

Minutes approved by the Board of Regents at the October 20, 2023, meeting.

SPECIAL MEETING
BOARD OF REGENTS
NEVADA SYSTEM OF HIGHER EDUCATION

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

Tuesday, August 29, 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. Amy J. Carvalho
Dr. Michelee 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

Others Present:

Ms. Patty Charlton, Officer in Charge
Ms. Crystal Abba, Executive Vice Chancellor and Chief of Staff
Ms. Keri D. Nikolajewski, Chief of Staff to the Board
Mr. James J. Martines, Vice Chancellor and Chief General Counsel
Ms. Sherry Olson, Director of Human Resources
Ms. Carrie L. Parker, Deputy General Counsel
Mr. Alejandro Rodriguez, Director of Government Relations
Mr. Tillery Williams, Director of Community Engagement, Equity
and Inclusion
Dr. Federico Zaragoza, President, CSN
Dr. Vic Etyemezian (*sitting in for Dr. Kumud Acharya, President, DRI*)
Ms. Joyce M. Helens, President, GBC
Dr. DeRionne Pollard, President, NSU
Dr. Karin M. Hilgersom, President, TMCC
Dr. Keith E. Whitfield, President, UNLV

Others Present: *(continued)*

Mr. Brian Sandoval, President, UNR
Dr. J. Kyle Dalpe, President, WNC

Faculty senate chairs in attendance were Mr. Patrick Villa, CSN; Dr. Molly Appel, NSU; Mr. Ed Boog, SA; Dr. Bill Robinson, UNLV; and Dr. Peter S. Reed, UNR (*Chair, Council of Faculty Senate Chairs*). Ms. Nicole Thomas, GPSA President, UNLV, was also in attendance.

Deputy Attorney General Sophia Long was also in attendance.

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.

Chair Byron Brooks called the meeting to order at 9:01 a.m. with all members present. Regent Brager led the Pledge of Allegiance.

Chair Brooks announced Item 3 (Removal of “Special Counsel” from the Chief of Staff Title Consistent with Article VIII, Section 1 of the Bylaws and Board Action) was withdrawn.

1. Information Only – Public Comment

Jim New, Nevada Faculty Alliance President, submitted public comment expressing concern about the lack of shared governance in the recent interim Chancellor search process (*New.Jim082923 on file in the Board Office*).

Dr. Kent Ervin, Nevada Faculty Alliance Past President, expressed concern about the lack of transparency in the recent interim Chancellor search process and shared his support for a national search for the permanent Chancellor, to be conducted once the Board reaches consensus on what it is looking for.

Dr. Bill Robinson, UNLV Faculty Senate Chair, urged the Board to conduct a regional search for the permanent Chancellor. He shared his support for Patricia Charlton’s appointment as the interim Chancellor, and he encouraged the Board to pay Keri D. Nikolajewski, Chief of Staff to the Board, what she is worth, as there is a market for salaries for individuals in similar positions.

Dr. Shantal Marshall, NSU, expressed concern about the lack of transparency and faculty involvement in the recent interim Chancellor search process.

The following individuals provided in-person or written public comment in support of the appointment of Patricia Charlton as interim Chancellor:

- Glenn Heath (*Heath.Glenn082923 on file in the Board Office*)
- Carolyn Collins

1. Information Only – Public Comment - *(continued)*

The following individuals provided in-person or written public comment in support of the appointment of Patricia Charlton as interim Chancellor: *(continued)*

- Bart Patterson
- Tracy Sherman
- Patrick Villa
- Dick McGee
- Dr. Joan McGee

2. Approved – Appointment, Interim Chancellor – The Board approved the appointment of Patricia Charlton to serve as interim Chancellor and the Option B Employment Agreement (*Ref. BOR-2 and Supplemental Material on file in the Board Office*). The Board also approved commencing a search for the permanent Chancellor following a formal review of relevant Board policies.

Chair Brooks provided an overview of the interim Chancellor search process which included a summary of meetings and conversations conducted to receive input and suggestions concerning the appointment of an interim Chancellor.

