

SPECIAL MEETING
BOARD OF REGENTS
NEVADA SYSTEM OF HIGHER EDUCATION

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

Wednesday, May 25, 2022

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: Mrs. Cathy McAadoo, Chair
Dr. Patrick R. Carter, Vice Chair
Mr. Joseph C. Arrascada
Mr. Patrick J. Boylan
Mr. Byron Brooks
Ms. Amy J. Carvalho
Mrs. Carol Del Carlo
Dr. Mark W. Doubrava
Dr. Jason Geddes
Mr. Donald Sylvantee McMichael Sr.
Mr. John T. Moran
Ms. Laura E. Perkins

Members Absent: Dr. Lois Tarkanian

Others Present: Ms. Crystal Abba, Officer in Charge
Dr. Constance Brooks, Vice Chancellor, Public Affairs and Advancement
Mr. Andrew Clinger, Chief Financial Officer
Mr. James J. Martines, Interim Chief General Counsel
Ms. Keri Nikolajewski, Interim Chief of Staff to the Board
Dr. Federico Zaragoza, President, CSN
Dr. Kumud Acharya, President, DRI
Ms. Joyce M. Helens, President, GBC
Dr. DeRionne Pollard, President, NSC
Dr. Karin M. Hilgersom, President, TMCC
Dr. Keith E. Whitfield, President, UNLV
Mr. Brian Sandoval, President, UNR
Dr. J. Kyle Dalpe, Interim President, WNC

Faculty senate chairs in attendance were: Ms. Shannon Sumpter, UNLV; and Dr. Amy Pason, UNR. Student body president in attendance was: Ms. Dionne Stanfill, ASUN President, UNR.

Chief Deputy Attorney General Rosalie Bordelove was also in attendance.

Chair McAdoo called the meeting to order at 9:00 a.m. with all members present except Regents Moran, Perkins, and Tarkanian. Regent Carvalho led the Pledge of Allegiance. A moment of silence was held for the victims, families, and friends of the Uvalde, Texas, massacre. Chair McAdoo provided the Land Acknowledgement.

1. Information Only – Public Comment

Jon Carpineta provided a written public comment asking that Title 2, Chapter 12 be repealed in its entirety. *(Carpineta.Jon05.25.22 on file in the Board Office.)*

Parker Franklin provided a written public comment on the aesthetic appeal of the new engineering building at UNLV. *(Franklin.Parker05.25.22 on file in the Board Office.)*

Vince McGuinness provided a written public comment asking if Juneteenth will be observed as a paid state holiday. *(McGuinness.Vince05.25.22 on file in the Board Office.)*

Dr. Kent Ervin provided a written public comment that the pandemic is not over. Therefore, neither option presented in Agenda Item 7 is needed. Instead, the Board should create a permanent system-level advisory body that can be activated quickly to provide expert public health recommendations on matters of urgent public health and safety; empower each institution to implement safety measures with consideration of local conditions; and make critical improvements in Indoor Air Quality for both airborne pathogens and smoke particulates, which will have long term health benefits for students and faculty. *(Ervin.Kent05.25.22 on file in the Board Office.)*

Eric York stated he was a strong proponent of COVID-19 vaccination requirements. However, Title 2, Chapter 12, is administratively burdensome, lengthens recruitment and hiring, and decreases applicant pools. As a result, NSHE institutions face multiple challenges in recruiting and hiring quality employees. Chapter 12 adds to the challenges, and he urged the Board to repeal the Chapter.

Regent Perkins entered the meeting.

Dr. Laura Naumann provided support for Agenda Item 4, 2023-25 NSHE Institution Capital Construction, Planning and Deferred Maintenance Requests. In addition, she urged the Board to move up the NSC – STEAM Building Planning Project ranking.

Regent Moran entered the meeting.

Parker Franklin voiced his concern about the aesthetic appeal of the new UNLV engineering building and urged that a new architect be hired.

2. Approved – Procedures and Guidelines Manual Revision, Distribution of Student Registration Fees, Academic Years 2023-24 and 2024-25 – The Board approved the distribution of student registration fees for academic years 2023-24 and 2024-25 (*Procedures and Guidelines Manual*, Chapter 7, Section 17). (Ref. BOR-2 on file in the Board Office.)

