be used for this meeting.

3. Information Only – UNLV Student Success Summit – UNLV President Marta Meana stated the summit was a student-driven event intended to obtain insight from students on factors central to their success. *(Ref. BOR-3 on file in the Board Office.)*

Chairman Page left the meeting.

Ms. Akasha Cook, a junior in the University of Nevada, Las Vegas Honors College, presented a PowerPoint titled, “President’s Student Success Summit” reporting on the outcomes of the UNLV Student Success Summit held on November 9, 2018, including: participants; recurring themes; University strengths; perceived challenges; recommendations; and summit feedback.

In response to a question from Regent Perkins, Ms. Cook stated the University did a great job of choosing a diverse cross-section of students to participate.

4. Information Only – NSHE Student Success Metrics – Vice Chancellor Abba presented a PowerPoint titled, “Strategic Plan Metrics, Student Success” reporting student success data for each NSHE institution including: graduation rates; the number of students earning an award; persistence rates (leading indicator); and transfer data (IPEDS Outcomes). *(Ref. BOR-4 on file in the Board Office.)*

In response to a question from Vice Chairman Geddes, Vice Chancellor Abba stated it was a reasonable analogy that the decrease in graduation rates could have been due to an increase in students during the recession, but as Nevada’s economy improved the students left for employment without graduating.

Regent Carter asked how far back NSHE had persistence rates. Vice Chancellor Abba stated there was a challenge with the data due to changing legacy systems, but she would investigate and add to the data dashboard if the data is found.

In response to a question from Regent Del Carlo, Vice Chancellor Abba stated there is a two-year lag for IPEDS data.

Regent Hayes noted the numbers do highlight that students who go to school full-time have better graduation rates. Vice Chancellor Abba stated the part-time demographic is where a graduation rate solution must be found.

5. Information Only – Improving Student Success From A National Perspective – Dr. Bruce Vandal, Senior Vice President, Complete College America (CCA), provided a national perspective on efforts to improve student success. Nevada is a member of the CCA alliance and, as such, committed to taking bold actions to: (1) significantly increase the number of students successfully completing college and achieving degrees and credentials with value in the labor market; and (2) close attainment gaps for traditionally underrepresented populations. *(Ref. BOR-5 on file in the Board Office.)*

Chairman Page entered the meeting

Dr. Vandal presented a PowerPoint titled, “Momentum Pathways” which included extensive research on CCA identified “game changers” intended to significantly improve student success.

In response to a question from Vice Chairman Geddes, Dr. Vandal responded that providing a learning community where students are learning strategies from one another is how you make students aware of the support services available.

Regent Carter asked if many institutions have mandatory advising in the first year. Dr. Vandal stated there is a general recognition to ensure students are meeting with an advisor early and that the experience is constructed well in order to help students make the early decisions.

Regent Hayes asked how other institutions have implemented shorter courses since shorter courses do not align with financial aid and other restraints. Dr. Vandal stated the student is enrolled in the same number of courses, but the courses are delivered one at a time.

The meeting recessed at 3:43 p.m. and reconvened at 4:00 p.m. with all members present except Regent Trachok.

6. Information Only – Student Success Efforts of NSHE Institutions: Community Colleges – NSHE community college representatives presented on their respective efforts to improve student success, including information on historically successful programs and new services and programs designed to support students.

CSN President Federico Zaragoza presented a PowerPoint titled, “Action Plan Student Success @ CSN-Graduation, Completion, Transfer, and Prosper” including: guiding principles; key actions taken; results; key actions planned; moving the needle (results); and resource mapping. *(Ref. BOR-6a on file in the Board Office.)*

In response to a question from Vice Chairman Geddes, President Zaragoza stated 4,634 conferred degrees is an all-inclusive number to include degrees and certificates.

Regent Hayes stated IPEDS doesn’t really work for the community colleges and asked if the Aspen rate would be a more accurate representation of community college success. Regent Hayes appreciated the CSN resource mapping provided on page 14 of 16 of the reference material.

6. Information Only – Student Success Efforts of NSHE Institutions: Community Colleges
– *(Continued)*

In response to Vice Chairman Geddes, President Zaragoza stated the resource mapping is the map to implement the first phase of CCA. The next step in the process will be to reallocate resources.

Chancellor Reilly underscored since President Zaragoza's arrival he has been looking at where the resources need to be to have the most effect.

GBC President Joyce M. Helens presented a PowerPoint titled, "Student Success Benchmarks Closing the Gaps-Scaling the Mountain" including: gaps; and student success benchmarks. In addition, GBC representatives presented on connectivity and broadband access. *(Ref. BOR-6b on file in the Board Office.)*

In response to a question from Regent Carter, Mr. Jake Hinton-Rivera, Vice President, Student Affairs, GBC, stated students who participate in online programs are making contact by phone or email. GBC's goal is to hire an online advisor.

Chairman Page welcomed Senator Mo Denis, Chair of the Senate Education Committee, to the meeting.