Regent Goodman moved to appoint Patricia Charlton to serve as interim Chancellor while the Board conducts a search for a permanent Chancellor. Regent Tarkanian seconded.

The meeting recessed at 9:52 a.m. and reconvened at 10:09 a.m. with all members present.

Regent Goodman stressed the importance of moving forward with the interim appointment and then reviewing and revising the search policy prior to beginning a new search for the permanent Chancellor. For clarification, she offered that her motion incorporated approval of the Option B Employment Agreement which allows for a search to be conducted while Ms. Charlton serves in an interim role.

In response to a question from Regent Downs, Mr. James Martines, Chief General Counsel, confirmed that the Option B Employment Agreement complies with Board policy.

Regent Carvalho asked if it is possible to suspend the Board's Bylaw provision that requires the Chair and Vice Chair to present a candidate within 60 days of the Board's request for either an acting or interim Chancellor, as well as other provisions that apply to the Chancellor search process. She also asked if there are any restrictions to what an Officer in Charge can do versus an interim Chancellor. Chair Brooks stated the reason he and the Vice Chair have brought the current interim Chancellor candidate forward is to provide continuity and stability to the System, while the Board reviews its search policies and conducts a search for the permanent Chancellor.

Regent Carvalho asked if the Board could invoke the suspension policy. Chief General Counsel Martines said the process for addressing a vacancy in the Office of Chancellor is

2. Approved – Appointment, Interim Chancellor – *(continued)*

within the NSHE Code so it is not able to be suspended; however, it can be amended after two readings or after providing 30-days advance notice to the presidents and other appropriate groups. Chief General Counsel Martines confirmed that pursuant to the Code the Officer in Charge shall exercise the powers of Chancellor until an acting or interim Chancellor is appointed by the Board. The Officer in Charge has the full authority of the Chancellor.

In response to an inquiry from Regent Carvalho, Chief General Counsel Martines said the option before the Board today is to appoint the interim Chancellor candidate that has been presented to the Board. If the appointment fails, the 60-day process for an acting or interim Chancellor search will begin again.

Regent Del Carlo asked for more information on the salary being offered for the interim Chancellor. Chief General Counsel Martines clarified that the compensation being offered is at the minimum of the range for Chancellor in the NSHE salary schedule. Ms. Sherry Olson, Director of Human Resources, confirmed there was a change in the NSHE salary schedule after the previous acting Chancellor was hired. The change was based on a study conducted by external consultants and went into effect on July 1, 2022.

Ms. Crystal Abba, Executive Vice Chancellor and Chief of Staff, stated Title 2, Chapter 5, Section 5.5 of the Code provides for periodic salary schedule updates. The salary schedules are reviewed every four years using an external expert. Updates are approved by the Chancellor and a notification is provided to the Board. A proposed revision to this policy will be brought before the Board at the September 2023 quarterly meeting.

Chair Brooks and Regent Brown discussed the current process in place for executive searches.

Regent Brown offered a friendly amendment to include in the motion that a formal review of relevant Board policies will be conducted prior to commencing the search for a permanent Chancellor.

Regents Goodman and Tarkanian accepted the friendly amendment.

Regent Tarkanian said it is important that the Board work to improve the guidelines for the executive search process.

Regent Brager shared her support for Ms. Charlton's appointment as interim Chancellor. She also expressed concern about the NSHE pay scale for all employees and how it is on the low-end in comparison to the rest of the higher education industry across the country. Regent Brager believes having monthly Board meetings to address this and other issues could be beneficial to the System.

2. Approved – Appointment, Interim Chancellor – (continued)

Regent Perkins said it is important for the Board to discuss changes in how executive searches occur and, in those discussions, it is critical to consider the academic calendar when engaging in the hiring process for high profile positions within the NSHE.

Regent Boylan thanked the Chair and Vice Chair for their work on the interim Chancellor search and agreed with having a formal review of the search policy.

Motion to appoint Patricia Charlton to serve as interim Chancellor, as amended, carried via a roll call vote. Chair Brooks, Vice Chair Arrascada, and Regents Boylan, Brager, Brown, Carvalho, Cruz-Crawford, Del Carlo, Downs, Goodman, McMichael, Perkins, and Tarkanian voted yes.

