

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

Thursday, July 23, 2020

This meeting was held via videoconference and teleconference pursuant to Section 1 of the Declaration of Emergency Directive 006 ("Directive 006), and extended by Directive 016, 018, 21 and 026, issued by the State of Nevada Executive Department. There were no physical locations for this meeting.

Members Present:

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

Others Present:

- Dr. Thom Reilly, Chancellor
- 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. Kumud Acharya, 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. Maria Schellhase, CSN; Dr. Eric Wilcox, DRI; Mr. Brian Zeiszler, GBC; Dr. Laura Naumann, NSC; Ms. YeVonne Allen, TMCC; Dr. Vicki Rosser, UNLV; Dr. Amy Pason, UNR; and Dr. Robert Morin, WNC. Student body presidents in attendance were: Ms. Karli McFarling-Kelly, ASCSN President, CSN; Ms. Suman Randhawa, NSSA President, NSC; Mr. Sidath Kapukotuwa, GPSA Vice President, UNLV; and Mr. Will Carrasco, GSA President, UNR.

Chair Doubrava called the meeting to order at 1:00 p.m. with all members present. Regent Carvalho led the Pledge of Allegiance.

1. Information Only – Public Comment

Public Comment from Dr. Chris Heavey thanking the Board for its consideration of his candidacy for the UNLV Presidency. He appreciated the time and effort of the Committee to conduct a thorough and open process. He thanked Dr. Marta Meana for her leadership. Educating students and supporting their journey remains UNLV's core mission, and he knows the campus community will embrace Dr. Keith Whitfield. *(Ref. Heavey.Chris07.23.20 on file in the Board Office.)*

Public Comment from UNLV Faculty Senate Chair Dr. Vicki Rosser thanking the Board and search firm for providing well-qualified candidates for the UNLV President Search. She did support the recommendation of Dr. Keith Whitfield as UNLV's next President. *(Ref. Rosser.Vicki07.23.20 on file in the Board Office.)*

Public Comment from Mr. Gregory Morris stating few things are more critical to the success of a University than the selection of its President. The final four candidates are a very accomplished group of individuals. As qualified as all the candidates are, he supported Dr. Chris Heavey as the next UNLV President. *(Ref. Morris.Gregory07.23.20 on file in the Board Office.)*

Public Comment from Mr. Lars Jensen in opposition to the proposed "furlough" definition change, because once the COVID crisis is complete, the change would then allow the Board of Regents to authorize furloughs at any time, not just during financial exigency. *(Ref. Jensen.Lars07.23.20 on file in the Board Office.)*

Chair Doubrava noted that Consent Item 2b (Code Amendments to Authorize Furloughs in Response to COVID-19 Emergency Budget Shortfall) and Item 5 (*Procedures and Guidelines Manual Revision, Faculty Furloughs Due to Covid-19 FY21 Budget Shortfall*) were withdrawn.

2. Approved – Consent Item – The Board approved the consent item.

2a. Approved – Minutes – The Board approved the following meeting minutes:

- April 7, 2020, Board of Regents' special meeting *(Ref. BOR-2a1 on file in the Board Office.)*

2. Approved – Consent Item – (Continued)

2a. Approved – Minutes – (Continued)

- April 10, 2020, Board of Regents' special meeting (*Ref. BOR-2a2 on file in the Board Office.*)
- May 8, 2020, Board of Regents' special meeting (*Ref. BOR-2a3 on file in the Board Office.*)

Regent Perkins moved approval of the minutes. Regent Page seconded. Motion carried via a roll call vote. Chair Doubrava, Vice Chair Del Carlo, and Regents Carter, Carvalho, Geddes, Hayes, Levine, McAdoo, McMichael, Moran, Page, Perkins, and Trachok voted yes.

3. Approved – Appointment, UNLV President – The Board approved Keith E. Whitfield, Ph.D. as President of the University of Nevada, Las Vegas, along with the proposed salary and contract terms. (*Ref. BOR-3d and Supplemental Material on file in the Board Office. Other references on file in the Board Office include Refs. BOR-3a, BOR-3b, and BOR-3c.*)

Chair Doubrava expressed sincere thanks to Chancellor Reilly, the search firm, UNLV President Search Committee Chair Hayes, and Dr. Meana.