Senator Denis appreciated the opportunity to meet with Chancellor Reilly and the open line of communication. NSHE and the legislature are working towards the same goal of helping students graduate and be successful. The Nevada Opportunity Grant and the Nevada Promise Scholarship are important efforts to increase the graduation rate. Proposals this session to provide incentives for students to stay in school and finish are important.

Regent Hayes stated the legislature needs to look at higher education for the past decade. NSHE lost funding but remained statistically steady. NSHE has not been made whole since the recession. Senator Denis stated it is unfortunate the state does not have sufficient funding to do everything it needs to do. The good things showing results will help make the case to do more.

In response to a question from Regent Hayes, Senator Denis stated the stories of faculty compression need to be heard. Legislators need to know the urgency. Chancellor Reilly added the data shows NSHE is hiring an ethnically diverse faculty but struggles to keep them because of compression issues.

TMCC President Karin M. Hilgersom presented a PowerPoint titled, "TMCC Student Success 2018-2025 Action Plan" including: guiding principles, strategy, vision for improving student success; key actions and results; TMCC action plan; and TMCC targets. *(Ref. BOR-6c on file in the Board Office.)*

6. Information Only – Student Success Efforts of NSHE Institutions: Community Colleges
– *(Continued)*

Regent Lieberman left the meeting.

In response to a question from Vice Chairman Geddes, President Hilgersom stated the TMCC plan will allow TMCC to scale up in a way that space and staffing allows. President Hilgersom stated she asked the vice presidents to develop a resource map to show a realistic plan. The \$691,000 annually is a way to show action plan gains that can be made to the year 2025.

Regent Moran left the meeting and Regent Lieberman entered the meeting.

Regent Del Carlo asked what TMCC's goal ratio is for advising students. President Hilgersom stated with the extra money and a plan to provide incentives for faculty advising TMCC's hope is 20:1.

Regent Del Carlo stated how impressed she is with TMCC's Summer Bridge Program and the student stories coming from the program.

In response to a question from Chairman Page, Vice Chancellor for Community Colleges Nate Mackinnon stated the community colleges acknowledge advising is very challenging and a low advising ratio will help. They are looking at best practices from across the country and within the institutions.

WNC President Vincent R. Solis presented a PowerPoint titled, "Guiding Principles, Values, & Strategic Vision for Student Success at WNC" including: guiding principles; key actions; associated results; future strategies; resources; and 2025 target outcomes.
(Ref. BOR-6d on file in the Board Office.)

Regent Moran entered the meeting.

Vice Chairman Geddes asked if the Governor's recommendation for expanding the Prison Education Program will cover the costs. President Solis responded he would have to check but if WNC had the funding it could increase the program to 200 inmates. Chancellor Reilly clarified the Governor's recommendation will provide for the CSN, TMCC, and WNC expansions.

In response to a question from Vice Chairman Geddes, President Solis stated the \$1.2 million enhancement request will be critical to increase the Latino cohort. The key to the program is that parent involvement is required.

Regent Hayes stated great resources are being added but wanted to make sure they are added at times and in mediums that the students can participate without barriers. President Solis stated WNC is revamping summer orientation by adding an online module. The same group is also putting together a perpetual orientation for the fall semester that includes a weekly powerful message to students through various platforms with steps on how to proceed through the year.

6. Information Only – Student Success Efforts of NSHE Institutions: Community Colleges
– (Continued)

In response to a question from Regent Del Carlo, President Solis stated leadership summits are being customized for the different student populations.

Regent Doubrava stated the CSN plan has aggressive and optimistic goals. President Zaragoza stated CSN looked at the median target of its peers. It is aspirational but also a performance goal for CSN.

Vice Chancellor Mackinnon stated the community college goals are well established and thought through. One of the biggest challenges in Nevada is 25 percent of students are full-time, with 75 percent part-time. Encouraging students to “Think 30” in terms of the number of credits per year will help grow the success rate.

Assemblyman Tyrone Thompson, District 17 North Las Vegas, stated great things are happening in higher education. It is known certain student populations are not succeeding. Eight years ago, CSN had a 9 percent graduation rate. There are disparities that need to be addressed.

Regent Carter encouraged Assemblyman Thompson to visit TMCC’s Men of Color Program. Assemblyman Thompson stated CSN has the BUMP Up Program.

Assemblyman Thompson stated there is a whole community that needs faith in the NSHE, and is ready to help close the achievement gap.

The meeting recessed at 5:45 p.m. and reconvened at 6:00 p.m. with all members present except Vice Chairman Geddes and Regent Trachok.

7. Information Only – Student Success Efforts of NSHE Institutions: Universities and State College – Representatives from NSHE’s four-year institutions presented on their respective efforts to improve student success, including information on historically successful programs and new services and programs designed to support students.

Vice Chairman Geddes entered the meeting.

NSC President Bart J. Patterson presented a PowerPoint titled, “January 2019 Student Success Summit” including: background; overarching strategies; select programs and results; key actions planned; building a new strategic plan; and target outcomes. (*Ref. BOR-7a on file in the Board Office.*)

President Patterson stated mandatory advising for first-year students has already started. NSC is working on the second year but it may not be ready in the fall.