Chief Financial Officer Andrew Clinger and the institution presidents presented the distribution of student registration fees for academic years 2023-24 and 2024-25. Student registration fees collected by each institution are used to support the State Supported Operating Budget. The remainder of the registration fee revenue is retained by the institutions to provide for student access, as well as other institutional and student related needs, including General Improvement, Capital Improvement, and student associations.

Regent Geddes moved approval of the distribution of student registration fees for academic years 2023-24 and 2024-25 (*Procedures and Guidelines Manual*, Chapter 7, Section 17). Regent McMichael seconded.

In response to a question from Regent Del Carlo related to whether the pricing model is keeping up with inflation, Chief Financial Officer Clinger responded yes, but it is a bit delayed. Given the inflation environment, the numbers will adjust in future years, but it is delayed because of the requirement to publish up to five years of registration fees.

Regent Brooks asked what the most significant gap a student would be paying now versus in five years is. Chief Financial Officer Clinger reiterated that there is a delay because they are using data from FY 20 to adjust registration fees for FY 25.

Officer in Charge Crystal Abba noted that before price predictability, the percent increases by year were higher than Higher Education Price Index (HEPI). Typically, a recommendation would come forward from a committee, but the Board would often recommend increases that exceed the recommendation.

Regent Carvalho noted that the AGB Council of Finance Committee Chairs met in April and complimented NSHE on its predictability pricing model. It helps students plan for their higher education future.

Regent Geddes stated various NSHE institutions did not have predictable pricing readily available on their websites and requested that websites be reviewed to ensure they are up to date. Officer in Charge Abba stated there is a requirement in the policy, but they will check it after the meeting.

Motion carried. Regent Tarkanian was absent.

3. Information Only – 2022 Space Study Inventory Report – Chief Financial Officer Andrew Clinger presented the 2022 Space Study Inventory Report to support future capital planning and budgeting cycles, specifically for the Capital Improvement Program for the 2023-25 biennium. (*Ref. BOR-3 on file in the Board Office.*)

Regent Carvalho asked if the figures for the four-year institutions' research lines come from this report. Chief Financial Officer Clinger stated the universities submit a list of research space every two years, and then those are used to calculate within the formula.

4. Approved – 2023-25 NSHE Institution Capital Construction, Planning and Deferred Maintenance Requests – The Board approved the 2023-25 Capital Improvement Projects from NSHE institutions to be submitted as prioritized lists to the State Public Works Board as follows: 1) HECC/SHECC funding for ARA and life, safety and health projects; 2) NSC-Academic Village Project (Container/Modular Development); 3) GBC-Pahrump Valley Campus Planning Project; 4) WNC-Fernley Advanced Technology Training Center; 5) DRI-Deferred Maintenance Chiller Replacement; 6) CSN-Northwest Higher Education Center Advanced Planning and Programming funds; 7) UNLV-Interdisciplinary Collaboration & Innovation Building Planning & Construction; and 8) UNR-Life Science Building Planning & Construction; 9) TMCC-EastView Construction & Planning (Experiential Learning); 10) CSN-Sahara West Workforce Education & Training Center (Specialized Workforce Labs); 11) NSC-STEAM Building Planning Project; 12) DRI-Advance Planning Rogers Science & Technology Building-Space Returned at Lease End (Atomic Testing Museum Space); 13) NSC-Water Infrastructure (Water Tower); 14) UNLV-Fine Arts Building Planning and Construction (Replacement for Grant Hall); 15) NSC-Student Wellness Center Planning Project; 16) CSN-Accessibility-North Las Vegas Library Seismic Retrofit. (*Refs. BOR-4a, BOR-4b, and BOR-4c on file in the Board Office.*)

Chief Financial Officer Clinger presented the process utilized to create the 2023-25 Capital Improvement list.

Chair McAdoo appreciated all the efforts and consensus-building that went into creating the list.

