

SPECIAL MEETING
BOARD OF REGENTS
NEVADA SYSTEM OF HIGHER EDUCATION

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

Friday, October 14, 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
Ms. Amy J. Carvalho, Vice Chair
Mr. Joseph C. Arrascada
Mr. Patrick J. Boylan
Mr. Byron Brooks
Mrs. Carol Del Carlo
Dr. Patrick R. Carter
Dr. Mark W. Doubrava
Dr. Jason Geddes
Mr. Donald Sylvantee McMichael Sr.
Mr. John T. Moran
Ms. Laura E. Perkins
Dr. Lois Tarkanian

Others Present:

Mr. Dale A.R. Erquiaga, Acting Chancellor
Ms. Crystal Abba, Executive Vice Chancellor and Chief of Staff
Mr. Andrew Clinger, Chief Financial Officer
Ms. Renee Davis, Interim Vice Chancellor, Academic and Student Affairs
Mr. Robert G. Kilroy, Chief of Staff and Special Counsel to the Board
Mr. James J. Martines, Chief General Counsel
Ms. Keri Nikolajewski, Deputy Chief of Staff to the Board
Dr. James McCoy (*sitting in for Dr. Federico Zaragoza, President, CSN*)
Dr. Kumud Acharya, President, DRI
Ms. Joyce M. Helens, President, GBC
Dr. DeRionne Pollard, President, NSC
Mr. Brian Sandoval, President, UNR
Dr. J. Kyle Dalpe, Interim President, WNC

Faculty senate chairs in attendance were: Ms. Tracy Sherman, CSN (*Chair, Council of Faculty Senate Chairs*); Dr. Christine Beaudry, NSC; Mr. Ed Boog, SA; Dr. Amy Cavanaugh, TMCC; and Dr. Eric Marchand, UNR.

Chair McAdoo called the meeting to order at 9:00 a.m. with all members present except Regents Carter, Doubrava, and Tarkanian. Vice Chair Carvalho led the Pledge of Allegiance, and Chair McAdoo provided the Land Acknowledgement.

Regent Carter entered the meeting.

1. Information Only – Public Comment

Kent Ervin provided public comment supporting the WNC Nevada Faculty Alliance Contract Amendment.

2. Approved – Minutes – The Board approved the minutes from the June 30, 2022, and August 26, 2022, Special Meetings. (*Refs. BOR-2a and BOR-2b on file in the Board Office.*)

Regent Del Carlo moved approval of the minutes from the June 30, 2022, and August 26, 2022, Special Meetings. Regent Boylan seconded. Motion carried. Regents Doubrava and Tarkanian were absent.

3. Information Only – Board Chair’s Report – Chair Cathy McAdoo attended the UNR State of the University address and applauded UNR President Sandoval Brian Sandoval for his visionary presentation. She also attended the UNLV Foundation Dinner. All four southern Presidents attended the dinner in support of their colleague.

4. Information Only – Chancellor’s Report – Acting Chancellor Dale A.R. Erquiaga provided an overview of his first 105 days as NSHE’s Acting Chancellor, including:

- Stabilizing the System Office and its relations with the Board and institutions.
- Preparing for the legislative session.
- Continuing strategic planning efforts.
- Appointments to the Task Force on Sexual Misconduct and Complete College America policy committee.

Regent Tarkanian entered the meeting.

- \$2 million grant received from the Substance Abuse and Mental Health Services Administration that allows for hiring a Wellness Officer, appropriating funds to institutions for mental health first aid, and a needs assessment of work.
- Attending the first Governor’s Finance Office hearing with the Legislative Counsel Bureau.
- State Public Works Board did not recommend any of NSHE’s requests for the upcoming biennium.
- Economic Forum has stated Nevada will have funds for supplemental appropriations.

4. Information Only – Chancellor’s Report – (Continued)

- Hiring currently is challenging.
- Strategic Alliance between GBC and UNR.
- Items requested for the December agenda item to reconsider the name of Nevada State College.

Regent Moran left the meeting.