In response to a question from Vice Chairman Geddes, President Patterson stated the initial investment of \$1.5 million is a combination of tuition and fee increases and budget dollars in order to design the scale up to achieve results.

7. Information Only – Student Success Efforts of NSHE Institutions: Universities and State College – (Continued)

Regent Carvalho asked why there is a decrease in the number of students conferred awards from 2018 to 2019. President Patterson stated it has to do with expectations of how many students, particularly transfer students, will enroll at the College.

UNLV President Meana presented a PowerPoint titled, “Promoting Student Success” including: guiding principles, strategy, and vision; actions and results; planned actions; resource mapping; and target outcomes. (*Ref. BOR-7b on file in the Board Office.*)

Vice Chairman Geddes asked President Meana to elaborate on the redesign of D/F/W/I courses. President Meana stated UNLV was seeing classes that students were getting stuck on such as Intro to Communications that typically would not be a D/F/W/I course. UNLV chose to review the class style and content focus to see if a redesign was needed for this generation of students.

In response to a question from Chairman Page, President Meana stated UNLV is in discussions to expand the Student Success Center.

Regent Carter asked what the current advising ratio is, with President Meana responding it is 600:1.

Dr. Kevin Carman, Executive Vice President and Provost, UNR, presented a PowerPoint titled, “Student Success, Board of Regents-January 2019” including: guiding principles; key actions; NevadaFIT; full class schedule and on-campus housing; graduation rates and achievement gaps; key actions planned; resource mapping; and target outcomes. (*Ref. BOR-7c on file in the Board Office.*)

In response to a question from Regent Carter, Dr. Carman stated not all freshman are required to stay in the dorms because UNR does not have the capacity to do so. Western Undergraduate Exchange (WUE) students are required to live in the dorms. Other students coming to Reno are strongly encouraged to reside in the dorm.

Dr. Shannon Ellis, Vice President, Student Services, UNR, stated WUE criteria was raised significantly so there are approximately 200 in the freshman class each year.

In response to a question from Regent Del Carlo, Dr. Carman stated the NevadaFIT program is a one credit, pass/fail class that students pay for, along with a \$250 course fee. If they have the opportunity to move into the dorm then there is an additional \$150 fee. For all students that qualify for Pell, UNR covers the dorm and course fees from private gifts received to support the program.

Regent Hayes remembered UNR came to the Board and asked for a change in tuition for WUE students. Dr. Carman clarified UNR created another classification of students called the Nevada Advantage that pays 200 percent of the in-state tuition.

7. Information Only – Student Success Efforts of NSHE Institutions: Universities and State College – (Continued)

In response to a question from Regent Carter, Dr. Carman stated the living-learning communities have a network of resources available in the dorm to provide a sense of community for the students.

The meeting recessed at 6:57 p.m. and reconvened at 7:01 p.m. with all members present except Regent Trachok.

8. Information Only – Panel Discussion of Student Success Moderated by Complete College America – Dr. Bruce Vandal, Senior Vice President, Complete College America, moderated a panel discussion on improving student success. Panel members shared their perspective on successful efforts to improve graduation and persistence rates.

Dr. Sunem Beaton-Garcia, President, Broward College, presented a PowerPoint titled, “Student Success is Envisioned with the End in Mind” including: fast facts; pathways; onboarding and advising; hospitality career ladder; nursing career ladder; public safety career ladder; and student support services. *(Refs. BOR-8a and BOR-8b on file in the Board Office.)*

Regent Hayes left the meeting.

Dr. Timothy Renick, Senior Vice President for Student Success, Georgia State University, presented a PowerPoint titled, “No More Equity Gaps: Institutional Transformation at Georgia State” including: graduation rates by race and ethnicity; changing demographics: race and ethnicity; low-income students; summer melt; the hidden obstacles to enrollment; portal to guide students through next steps; registration tracking and academic maps; performance in marker courses; sudden changes in the student’s electronic footprint; results; confounding expectations; and impacts. *(Ref. BOR-8c on file in the Board Office.)*

Regent Hayes entered the meeting.

Dr. José Cabrales, Senior Director of Student Success Programs & Operations, American Association of State Colleges and Universities, presented a PowerPoint titled, “Student Success Forum Nevada System of Higher Education” including: the institutions and students we serve; and national student success initiatives. *(Ref. BOR-8d on file in the Board Office.)*

In response to a question from Regent Carter, Dr. Renick and Dr. Beaton-Garcia stated their advising ratios are 300:1 and 775:1 respectively.

Vice Chairman Geddes thanked all of the presenters for spending time with the Regents and staff.

8. Information Only – Panel Discussion of Student Success Moderated by Complete College America – (Continued)

Vice Chairman Geddes asked Dr. Beaton-Garcia how many career ladders Broward College has and what kind of resources are needed to develop them. Dr. Beaton-Garcia stated they visit the high schools approximately five times during the senior year to encourage students that college is a choice for them. Each pathway is tasked with creating the career ladders in a number of different majors. It is a concerted group effort. There are a number of sources and tools that are used to keep the career ladders updated.