Regent McMichael moved approval of the 2023-25 Capital Improvement Projects from NSHE institutions to be submitted as prioritized lists to the State Public Works Board as follows: 1) HECC/SHECC funding for ARA and life, safety and health projects; 2) NSC-Academic Village Project (Container/Modular Development); 3) GBC-Pahrump Valley Campus Planning Project; 4) WNC-Fernley Advanced Technology Training Center; 5) DRI-Deferred Maintenance Chiller Replacement; 6) CSN-Northwest Higher Education Center Advanced Planning and Programming funds; 7) UNLV-Interdisciplinary Collaboration &

4. Approved – 2023-25 NSHE Institution Capital Construction, Planning and Deferred Maintenance Requests – (Continued)

(Motion continued)

Innovation Building Planning & Construction; and 8) UNR-Life Science Building Planning & Construction; 9) TMCC-EastView Construction & Planning (Experiential Learning); 10) CSN-Sahara West Workforce Education & Training Center (Specialized Workforce Labs); 11) NSC-STEAM Building Planning Project; 12) DRI-Advance Planning Rogers Science & Technology Building-Space Returned at Lease End (Atomic Testing Museum Space); 13) NSC-Water Infrastructure (Water Tower); 14) UNLV-Fine Arts Building Planning and Construction (Replacement for Grant Hall); 15) NSC-Student Wellness Center Planning Project; 16) CSN-Accessibility-North Las Vegas Library Seismic Retrofit. Regent Geddes seconded.

Regent Geddes appreciated the process and a well thought out list.

In response to a question from Regent Geddes related to the \$25 million for the UNLV School of Medicine, Chief Financial Officer Clinger responded the \$25 million went through a different process because of the P3 partnership. UNLV President Keith E. Whitfield stated the \$25 million was awarded in the last session and did go through a different process.

Regent Geddes stated that \$284 million is a lot and asked if there is any sense of the statewide total. Chief Financial Officer Clinger did not know the exact number. The state uses property tax, and with the new construction, there will be significant growth. The Treasurer's Office will do a debt capacity report in the fall to know how much bonding capacity there is to fund projects throughout the state. In addition, the state has one-time funds; traditionally, they are used for capital improvement projects and other infrastructure projects.

Regent Geddes stated the NSC water infrastructure project will likely not happen and asked NSC President DeRionne Pollard whether more pressure could be put on Southern Nevada Water Authority since he believed it was their responsibility and not NSHE.

Regent Geddes appreciated that the institutions prioritized the ADA life-safety and health projects.

Regent Brooks was unsure why only \$50 million of deferred maintenance funding was being requested instead of the \$65 million. Chief Financial Officer Clinger clarified that the HECC/SHECC funding of \$15 million is automatic and is in the statute. NSHE is asking for an additional \$50 million on top of the \$15 million.

4. Approved – 2023-25 NSHE Institution Capital Construction, Planning and Deferred Maintenance Requests – (Continued)

Regent Brooks commended the collaboration that it took to create this list.

In response to a question from Regent Boylan related to an earlier public comment, Interim Chief General Counsel James J. Martines mentioned that should be raised under New Business.

Regent Boylan appreciated that safety was the priority. He also thanked Chief Financial Officer Clinger and the Presidents for their hard work.

Regent Del Carlo thought that there was one-time federal funding available. Chief Financial Officer Clinger stated that NSHE has several requests with the Governor's Office for those federal funds; projects include the NSC water infrastructure project, the Nevada State Health Lab, and broadband funding.

Regent Del Carlo agreed with her colleagues and appreciated the work that went into creating this list and the emphasis on the safety of faculty, staff, and students.

Regent Carvalho also appreciated the hard work. She stated she was encouraged that there are several rural area projects included.

Regent Doubrava asked for clarification on the UNLV School of Medicine's \$25 million, whether it was for construction, and if any planning money came from the state. Chief Financial Officer Clinger stated it was one-time money and certainly could have included planning money, but he would follow up. Chief Financial Officer Clinger clarified there was a \$25 million appropriation in 2017, but it was cut as part of the budget reduction.

Regent Arrascada stated it is disheartening to hear and continue conversations regarding accessibility. Accessibility on the campuses will increase the representation of people with disabilities in attending college, which has been limited. In 2018, there were 470 barriers on the UNR campus. If each campus did an ADA transitional plan or assessment, it would make the \$50 million ask look small. Accessibility is a priority on every campus. In December 2014, the Board allocated \$11.5 million specific to the renovation of Mackay Stadium. He believed the Board believed it was for accessibility, but instead, it made Mackay Stadium worse. Regent Arrascada stated he will support the CIP recommendation if it is genuinely going to be spent on the items being presented today.

Chief Financial Officer Clinger clarified that the request is for life safety ADA, but it also includes deferred maintenance issues. ADA is in the tier one ranking. Regent Arrascada thanked him for his clarification.