Committee Chair Hayes thanked the search firm for such a stellar group of candidates. He also thanked Chancellor Reilly and the Committee, who were vital to the process. Committee Chair Hayes presented Dr. Keith E. Whitfield as the Committee's unanimous recommendation as President of the University of Nevada, Las Vegas.

Regent Page moved approval of Keith E. Whitfield, Ph.D. as President of the University of Nevada, Las Vegas. Regent Hayes seconded.

Regent Carter disclosed he was previously a student in the Gaming Innovation course at UNLV, where he developed a casino game. If the game is marketed and sold, he will be required to pay remuneration to UNLV in the form of shared royalties pursuant to a standard contract that all students in the course were required to sign. He will receive no remuneration from UNLV. He disclosed the relationship under NRS Chapter 281A, as recommended by the Nevada Commission on Ethics. He will vote on the item.

Regent Geddes appreciated the work of the Committee to bring forward a great pool of candidates. It was a difficult decision as any of the candidates could have done the job. This will be a significant step forward for UNLV. He thanked Dr. Meana for her hard work, which will make it easier for Dr. Whitfield to come in and be successful.

Regent Page provided his thanks to the Committee and staff. He also thanked Dr. Meana for an outstanding job and her stewardship.

3. Approved – Appointment, UNLV President – (Continued)

Vice Chair Del Carlo thanked Dr. Meana for all she has done for UNLV. Dr. Whitfield is lucky to have her as a resource.

Regent Levine stated so many people, including herself, are excited to have Dr. Whitfield's leadership on campus.

Chancellor Reilly stated this is the search firm's second successful search for NSHE. He said it had been a pleasure working with Dr. Meana.

Motion carried via a roll call vote. Chair Doubrava, Vice Chair Del Carlo, and Regents Carter, Carvalho, Geddes, Hayes, Levine, McAdoo, McMichael, Page, Perkins, and Trachok voted yes. Regent Moran was absent.

Chancellor Reilly presented the terms of the contract.

Regent Perkins moved approval of Dr. Keith E. Whitfield's proposed salary and contract terms. Regent Page seconded. Motion carried via a roll call vote. Chair Doubrava, Vice Chair Del Carlo, and Regents Carter, Carvalho, Geddes, Hayes, Levine, McAdoo, McMichael, Page, Perkins, and Trachok voted yes. Regent Moran was absent.

Dr. Whitfield stated it is truly an honor. He has great respect for UNLV. Dr. Whitfield thanked Dr. Meana for all she has done. He also thanked the Committee and Committee Chair Hayes. Dr. Whitfield stated the search firm aggressively sought him out for this opportunity. He said he would make sure that the Regents continue to see the stewardship that led this University to greatness.

4. Information Only – FY 2021 NSHE Operating Budget Update – Chancellor Thom Reilly discussed the impact of COVID-19 on FY21 NSHE operating budgets and actions taken to date, including the hiring freeze, spending restrictions, and budget reduction scenarios presented to the Legislature during the Special Session on July 8 and 9, 2020.

Chancellor Reilly reported there would be a special Board meeting in August to discuss the budget reductions. NSHE, in conjunction with the Presidents, faculty, students, and staff, prepared a 16 percent budget reduction across NSHE that included shared sacrifice from all the institutions, employees, and students. The Legislature added another \$25 million reduction to NSHE, bringing the total to \$170.8 million or 19.8 percent. Initially, there was a proposal that would have taken an additional decrease of \$50 million in the NSHE Performance Pool on top of the Governor's original plan. The proposal would have disproportionately reduced the formula funded accounts. This would have resulted in an additional 9.8 percent reduction in the formula funded accounts on top of the

4. Information Only – FY 2021 NSHE Operating Budget Update – (Continued)

already Board approved 16 percent reduction. The proposal would also have given the Board no flexibility in how to implement the reductions. NSHE has been able to reduce the cuts given and provide flexibility to spread the reduction to non-formula accounts.