Vice Chairman Geddes asked what happens when a student is flagged for intervention. Dr. Renick stated a hierarchy of appropriate responses has been developed over time. Sometimes it is as easy as a text to a student to say you have signed up for the wrong class. Something more serious such as a student underperforming in a prerequisite would require a sit-down discussion. It does cost to put the analytics in place and even more to hire the advisors. In many cases the advisors cannot solve the student's problem, so resources have to be in place in order to be responsive to the specific needs of the students.

Regent Doubrava asked for a brief history of the Chat Bot. Dr. Renick stated at the time Georgia State instituted many of these student support tools, including the Chat Bot, there was no norm for these practices. The solutions are data-driven. When people have the data a solution can always be found.

Regent Doubrava believed the Chat Bot could be used in many instances, for example identifying mental health crises. Dr. Renick stated it would provide another avenue for the student.

In response to a question from Regent Hayes, Dr. Beaton-Garcia stated Broward College consists of three major campuses, one virtual campus, and four centers. The pathways provide for one approach under one dean, but the students have a consistent experience regardless of which campus they attend.

Regent Del Carlo expressed how impactful it is to see the career ladders and the progression of salaries.

The meeting recessed at 8:15 p.m. and reconvened on Friday, January 18, 2019, at 9:00 a.m. with all members present except Regent Trachok. Chairman Page announced Item 19 (GBC Intercollegiate Athletics Program; Scenic West Athletic Conference Membership; and *Procedures & Guidelines Manual* Revision, Athletics Fee) was withdrawn.

9. Information Only – Oath of Office (Agenda Item 10) – Chief Justice Mark Gibbons of the Nevada Supreme Court administered the oath of office to the newly elected and re-elected Regents.

- Ms. Amy J. Carvalho
- Mrs. Carol Del Carlo
- Mr. Donald Sylvantee McMichael Sr.
- Ms. Laura E. Perkins

The meeting recessed at 9:02 a.m. and reconvened at 9:11 a.m. with all members present except Regent Trachok.

10. Information Only – Acknowledgment of Boyd Gaming Gift to UNLV Athletics (Agenda Item 11) – President Meana acknowledged a \$5 million multi-year commitment from Boyd Gaming to UNLV's Department of Intercollegiate Athletics. (*Ref. BOR-11 on file in the Board Office.*)

President Meana expressed her appreciation and gratitude for the transformational commitment. This is the largest corporate commitment to UNLV Athletics. The gift will accelerate the Lied Athletic Complex renovation, support facility enhancements for UNLV Softball, provide scholarship and strategic support for the UNLV Athletic Department and allow the department to purchase and install a new state of the art scoreboard in the Thomas and Mack Center.

Mr. Keith Smith, President and Chief Executive Officer, Boyd Gaming Corporation, stated Boyd Gaming is privileged and proud to be in the position to give back to the community and NSHE. A strong university system makes for a stronger community.

11. Information Only – Regent Orientation (Agenda Item 12) – A Regent orientation was presented to provide the necessary framework for the new members of the Board of Regents for their future work on the Board. The orientation also provided a refresher course for returning members of the Board. Presentations were made on major areas of Regent responsibilities including Board governance and the role of a Regent, Nevada's Open Meeting Law (OML), Regent ethics requirements, Title IX requirements, and fiduciary duty.

- 11a. Information Only – Introductions (Agenda Item 12a) – Meeting participants made brief introductions.

- 11b. Information Only – Board Governance and the Role of a Regent (Agenda Item 12b) – The Board discussed its role as the governing body of the Nevada System of Higher Education and the role of a Regent in furthering the mission and goals of the NSHE and its institutions.

Regents provided their thoughts on Board governance and a Regent's role.

- Shared governance made up of team players
- Regents serve the community and students

11. Information Only – Regent Orientation (Agenda Item 12) – (Continued)

11b. Information Only – Board Governance and the Role of a Regent (Agenda Item 12b) – (Continued)

- Honor and privilege to serve the people of Nevada
- Increase Nevada's higher education ranking through a collaborative process
- Represent the public and be an advocate for higher education in Nevada
- Support students for multiple generations
- Assist the Chancellor and Presidents and give them the tools to do their job
- Work as a Board, even when not in agreement, to set the best policies for higher education in Nevada
- Fiduciary duty
- Understand every decision made by the Board impacts students
- Find solutions that work for the students
- Ensure accountability and oversight
- Provide tools and resources for student success
- Create positive student experiences
- Be transparent and open
- Need to have data-based decisions to drive policy and accountability

11c. Information Only – Nevada Open Meeting Law (Agenda Item 12c) – Nevada Chief Deputy Attorney General Gregory D. Ott provided an overview of the Nevada Open Meeting Law (OML) including: legislative intent; road map; applicability of the OML in Nevada; what is a public body; what about sub-committees; what is a meeting; requirements and exceptions; key requirements; meeting notice and agenda-NRS 241.020; contents; additional requirements, accommodations and notice; exceptions; public comment pitfalls; violations; how to avoid penalties; use of technology for a meeting; and further resources. (Ref. BOR-12c on file in the Board Office.)