Regent Moran stated he would support the list as recommended. He believed it was an excellent presentation, and the collaboration between internal and external was remarkable.

4. Approved – 2023-25 NSHE Institution Capital Construction, Planning and Deferred Maintenance Requests – (Continued)

Vice Chair Carter asked what the total increase was, with Chief Financial Officer Clinger responding this is just the capital improvement projects. In June, the operating priorities will be presented.

Vice Chair Carter asked when the Board would make comparisons. Chief Financial Officer Clinger stated it is two separate processes. Capital Improvement is funded through property taxes and one-time funding from the state. Operating enhancements are funded with state funds. Regents will have the ability to rank operating enhancements at the June meeting.

Motion carried via a roll call vote. Chair McAdoo, Vice Chair Carter, and Regents Arrascada, Boylan, Brooks, Carvalho, Del Carlo, Doubrava, Geddes, McMichael, Moran, and Perkins voted yes. Regent Tarkanian was absent.

Chair McAdoo thanked the Regents for their questions. She applauded the Presidents and the Business Officers for working as a system.

5. Approved – Mining Industry Workforce Partnership and Letter of Intent Accepting the Conveyance of Real Property Consisting of the Former National Guard Armory Located at 1375 13th Street, Elko, Nevada, GBC and UNR – The Board approved the Letter of Intent included in Exhibit 2 related to the Real Property located at 1375 13th Street, Elko, Nevada (APN 001-620-011). (*Refs. BOR-5a and BOR-5b on file in the Board Office.*)

GBC President Joyce M. Helens and UNR President Brian Sandoval presented a Letter of Intent included in Exhibit 2 related to the Real Property located at 1375 13th Street, Elko, Nevada (APN 001-620-011).

Director of Mackay School of Earth Sciences & Engineering Annie Huhta and UNR Director of Real Estate Troy Miller presented the mining collaboration.

Regent Arrascada stated the materials list an acquisition total of \$200,000. He asked if that was today's price or the November price. UNR Director of Real Estate Miller stated the purchase price is approximately \$200,000; of that, \$185-190,000 is a loan, and there will be closing and due diligence costs.

Regent Perkins left the meeting.

Regent McMichael moved approval of the Letter of Intent included in Exhibit 2 related to the Real Property located at 1375 13th Street, Elko, Nevada (APN 001-620-011). Regent Moran seconded.

5. Approved – Mining Industry Workforce Partnership and Letter of Intent Accepting the Conveyance of Real Property Consisting of the Former National Guard Armory Located at 1375 13th Street, Elko, Nevada, GBC and UNR – (Continued)

Regent Moran believed this was a wonderful opportunity. He appreciated the presentation. The Presidents have worked together to move the GBC agenda forward.

Regent Del Carlo stated mining is instrumental to the state and a source of pride. This is a beneficial collaboration for both institutions.

In response to a question from Regent Carvalho related to funding, UNR Vice President of Administration and Finance Vic Redding stated that \$200,000 would get the building into the Board of Regents' possession. In addition, the building will need remodeling updates. They are anticipating that the programming will be self-supporting contract education programming or it will generate weighted student credit hours and be a future part of formula funding.

Regent Carvalho asked where the funding would come from for the remodel. Vice President Redding stated both foundations would begin aggressive fundraising campaigns. There is also an outpouring of industry support, and there is an indication that this is a priority for mining industry partners.

UNR President Sandoval stated this provides opportunities to the residents they may not have had. In addition, he met with the heads of mining and industry, and they are excited about this project.

Regent Boylan appreciated the two institutions working together to bring this forward.

Motion carried. Regents Perkins and Tarkanian were absent.

The meeting recessed at 10:49 a.m. and reconvened at 10:58 a.m. with all members present except Regents Perkins and Tarkanian.

