

SPECIAL MEETING
BOARD OF REGENTS
NEVADA SYSTEM OF HIGHER EDUCATION

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

Friday, February 3, 2023

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. Byron Brooks, Chair
 Mr. Joseph C. Arrascada, Vice Chair
 Mr. Patrick J. Boylan
 Mrs. Susan Brager
 Ms. Heather Brown
 Mrs. Michele Cruz-Crawford
 Mrs. Carol Del Carlo
 Mr. Jeffrey S. Downs
 Ms. Stephanie Goodman
 Mr. Donald Sylvantee McMichael Sr.
 Ms. Laura E. Perkins
 Dr. Lois Tarkanian

Members Absent: Mrs. Amy J. Carvalho

Others Present: Mr. Dale A.R. Erquiaga, Acting Chancellor
 Mr. Andrew Clinger, Chief Financial Officer
 Ms. Renee Davis, Interim Vice Chancellor, Academic and Student Affairs
 Mr. James J. Martines, Chief General Counsel
 Ms. Keri Nikolajewski, Interim Chief of Staff to the Board
 Mr. Alejandro Rodriguez, Director of Government Relations
 Dr. Federico Zaragoza, President, CSN
 Dr. Vic Etyemezian (*sitting in for Dr. Kumud Acharya, President, DRI*)
 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 Mr. Ed Boog, SA; Dr. Amy Cavanaugh, TMCC; and Dr. Eric Marchand, UNR. The student body president in attendance was Ms. Chanikan Buntha, SGA President, TMCC.

Deputy Attorney General Joel Bekker was also in attendance.

Chair Brooks called the meeting to order at 10:00 a.m. with all members present except Regents Brager, Brown, and Carvalho. Regent McMichael led the Pledge of Allegiance.

Land Acknowledgment

Before beginning, we take a moment to recognize that here in Nevada we stand on the land of the Wa She Shu – Washoe; Numu – Northern Paiute; Nuwe – Western Shoshone; and Nuwu – Southern Paiute. We take a moment to recognize and honor their stewardship that continues into today. With this recognition, we state an intention to rightfully include their voice and respect them as the 27 sovereign tribal nations of Nevada.

1. Information Only – Public Comment

Regent Brown entered the meeting.

The following individuals provided in-person or written public comment supporting BDR 155, collective bargaining for NSHE professional employees, including faculty.

- Daniel Benyshek
- Jeremy Bowling
- Jennifer F. Byrnes
- John Curry
- Kent Ervin
- Karen G. Harry
- Ian Hartshorn
- Scott Huber
- William Jankowiak
- Jim New
- Amy Pason
- Steve Soltz
- Brad Summerhill
- Doug Unger
- Staci Walters

The following individual provided written public comment encouraging the Board to add language to the strategic plan that values and nurtures human capital (employees) at all levels of NSHE.

- Jim New

The following individuals provided in-person public comment supporting AB 37, establishing the Behavioral Health Workforce Development Center at NSHE.

- Sondra Cosgrove

Regent Brager entered the meeting.

2. Information Only – System Policy Regarding Legislative Session – Acting Chancellor Dale A.R. Erquiaga reviewed existing Board policy regarding the role of the Board and Chancellor at the upcoming Legislative Session, including a discussion of how the institutions and Chancellor’s Office will represent the System. *(Ref. BOR-2 on file in the Board Office.)*

Regent Del Carlo left the meeting.

In response to a question from Regent Perkins regarding what would happen if he could not notify Regents of matters because things are moving too quickly in the Legislature, Acting Chancellor Erquiaga responded he is bound by policy and will alert the Regents on how he is proceeding.

3. Information Only – Governor’s Recommended Budget – Chief Financial Officer Andrew Clinger presented an overview of the Governor’s Recommended Budget for Biennium 2023-2025, including the proposed state appropriations for operating expenses and capital construction expenses. *(Supplemental Material on file in the Board Office.)*

In response to a question from Regent Boylan related to the 7.3 percent increase, Chief Financial Officer Clinger responded there is a 7.3 percent increase in the Governor’s recommended budget over the current budget that NSHE is operating under.

Regent Boylan asked what negative weighted student credit hours meant. Chief Financial Officer Clinger stated that NSHE makes comparisons rather than projections. Because of the pandemic, NSHE has decreased weighted student credit hours when making comparisons.

Regent Boylan asked why there is a difference between graduate teaching assistant stipends at UNLV and UNR. Chief Financial Officer Clinger believed it is due to the institutions’ different stipend starting points. UNLV President Whitfield responded it is embedded in history that UNLV’s stipend amount did not keep pace with UNR’s stipend.

In response to a question from Regent McMichael about whether funds from the Silver State Opportunity Grant, Nevada Promise, and Millennium Scholarship carryover, Chief Financial Officer Clinger stated they do carryover if not utilized.

Regent Goodman asked if American Rescue Plan Act funds are included in the budget. Chief Financial Officer Clinger responded they are not included in the Governor’s Recommended Budget. Still, the institutions have some remaining funds, which are not reflected in this budget.