Ms. Charlton thanked the Board for the opportunity to serve as interim Chancellor. She expressed her commitment to the role and the work, and stated the appointment is a humbling experience, as she has been a part of the System, beginning as a student, for over 40 years.

The meeting recessed at 10:53 a.m. and reconvened at 11:06 a.m. with all members present.

3. Withdrawn – Removal of “Special Counsel” from the Chief of Staff Title Consistent with Article VIII, Section 1 of the Bylaws and Board Action – The item was withdrawn by the Chair.

4. Approved – Employment Agreement, Chief of Staff to the Board of Regents – The Board approved the proposed Employment Agreement for Keri D. Nikolajewski, Chief of Staff to the Board of Regents. (Ref. BOR-4 and Supplemental Material on file in the Board Office.) On July 21, 2023, the Board took action to appoint Ms. Nikolajewski as the permanent Chief of Staff to the Board of Regents effective at its next meeting, special or otherwise, at which time the contractual terms, including compensation, would be considered. As such, the appointment is effective on August 29, 2023, and the proposed contractual terms, including compensation, were discussed and approved.

Director Olson stated Board policy directs the salary and placement of the position, and she followed those policies accordingly. Title 4, Chapter 3, Section 2.1.d(1) defines the Chief of Staff position as executive faculty. This is a longstanding policy that has been in place prior to 2005. In her recommendation, she places the position in the lowest of the three executive grades, NSHE Executive 3. Additionally, the position and its responsibilities were reviewed, which is the normal practice of Human Resources. Title 4, Chapter 3, Section 27.2 provides direction with respect to the initial placement on the salary schedule, which must be between the minimum and median of the assigned grade. Human Resources recommends placing the Chief of Staff position at the minimum of the NSHE Executive 3 scale. Recently, Human Resources worked with an external consultant (Huron) to review the salary schedule and placement of all NSHE positions. Ms. Olson

4. Approved – Employment Agreement, Chief of Staff to the Board of Regents – (continued)

subsequently requested that Huron take a deeper dive into this position, and they are in agreement with the classification.

Regent Boylan stated the item should be removed from the agenda due to lack of information or postponed to a later time when the Board has more information. He referenced a chief of staff position at DRI with a salary of \$132,000. He claimed the amount of money being offered to Chief of Staff Nikolajewski for the work she does is vulgar. The NSU chief of staff and strategy makes only \$168,000. There is another one that makes only \$140,000. It is his belief that those chiefs of staff have as much or more responsibility and work as the Board's Chief of Staff. Regent Boylan went on to say there is no justification for the salary being offered to Chief of Staff Nikolajewski and it is a waste of taxpayers' money. He urged the Regents to support his request to remove the item from the agenda, do their due diligence, and do the right thing for which they were elected.

Chair Brooks said he is not inclined to pull the agenda item, as it is different and separate from the agenda item that was pulled at the start of the meeting. Additionally, the reason for the current agenda item is for the Board to have the conversation regarding the proposed compensation and contract. Tabling or postponing the item would bring the Board back to the same position it is currently in.

Regent Boylan said the Regents need more time to investigate all the emails being sent stating why the salary amount is being offered, which is a ridiculous amount, and it would be just throwing away taxpayers' money.

Regent Boylan moved approval of postponing agenda item 4 (Employment Agreement, Chief of Staff to the Board of Regents) and bringing the item back at a future meeting after the Regents have more time to analyze the information provided to them. Regent Del Carlo seconded.

Regent Boylan restated that the salary schedule sent by Officer in Charge Charlton shows other chiefs of staff in the System being compensated at lower wages than what is being offered to the Board's Chief of Staff, and claimed there was an implication that those chiefs of staff are not working as hard or only doing half the work that the Board's Chief of Staff does. Regent Boylan likened the Board's Chief of Staff position to that of an office manager.