6. Approved – Update on Sierra Nevada University Transfer, UNR; 1) Campus Buildings and Grounds Lease Between UNR and UNR Foundation's Lake Campus LLC; 2) First Amendment to the Memorandum of Agreement for the Transfer of Sierra Nevada University; 3) Assignment of the Building Lease for the Tahoe Center for Environment Science; and 4) Assignment of Option to Purchase a Portion of the Tahoe Center for Environmental Science – The Board approved the following transactions necessary for the acquisition of Sierra Nevada University and authorized the Board Chair or designee, after review and approval by NSHE Chief General Counsel, to execute the following documents for the Nevada System of Higher Education on behalf of the University of Nevada, Reno: *(Refs. BOR-6a and BOR-6b on file in the Board Office.)*

6. Approved – Update on Sierra Nevada University Transfer, UNR; 1) Campus Buildings and Grounds Lease Between UNR and UNR Foundation’s Lake Campus LLC; 2) First Amendment to the Memorandum of Agreement for the Transfer of Sierra Nevada University; 3) Assignment of the Building Lease for the Tahoe Center for Environmental Science; and 4) Assignment of Option to Purchase a Portion of the Tahoe Center for Environmental Science – (Continued)

1. Campus Buildings and Grounds Lease between UNR and UNR Foundation’s Lake Campus LLC (999 Tahoe Blvd., Incline Village, NV, APN 127-040-04; 291 Country Club Dr., Incline Village, NV, APN 127-040-10; 1008 Tahoe Blvd., Incline Village, NV, APN 130-050-11) (Exhibit 2) (Ref. BOR-6c on file in the Board Office.);
2. First Amendment to the Memorandum of Agreement (Exhibit 3) (Ref. BOR-6d on file in the Board Office.);
3. Assignment of the Lease for the Tahoe Center for Environmental Science (291 Country Club Dr., Incline Village, NV, APN 127-040-09) (Exhibit 4) (Ref. BOR-6e on file in the Board Office.); and
4. Assignment of Option to Purchase and Escrow Instructions (291 Country Club Dr., Incline Village, NV, APN 127-040-09) (Exhibit 5) (Ref. BOR-6f on file in the Board Office.)

UNR President Sandoval, SNU Executive Vice President and Provost Jill Heaton, SNU Executive Vice President for Finance and Administration Susan Johnson, and Vice President Vic Redding presented information on the University of Nevada Reno at Lake Tahoe and the transactions necessary for the acquisition of Sierra Nevada University.

Executive Vice President Johnson shared comments from SNU’s Chairman of the Board Dr. Atam Lalchandani.

Regent McMichael moved approval of the following transactions necessary for the acquisition of Sierra Nevada University and authorized the Board Chair or designee, after review and approval by NSHE Chief General Counsel, to execute the following documents for the Nevada System of Higher Education on behalf of the University of Nevada, Reno: 1) Campus Buildings and Grounds Lease between UNR and UNR Foundation’s Lake Campus LLC (999 Tahoe Blvd., Incline Village, NV, APN 127-040-04; 291 Country Club Dr., Incline Village, NV, APN 127-040-10; 1008 Tahoe Blvd., Incline Village, NV, APN 130-050-11) (Exhibit 2); 2) First Amendment to the Memorandum of Agreement (Exhibit 3); 3) Assignment of the Lease for the Tahoe Center for Environmental Science (291 Country Club Dr., Incline Village, NV, APN 127-040-09) (Exhibit 4);

6. Approved – Update on Sierra Nevada University Transfer, UNR; 1) Campus Buildings and Grounds Lease Between UNR and UNR Foundation’s Lake Campus LLC; 2) First Amendment to the Memorandum of Agreement for the Transfer of Sierra Nevada University; 3) Assignment of the Building Lease for the Tahoe Center for Environment Science; and 4) Assignment of Option to Purchase a Portion of the Tahoe Center for Environmental Science – (Continued)

(Motion continued)

and 4) Assignment of Option to Purchase and Escrow Instructions (291 Country Club Dr., Incline Village, NV, APN 127-040-09) (Exhibit 5). Regent Brooks seconded.

In response to a question from Regent Geddes about where the Henderson students will go, Executive Vice President Heaton responded the students would continue their education online.

Regent Geddes asked if they had obtained all the accreditation and Department of Education approvals, with Executive Vice President Heaton responding yes.

Regent Arrascada asked if all liabilities for UNR are covered by appropriate insurance. Vice President Redding responded yes, UNR has tried to cover all the known and unknown liabilities. UNR is covered under statutory limits, so once UNR takes possession, all operations will be covered. The Foundation is a separate entity covered under the state’s excess liability policy, which kicks in at \$5 million in addition to a different policy that covers up to \$5 million to ensure that everything is covered.

Regent Del Carlo stated this is an exciting gift for the community and state. She added the community needs a performing arts center and hopes this provides that possibility.

Motion carried. Regents Perkins and Tarkanian were absent.