- Evidence-based policy making.
- Creating a research agenda for NSHE.
- Creating a shared research agenda with the Nevada Department of Employment, Training and Rehabilitation and the Department of Education.
- The goal to be a System that offers Nevadans an opportunity to think about lifelong learning and their ultimate career choice.
- Will establish a Chancellor’s Committee on Mental Health.

With respect to the proposed renaming of Nevada State College, Regent Geddes requested information in December on the sequencing and its impact on the funding formula.

3. Information Only – Board Chair’s Report – (Continued)

Chair McAdoo said that she, Vice Chair Carvalho, and Acting Chancellor Erquiaga participated in the CSN evaluation by the NWCCU. The following week, she participated in TMCC’s evaluation.

5. Approved – Nevada Faculty Alliance Contract Amendment, WNC – The Board approved the WNC Nevada Faculty Alliance (NFA) contract amendment negotiated between the WNC administration and the NFA on behalf of the WNC faculty, extending the contract end date to June 30, 2023. (*Ref. BOR-5 on file in the Board Office.*)

Regent Carter disclosed that he is employed by Mater Academy East, a K-12 charter school in Las Vegas, Nevada. As part of his employment, he was assigned to teach a dual credit class on Mater’s campus with WNC. Therefore, even though the independent judgment of a reasonable person or entity would not be materially affected, he will abstain on this matter to avoid any appearance of conflict.

WNC Interim President J. Kyle Dalpe presented the WNC Nevada Faculty Alliance (NFA) contract amendment negotiated between the WNC administration and the NFA on behalf of the WNC faculty, extending the contract end date to June 30, 2023.

In response to a question from Regent Geddes about a recommendation from the Chancellor’s Office, Acting Chancellor Erquiaga stated that he fully supports and commends the effort.

Regent Boylan asked how the COVID vaccination policy affected the staffing shortage. WNC President Dalpe stated three employees, one administration, one faculty, and

5. Approved – Nevada Faculty Alliance Contract Amendment, WNC – (Continued)

one classified departed due to the COVID vaccination policy. He added that searches did fail while the COVID vaccination policy was in place. However, the staffing shortage in 2022 is due to the number of candidates in the pools.

In response to a question from Regent Boylan related to those that left due to the vaccination policy, WNC President Dalpe responded he wasn't sure he could answer the question due to its nature.

Regent McMichael moved approval of the WNC Nevada Faculty Alliance (NFA) contract amendment negotiated between the WNC administration and the NFA on behalf of the WNC faculty, extending the contract end date to June 30, 2023. Regent Brooks seconded. Motion carried. Regent Carter abstained. Regents Doubrava and Moran were absent.

6. Approved – Reno City Center Lease Agreement for 85 Studio Apartments at 175 E. Second Street, Reno, Nevada, for Affordable Graduate Student Housing, UNR – The Board approved the Reno City Center Lease Agreement for property located at 175 E. Second Street, Reno, Nevada, and that the Chancellor or designee be granted authority to execute the Lease, and any ancillary documents associated with the Lease, after consultation and review by the NSHE Chief General Counsel. (Ref. BOR-6 on file in the Board Office.)

UNR President Brian Sandoval presented the Reno City Center Lease Agreement for property located at 175 E. Second Street, Reno, Nevada, for affordable graduate student housing at UNR.

Regent Geddes moved approval of the Reno City Center Lease Agreement for property located at 175 E. Second Street, Reno, Nevada, and that the Chancellor or designee be granted authority to execute the Lease, and any ancillary documents associated with the Lease, after consultation and review by the NSHE Chief General Counsel. Regent Del Carlo seconded.

Regent Del Carlo thanked the property owner for going above and beyond for the students.

Regent McMichael commended UNR President Sandoval for finding an alternative form of affordable housing for the students.

Regent Geddes asked if the housing was not filled with graduate students, would there be an opportunity for junior faculty to fill the units? UNR President Sandoval stated he is confident there is sufficient demand to fill all the units, but on the off chance, they would be made available to faculty and staff.

6. Approved – Reno City Center Lease Agreement for 85 Studio Apartments at 175 E. Second Street, Reno, Nevada, for Affordable Graduate Student Housing, UNR – (Continued)

In response to a question from Regent Arrascada related to international students, UNR President Sandoval stated this creates a unique opportunity on the bus line and within walking distance of campus and will be a magnificent opportunity for all graduate students. UNR is in preliminary discussions about expanding this opportunity.