Chair Brooks said although he appreciates the openness of conversations the Board can have in a public setting, he does not believe Regent Boylan's questions and points are beneficial for the purposes of the discussion. Chair Brooks said Regent Boylan's position on the matter is understood.

Regent Downs requested historical information be provided for the Chief of Staff position as far as title changes and salary schedule placement through the years. Director Olson

4. Approved – Employment Agreement, Chief of Staff to the Board of Regents – (continued)

said the core responsibilities of the position have not changed significantly over the years. At different times, the “special counsel” addition to the position did warrant placement on the NSHE Executive 2 scale. Over the years, the position has had titles such as Chief Administrative Officer, Secretary to the Board, Chief Executive Officer, Chief Executive Officer and Special Counsel, and Chief of Staff and Special Counsel. The “special counsel” title was not added to the Chief of Staff role until 2009, and the Chief of Staff position was in place many years prior to that. To directly address some of the concerns Regent Boylan expressed, Director Olson said the Chief of Staff position is unique in nature. The Board’s Chief of Staff reports to 13 individuals whereas the other chief of staff positions mentioned report to one individual, which could be a president or vice president of an institution. The Board’s Chief of Staff is unique not only in the reporting structure but in the responsibilities. Director Olson noted the Board was sent the full position description questionnaire (PDQ) for the Chief of Staff position which shows there is a wide variety of complex responsibilities within the role.

Regent Perkins put forth a rhetorical question concerning why the position review was not included in the Board’s materials and where the CBIZ Compensation Consulting report from over a year ago is. She said this is disingenuous because when CBIZ did the review, they did it as a joint position. Recent searches have been for a Chief of Staff and Special Counsel and the last person in the position was a lawyer. She stated she requested a breakdown of the Chief of Staff and Special Counsel duties which she never received, and she does not understand how someone can receive all of the salary without performing all of the duties of the position.

Chair Brooks said the Huron report was provided to the Board on August 28, 2023, and it clearly states that they concur with the current grade assessment. The report also includes supporting information for why they are in agreement with the Chief of Staff being placed in the NSHE Executive 3 salary grade.

Regent Perkins replied that the Board should have received all of the information related to this item at the same time.

Regent Goodman said it is difficult to change the rules in the 11th hour of the game. The consultant was hired by the previous acting Chancellor, the pay scales were given to Human Resources, and Human Resources is following Board policy. What needs to be done in the future is the Board must prioritize. If the Regents do not think certain administrative or executive positions should make as much money, then the Board should have that conversation with the consultant. The discussion currently taking place is egregious and borderline bullying. The consultant has provided the pay scales which Human Resources adhered to, thus following the process. If the Regents would like to change this policy, they should make a plan to move forward and change this for the next person.

Regent Goodman also said there is a morale issue with staff and the Board needs to show more respect to staff and those working hard to help run the System.

4. Approved – Employment Agreement, Chief of Staff to the Board of Regents – (continued)

Regent Del Carlo said the Board took action to separate the Chief of Staff and Special Counsel roles and is still finding its way through that process. She voted in support of the separation and is now having “buyer’s remorse.” She asked if Chief of Staff Nikolajewski would go back to the Deputy Chief of Staff position if the Board decides to combine the Chief of Staff and Special Counsel roles into one position again.

Chair Brooks said another way to look at this is how does the Board have a conversation regarding counsel, what that might look like, and where does that counsel sit in terms of the Board and System Offices. The Chief of Staff and Special Counsel roles have been separated. It does not sound like there is an issue regarding delivery, work, or anything that would create a pause for the Board to have a discussion about the individual serving as Chief of Staff. It appears the concern is about the Board not having counsel dedicated to them. The current conversations do not have anything to do with the Chief of Staff’s performance.

Regent Del Carlo said Chair Brooks did not answer her question and perhaps the right thing to do is postpone the item and let the Board have more time with it because she is experiencing “buyer’s remorse.” She again asked if the positions were to be recombined, would the current Chief of Staff go back to the Deputy Chief of Staff position.

Chief General Counsel Martines explained the Board would have to take action to recombine the Chief of Staff and Special Counsel roles into one position, and a non-renewal of contract notice would be issued to the current Chief of Staff.