The meeting recessed at 11:40 a.m. and reconvened at 12:02 p.m. with all members present except Regents Moran, Perkins, and Tarkanian.

7. Information Only – Code Revision, Emergency COVID-19 Vaccination Policy – Officer in Charge Crystal Abba and Interim Chief General Counsel Jimmy Martines presented proposed revisions to the NSHE Code (Title 2, Chapter 12) which sets forth policies and procedures regarding the COVID-19 vaccine requirement for all NSHE employees. The Board provided direction for the proposed amendments that will be presented for action at a subsequent meeting of the Board to be held not sooner than 30 days after the May 25, 2022, special Board meeting, in accordance with Title 2, Chapter 1, Section 1.3.3 of the Code. (Ref. BOR-7 on file in the Board Office.)

Regent Moran entered the meeting.

7. Information Only – Code Revision, Emergency COVID-19 Vaccination Policy –
(Continued)

Regent Boylan read portions of Dr. Kent Ervin’s written public comment into the record.

Regent Geddes stated he is a strong proponent of the mandate. Regent Geddes requested legal explore whether the Board as a constitutional body can put mandates in place. He believed thresholds were needed, not only for COVID but whatever else may emerge in the future. NSHE must be able to make quick decisions related to safety protocols.

Regent Carvalho asked the Presidents and the COVID-19 Task Force to offer why this should be repealed. She agreed with Regent Geddes that NSHE needs to be able to make quick decisions.

Dr. Cheryl Hug-English, UNR Director of Student Health Center, stated she has spoken in support of COVID vaccinations because it is the most valuable tool in fighting this virus. Vaccinations are not perfect but still effective in reducing hospitalizations and deaths. When the mandate was put in place, cases and hospitalizations were incredibly high. The virus is not going away. The change now is people are discussing how to manage the virus instead of eradicating it. Dr. English hoped that if the Board repealed the mandate, the message would still favor vaccinations for faculty and staff.

UNR Faculty Senate Chair Amy Pason stating verifying vaccination status is tedious for the institutions, especially with budget circumstances. Instead, there should be statements to encourage faculty and students to keep up with their vaccinations and boosters. Campuses should also be allowed to put mitigation efforts in place as they see fit.

Dr. Hug-English called the Board’s attention to the CDC Community Risk Assessment Tool. The tool will give a risk profile of whether the community is at a low, medium, or high risk and recommendations on what to do.

Regent Boylan liked the idea of implementing safety measures based on community risk.

Regent Brooks voiced his frustration about the vaccine’s efficacy and believed the only way to move forward is to repeal the policy fully. He thought there was coordinated and manipulated information presented at the December meeting.

UNR Faculty Senate Chair Pason clarified that when the policy was first in effect, not having the vaccination put you at a higher risk of severe COVID disease. By that token, the vaccine was effective. Vaccine efficacy reduces over time, and that is why there are boosters. When presenting information on the safety and usefulness of the vaccine, she did not think anyone manipulated messaging. An overwhelming majority of the faculty and staff complied with the vaccine mandate. Vaccines are effective and do reduce disease. However, the disease keeps changing, which is why the policy must be updated.

7. Information Only – Code Revision, Emergency COVID-19 Vaccination Policy –
(Continued)

Regent Brooks recognized that their perceptions are different, and it is ok to disagree. However, it is a fact that the institutions did lose faculty and staff because of this mandate.

Regent Del Carlo stated this is the most contentious issue the Board has faced during her six years on the Board. She agreed with Regent Geddes that there should be thresholds and safeguards in place.

In response to a request from Chair McAdoo related to the number of employee terminations, Interim Chief General Counsel Martines stated there were 209 employee terminations within NSHE. Most of the terminations were at UNLV.

UNLV Executive Vice President and Provost Chris Heavey clarified that most of the UNLV terminations were hourly employees at the Thomas and Mack Center.

NSC President Pollard struggled with why NSHE would take a step back on a public health issue. She believed it was an obligation to create safe environments for students and employees. The vast majority of turnover at NSC is not because of required vaccinations. It is because of competitive salaries and lack thereof. Current employees are required to be vaccinated, and to craft a different standard for new employees would cause concern. This was a moment when the Board took a decisive decision around policy and change because it recognized that the public health issues were significant. She wants to believe this is an opportunity for a policy that allows for geographic differences, speaks to metrics, and is clear to commitments to the health and safety of employees and students.