Chief of Staff to the Board of Regents Dean J. Gould clarified under the Board's Bylaws the Board must have seven affirmative votes for approval of an item.

In response to a question from Regent Hayes, Mr. Ott stated he was not aware of anyone being charged criminally or civilly related to a violation of the OML. He was aware of fines being paid for willful violations.

Vice Chairman Geddes added the individual Regent pays any civil fines.

11. Information Only – Regent Orientation (Agenda Item 12) – (Continued)

11c. Information Only – Nevada Open Meeting Law (Agenda Item 12c) – (Continued)

In response to a question from Chairman Page, Mr. Ott stated when an OML complaint is filed there is an initial review to determine if there is a basis for a violation. For example, if there is no meeting, there is no violation. The Attorney General's Office would issue a letter back to the person filing the complaint explaining there was no meeting, thus no violation.

Chief of Staff Gould thanked Mr. Ott for his presentation. He stated it is helpful for the Regents to know the Attorney General's Office is watching.

Chief of Staff Gould pointed out to the Board that he is sitting on the Attorney General's Open Meeting Law Task Force.

Regent Perkins requested the Open Meeting Law Manual be added to BoardPaq's library.

11d. Information Only – Nevada Ethics in Government Law (Agenda Item 12d) – Nevada Commission on Ethics Executive Director Yvonne M. Nevarez-Goodson provided an overview of the Nevada Ethics in Government Law including: the commission; staff; vision and mission statement; conflict of interest; appearance of impropriety; private interest v. public duties; pecuniary interest; commitment in a private capacity; Nevada Commission on Ethics; jurisdiction; practices, guidance on ethics; advisory opinions; confidential advisory opinions; deferral agreements; confidentiality of complaints; required written disclosures for public officers; prohibited conduct; ethics in government; additional standards; criminal statutes; disclosures; voting and abstention; penalties; attorney general defending public officers; safe harbor provisions; and commission opinions. (Ref. BOR-12d on file in the Board Office.)

Regent Hayes left the meeting.

In response to Chief of Staff Gould, Ms. Nevarez-Goodson stated if a matter (agenda item) before the Board member has the potential to reasonably affect his/her private interests then there is an obligation to disclose the conflict to colleagues on the Board and members of the public that are present. The law states if a matter (agenda item) will materially affect the independence of judgment, an abstention is mandated.

In response to a question from Regent Moran, Ms. Nevarez-Goodson stated if there are three willful violations there is a mandate to refer allegations of criminal conduct to the Attorney General or the District

11. Information Only – Regent Orientation (Agenda Item 12) – (Continued)

11d. Information Only – Nevada Ethics in Government Law (Agenda Item 12d) – (Continued)

Attorney depending on the jurisdiction served. If the Commission did find three or more willful violations it is mandated by law to move for the removal of the elected official.

Regent Hayes entered the meeting.

Chief of Staff Gould thanked Ms. Nevarez-Goodson for presenting.

Chief of Staff Gould pointed out the Board does have a Conflict of Interest policy and a one year cooling off period once the Regent has left office.

The meeting recessed at 10:53 a.m. and reconvened at 11:00 a.m. with all members present except Regents Doubrava, Lieberman, and Trachok.

11e. Information Only – Title IX (Agenda Item 12e) – Chief General Counsel Joe Reynolds presented a PowerPoint titled, “Overview of Title IX” which provided an overview of Title IX, which is a federal law that prohibits discriminating against anyone from participating in any educational program or activity on the basis of sex including information on NSHE’s efforts to comply with Title IX. (Ref. BOR-12e on file in the Board Office.)

Regent Doubrava entered the meeting and Chairman Page left the meeting.

Regent Moran looked forward to the addition of Title IX to the Audit and Compliance Committee.

Chairman Page entered the meeting.

Chief General Counsel Reynolds pointed out Title IX includes looking deeper into all structures of the programs to include whether there is a disparity in funding and travel budgets.

Regent Lieberman entered the meeting.

In response to a question from Regent Hayes, Chief General Counsel Reynolds stated he is comfortable with NSHE’s policies and procedures related to student discipline for sexual harassment. All across the country Title IX regulations are being reviewed and proposed.

Regent Moran left the meeting.

11. Information Only – Regent Orientation (Agenda Item 12) – (Continued)
 - 11f. Information Only – Fiduciary Duty (Agenda Item 12f) – Former Regent Michael B. Wixom presented a PowerPoint titled, “Fiduciary Duties” which provided an overview of the Board’s fiduciary duty in relation to governance and oversight of the Nevada System of Higher Education including: examples; statutory Regent duties; fiduciary definition; and fiduciary duties. (*Handouts on file in the Board Office.*)

Regent Hayes left the meeting.

