

BOARD OF REGENTS
UNIVERSITY AND COMMUNITY COLLEGE SYSTEM OF NEVADA
C Building Lecture Hall
Community College of Southern Nevada
700 College Drive, Henderson
Thursday-Friday, January 18-19, 2001

Members Present:

Mrs. Thalia Dondero, Chair
Mr. Mark Alden
Dr. Jill Derby
Mrs. Dorothy S. Gallagher
Mr. Douglas Roman Hill
Mrs. Linda Howard
Dr. Tom Kirkpatrick
Mr. Howard Rosenberg
Mr. Doug Seastrand
Mr. Steve Sisolak

Members Absent:

Mr. Tom Wiesner

Others Present:

Chancellor Jane Nichols
Vice Chancellor, Finance & Administration Dan Miles
Interim Vice Chancellor, Academic & Student Affairs Sherwin Iverson
General Counsel Tom Ray
Interim President Robert Silverman, CCSN
President Stephen Wells, DRI
President Ron Remington, GBC
Interim President Rita Huneycutt, TMCC
President Carol Lucey, WNCC
President Carol Harter, UNLV
Interim President Stephen McFarlane, UNR
President Richard Moore, NSCH
Chief Administrative Officer Suzanne Ernst

Also present were Faculty Senate Chairs Dr. Fred Jackson, CCSN; Dr. Paul Buck, DRI; Mr. Bill Newhall, TMCC; Dr. John Filler, UNLV; Mrs. Mary Spoon, UNR; Mr. Perry Johnson, WNCC; and Vice Chairs Ms. Diane Dietrich, UCCSN; and Ms. Kathy Schwandt, GBC. Student government leaders present included Ms. Alicia Privette, UNR; Ms. Victoria Jakubowski, UNR-GSA; Ms. Cheryl Radeloff, UNLV-GSA; Mr. Paul Moradkhan, UNLV; Mr. Casey Gillham, TMCC; and Ms. Leslie Carlen, WNCC.

Chair Thalia Dondero called the meeting to order at 9:17 a.m. on January 18, 2001 with all members present except Regents Seastrand and Wiesner.

1. Oath of Office - The Honorable Joseph Bonaventure, 8th Judicial District Court, administered the Oath of Office to Regent Mark Alden. The Honorable Betsy Kolkoski, Las Vegas Municipal Court, administered the Oath of Office to Regent Jill Derby. The Honorable Johnnie B. Rawlinson, United States Circuit Court, administered the Oath of Office to Regent Linda Howard. A brief reception followed.

The meeting recessed at 9:30 a.m. and reconvened at 1:10 p.m. with all members present except Regents Seastrand and Wiesner. Chair Dondero expressed gratitude to Interim President Silverman, Provost Ron Meek, and their staff for hosting the meeting.

2. Introductions – President Wells introduced Dr. Walter Zachritz, Executive Director for the Center for Arid Lands Environmental Management-DRI, and Dr. Michael Auerbach, Executive Director for the Division of Earth and Ecosystem Sciences-DRI. Interim President McFarlane introduced Ms. Alicia Privette, Student Body Senate Speaker. President Remington introduced Ms. Kathy Schwandt, GBC Faculty Senate Vice Chair.

3. Chair's Report – Chair Dondero noted the remarkable growth in the Henderson community, which recently surpassed Reno as the second largest city in Nevada. She related that CCSN's Henderson campus was highlighted in the current issue of Regents' Review. Chair Dondero welcomed newly elected Regent Linda Howard, Interim President Stephen McFarlane and Interim President Rita Huneycutt who were all attending their first Board meeting in new capacities.

4. Chancellor's Report – Chancellor Nichols provided the following report:

- Vice Chancellor Van Weddle is recovering from quadruple bypass surgery. Chancellor Nichols expressed her gratitude to Ms. Becky Seibert and System Computing Services for handling matters in his absence.
- Invitations are forthcoming for participation on the Batelle Study Committee for Research, to be chaired by Vice Chancellor Sherwin Iverson, and the Batelle Study Committee for Community College Workforce Development, to be chaired by Associate Vice Chancellor Chris Chairsell. The committees will bring forward recommendations for the System no later than the June Board meeting.
- The Campus Security Study Committee will soon hold its first meeting, with a report scheduled for the April Board meeting.
- UCCSN employees had difficulty with the transition to new health insurance providers. Letters confirming employee coverage and new identification cards arrived late, which resulted in some individuals being denied services. The Public Employees Benefit Program (PEBP) expects the problem to be solved soon. Corrected identification cards will be mailed by January 26th.
- A requirement for a fiscal impact statement was implemented with this meeting agenda.
- Associate Vice Chancellor Chris Chairsell and community college personnel have arranged a celebration of the 100th anniversary of community colleges in the U.S. The event will be held March 22-23 in Carson City, with hopes to make it an annual event. National speakers will address key community college issues.

