

Minutes approved by the Board of Regents at the January 19, 2024, meeting.

SPECIAL MEETING
BOARD OF REGENTS
NEVADA SYSTEM OF HIGHER EDUCATION

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

Friday, October 20, 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. Patricia Charlton, Interim Chancellor
Ms. Lynda P. King, Associate General Counsel
Mr. James J. Martines, Vice Chancellor and Chief General Counsel
Ms. Keri D. Nikolajewski, Chief of Staff to the Board of Regents
Mr. Alejandro Rodriguez, Director of Government Relations
Mr. Chris Viton, Chief Financial Officer
Mr. Michael B. Wixom, Special Counsel to the Board of Regents
Dr. Federico Zaragoza, President, CSN
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
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; Dr. Eric “Rick” Bullis, TMCC; Dr. Bill Robinson, UNLV; Dr. Peter S. Reed, UNR (*Chair, Council of Faculty Senate Chairs*); and Ms. Rachelle Bassen, WNC. Student body president in attendance was Ms. Nicole Thomas, GPSA President, UNLV. Classified council chairs in attendance were Ms. Louellen Monte, GBC; and Ms. Stacy Wallace, NSU, ex-officio.

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 Brooks called the meeting to order at 10:00 a.m. with all members present except Regent Perkins. Interim Chancellor Charlton led the Pledge of Allegiance.

1. Information Only – Public Comment

The following individuals provided in-person or written public comment in support of an 11 percent COLA increase:

- Nicholas Barron (*Barron.Nicholas10.20.23 on file in the Board Office.*)
- Jennifer Byrnes (*Byrnes.Jennifer10.20.23 on file in the Board Office.*)
- Courtney Danforth (*Danforth.Courtney10.20.23 on file in the Board Office.*)
- Dr. Kent Ervin
- Melissa Giovanni (*Giovanni.Melissa10.20.23 on file in the Board Office.*)
- Colleen Harrington (*Harrington.Colleen10.20.23 on file in the Board Office.*)
- Aaron Harris (*Harris.Aaron10.20.23 on file in the Board Office.*)
- Karen G. Harry (*Harry.KarenG10.20.23 on file in the Board Office.*)
- Naser Heravi (*Heravi.Naser10.20.23 on file in the Board Office.*)
- Martha Johnson-Olin (*Johnson-Olin.Martha10.20.23 on file in the Board Office.*)
- Dr. Shari Lyman
- Dr. Shantal Marshall
- Dr. Pete Martini
- Jim Matovina (*Matovina.Jim10.20.23 on file in the Board Office.*)
- Julian B. Merino (*Merino.JulianB10.20.23 on file in the Board Office.*)
- Jim New
- Robert Peterson (*Peterson.Robert10.20.23 on file in the Board Office.*)
- Suzie Pickle (*Pickle.Suzie10.20.23 on file in the Board Office.*)
- William E. Proctor (*Proctor.WilliamE10.20.23 on file in the Board Office.*)
- Todd Ruecker
- Bill Saxon (*Saxon.Bill10.20.23 on file in the Board Office.*)
- Dr. Maria Schellhase (*Schellhase.Maria10.20.23 on file in the Board Office.*)
- Marianne Sebok (*Sebok.Marianne10.20.23 on file in the Board Office.*)
- Alex Smith (*Smith.Alex10.20.23 on file in the Board Office.*)
- Erin G. Smith (*Smith.ErinG10.20.23 on file in the Board Office.*)
- Mark Taormino (*Taormino.Mark10.20.23 on file in the Board Office.*)
- Doug Unger

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

The following individuals provided in-person or written public comment in support of an 11 percent COLA increase: *(Continued)*

- Patrick Villa
- Staci Walters *(Walters.Staci10.20.23 on file in the Board Office.)*
- Glynda White *(White.Glynda10.20.23 on file in the Board Office.)*
- Carla Wright

Garion Casale requested the following recommendations: 1) that the Regents consider nominations for research-related awards across all NSHE organizations, and 2) that the Regents also create a research award category for educators at NSHE's 2-4 year institutions.

Regent Perkins entered the meeting.