Regent Del Carlo said she means nothing personal to Chief of Staff Nikolajewski by her comments and believes she does a good job; however, she is having “buyer’s remorse” for voting to separate the positions and the Board still does not have legal counsel.

In response to an inquiry from Regent Cruz-Crawford regarding the separation of the positions in relation to the salary schedule update, Director Olson answered when the Board voted to split the position in April 2023, Human Resources reviewed the Chief of Staff position, updated the PDQ, and submitted it to Huron for a deeper review.

Regent Cruz-Crawford said she views herself as a subject matter expert in salary equity and expressed concerns about the consultants used for the pay schedule review. She does not think that Huron has experience in conducting pay equity studies.

Regent Brager encouraged the Board to approve the employment agreement and recommended salary for Chief of Staff Nikolajewski. The Chief of Staff position is a big job with many responsibilities, and the Board is well represented by its Board staff and NSHE legal.

Regent Downs summarized his understanding of the position and believes the current process is consistent with Board policy.

4. Approved – Employment Agreement, Chief of Staff to the Board of Regents – (continued)

Regent Carvalho shared concerns on how other chiefs of staff in the System will be affected. She felt that the Board was not provided with some of the information that had been asked for, including the PDQ. She believes that when the roles were separated, there was a reasonable assumption by many members of the Board that there would be an opportunity to discuss what it meant. She is also concerned with the briefing paper, which she feels was phrased in a way to discourage Regents from asking many questions. Regent Carvalho said the conversation is not about Chief of Staff Nikolajewski's performance, but about the process of splitting the position and how there was not an opportunity to make any changes to the Chief of Staff duties.

Regent Brown said the Board has not had a conversation about what it wants from the Chief of Staff position. After conducting her own research, she does not believe the position stands on its own in the same structure that it was previous to the April 2023 meeting. She also expressed concerns regarding Huron's level of expertise in conducting pay equity studies.

Chair Brooks said without any legal duties, the Chief of Staff position was classified as NSHE Executive 3 by action of the Board in January 2007. Legal duties were estimated at 15% and were added to the Chief of Staff role in 2009 with a stipend. He suggested the Board may benefit from some additional guidance on how the *Procedures and Guidelines Manual* defines executive salaries.

Director Olson provided an overview of the process for the placement of jobs on the salary schedule, which includes a review of the job description and duties by Human Resources. For the Chief of Staff position, the duties are listed in Title 1, Article IV, Section 6 of the *Handbook* and are part of the job description. A more detailed description of what those job duties involve is included in the PDQ.

Officer in Charge Charlton said with regard to the Board's Chief of Staff being compared to other chiefs of staff on the campuses, each institution's human resources department goes through a process similar to what Director Olson described. The duties and tasks of the position are reviewed and the title is not something that singularly guides a decision for salary. For example, the Chief of Staff to the Board has a significant responsibility related to the Open Meeting Law and all of the compliance and regulatory issues around that. That is not the case for different chiefs of staff on the campuses.

Regent Perkins stated that when Regents ask questions, they are doing their fiduciary duty and the questioning should not be perceived as bullying. She also clarified there are two separate analyses being referred to, the one from CBIZ from over a year ago and the most recent one from Huron. She expressed the same concerns that Regent Cruz-Crawford and Regent Brown had with Huron's report. Regent Perkins expressed support for postponing the item.

Regent Brager stated that she is not in favor of the motion on the table.

4. Approved – Employment Agreement, Chief of Staff to the Board of Regents – *(continued)*

Regent Del Carlo said this has been a great conversation. She said the Board received the information last week and she had big plans over the weekend and did not have enough time to digest all the reference material before the meeting. She supports postponing the item.

Regent Carvalho asked if supervisors are normally queried about job descriptions for positions they oversee. She said she has never been asked what she believes is the correct job description for this position.