Chancellor Nichols called for selected presidents' reports.

President Stephen Wells, DRI – President Wells provided a status report on DRI's journey, begun in November 1999, to pursue an aggressive 10-year vision plan.

Regent Seastrand entered the meeting.

Accomplishments:

- 25% increase in overall research.
- 33% increase in publications.
- 23% increase in Nevada research.

Highlights:

- Solving the Mystery of TWA #800 – Paris-bound flight crashed outside of Long Island in July 1996, killing 230 on board. The National Safety & Transportation Board reconstructed the plane and determined there was a problem with the central fuel tank. Dr. John Sagebiel, Division of Atmospheric Sciences, tested the vapor fumes inside the fuel tank during flight simulation and determined that, with low fuel levels, there was a potential danger for explosive vapor fumes at 14,000 ft.
- Air quality studies in Cairo, Egypt.
- Water quality studies in Ghana, W. Africa and the Middle East.
- Remote sensing studies in Argentina.

Worldwide Reputation and High Quality Research:

- Dr. Barbara Zielinska - appointed to the Clean Air Scientific Advisory Committee of the U.S. Environmental Protection Agency (EPA).
- Dr. John Watson - received the Franklin A. Chambers Award (2000) from the largest air quality association in the country.
- Dr. Alan Gertler - won the Hope for the Future for a Sustainable World Award (2001) from the International Academy of Sciences.
- New Hires include: Dr. Allison Murray, Dr. Don Sada, Dr. Mary Cablk, and Dr. Giles Marion.
- Attention to faculty advancement.
- Incredible support team including the office of the Vice President for Research, DRI's business managers, and Science Editor Dr. Roger Kreidberg.

Performance Indicators:

- Dramatic increase in research growth over the past two years - \$2.3 million in 1999 and \$3.8 million 2000.
- Publications increased 33% - Dr. Nick Lancaster's sand dune research was featured on the cover of Nature magazine.
- Nevada research increased 23%.
 - DRI's cloud seeding program saved the state approximately \$200 million during the last decade.
 - Lake Tahoe research, Walker and Truckee River systems, Great Basin restoration and wild fire initiatives, Nevada Test Site, Las Vegas air quality, community environmental monitoring program.
- Improving environmental quality through interdisciplinary science.
 - Dr. John Tracy-Center for Watersheds and Environmental Sustainability (CWES).
 - Dr. Walter Zachritz-Center for Arid Lands Environmental Management (CALEM).
 - \$800,000 in on-going and completed research; \$800,000 pending.
 - 50 faculty working together.
 - Collaborative relations with UNR, UNLV, and UC Davis.
 - Lake Tahoe shoreline erosion study funded by Tahoe Regional Planning Authority.
- CALEM efforts have focused on Department of Defense (DoD) lands. Developing cooperative agreements with the Army Medical Research Center, Yuma Proving Ground, and private industry.
 - \$1.2 million in new DoD-funded activity.

- Dr. Jack Gillies - 3-year, \$1 million research contract regarding fugitive dust on military lands.
- Maintain high ranking for UNR-DRI Hydrological Sciences Program.
 - Water resources around the world.
 - Quality issues with traditional water sources in Ghana.
 - Locating new water wells; 25% increase in developing successfully producing wells.
 - Student Association for International Water Issues working with UNR and DRI.

Pursuing the Vision:

- Risk Taking – Great Basin Environmental Research Laboratory.
 - \$3 million derived from National Science Foundation grant.
 - \$537,000 in support funds from the Mellon Foundation.
 - \$508,000 in support funds from the EPA.
- Building Partnerships with UCCSN institutions -
 - FACE facility at the Nevada Test Site (UNLV & UNR).
 - Hydrological Sciences Program (UNR/DRI).
- Solving Problems -
 - Life in ice.
 - Global climate change.
 - Life on Earth to life on Mars and Europa.

