

**BOARD OF REGENTS and its
ad hoc CHIEF OF STAFF AND SPECIAL COUNSEL TO THE BOARD
SEARCH COMMITTEE
NEVADA SYSTEM OF HIGHER EDUCATION
System Administration, Las Vegas
4300 South Maryland Parkway, Board Room
Wednesday, June 29, 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: Mr. John T. Moran, Chair
 Dr. Jason Geddes, Vice Chair
 Mr. Byron Brooks
 Mrs. Cathy McAdoo
 Mr. Donald Sylvantee McMichael Sr.

Other Regents Present: Dr. Patrick R. Carter, Board Vice Chair
 Mr. Joseph C. Arrascada
 Mr. Patrick J. Boylan
 Ms. Amy J. Carvalho
 Mrs. Carol Del Carlo
 Ms. Laura E. Perkins

Others Present: Ms. Crystal Abba, Officer in Charge
 Mr. James J. Martines, Interim Chief General Counsel
 Ms. Keri D. Nikolajewski, Interim Chief of Staff to the Board
 Ms. Sherry Olson, Director of Human Resources
 Ms. Tina Russom, Deputy General Counsel

Chair Moran called the meeting to order at 9:02 a.m. with all members present.

1. Information Only – Public Comment

James Dean Leavitt provided public comment related to the NSHE System Administration building, his time on the Board of Regents, the Open Meeting Law and the ad hoc Chief of Staff and Special Counsel to the Board candidate pool.

Sondra Cosgrove provided a written public comment asking the Committee to interview all candidates that meet minimum requirements.

2. Approved – Minutes – The Committee recommended approval of the minutes from the January 28, 2022, meeting. *(Ref. COS-2 on file in the Board Office.)*

Regent McMichael moved approval of the minutes from the January 28, 2022, meeting. Vice Chair Geddes seconded. Motion carried.

3. Information Only – Chair’s Report – Chair John T. Moran provided an overview of the schedule and process for interviewing the finalists for Chief of Staff and Special Counsel to the Board of Regents, as well as a historical overview of the search process.
4. Information Only – Discussion of Interview Questions – Chair John T. Moran led a discussion on the questions to be covered during the finalist interviews.

The questions are as follows.

1. You’ve had a great career. Why are you considering this position and what attracted you to apply? *(Chair Moran)*
2. What is your impression of the Board of Regents? *(Chair Moran)*
3. An important part of this job is knowledge of the Nevada Open Meeting Law, Public Records Law, and Ethics in Government Law, and providing legal advice to the Board both during and outside of meetings on these matters. What experience do you have advising a similar body of elected officials or other type of public body? *(Chair Moran)*
4. Talk about your experience drafting and reviewing agendas, and the potential impacts based on how you draft an agenda item. *(Regent McMichael)*
5. What would you do if the Board, or a member of the Board, was about to take action at a public meeting that would be in violation of the Open Meeting Law? What if that member was the Chair of the Board? *(Chair Moran)*
6. Tell us about your experience with parliamentary procedure and rank your proficiency in parliamentary procedure on a scale of 1 to 7, with 7 being the highest. *(Regent McAdoo)*
7. Describe your management style and what, if any, changes you would make to that style knowing you are joining a team with decades of experience serving the Board of Regents. *(Regent McAdoo)*
8. Dealing with conflict is a part of life and will be a part of this job as well. What are some strategies you use in dealing with conflict at work? How does that answer change if a Regent is involved in the conflict, either with another Regent, with staff, or with a policy/procedure? *(Chair Moran)*
9. How would you handle a situation if the Chancellor was seeking your advice or assistance on a matter where you perceived the Chancellor’s position may be contrary to the Board’s position? *(Chair Moran)*
10. From everything you have learned about this position and the Board of Regents, why do you believe you would be the best fit for the position, and what would you contribute to the Board’s success? *(Regent McAdoo)*

4. Information Only – Discussion of Interview Questions – (Continued)

11. The Chief of Staff and Special Counsel to the Board has an office in both Las Vegas and Reno; however, the primary location for this position is in Las Vegas. If offered the position and relocation is necessary, what is your timeline for relocation? *(Chair Moran)*
12. Do you have any questions for us about the position, the Board, or the Nevada System of Higher Education? *(Chair Moran)*

5. Information Only – Candidate Interviews – The Committee interviewed the finalists for Chief of Staff and Special Counsel to the Board of Regents:

- Richard L. Hinckley *(Ref. COS-5a on file in the Board Office.)*
- Robert G. Kilroy *(Ref. COS-5b on file in the Board Office.)*
- Debra L. Pieruschka *(Ref. COS-5c on file in the Board Office.)*

Director of Human Resources Sherry Olson provided the Committee with reference information for Mr. Richard L. Hinckley.

Chair Moran welcomed Mr. Hinckley. Mr. Hinckley responded to the interview questions.

The meeting recessed at 10:06 a.m. and reconvened at 10:12 a.m. with all members present.

Director of Human Resources Sherry Olson provided the Committee with reference information for Mr. Robert G. Kilroy.

Chair Moran welcomed Mr. Kilroy. Mr. Kilroy responded to the interview questions.

Regent McMichael disclosed his military service stationed in Okinawa, Japan, at the same time as the candidate but that there is no conflict, so he will vote on the item. He disclosed under NRS Chapter 281A, as recommended by the Nevada Commission on Ethics.