Regent Arrascada asked when the application process would be open. UNR Vice President for Administration and Finance Vic Redding responded if the Board approves this, he will meet with the Graduate Student Dean to determine the best and most strategic way to allocate the 85 units. UNR wants to ensure they are as equitable as possible in recruiting and retaining students.

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

Chair McAdoo stated she asked for a roll call vote so the graduate students know that the Board heard them and UNR and the Board have acted.

7. Information Only – Board of Regents Self-Evaluation – Pursuant to Board policy (Title 1, Article V, Section 25), Margo Teague, Impact Evaluation and Assessment Services, facilitated a discussion around perceptions of the Board's effectiveness in key areas of responsibility using qualitative data from the self-evaluation study, to identify priority areas for improvement and preliminary action steps to strengthen the effectiveness of the Board. *(Ref. BOR-7 on file in the Board Office.)*

Chair McAdoo disclosed that previously Margo Teague from Impact Evaluation and Assessment Services worked from 2004 through 2006 with the non-profit organization PACE Coalition based in Elko, Nevada. Subsequently, Ms. Teague began to work as an independent contractor for Pace Coalition from 2006 through 2016. Chair McAdoo was the Executive Director of PACE Coalition from 2002 through 2016. Chair McAdoo was not involved in selecting Impact Evaluation and Assessment Services to perform the Board's Self-Evaluation. Chair McAdoo only interacted with Ms. Teague during her interview. Because the independence of judgment of a reasonable person would not be materially affected by the situation, Chair McAdoo does plan to participate in the discussion.

Regent Doubrava entered the meeting.

Ms. Teague believed four keystone areas are affecting all the other topics and the Board's effectiveness, and they include: 1) Board Organization, 2) Board, Chancellor, President and Staff Relations, 3) Training (orientation and ongoing) and 4) External Relationships with Business, Community and Political Leaders.

7. Information Only – Board of Regents Self-Evaluation – (Continued)

Regent Carter stated if a root cause analysis is done, the issues are rooted in policy and superficial to clarifying what the policy says.

Regent Brooks appreciated the amount of work Ms. Teague has done in creating the analysis. He acknowledged that Board policy requires a self-evaluation be conducted at least every five years. However, he believed this was the worst time for an evaluation because the Board is currently evaluating its *Handbook* and processes. Ms. Teague did feel the timing was off but offered that as the Board is doing the work, it will have the findings for guidance.

Regent Brooks offered that another evaluation occurs in two years, not five, to assess where the Board is.

Chair McAdoo stated the policy does say every five years, but the Board can choose to evaluate itself in two years.

Regent Del Carlo stated that only two current Regents were on the Board in 2017 during the last evaluation. She believed the evaluations should be yearly and at most every two years to allow for continuous improvement. Regent Del Carlo stated the *Handbook* is unmanageable and contradicts itself.

Ms. Teague stated best practices are very organization dependent. She agreed that a more frequent evaluation is good, especially during stabilization.

Regent Del Carlo added that the Board composition changes every two years due to elections. Ms. Teague stated that speaks to a consistent and rigorous training program.

Ms. Teague suggested they come up with topics to bring forward and someone responsible for the topic.

Chair McAdoo believed the Board could garner information from today as it reviews policies and procedures that need to be more effective. She requested Mr. Teague move forward with guidance regarding specific policies that may need to be reviewed.

Regent Perkins stated it stood out to her that some of the same growth opportunities happening five years ago are still happening, which points her to training and policy. She believed a yearly evaluation is perfect if many changes are being made.

Regent Carter believed it would be helpful to address the conflicts in the *Procedures and Guidelines Manual* and the *Handbook*.

Regent Brooks thought it would be beneficial to identify an issue and then review the policy for its effectiveness in supporting the System. Ms. Teague agreed that is step one because nothing can be done against or in the absence of a policy.

The meeting recessed at 10:36 a.m. and reconvened at 10:45 a.m. with all Regents present.