5. Approved-Appointment, Vice Chancellor for Finance and Administration, UCCSN – The Board approved the appointment of Mr. Dan Miles as the Vice Chancellor for Finance and Administration. Chancellor Nichols reported the terms of the contract: \$130,000/year, 3-year contract effective January 1, 2001.

Regent Alden moved approval of the appointment. Regent Seastrand seconded.

Regent Gallagher commended Vice Chancellor Miles' performance thus far. Regent Howard stated that she would support the motion based upon what she had been told about Mr. Miles.

Motion carried. Regent Wiesner was absent

Vice Chancellor Miles thanked the Board for their support and pledged to work hard and provide stability in UCCSN Finance and Administration.

6. Approved-Naming of Building, WNCC – The Board approved naming the welding center, on the Western Nevada Community College Carson campus, the Andy Butti Welding Technology Center. Mr. Butti is a firm believer in vocational education and providing opportunities for young people. To that end, he made a generous financial gift to WNCC (Ref. A on file in the Board office). President Lucey stated that the college was very grateful for Mr. Butti's support and his \$500,000 contribution.

Regent Rosenberg moved approval of the building naming. Regent Derby seconded. Motion carried. Regent Wiesner was absent.

7. Information Only-UCCSN Budget Request – Chancellor Nichols and Vice Chancellor Miles reviewed the 2001-03 UCCSN state budget request and provided a status report of current information related to this request. (Ref. B on file in the Board office)

Chancellor Nichols stated that the purpose of the presentation was to remind the Board of the budget request as they move into the legislative session. She stated that UCCSN would likely face issues about the priorities set, as well as the funds requested. The Governor was expected to reveal his budget recommendations at the State of the State address the following week.

Vice Chancellor Miles reported that state revenues were expected to fall short of program demands. The Governor requested a fundamental review of current program levels/caseloads from all state agencies. The Governor asked that budget enhancements not be submitted, but did allow submission of a list of special funding priorities in addition to the basic budget. The budget included a 15% increase over the current System biennial budget request for the basic needs of higher education and incorporated recommendations from the Funding Formula Study. State funds would increase 19.1%, student fees would increase 18.2%, and Estate Tax funds would be reduced 19.4% for a 2001-2003 request totaling \$1,029.2 million.

Vice Chancellor Miles referred to the special priorities for additional funding (enhancements) and funding requests for one-shot dollars, which were listed in priority order (Ref. B, pages 4-5 of 9). The one-shot appropriations include only non-ongoing expenses.

Regent Sisolak left the meeting.

Vice Chancellor Miles discussed Capital Improvement Priorities for 2001-2003 sent to the Governor for consideration (Ref. B, pages 6-7 of 9). Legislative funding of priority #1 (Funding/Buildout) would allow completion of projects previously funded by the Legislature. Based upon their understanding of funds available, the Public Works Board proposal drew the line after priority item #6 (WNCC Fallon classroom expansion). They also made some planning money available for priorities #7 (UNR library-\$3.2 million), #8 (NSCH Classroom/Student Services-\$0.9 million), and #11 (UNLV Student Services-\$0.3 million).

Regent Gallagher asked about priority #9 (GBC Ind./Elec. Tech Center). President Remington replied that it was different from the high tech centers. This center would house GBC's electrical and instrumentation programs, currently located in rented facilities off campus.

Regent Alden expressed concerns he felt could alter the System's direction: 1) Intense program review based on RAND Study recommendations, 2) The Board should not appear to be in competition with K-12; collaborative relationships and more partnerships are important, and 3) The Batelle Study would impact the direction of the two universities. He felt the Board should rely upon the leadership of Chancellor Nichols, Dr. Crowley (Legislative Relations), and the System presidents. He asked whether the program review had been started. Chancellor Nichols replied that the program review process would begin in late spring or summer. Regent Alden asked whether the Governor and Legislature had received copies of the RAND and Batelle studies. Chancellor Nichols replied that they had not since the reports were still preliminary. She preferred waiting until they were finalized.

Regent Sisolak entered the meeting.