Dr. Peter Reed encouraged the Regents to learn and embrace faculty perspectives when considering the FY 25 COLA.

The Council of Faculty Senate Chairs, through Dr. Peter Reed, felt strongly that The James G. Martin Center for Academic Renewal was an inappropriate resource to employ toward seeking opportunities to learn about effective approaches to governance. It would be much less controversial to use internal experts or even an outside non-partisan consultant rather than a group that will take advantage of the Board's interest in learning and growing as a Board to promote their political agenda. He urged the Board to reconsider its decision.

Dr. Bill Robinson encouraged the Board to review the financial status of all the campuses independently to understand the context of the 12 and 11 percent COLA.

Regent Perkins left the meeting.

Dr. Shari Lyman addressed concerns with the CSN tenure process.

2. Approved – Minutes – The Board approved the minutes from the August 29, 2023, special meeting. *(Ref. BOR-2 on file in the Board Office.)*

Regent Brager moved approval of the minutes from the August 29, 2023, special meeting. Regent Tarkanian seconded. Motion carried. Regent Perkins was absent.

3. Information Only – Update on the Committee to Recommend Board Action on FY 2025 Salary Increases – Chief Financial Officer Chris Viton and former Acting Chief Financial Officer Lindsay Sessions provided a report on recent meetings of the Committee to Recommend Board Action on FY 2025 Salary Increases. The Committee evaluated options to address the FY 2025 Cost of Living Adjustment, as appropriated funding is not

3. Information Only – Update on the Committee to Recommend Board Action on FY 2025 Salary Increases – (Continued)

sufficient to support an 11 percent award across the System. The Committee reviewed various scenarios and will make a recommendation to the Board of Regents for consideration and possible action at its November 30-December 1, 2023, meeting.

4. Information Only – Overview of the United States Supreme Court’s Decision in *Students for Fair Admissions, Inc. v. Harvard College and University of North Carolina* – Associate General Counsel Lynda King presented an overview of the United States Supreme Court’s decision in *Students for Fair Admissions, Inc. v. Harvard College and University of North Carolina*, wherein the Supreme Court determined that the use of race in admissions policies at Harvard College and the University of North Carolina violated the Equal Protection Clause of the Fourteenth Amendment and Title VI of the Civil Rights Act of 1964. (Ref. BOR-4 on file in the Board Office.)

In response to a question from Regent Boylan related to admissions for Native Americans, Associate General Counsel King stated the Office of Civil Rights does not view a Native American fee waiver as a factor of race. NSHE institutions do not base admissions on race. Tuition waivers fall under the payment of fees once a student is admitted and enrolled.

Regent Del Carlo thanked Associate General Counsel King for the presentation; she now understands the decision better.

Regent Carvalho also thanked Associate General Counsel King and the IDEA Council for their attention to this decision. She was proud of NSHE’s diverse and inclusive policies. Regent Carvalho stands for diversity, equity, and inclusion in attracting and retaining students and employees. She also stands for academic freedom and shared governance. She believed it was important for NSHE to remain true to its foundation and be sure that NSHE mirrored the community that the institutions were in.

5. Information Only – New Business

Regent Downs requested a review of the student enrollment process from application to class enrollment.

6. Information Only – Public Comment

The following individuals provided in-person or written public comment in support of an 11 percent COLA increase:

- Dr. Kent Ervin (*Ervin.Kent10.20.23 on file in the Board Office.*)
- Luis Ortega (*Ortega.Luis10.20.23 on file in the Board Office.*)
- Patricia Vazquez (*Vazquez.Patricia10.20.23 on file in the Board Office.*)

Dr. Kent Ervin provided a narrative to help understand where the legislators are coming from regarding faculty COLAs.

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

Nicole Thomas stated students would not be here without the faculty. Faculty have been her mentors. She asked that they be paid their fair share and to retain them as best as possible with the COLA increase. She recognizes a shared sacrifice between students and faculty and that continued discussion will happen.

The meeting adjourned at 11:06 a.m.

Prepared by:

Angela R. Palmer
Special Assistant and Coordinator
to the Board of Regents

Submitted for approval by:

Keri D. Nikolajewski
Chief of Staff to the Board of Regents