CSN President Federico Zaragoza stated this had been a complicated issue at the campus level. CSN has been guided by the work of the COVID Task Force and by science. However, CSN acknowledges that running a two-tiered system, one for employees and one for students, is challenging and creates safety implications.

DRI President Kumud Acharya stated that DRI had been a proponent of the vaccine mandate. Still, at this time, with the difficulty of hiring new staff, he would be supportive of the COVID Task Force's recommendation to repeal.

UNLV President Whitfield stated if they move from a mandate, they must continue strong public health messaging. He is highly supportive of efforts to establish guidelines for COVID and future infectious diseases with what has been learned throughout this process.

WNC Interim President J. Kyle Dalpe acknowledged the work of the COVID Task Force. He strongly encouraged that NSHE takes what has been learned to create a framework for future processes.

7. Information Only – Code Revision, Emergency COVID-19 Vaccination Policy – (Continued)

TMCC President Karin Hilgersom agreed with the Task Force that it is time to repeal, but she also agreed they must be proactive and take the lessons learned to create a framework for the future.

UNR President Sandoval stated UNR has an over 90 percent student and faculty vaccination rate. Therefore, the health, safety, and welfare of those that visit campus are the most important. Whatever policy is adopted is not a static situation, and decisions cannot be based on current events. He agreed with using the available CDC resources, such as the community risk assessment.

GBC President Helens agreed with the Task Force recommendation and will support the repeal. GBC has kept protocols in place and has managed with flexibility. For example, when there is an uptick in cases, all wear masks on campus. GBC follows common sense actions. She believed that all Presidents should be able to act for their respective institutions.

Officer in Charge Abba noted she heard a lack of consensus. The challenge will be what triggers look like in terms of implementation. While everyone wants to do the right thing, the practicality of pivoting at a moment's notice will not be easy. They will bring back multiple options for consideration.

Interim Chief General Counsel Martines added there is a distinction between the Code amendment and everything else. The Code amendment requires the notice of 30 days. There is flexibility when discussing the rest of the items. He spoke with the Governor's Office, and they intend to institute masks again if numbers begin to increase.

8. Approved – One-Year Extension of Employment Agreement, President Joyce M. Helens, GBC (Agenda Item 8) – The Board approved an amended Employment Agreement between GBC President Joyce M. Helens and the Board of Regents, extending the termination date of the Agreement from June 30, 2023, to June 30, 2024. (Ref. BOR-8 on file in the Board Office.)

Officer in Charge Abba presented an amended Employment Agreement between GBC President Joyce M. Helens and the Board of Regents, extending the Agreement's termination date from June 30, 2023, to June 30, 2024.

Regent Del Carlo moved approval of an amended Employment Agreement between GBC President Joyce M. Helens and the Board of Regents, extending the termination date of the Agreement from June 30, 2023, to June 30, 2024. Regent McMichael seconded. Motion carried. Regents Perkins and Tarkanian were absent.

9. Information Only – New Business

Vice Chair Carter requested consideration of a systemwide policy for hosting and host accounts.

Regent Carvalho requested consideration of a *Handbook* revision for the Capital Improvement Budget Process, Title 4, Chapter 10, Section 26, Subsection 6, to be more closely aligned with the process just followed, specifically to include the Business Officers in the process.

Regent Del Carlo requested a review of provisions for annual and periodic reviews.

Regent Boylan requested a review of concerns related to the UNLV engineering building based on public comment by Parker Franklin.

Regent Arrascada requested accessibility plans regarding the CIP requests, as well as consideration of establishing an ADA Review Committee at each institution.

10. Information Only – Public Comment

Ross Miller provided written public comment on behalf of the CSN Northwest Campus Gold Ribbon Committee, noting its appreciation for the funding the CSN Northwest Campus development. (*Miller.Ross05.25.22 on file in the Board Office.*)

Chair McAdoo stated she was mindful of the Memorial Day weekend. President Joe Biden and Governor Steve Sisolak have asked that flags be flown at half-staff in remembrance of Uvalde, Texas. Our nation is experiencing profound grief, so please let it serve as a reminder to show love and kindness.

The meeting adjourned at 1:15 p.m.

Prepared by:

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

Submitted for approval by:

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

Approved by the Board of Regents at its August 26, 2022, meeting.