

SPECIAL MEETING
BOARD OF REGENTS
NEVADA SYSTEM OF HIGHER EDUCATION

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

Friday, March 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
 Mrs. Susan Brager
 Dr. Michelee Cruz-Crawford
 Mr. Jeffrey S. Downs
 Ms. Stephanie Goodman
 Ms. Laura E. Perkins
 Dr. Lois Tarkanian

Members Absent: Mr. Patrick J. Boylan
 Ms. Heather Brown
 Mrs. Amy J. Carvalho
 Mrs. Carol Del Carlo
 Mr. Donald Sylvantee McMichael Sr.

Others Present: Mr. James J. Martines, Vice Chancellor and Chief General Counsel
 Ms. Keri Nikolajewski, Interim Chief of Staff to the Board

Faculty senate chair in attendance was Dr. Amy Cavanaugh, TMCC.

Also in attendance was Joel Bekker, Deputy Attorney General.

Chair Brooks called the meeting to order at 3:00 p.m. with all members present except Regents Boylan, Brown, Carvalho, Del Carlo, McMichael, and Tarkanian. Regent Goodman 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

The following individual provided written public comment sharing key Nevada Faculty Alliance survey findings from academic faculty and non-managerial administration faculty at the seven NSHE colleges and universities regarding compensation, benefits, shared governance, academic freedom, campus climate, and collective bargaining:

- Kent Ervin (*Ervin.Kent030323 on file in the Board Office.*)

The following individual provided written public comment in favor of Agenda Item 2, Bylaw Revision, Election of Officers:

- Amy Pason (*Pason.Amy030323 on file in the Board Office.*)

Regent Tarkanian entered the meeting.

Amy Cavanaugh provided TMCC Faculty Senate support of BDR 155, Collective Bargaining for NSHE Professional Employees. The Senate recommends NSHE support the Bill and urge its passage by the Legislature.

Frank Friends voiced concerns about UNLV, including students being attacked on the UNLV campus and having no way to defend themselves because they cannot carry a weapon, areas of the campus being dimly lit, and instructors selling their books to students.

2. Approved – Bylaw Revision, Election of Officers – The Board approved making no changes to the Bylaw governing the election of Board Officers. (*Ref. BOR-2 on file in the Board Office.*)

Upon the request of Regents Boylan, Del Carlo, and McMichael, the Board considered a revision to Board policy governing the election of officers (Title 1, Article IV, Section 2), which provides that the election of Board Officers will occur at the last meeting of the academic year and the term of office will commence July 1 for a term of one year. This Bylaw provision was previously revised at the September 2022 quarterly Board meeting to make the election cycle follow the calendar year commencing January 1 rather than the academic year on July 1.

Regent Perkins moved approval to leave the Bylaw governing the election of Board Officers as is. Regent Tarkanian seconded.

Chief General Counsel Martines clarified the current motion is to do nothing, so technically, if the Board does not vote on the motion, the Bylaw provision will remain the same. The Board does not need a motion to take no action. If there is no motion to approve, it speaks just as loudly as a carried vote to leave it the same.

2. Approved – Bylaw Revision, Election of Officers – *(Continued)*

Regent Brager commented that if the Board does nothing, her concern is how many times the Board could go through this process since the requesting Regents are not in attendance.

Chief General Counsel Martines stated there is no Bylaw provision preventing three Regents from bringing this forward again in the future.

Regent Brager asked if the Board could create a policy stating a change cannot be changed again within a certain period. Chief General Counsel Martines noted that could be requested under New Business.

Chief General Counsel Martines stated the motion was unnecessary to leave the Bylaw as is, so he recommended withdrawing the motion.

Regent Perkins withdrew her motion.

Regent Tarkanian stated the item was placed on the agenda and should be voted on.

Regent Tarkanian moved to make no changes to the Bylaw governing the election of officers. Regent Brager seconded.

Regent Goodman stated that Board members will not always agree, and she believed they needed to communicate better. She said she was at a Friday afternoon meeting, and those who requested the agenda item did not give her enough respect to attend the meeting. This is not conducive to proper governing.

Regent Downs stated he did see some value in using an academic calendar but would not vote to make a change now.

Vice Chair Arrascada stated that most of the Board wants to move forward, bring positivity, and focus on the students and what will strengthen the System. He supports Board leadership being elected for a calendar year.

Regent Cruz-Crawford agreed that it does make sense to use an academic year. She advised the Chair and Vice Chair that they have the power to bring the Board together.

Regent Arrascada asked for clarification of the motion. Chief General Counsel Martines stated the motion is to leave the Bylaw as currently written. So a vote in favor will leave the Bylaws as is.

Motion carried via a roll call vote. Chair Brooks, Vice Chair Arrascada, and Regents Brager, Cruz-Crawford, Downs, Goodman, Perkins, and Tarkanian voted yes. Regents Boylan, Brown, Carvalho, Del Carlo, and McMichael were absent.

3. Information Only – New Business

Regent Brager requested an agenda item placed on the next appropriate agenda to discuss a policy change regarding standing on a vote for at least one year before bringing the matter back before the Board. Today's exercise was unprofessional.

4. Information Only – Public Comment

Regent Brager voiced her opposition to the Chancellor Search protocols. She urged her colleagues to reconsider the search criteria and plan so that NSHE could find and hire the best person available objectively and openly.

Regent Tarkanian stated community perception is that the Regents are not working well together and not working on the right things. She agrees the Board must be more professional.

The meeting adjourned at 3:28 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 April 21, 2023, meeting.