Regent Goodman added she looks forward to UNLV graduate students having the same stipends as UNR graduate students.

Chief Financial Officer Clinger recognized that the Governor’s Recommended Budget does include cost-of-living adjustments and retention payments of \$2,000 for all NSHE employees.

3. Information Only – Governor’s Recommended Budget – (Continued)

In response to a question from Chair Brooks about graduate stipends, UNR Vice President for Administration and Finance Vic Redding responded that it is a total of 88 new GTA lines. The Governor’s Recommended Budget lists it as 44 in the first year and 88 in the second. It is stepped up due to the institution’s ability to recruit high-quality graduate students on short notice for the first year.

Regent Del Carlo entered the meeting.

Regent Goodman acknowledged that this is a robust budget for higher education.

Regent Tarkanian stated several Regents had questioned the difference in graduate student stipends and requested the rationale be brought to the Board.

The meeting recessed at 11:09 a.m. and reconvened at 11:20 a.m. with all members present except Regent Carvalho.

4. Action Taken – Proposed Legislation – The Board approved/directed. *(Ref. BOR-4 on file in the Board Office.)*

Regent Downs disclosed he is an employee of the State of Nevada. Because this situation would not materially affect the independence of judgment of a reasonable person, he will vote on this matter. He disclosed the relationship under NRS Chapter 281A.

Acting Chancellor Dale A.R. Erquiaga presented a summary of possible legislation, including proposed bills and bill draft requests, for discussion by the Board.

Assembly Bill (AB) 37

Chair Brooks observed that this has more to do with workforce development than with the health and welfare of a student on campus seeking a place for relief.

In response to a question from Regent Boylan asking how NSHE gets the money for this unfunded mandate, Acting Chancellor Erquiaga stated the bill is introduced and noted with a fiscal impact. NSHE attaches a fiscal note with the amount to run the center. Then, the bill will be referred to a fiscal committee, and those entities will determine whether to fund it.

Regent Brown stated the bill mentions multiple institutions. Then later, it says a main institution with regional hubs. She asked if there was an indication of where the main hub would be located. Acting Chancellor Erquiaga responded UNLV has taken the lead in this matter.

Regent Perkins stated she supports AB 37.

Regent Goodman stated the center is imperative, but getting into some rural areas is essential.

4. Action Taken – Proposed Legislation – (Continued)

In response to a question from Regent Boylan asking whether this will be open to the public or just students, Acting Chancellor Erquiaga stated it is a workforce development program creating professionals in the field, not a direct service to students. Chair Brooks added this is to build a pipeline for professionals in behavioral health.

Chair Brooks asked if there were Regents not in favor, and with no response, he stated the Board was in consensus with its support.

Student Fee Waivers

Chair Brooks asked for clarification that this does not affect any current fee waivers. Acting Chancellor Erquiaga responded there are proposals to amend existing fee waivers and create new fee waivers.

In response to a question from Regent Brager asking for an estimated cost of fee waivers, Acting Chancellor Erquiaga responded that in the last financial report prepared for the Board, it was \$3.6 million across all fee waivers.

Regent Perkins asked what the expectation of the cost of fee waivers over the next two years is. Acting Chancellor Erquiaga provided an example of the Native American Fee waiver and said the institutions all have varying ways to recruit the Indigenous population. The more NSHE or the tribes publicize the waiver, the more the cost will increase.

Regent Cruz-Crawford stated as a member of the National Guard, the waiver is used as a recruitment tool. She shared the positive impact this waiver has.

In response to a question from Regent Boylan related to the GI Bill, Chair Brooks stated there is a distinction between a National Guard member and those who have served their military contract and are no longer in military service.

Regent Boylan asked if the legislature funds fee waivers. Acting Chancellor Erquiaga responded that the institution absorbs the costs of a fee waiver. However, he added that he heard from the Board that access is essential to sustainability and that establishing a pool of funds to offset costs is preferred.

Regent Downs asked if fee waivers disproportionately impact some institutions. Acting Chancellor Erquiaga stated it does vary by institution and how the institution resources its funds.

Regent Brager asked for the criteria for fee waivers and who approves the waivers.

Regent Del Carlo believed there was a humanitarian need for fee waivers. However, she stated it is unfair to have an unfunded mandate.

4. Action Taken – Proposed Legislation – (Continued)

Interim Vice Chancellor for Academic and Student Affairs and Community Colleges Renee Davis stated on the March Academic, Research and Student Affairs agenda that there would be a follow-up fee waiver presentation with initial performance metrics on students receiving fee waivers and eligibility requirements.

Chair Brooks asked if taking action in March would be too late. Acting Chancellor Erquiaga responded that he believed he had enough of a sense from the Board to have initial conversations.

Regent McMichael clarified that the GI Bill benefits both active duty and retirees.

Regent Cruz-Crawford believed it was important to distinguish that the National Guard is a state entity, while active duty and reserves are typically federal. Therefore, National Guard members are not eligible for the GI Bill.

Senate Joint Resolution 7

Regent Boylan stated he was not in favor.

Chair Brooks offered that the Board does not support any measures to remove the Board of Regents from the Nevada Constitution.