The meeting recessed at 11:03 a.m. and reconvened at 11:30 a.m. with all members present.

Director of Human Resources Sherry Olson provided the Committee with reference information for Ms. Debra L. Pieruschka.

Chair Moran welcomed Ms. Pieruschka. Ms. Pieruschka responded to the first interview question.

The meeting recessed at 11:42 a.m. and reconvened at 11:44 a.m. with all members present.

Deputy General Counsel Russom explained the reasoning for the recess. She stated it was her advice to start the interview when Ms. Pieruschka's interview was initially scheduled to allow the public to be present during the interview.

5. Information Only – Candidate Interviews – *(Continued)*

On the advice of Deputy General Counsel Russom and with the consensus of the Committee, the meeting recessed at 11:48 a.m. and reconvened at 12:12 p.m. with all members present except Regent Brooks.

Director of Human Resources Sherry Olson reiterated reference information for Ms. Debra L. Pieruschka.

Ms. Pieruschka responded to the interview questions.

The meeting recessed at 12:58 p.m. and reconvened at 1:06 p.m. with all members present except Regent Brooks.

6. Approved – Discussion and Recommendation of Final Candidates for Consideration by the Board of Regents – The Committee discussed and assessed the finalists for Chief of Staff and Special Counsel to the Board and recommended Robert G. Kilroy for consideration by the full Board of Regents on June 30, 2022, at 1:00 p.m.

Regent Moran provided a historical review of the search process.

Regent Brooks entered the meeting.

Vice Chair Geddes asked if the Chair wanted the members to discuss the candidates and come to a consensus or provide a ranking of candidates. He also requested confirmation that the candidates had signed waivers to be discussed.

Chair Moran asked the Committee members how they would like to proceed.

Vice Chair Geddes believed that either way would work.

In response to a question from Chair Moran related to the process, Deputy General Counsel Tina Russom responded that the process and how the Committee proceeds is up to the discretion of the Committee. Deputy General Counsel Russom also confirmed that signed waivers from all candidates are on file.

Board Chair McAdoo, Board Vice Chair Carter, and Regents Arrascada, Boylan, Brooks, Carvalho, Del Carlo, McMichael, and Perkins expressed a preference for ranking the candidates.

Committee members provided their candidate rankings. *(On file in the Board Office.)*

Regent McAdoo recommended approval of Robert G. Kilroy for consideration by the full Board of Regents on June 30, 2022, at 1:00 p.m. Regent McMichael seconded.

6. Approved – Discussion and Recommendation of Final Candidates for Consideration by the Board of Regents – (Continued)

Regent Del Carlo stated Mr. Kilroy's leadership skills stood out to her and he has her full support.

Chair Moran stated it had been a lengthy process. He thanked all the applicants who chose to participate in the process. He also thanked Interim Chief of Staff Keri D. Nikolajewski and the Board staff for their dedication and hard work for the Board of Regents.

Motion carried via a unanimous roll call vote.

Chair Moran provided the Land Acknowledgment.

7. Information Only – New Business

Vice Chair Geddes recommended that the Chief of Staff and Special Counsel to the Board job duties be updated in the *Handbook* to provide more specificity.

Board Chair McAdoo thanked Committee Chair Moran and Director Olson for their time and investment during the process.

8. Information Only – Public Comment

James Dean Leavitt provided public comment stating that he had sent a detailed letter to the Board. Unfortunately, because Human Resources notifies applicants hours before agendas are released, his attorney was not able to write the letter, nor was he able to attend the meeting. Mr. Leavitt stated he was disappointed in how the search was conducted. It was the longest and most poorly conducted search since he was elected to the Board in 2004. In addition, the search failed twice because of misconduct of Board members and staff. He is looking forward to litigating only because it is an American right. The public would say that this is the most embarrassing Board ever. He has not said a negative word since he left the Board in 2016 and he was always known for working with people. Mr. Leavitt noted that the former Chief General Counsel had not responded to his attorney about why he had not met the minimum qualifications after sitting in this room, helping build this building, and testifying successfully. He asked who is carrying the torch to keep an integrated system of higher education. The Board is talking about budgets, faculty salaries, and vaccinations. Who cares? Those are important, but they pale in comparison to the existential question. He hopes whoever leads this Board in January will recognize the importance of defeating SJR7. The public appetite to replace the Board is at an all-time high. Why is the Board silent? This is one of the country's only states with an integrated system. There is no respect on the Board for history. When he was Chair of the Board, former Regents were required to be invited to institutional events. He did not even receive an invitation to the UNLV School of Medicine's first graduation. He should have been speaking at it. It is wrong to disrespect a former colleague by not giving them the courtesy of an interview to tell his story.

8. Information Only – Public Comment – *(Continued)*

Chair Moran stated they can clearly see his passion and discern all the important things he did for NSHE. He encouraged Mr. Leavitt to reach out to the Chancellor and Chair of the Board to get involved.

Mr. Leavitt stated he was encouraged to apply for this job by a former Chancellor, two former University Presidents, and a former Chairman of the Board.

Regent Boylan told Mr. Leavitt that he respects him and asked to talk with him.

Deputy General Counsel Russom stated it is within the Regents' purview to speak with constituents outside of a public meeting.

The meeting recessed at 1:51 p.m.

Prepared by:

Angela R. Palmer
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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.