NSHE has secured authorization to allow the Board to temporarily waive or modify eligibility requirements to receive the Millennium Scholarship. The Nevada Promise Scholarship was protected from any reductions. The Legislature reduced the number of furlough days for state employees to six. Absent from a Declaration of Financial Exigency, the Board may not legally reduce faculty salaries unless the Legislature reduces state employee salaries in equal measure. By direction of Chair Doubrava, a future agenda item is anticipated to address furlough implementation and faculty notification procedures for any exempt positions. Merit pay increases for state employees were restored. Other notable decisions include capital improvement reductions and canceled projects to include the UNLV Engineering Building. Some members of the Legislature expressed concerns about NSHE hiding accounts because \$50 million was used from the market fluctuation account as a stop-gap to prevent layoffs. This is unequivocally far from the truth since all accounts are routinely reported to the Legislature through the fiscal staff. Before the special session, NSHE was complimented on its transparency. The rainy-day fund is invested in equities, bonds, and cash with the earnings distributed to the NSHE campuses based on each balance. The account is unique as the funds are not designated for a specific project or program as are most other accounts. NSHE put forth the \$50 million as one of the reductions to avoid impacts on the students and faculty. NSHE has also attempted to keep an operating reserve.

One recommendation is to take \$15 million out of the operating reserve and spread the remainder across the institutions. Chancellor Reilly believed this was important to know because it will take the fund down below 5 percent. The Legislature is aware of the impacts of the additional budget reductions. NSHE widely distributed a white paper on the effects of further reductions. Chancellor Reilly stated concerns on how this will affect WNC and GBC. Recommendations and a plan for moving forward will be brought to the Board in August. On the last day of the special session, the Legislature used \$25 million from NSHE to cover budget shortfalls caused by the pandemic and allocated \$50 million from the federal COVID relief fund for K through 12.

Chancellor Reilly thanked faculty and student leaders for their articulate and passionate testimony.

Chair Doubrava stated he was concerned and disappointed with some things he heard during the special session.

Regent Page stated there are areas of efficiencies that can be reviewed for cost savings.

4. Information Only – FY 2021 NSHE Operating Budget Update – (Continued)

Regent Levine stated the budget reductions are devastating, but there is a systemic mistrust of NSHE as a government agency. Regent Levine commended students and faculty that participated in the process because they are the greatest advocates for higher education.

Regent Hayes stated it is unfortunate that no matter how much NSHE tries to explain the importance of higher education to Legislators, they do not understand. NSHE is the solution to the problems of an economic downturn.

NSC Faculty Senate Chair and Chair of Chairs Laura Naumann stated the Council of Chairs supported the plan for cuts that the Board approved. While the Council understands the economic and public health crisis, it is disappointing that NSHE incurred additional reductions that will further impact the ability to deliver quality instruction and generate top research. NSC Faculty Senate Chair Naumann encouraged NSHE Legislative Affairs to work to exempt self-supporting and grant-funded positions from furloughs as the positions are not saving the state any money.

Regent Carter believed the Board must be very strategic with reductions at this point. He will not approve an across the board cut if that is what is presented.

5. Withdrawn – Procedures and Guidelines Manual Revision, Faculty Furloughs Due to Covid-19 FY21 Budget Shortfall – The item was withdrawn.

6. Approved – Procedures and Guidelines Manual Revision Fees and Tuition – Student Surcharge for Academic Year 2020-21 – The Board approved a revision to the *Procedures and Guidelines Manual* (Chapter 7, Section 1) to include the previously approved Student Surcharge for the 2020-21 academic year. (Ref. BOR-6 on file in the Board Office.)

Chief Financial Officer Clinger requested approval of a revision to the *Procedures and Guidelines Manual* (Chapter 7, Section 1) to include the April 10 previously approved Student Surcharge for the 2020-21 academic year.

Regent Carter disclosed he will be taking a class at GBC in the fall for recertification of his teaching license and will be paying this fee if approved. He disclosed under NRS Chapter 281A, as recommended by the Nevada Commission on Ethics. He will abstain from the vote.

Regent Geddes moved approval a revision to the *Procedures and Guidelines Manual* (Chapter 7, Section 1) to include the previously approved Student Surcharge for the 2020-21 academic year. Regent Trachok seconded.

In response to a question from Regent Perkins, Chief Financial Officer Clinger stated the fee is for the 2020-21 academic year.

6. Approved – Procedures and Guidelines Manual Revision Fees and Tuition – (Continued)

Regent Carvalho clarified whether this fee stays with the institution, with Chief Financial Officer Clinger responding yes.

Motion carried via a roll call vote. Chair Doubrava, Vice Chair Del Carlo, and Regents Carvalho, Geddes, Hayes, Levine, McAdoo, McMichael, Moran, Page, Perkins, and Trachok voted yes. Regent Carter abstained.