8. Approved-Regents' Redistricting and Reapportionment – The Board approved the identification of issues and preliminary redistricting parameters for the election districts of Board members to be conveyed to the Legislature's Committee on Reapportionment and Redistricting. (Ref. C on file in the Board office)

Chancellor Nichols reported that she and Chair Dondero would appear before the Legislature's Committee to convey the Board's progress and preferences regarding reapportionment. She wanted to ensure the broad parameters

accurately reflected the Board's will to date.

Chair Dondero stated that Board size had been the subject of much discussion, adding that the Board needed to reach a determination. Regent Kirkpatrick expressed a preference for remaining with 11 members. Regent Gallagher asked about the impact of retaining 11 members (i.e. 9-Clark County and 2-rest of the state). Chair Dondero noted that the Board had not seen the consultant's recommendation. Regent Seastrand thought it would result in 8 for Clark County and 3 for the remainder of the state based on the consultant's previous presentation. Regent Derby felt that adding at least 1 member would be a good idea. She felt the Board would become more complex with expected institution growth and that some modification of the governance structure would be necessary. One suggestion was to have local advisory boards for each institution, which would report to the full Board. She felt it important to recognize a greater reliance upon committee structure, which would require sufficient membership on each committee to avoid overtaxing individuals. Regent Rosenberg recalled that the consultants would return with plans for 11, 12, and/or 13 members. He recommended 2 additional members. Regent Seastrand was hopeful the RAND study would encourage new approaches and agreed with retaining the current Board size. Regent Sisolak asked about the required action. Chancellor Nichols replied the Board could approve the three parameters (Ref. C) to be conveyed to the state committee.

Regent Rosenberg moved approval of the preliminary redistricting parameters for the election districts based on 11, 12, or 13 members. Regent Derby seconded.

Regent Sisolak felt the Board was avoiding a decision. Regent Rosenberg observed that the consultants would provide views of 11, 12, and 13 districts so the Board could make an educated decision. Regent Sisolak felt it important for the consultants to know which number the Board preferred. Regent Alden noted that the RAND Study could impact redistricting and felt the Board should be innovative when deciding what was best for higher education. Regent Howard asked whether the consultants would display district parameters. Chancellor Nichols replied that she asked the consultants to project districts based upon projected population with various Board sizes. Regent Sisolak asked whether the consultants would redraw district lines after receiving the census results and again after the Board made a size determination. Regent Rosenberg stated that the consultants were expected to present their best recommendation as well as viable alternatives for maintaining diversity.

Upon a roll call vote the motion carried. Regents Derby, Dondero, Gallagher, Hill, Howard, Kirkpatrick, Rosenberg, Seastrand, and Sisolak voted yes. Regent Alden voted no. Regent Wiesner was absent.

9. Approved-Financial Aid Report – The Board approved an alternative for redirecting a portion of available financial aid (required by the Millennium Scholarship in NRS 396.911), and discussed an additional plan for student financial assistance for higher education in Nevada based on family income. This additional plan is not in the 2001-03 UCCSN budget request and would be set as a goal to be implemented when funds are available (Ref. E on file in the Board office). Chancellor Nichols noted the recommended increase from 80% to 90% for need-based financial aid funds. She reported that System financial assistance officers supported the proposed increase, adding that it was responsive to the mandate within the Millennium Scholarship.

Regent Alden moved approval of the change in Handbook policy to mandate financial aid programs be 90% need-based. Regent Rosenberg seconded.

Regent Seastrand asked how much money was actually received by the System from the Millennium Scholarship. Chancellor Nichols replied that Millennium Scholarship funds were received as student fees and were not perceived as a funding source to enhance the System budget. She indicated that it was a financial assistance program for students. Vice Chancellor Iverson related that at the end of September \$3.7 million had been received, with another