12. Information Only – Public Comment (Agenda Item 13) – Dr. Kent Ervin, Nevada Faculty Alliance, stated faculty is excited to further the student success goals, as well as all the strategic goals. Faculty support the proposed Resolution related to healthcare benefits. Faculty asks for the restoration of retired employees healthcare benefits. The faculty is pleased the Governor’s Executive Budget includes caseload enrollment growth and funding for the Governor Guinn Millennium Scholarship, Nevada Promise Scholarship, and Silver State Opportunity Grant. There is disappointment that other enhancement needs, including faculty compensation and salary compression, were not addressed. Deferring these will only compound serious salary compression problems. It is important to put a sustainable system in place.
13. Approved – Consent Items (Agenda Item 14) – The Board approved the consent items.
 - 13a. Approved – Minutes (Agenda Item 14a) – The Board approved the minutes from the November 16, 2018, Board of Regents’ special meeting. (*Ref. BOR-14a on file in the Board Office.*)
 - 13b. Approved – Appointment, Regional Training Program Board (Agenda Item 14b) – The Board approved the appointment of Brian Zeiszler, Education Department Chair, GBC, to fill the vacancy on the Northeastern Nevada Regional Training Program Board for the remainder of the two-year term that expires on December 31, 2019. The appointments of the Board of Regents to the governing bodies of Nevada’s K-12 regional training program boards are made pursuant to *Nevada Revised Statutes* 391A.150. (*Ref. BOR-14b on file in the Board Office.*)
 - 13c. Approved – Handbook Revision, In-State Tuition for Certain Veterans (Agenda Item 14c) – The Board approved a revision to Board policy (Title 4, Chapter 15, Section 3) regarding in-state tuition for certain veterans living in Nevada, which was originally adopted by the Board in 2014 to ensure Nevada’s compliance with Section 702 of the federal Veterans Access, Choice and Accountability Act of 2014 (“Choice Act”). Recently, Congress expanded the provisions governing in-state residency under the 2014 Choice Act (codified as 38 U.S.C. 3979) to include individuals using educational assistance under Chapter 31 (Training and Rehabilitation for Veterans with Service-Connected Disabilities). Board policy must be

13. Approved – Consent Items (Agenda Item 14) – (Continued)

13c. Approved – Handbook Revision, In-State Tuition for Certain Veterans (Agenda Item 14c) – (Continued)

revised before March 1, 2019, to include these covered individuals to ensure Nevada remains compliant with federal law and NSHE institutions do not risk the loss of federal veteran educational assistance dollars. (Ref. BOR-14c on file in the Board Office.)

Vice Chairman Geddes moved approval of the consent items. Regent Lieberman seconded. Motion carried. Regents Hayes, Moran and Trachok were absent.

The meeting recessed at 11:37 a.m. and reconvened at 12:13 p.m. with all members present except Regents Moran and Trachok.

Chairman Page congratulated Deputy Chief of Staff Keri Nikolajewski for her 17 years at NSHE.

14. Approved – Memorandum of Understanding, NSHE and Clark County School District (Agenda Item 15) – The Board approved a Memorandum of Understanding outlining a strategic partnership between NSHE and the Clark County School District. (Ref. BOR-15 and supplemental material on file in the Board Office.)

Chancellor Reilly stated the agreement identifies specific strategies and initiatives between higher education and its K12 partners. Chancellor Reilly met with all 17 superintendents to talk generally about initiatives. He then met with Dr. Jesus Jara, Clark County School District Superintendent, who was eager to create three basic initiatives related to dual credit, workforce and career preparation, and remedial education.

Dr. Jara stated this is an exciting economic development effort for the community. Students need to be ready to enter higher education. Sitting in remedial courses has an impact on the student, family and the NSHE. Middle school is the key to get children ready for a career pathway. Dr. Jara applauded the Chancellor, staff, and Presidents because this will do great things for the students.

Regent Lieberman moved approval of a Memorandum of Understanding outlining a strategic partnership between NSHE and the Clark County School District. Regent Doubrava seconded.

In response to a question from Regent McAdoo, Chief General Counsel Reynolds clarified the word “ensure” in Section 1.3.b means to ensure the opportunity for placement in a college-level course. Regent McAdoo requested it be revised to read, “ensuring the opportunity...”

14. Approved – Memorandum of Understanding, NSHE and Clark County School District (Agenda Item 15) – (Continued)

Chairman Page left the meeting.

Regent Hayes asked where the money will come from that is mentioned in Section 1.3.d. Chancellor Reilly stated during discussions with Dr. Jara there was an agreement that there needed to be movement in these areas, either through shifting resources or some new communication with industry around workforce issues. Dr. Jara has engaged in conversations about a testing tool in the pilot schools that will determine the need for remedial education.

Regent Hayes clarified there is no existing funding. Chancellor Reilly stated they are moving forward with the partnership. There will be some cost associated with the tool, but it is not seen as a hindrance.

Regent Carter stated he is a proponent of reaching out to the middle school students. This will set them on the right path.