7. Information Only – Board of Regents Self-Evaluation – (Continued)

Regent Brooks suggested that Regents add their names to the topic they would be interested in helping with.

Chair McAdoo clarified for Ms. Teague that the Chair of the Board appoints subcommittees, but it is helpful to know what the Regents would like to work on.

Chief of Staff and Special Counsel Robert G. Kilroy restated the agenda language and suggested the Board identify the priority areas for improvement. Then, at a subsequent meeting, the Board could determine and assign preliminary actions to strengthen the effectiveness of the Board.

Regent Carter believed an ad hoc committee was the only way to design a training program or the policies needed. Ms. Teague clarified she was not suggesting that one person would address it individually, just that there would be accountability among the entities to share the responsibility.

Regent Perkins offered that the IDEA Committee could help with training.

Regent Del Carlo stated it is only 2 ½ months before new Regents begin, and the training is inadequate. Therefore, the Board should concentrate on how orientation should work, as it sets the tone. Ms. Teague added there were a host of suggested topics to be covered during training.

Chair McAdoo asked the Regents to read BOR-7, page 27, to determine if any of the items listed would be helpful to discuss at the ad hoc Committee to Review the Roles and Responsibilities of the Chancellor meeting.

Ms. Teague asked if there is an existing entity or Committee that may be addressing Board Organization. Regent Carter believed many of the items fell under the Strategic Planning Committee. Vice Chair Carvalho stated the Committee is coming to an end, but the Committee could discuss it at its next meeting.

Acting Chancellor Erquiaga noted that the Committee would adopt a framework/strategy at its November meeting and then return to the Board in January or February.

Ms. Teague asked if there is an existing entity or committee that training may fit.

Chair McAdoo stated BOR-7, pages 15 and 16, has suggested training ideas from the interviews. She added that training should remain under the umbrella of the Board Office.

Regent Moran left the meeting.

Regent Arrascada pointed out that the *Handbook* has nothing on the constitutional status of the requirements for the onboarding and training of Regents. Training is unquestionably necessary for current and new Regents.

7. Information Only – Board of Regents Self-Evaluation – (Continued)

Ms. Teague stated the area of Relationships with Business, Community and Political Leaders garnered many responses but not many solutions.

Chair McAdoo felt that once the Board addresses the other three areas, it would automatically impact relationships outside NSHE.

Regent Brooks left the meeting.

Regent Carter believed external relationships related to the workforce could start at the Workforce Committee.

Regent Perkins believed the positive messages of the Board needed to be pushed out to the media.

Regent Brooks entered the meeting.

Chair McAdoo stated the Chancellor's Office is in the process of hiring a Public Information Officer. Acting Chancellor Erquiaga indicated his office is trying to figure out the communications function while working through staffing challenges. Chair McAdoo added it would be a function of the Board of Regents and System staff working together.

Ms. Teague asked what she should call the plan. Acting Chancellor Erquiaga stated the *Handbook* says the Board should develop strategies for improvement. Chair McAdoo stated the evaluation is about strategies for the improvement of the Board.

Chair McAdoo thanked Ms. Teague for her presentation.

8. Information Only – New Business

Regent Carter requested an ad hoc committee to evaluate strategic initiatives and growth opportunities for the Board.

Regent Boylan requested an ad hoc committee to evaluate the roles and responsibilities of the Chair and Vice Chair of the Board.

Regent Del Carlo requested a governance committee.

Regent Arrascada requested a review of Title 1, Article 5, Section 25, Board Self-Evaluation.

9. Information Only – Public Comment

Jeffrey Downs thanked the Board for approving Agenda Item 5, Nevada Faculty Alliance Contract Amendment, WNC.

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

Dr. Kent Ervin stated training is essential for any board and offered that PERS has a one-hour education session before each meeting. He also suggested academic freedom and shared governance, labor relations and collective bargaining, fiduciary duties, best practices for higher education trustees, labor structures for faculty, staff and higher education institutions, institutional budget and funding policies, and best practices in executive searches and hiring.

The meeting adjourned at 11:38 a.m.

Prepared by:

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Submitted for approval by:

Keri D. Nikolajewski
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Approved by the Board of Regents at its January 12 & 13, 2023, meeting.