Ms. Crystal Abba, Executive Vice Chancellor and Chief of Staff, clarified that the CBIZ study was conducted in relation to the Board's policy stating that salary schedules used for hiring purposes must be reviewed every four years. CBIZ studied the different bands within the salary schedules and compared that to the market data and made recommendations on whether to increase or decrease the salary range within the bands. Typically, the recommendation is to increase. The other distinction with CBIZ's study was that it was conducted Systemwide for all salaries for hiring purposes. Equity and PDQs were not considered in the CBIZ study. Huron conducted an equity study for NSHE System Administration and SCS only. Supervisors in System Administration and SCS were required to submit updated and accurate PDQs to Huron for the study. Title 1, Article IV, Section 6 is the Board's policy on the duties of the Chief of Staff position. Those job duties have remained largely the same for years. The duties are unique and not comparable to other chiefs of staff across the System. Prior to 2005, the Chief of Staff position, regardless of the title changes that occurred thereafter, has always been classified as an executive level position, and Huron has reviewed and confirmed that classification. Executive Vice Chancellor and Chief of Staff Abba said the Board can change its policy in Title 4, Chapter 3, removing the Chief of Staff position as an executive position, but it may have a chilling effect on future recruiting efforts. She attested to the employee morale problems, and said the Board currently has a person who is extremely qualified to do this job. She urged the Board to approve the Employment Agreement for Chief of Staff Nikolajewski because with that approval, the Board will be following its own policy.

Chair Brooks thanked Executive Vice Chancellor and Chief of Staff Abba for educating the Board on the background of the position.

Regent Carvalho asked when the Chief of Staff PDQ was updated and who updated it if the Board serves as supervisor to the Chief of Staff. Chief of Staff Nikolajewski answered that it is her understanding the PDQ was in place and, as Director Olson said, has remained relatively the same for a long time. She clarified that she reports to the full Board and the Board Chair is her supervisor.

In response to an inquiry from Chair Brooks, Chief of Staff Nikolajewski said the duties of the Chief of Staff position are in the Board's Bylaws and those duties are expanded upon in the PDQ, which is a Human Resources document.

4. Approved – Employment Agreement, Chief of Staff to the Board of Regents – (continued)

Regent Carvalho said at the April 2023 special meeting, there was the expectation that the Board would have a chance to review the duties of the Chief of Staff and that has not happened.

Chief of Staff Nikolajewski said she does not believe the PDQ has ever been approved by the Board in the history of the position. She added that at the July 2023 special meeting, NSHE legal explained that the PDQ is a document that does not come to the Board for editing or approval. Where the Board would do any editing of the Chief of Staff duties is in the Bylaws where they are laid out. Chief General Counsel Martines concurred and confirmed that to change the duties of the Chief of Staff position, it would have to be a Bylaw revision.

Chair Brooks said the Employment Agreement and salary for Chief of Staff Nikolajewski presented to the Board for approval follows policy and the salary is even placed at the minimum within the band.

Vice Chair Arrascada provided historical context on the Chief of Staff position beginning from 1999. The employment contract being offered to the Chief of Staff follows policy and if the Board would like to make changes, those changes need to be considered in the future. Vice Chair Arrascada said there are many people watching the meeting and observing how the Board is regarding a dedicated NSHE employee of over 20 years. He believes this treatment may discourage people from working in the Board Office and other places in the System. He urged the Board to approve the employment contract today, as it follows Board policy.

Regent Boylan said he does not think the Board's Chief of Staff position is worth the salary offered in the employment contract. He said Regent Goodman and others are making it personal, and he is not making it personal. Regent Boylan said the Board cannot hand out money to people just because we like them. He wished that counsel or the Deputy Attorney General had stepped in to stop the people who were gushing about what a great job Chief of Staff Nikolajewski has done, because that is not part of the agenda and is against the Open Meeting Law. It is the Board's fiduciary duty to research, ask questions, and do right by the taxpayers. He urged the Regents to do what is right and not what is popular. He said the discussion has been a waste of time and the Regents should do something that is correct and not get boxed in by administration and do what they expect the Board to do. He said some of the Chief of Staff duties that were mentioned he does not see Chief of Staff Nikolajewski doing, and what he sees is a bunch of friends trying to push this on the Regents.