Chairman Page entered the meeting.

Regent Del Carlo saw an opportunity to provide the career ladders to middle school students.

In response to a question from Regent Perkins, Chancellor Reilly stated a part of the partnership is to identify metrics in order to track the data.

Dr. Carman stated Cooperative Extension is committed to this sort of outreach and focus on the middle school students.

Motion carried. Regents Moran and Trachok were absent.

15. Information Only – 2019-21 Biennial Budget (Agenda Item 16) – Chief Financial Officer Clinger presented a PowerPoint update on the 2019-21 Biennial Budget Request submitted to the Governor and the Executive Budget Recommendation including: funding formula; student fees and scholarship; enhancement requests; capacity building enhancement; summer school enhancement for STEM/CTE; performance pool enhancement; supplemental request-faculty and staff compensation; supplemental request-non-formula budget enhancements; capital improvement projects-Board of Regents prioritization; and capital improvement projects-deferred maintenance HECC/SHECC. (Ref. BOR-16 and supplemental material on file in the Board Office.)

In response to a question from Vice Chairman Geddes, Chief Financial Officer Clinger understood the difference in the caseload growth numbers is the way CTE weights were adjusted.

15. Information Only – 2019-21 Biennial Budget (Agenda Item 16) – (Continued)

Regent Hayes noted he had read there is a funding discrepancy that UNR receives more money per student than UNLV. Chief Financial Officer Clinger stated he and his staff are still analyzing but based on the formula and weighted student credit hours each institution is funded exactly the same.

In response to a question from Regent Doubrava, Chancellor Reilly stated the Legislative Counsel Bureau (LCB) is interested only in what was recommended by the Governor. On January 24, 2019, LCB wants a high-level overview of what was recommended.

16. Information Only – System Administration, System Computing Services and EPSCoR Budgets (Agenda Item 17) – Mr. Vic Redding, Vice President, Administration and Finance, UNR, presented a PowerPoint overview of the budgets that make up NSHE System Administration, including the state and non-state support for the Chancellor's Office, System Computing Services, and NSHE Sponsored Programs and EPSCoR (Established Program to Stimulate Competitive Research). (Ref. BOR-17 on file in the Board Office.)

The meeting recessed at 12:59 p.m. and reconvened at 1:19 p.m. with all members present except Regent Moran.

In response to a question from Regent Carter, Mr. Redding stated \$600,000 is primarily for the renovation of the conference room in Reno, upgrade of the video equipment at both offices and security improvements to the entryway in Reno.

17. Approved – Resolution Supporting Improved Health Benefits for NSHE Employees (Agenda Item 18) – The Board approved a Resolution statement urging the Governor and Nevada State Legislature to increase contributions to the Public Employees Benefits Program (PEBP). (Refs. BOR-18a, BOR-18b and BOR-18c on file in the Board Office.)

Regent Hayes disclosed his employment through a health insurance company that administers the PEBP insurance plan and will abstain from the discussion and vote.

Regent Hayes left the meeting.

Regent Doubrava disclosed as a physician he sees members of the PEBP plan but has no specific ties to the plan and has received no financial benefit from this plan versus any other plan.

Chair of the Council of NSHE Faculty Senate Chairs Douglas Unger presented a PowerPoint titled, "Background and Comparisons & Actions Plans & Proposed Resolution" providing background information on health insurance benefits provided to NSHE employees and a Resolution statement urging the Governor and Nevada State Legislature to increase contributions to the Public Employees Benefits Program.

17. Approved – Resolution Supporting Improved Health Benefits for NSHE Employees (Agenda Item 18) – (Continued)

Regent Carter moved approval of a Resolution statement urging the Governor and Nevada State Legislature to increase contributions to the Public Employees Benefits Program. Regent Lieberman seconded. Motion carried. Regent Hayes abstained. Regent Moran was absent.

18. Withdrawn – GBC Intercollegiate Athletics Program; Scenic West Athletic Conference Membership; and Procedures & Guidelines Manual Revision, Athletics Fee (Agenda Item 19) – The item was withdrawn. (Refs. BOR-19a, BOR-19b and supplemental material on file in the Board Office.)

19. Approved – NSHE 2025 Student Success Goals (Agenda Item 9) – The Board approved institutional student success goals set through 2025. (Refs. BOR-9a and BOR-9b on file in the Board Office.)

Regent Hayes entered the meeting.

Chancellor Reilly stated the Student Success Summit was invigorating and it was good to see the Board and Presidents engaged in such an important topic. The Presidents and staff are committed and appreciate the leadership of the Board.

Vice Chairman Geddes moved approval of institutional student success goals set through 2025. Regent Doubrava seconded.

Vice Chairman Geddes clarified the Board will receive an annual update as the metrics are updated, along with the status of the implementation plans from each of the institutions.

Regent Carter offered a friendly amendment to add a mandatory advising requirement for first-year students.

Chief of Staff Gould was concerned the friendly amendment may go further than what is agendaized. He suggested the item be added to new business. Regent Carter agreed.