7. Information Only – NSHE Institutional Fall 2020 Campus Reopening Plans – Chancellor Reilly provided an overview and each NSHE President presented their respective institutional reopening plans for the Fall 2020 semester, including current health and safety protocols in response to the COVID-19 pandemic. (Supplemental Material on file in the Board Office.)

Chair Doubrava thanked the Presidents for the reopening plans. He appreciated how fluid the plans are.

Regent Levine commended the institutional leadership on their respective reopening plans.

Regent Levine asked if there will be a discussion related to the digital divide. Chancellor Reilly stated each institution has taken the issue of the digital divide seriously.

President Meana stated UNLV purchased many laptops to loan to students. UNLV also has created hotspots where there is low connectivity and has engaged in an agreement with a telecommunications company to offer internet connections at a low rate for a limited period.

President Zaragoza stated CSN has entered a partnership to bridge the digital divide. CSN has loaned devices to students in addition to making hotspots available. CSN is working with community partners to address community needs for students and their families.

President Solis stated WNC is loaning devices, providing hotspots, and deploying WiFi in parking lots so students can drive in and use the service.

Provost Kevin Carman stated the library and other University buildings are essential in providing WiFi, but the challenge is with social distancing, which limits the capacity. UNR is looking at adding WiFi in the parking garages, so students will be able to drive in, stay in their car, and remain isolated. UNR found there is less need for loaner laptops than was anticipated.

President Hilgersom stated TMCC has found Zoom to be the faculty, student, and administration favorite. TMCC is expanding the number of licenses, which should be an

7. Information Only – NSHE Institutional Fall 2020 Campus Reopening Plans –  
*(Continued)*

expense that qualifies for federal institutional CARES dollars. TMCC found several faculty that were not familiar with the technologies needed for these times, but they are learning to leverage the strength of synchronized online learning.

In response to a question from Regent Carter, Chancellor Reilly stated SCS and System Administration do have reopening plans. The staff that has childcare or health care issues are exempt from returning to the office. Regent Carter suggested that NSHE partner with the Superintendent of Education and the school districts on what a connected hotspot network may look like.

In response to a question from Vice Chair Del Carlo, Chancellor Reilly stated each institution would provide an update related to commencement ceremonies, and he will distribute that to the Regents.

In response to a question from Regent McMichael regarding the COVID-19 employee screening questionnaire, Dr. Cheryl Hug-English stated the form provided on campus is voluntary. The institutions are encouraging reporting and then can make decisions about whether other contacts should be notified. Each institution will work with its respective health district where the job of contact tracing does reside. The institutions are doing their best to provide the information to contacts when it is needed while still protecting the privacy of the individual testing positive.

Regent Moran left the meeting.

Regent Page noted that negotiations of any software services should be done across the System.

Chair Doubrava thanked Deputy Chief of Staff Keri Nikolajewski and Special Assistant and Coordinator Winter Lipson for their hard work during the UNLV President Search. He also thanked SCS.

8. Information Only – New Business

Regent Levine requested a discussion at the August meeting related to being innovative with budget cuts, graduated scale related to pay reductions, review of the funding formula, and review of leadership car and housing allowances.

Chair Doubrava requested a discussion about potential savings of merging TMCC and WNC, and potential savings from layoffs and/or program closures at GBC.

Regent Perkins requested a review of savings through efficiencies.

Regent Levine requested a discussion of equitable and shared sacrifice in budget cuts.

Regent Perkins requested invitations to the institutional town halls.



9. Information Only – Public Comment

Public Comment from Joshua Zerbel alerting the Board to possible costs during the move to a majority remote instruction model. He asked for an administrative mandate that professors cannot use both third-party homework/testing services and a campus platform that student fees already go toward to support. *(Ref. Zerbel.Joshua07.23.20 on file in the Board Office.)*

Public Comment from Ken Evans thanked the UNLV President Search Committee and NSHE staff for their efforts. Dr. Keith Whitfield's credentials are impeccable, and the depth of experience makes him well suited to lead UNLV. *(Ref. Evans.Ken07.23.20 on file in the Board Office.)*

The meeting adjourned at 3:25 p.m.

Prepared by:

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

Submitted for approval by:

Keri D. Nikolajewski  
Deputy Chief of Staff  
to the Board of Regents

***Approved by the Board of Regents at its November 13, 2020, meeting.***