Regent Goodman stated she ran for office to make a difference. The Board is effective, with capable staff.

Possible legislation to reduce the number of Regents and/or shorten the term of office

Regent Perkins stated there had been no proof that an appointed board does better work than an elected board. This Board is representative of all aspects of the community. She noted she does not favor a smaller Board or reduced terms.

Regent Downs reiterated that the Board is a representative body and that keeping the number and terms is essential.

Regent Boylan agreed and did not favor a smaller Board or reducing terms.

Chair Brooks offered there is a distinction between an elected and appointed person when talking about governance work. It is interesting to note that there are 21 Nevada State Senators and 42 Nevada State Assembly Legislators. The 13-member Board has much to do with Nevada's population and growth and Board members being representative of the areas they are elected from. He also offered that the purpose of a six-year term is because the Board does not operate on a daily basis to support higher education. There is a definite learning curve to being a Regent.

Chair Brooks stated there are no Board members in favor of this.

4. Action Taken – Proposed Legislation – (Continued)

Acting Chancellor Erquiaga and Chair Brooks provided an opportunity for the Regents to ask additional questions on other proposed legislation.

Regent Cruz-Crawford stated she was a first-year earner of the Millennium Scholarship and went to college because of it. She believed it was the Regents' job to let the students know the scholarship's eligibility requirements. She fully supports professional employees' collective bargaining, legislative funding to address the shortage of K12 teachers, and dual credit programs.

Regent Boylan fully supports professional employees' collective bargaining and a raise.

In response to a question from Regent Boylan related to NSHE addressing the K12 teacher shortage, Acting Chancellor Erquiaga responded NSHE is the most extensive teacher preparation program in the State of Nevada.

Regent Brager stated if K12 education is improved with dual credit programs, NSHE will see a flow of students enrolling. Regent Brager requested the Board look at certifications.

Regent Downs stated there is a need for student wellness, collective bargaining, and dual credit programs. Regent Downs voiced his concern about the teacher pipeline and that if NSHE can tie legislation to institutional programs, it will serve everyone well.

Regent Brown stated she had the opportunity to listen to UNR President Sandoval's passionate plan to expand dual enrollment and UNLV President Whitfield's State of the University highlighting UNLV's expansion of dual enrollment. She fully supports professional collective bargaining and wants equitable treatment for faculty like other public employees.

Regent Cruz-Crawford stated there are many cost-effective ways for dual enrollment to happen in high schools.

Regent Perkins fully supports collective bargaining for professional employees, addressing the teacher shortage, and dual enrollment.

In response to a question from Regent Downs related to the fiscal impact of the release of student transcripts if fees are owed, Acting Chancellor Erquiaga responded the current policy is if a student owes NSHE money, the transcript will not be released. However, a policy proposal will come forward in March to provide further clarification.

Chair Brooks stated the highest priority items were discussed today. Others will be brought forward at the March meeting.

Acting Chancellor Erquiaga appreciated the Board's conversation about legislative policy and students in this manner. The discussion has given him talking points to move forward.

The meeting recessed at 12:37 p.m. and reconvened at 12:48 p.m. with all members present except Regent Carvalho.

5. Approved – Strategic Planning and the NSHE Master Plan – The Board approved. (*Ref. BOR-5 on file in the Board Office.*)

Acting Chancellor Dale A.R. Erquiaga presented the recommended strategic planning framework developed by the Board’s ad hoc Strategic Planning Committee in 2022.

Regent Perkins moved approval of the framework as the NSHE Master Plan provided for in the Board of Regents *Handbook* (Title 4, Chapter 14, Section 3). Regent Tarkanian seconded. Motion carried. Regent Carvalho was absent.

6. Information Only – New Business

Regent Perkins requested a discussion on the stipend difference between UNLV and UNR graduate assistants, fee waiver data, and prison education to be listed as a priority.

Regent McMichael requested waiving tuition and fees for any congressional medal of honor recipients.

Regent Del Carlo requested staff to identify a means of polling Regents to know when they are available for special meetings.

Regent Brager requested a report on daycares available on NSHE campuses.

Regent Boylan requested a discussion on having a Regents’ retreat.

Regent Cruz-Crawford requested information on how many community healthcare clinics there are and the partnership between K12 and NSHE.

7. Information Only – Public Comment

Doug Unger assured the Board and state leaders that NFA representatives are advocating for the NSHE budget and its legislative goals. In today’s discussion, questions were raised that faculty members could have answered, for example, the history of graduate student stipends. He was also concerned that faculty are invisible on the public-facing advertising on the NSHE website. He suggested a featured faculty link.

Amey Evaluna noted that many students would benefit from the Native American fee waiver. She stated there are Native Americans that grew up coming in and out of Nevada from recognized tribes that border Nevada and suggested an expansion that would allow those students to utilize the fee waiver.

The meeting adjourned at 1:08 p.m.

Prepared by: Angela R. Palmer
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Submitted for approval by: Keri D. Nikolajewski
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Approved by the Board of Regents at its April 21, 2023, meeting.