President Meana stated first-year advising is already mandatory at UNR and UNLV.

Regent Carter stated he would like it to be mandatory at all institutions.

Vice Chancellor Abba clarified the annual update includes IPEDS data which has a lag up to two years.

Motion carried. Regent Moran was absent.

20. Approved – TMCC Intercollegiate Athletics Program, Scenic West Athletic Conference Membership – The Board approved TMCC to join the Scenic West Athletic Conference. *(Ref. BOR-20 and supplemental material on file in the Board Office.)*

Ms. Estella Gutierrez, Vice President, Student Services and Diversity, stated this initiative was led by the students and they are willing to pay through student fees the total cost of the soccer program.

Dr. Tina Ruff, Athletics Director, TMCC, stated the Scenic West Athletic Conference includes members from Idaho, Nevada, Utah, and Colorado. This Conference will provide TMCC assistance in recruiting, scheduling, exposure through live streaming, and mentoring. The Scenic West Athletic Conference is the sole member of Region 18 and will provide a pathway for student-athletes to be recognized academically and athletically.

Regent Trachok was concerned TMCC self-supporting budgets are running an approximate deficit of \$250,000 a year. Experience has shown the Board that athletic programs always need bailouts. The focus must be on the core mission of the College which is workforce development and articulation.

Regent Trachok asked the Chancellor and Vice Chancellor for Community College to put on the record whether moving forward with this program is fiscally prudent and fiscally responsible.

In addition, Regent Trachok asked President Hilgersom to address the \$320,000 loss in formula funding for the next biennium.

President Hilgersom believed the program is fiscally prudent and fiscally responsible. The self-supporting budget is complicated, and she does not believe TMCC is losing that much money. She assured the Regents this program will generate revenue and has already generated recognition. The budget shortfall is minimal. TMCC's enrollment will increase for the spring which will make up some of the shortfalls. She believed a long-term resolution would be a three-year rolling average for community college funding.

Chancellor Reilly believed TMCC's athletic program funding model is sustainable. TMCC has identified a \$250,000 fundraising goal for one-time costs. Chancellor Reilly suggested a \$50,000 minimum in donations prior to March 31, 2019, to demonstrate progress before moving forward.

Vice Chancellor Mackinnon stated NSHE has been actively engaged in this.

In response to a question from Regent Hayes, Mr. Redding responded there was a change to the report for the Board to review at the \$250,000 threshold. Regent Hayes stated it was not the intent of the Business, Finance and Facilities Committee to shift where the self-supporting budgets reside. Mr. Redding stated it does not matter where the budgets reside; if the institution meets the threshold it must be reported.

20. Approved – TMCC Intercollegiate Athletics Program, Scenic West Athletic Conference Membership – (Continued)

President Hilgersom stated a portion of the \$3 million was moved into a contingency reserve. Some of it was left in the departments to promote entrepreneurial activity. The ending balance is currently \$2.45 million. TMCC does not intend to use the fund for athletics.

Ms. Gutierrez stated the only action today is a request to join the Scenic West Athletic Conference. TMCC is in charge of making sure it has the funding. Fees have already been assessed.

Chief of Staff Gould stated the agenda item is only asking for conference affiliation approval. Chief of Staff Gould stated if the conference affiliation causes further financial implications then it would be appropriate to have the discussion. President Hilgersom stated when an institution joins a conference there is a yearly membership fee. TMCC has structured a program that will include an addition to competitive soccer and other health and fitness activities across campus. President Hilgersom stated the short answer is no.

In response to a question from Regent Hayes, Ms. Gutierrez stated it will cost \$7,500 to join the Scenic West Athletic Conference. President Hilgersom stated it is 1 percent of what universities pay on an annual basis.

Regent Carter moved approval for TMCC to join the Scenic West Athletic Conference. Vice Chairman Geddes seconded.

Regent Carvalho stated from her perspective intercollegiate athletics has already been approved and President Hilgersom should have the Board's support.

Regent Del Carlo agreed the basic concept of intercollegiate athletics at TMCC has already been approved.

Motion carried via a roll call vote. Vice Chairman Geddes and Regents Carter, Carvalho, Del Carlo, Doubrava, Hayes, Lieberman, McAdoo, McMichael, and Perkins voted yes. Chairman Page and Regent Trachok voted no. Regent Moran was absent.

21. Information Only – New Business – Regent Carter requested an agenda item related to mandatory advising at all institutions.

22. Information Only – Public Comment – NSC Faculty Senate Chair Abby Peters stated Mr. Adam Garcia has been hired as Associate Vice President and Director of the Southern Command. She urged the Board to create an in-house security service that works in conjunction with police services.

The meeting adjourned at 2:26 p.m.

Prepared by:

Angela R. Palmer
Special Assistant and Coordinator
to the Board of Regents

Submitted for approval by:

Dean J. Gould
Chief of Staff and Special Counsel
to the Board of Regents

Approved by the Board of Regents at its April 12, 2019, meeting.