Chair Brooks said it is very important, regardless of the topic of conversation, that when it comes to someone on our staff, we do everything we can to have conversations in a way that is respectful to those individuals.

Regent Goodman said the Regents' job is to be the fiduciary for the System. As a fiduciary for the System, it is incumbent upon the Board to follow policy and the policy dictates that there is a pay schedule given to Human Resources by a consultant hired by the previous

4. Approved – Employment Agreement, Chief of Staff to the Board of Regents – (continued)

acting Chancellor, and Human Resources provided that pay schedule to the Board. There is an employee contract up for approval that follows Board policy.

Regent Cruz-Crawford left the meeting.

Regent Del Carlo said there are presidents in the System that make only \$70,000 more than the Chief of Staff position and she does not think that is right. She said that approving the Chief of Staff employment agreement will lead to morale, favoritism, and retention issues. The item must be postponed so the Regents can review the information and bring it back at a future meeting.

Regent Brager said Executive Vice Chancellor and Chief of Staff Abba provided a very good presentation of policy. She is not in favor of postponing, and trusts the opinions of the staff.

Motion to postpone agenda item 4 failed via a roll call vote. Regents Boylan, Brown, Carvalho, Del Carlo, Perkins and Tarkanian voted yes. Chair Brooks, Vice Chair Arrascada, and Regents Brager, Downs, Goodman and McMichael voted no. Regent Cruz-Crawford was absent.

Regent Brager moved approval of the proposed Employment Agreement for Keri D. Nikolajewski, Chief of Staff to the Board of Regents. Regent Downs seconded.

Regent Del Carlo asked if Regent Cruz-Crawford voted on the motion to postpone. Chief of Staff Nikolajewski confirmed that Regent Cruz-Crawford did not vote and is no longer connected to the meeting. The Bylaws require at least 7 affirmative votes to approve an action.

Motion carried via a roll call vote. Chair Brooks, Vice Chair Arrascada, and Regents Brager, Carvalho, Downs, Goodman, McMichael and Tarkanian voted yes. Regents Boylan, Brown, Del Carlo and Perkins voted no. Regent Cruz-Crawford was absent.

5. Information Only – New Business – Regent Brown requested adding language to the agendas to have committee and Board meetings start as soon as possible if prior meetings end earlier. She also requested using a scheduling tool so Regents can be polled on their availability for meetings.

Regent Carvalho left the meeting.

5. Information Only – New Business – (continued)

Regent Perkins concurred with Regent Brown regarding a scheduling program to be used for meetings. She requested staff investigate a call-in line for public comment and a report regarding standard operating procedures.

Regent Downs agreed with Regent Brown's New Business suggestions. He also requested that the Board have more input on salary schedules.

Regent Goodman requested to prioritize and review policies, particularly the salary schedules.

Regent Del Carlo requested the Board form a governance committee and stated there are morale problems on the Board.

Regent Boylan requested a Board retreat to review polices.

In response to Regent Del Carlo's New Business item, Chief of Staff Nikolajewski said a first reading of a proposal to restructure the Board's committees was presented to the Board earlier this year and included the establishment of a governance committee. The proposal will come back to the Board for action at a future meeting. Regent Del Carlo thanked Chief of Staff Nikolajewski and said her morale just went up.

6. Information Only – Public Comment

Dr. Bill Robinson, UNLV Faculty Senate Chair, said that if the Board decides to recombine the Chief of Staff and Special Counsel roles, it will have to fire the current Chief of Staff, which is an example of why Board policy must be reviewed and improved. He recommended the Regents have a meeting where they discuss how they want to govern the System.

Dr. Molly Appel, NSU Faculty Senate Chair, said she was encouraged by the conversation surrounding the interim Chancellor appointment and appreciates the time the Regents would like to invest in overhauling the chancellor search process.

The meeting adjourned at 12:44 p.m.

Prepared by: Winter M.N. Lipson
Special Assistant and Coordinator to the Board of Regents

Submitted for approval by: Keri D. Nikolajewski
Chief of Staff to the Board of Regents