advance subsequent to that. Regent Seastrand asked how the 10% shift in financial aid funds related to the Millennium Scholarship. Chancellor Nichols replied that this was the first year of the Millennium Scholarship program, adding that the amount would grow each year. She related that System financial assistance amounted to far less. Regent Derby expressed support of the motion. She asked about Board policy for half of all tuition increases to be dedicated to student financial aid, recalling that it had been suspended for one biennium. She felt it was important to ensure that students were not overlooked. Chancellor Nichols stated that the practice had not been followed for that biennium or with the current proposed budget. She suggested reviewing a policy that would capture more financial assistance with increased student fees. Regent Kirkpatrick felt the amounts for student assistance should be increased. Regent Gallagher asked whether the Board policy had been rescinded. Regent Derby replied that it was never formally abolished. Regent Gallagher asked whether the Board was acting in opposition to their policy. Chancellor Nichols replied that it was too late unless the Board was willing to approach the Governor and Legislature and request a budget change. She stated that it must have been an oversight during budget preparation. Chancellor Nichols clarified that the Board's policy was not followed in the construction of the current budget, which had been approved by the Board. Regent Gallagher felt the Board should approve abandoning the policy once again. Regent Derby observed the Chancellor had suggested seeking a method of budget construction that reflected the Board's policy.

Regent Derby moved for additional approval of having the Chancellor bring forward a recommendation regarding tying increased tuition to increased financial assistance. Regent Rosenberg seconded. Motion carried. Regent Wiesner was absent.

Chancellor Nichols reported on the Nevada Educational Grant Program, a proposal for a new state funded financial assistance program for Nevada high school graduates living below the poverty level. With the great concern for low college continuation rates and high dropout rates, this program would provide a level of assurance to students that they could go to college if they fell below a certain income level. She provided information regarding estimated financial requirements to fund the education of Nevada high school graduates living below the federal poverty threshold.

Regent Seastrand observed that this would constitute a grant with no repayment required for maintaining less than 2.0 GPA. Chancellor Nichols stated there should be similar GPA's and incentives included with this plan.

The meeting recessed at 2:45 p.m. and reconvened at 3:05 p.m. with all members present except Regents Alden and Wiesner.

10. Approved-Performance Funding – The Board approved Chancellor Nichols' request for preliminary approval of performance indicators to be used for the distribution of \$3 million (in Estate Tax funds) in the Board of Regents' budget request for performance funding. (Ref. D on file in the Board office)

Chancellor Nichols reviewed existing performance indicators approved by the Board March 13, 1998. Currently, \$3 million in Estate Tax funds are budgeted. She suggested the following plan:

Timeline:

- Based on performance in 2001-02.
- Funds awarded in 2002-03.
- One-time, non-continuing funds.
- Funds must be used to enhance quality.

Process:

- Baseline established in 2000-01.
- Methodology developed and returned to Board of Regents for approval.
- Earmark funds available to each campus in advance.

Potential Performance Indicators:

- Success of Millennium Scholarship recipients (Retention).
- Graduation/Transfer Rates.
- Student Diversity (Enrollment and Graduation/Transfer).
- Batelle Study (Implementation of recommendations in Batelle study).
- RAND Study (Implementation of recommendations in RAND study).
- Other performance indicators recommended by the Board.

Long Term:

- RAND Study and Batelle Study Implementation.
 - Quality in student learning.
 - Graduation and completion.
 - Focus and success in research.
 - Focus and success in workforce development.

Short Term: (2001-2003 Biennium)

- Graduation and Retention.
 - Defined for community colleges and universities (later for state colleges).
 - Special emphasis on minorities.
- Research growth and focus.
- Workforce growth and focus.

Chair Dondero asked whether the institution presidents had reviewed the proposal. Chancellor Nichols replied that they had. President Lucey stated that she supported the Chancellor's recommendations.

Regent Alden entered the meeting.

Regent Hill asked whether DRI was also included. Chancellor Nichols replied that they were in the research area. Regent Hill felt it important to design the parameters so they could not be compromised. He acknowledged that it was a small amount of money and felt the goals should change over a period of time as benchmarks were routinely achieved. Chancellor Nichols agreed performance indicators could be changed over time. She felt the institutions required some assurance the money would be there for them on a regular basis. Regent Hill suggested the Board could pledge to ask for approval of spending these funds from the Estate Tax for long-term goals. Chancellor Nichols stated that they would need to define issues that the state also viewed as critically important.

Regent Seastrand expressed support for the use of incentives. He was interested in the details for the type of behavior to be rewarded and agreed the indicators would need to change over time. He asked whether the System would spend \$3 million every year and whether specific standards/measures would be set and achieved in order to be rewarded. He suggested consideration of a separate fund for exceptional behavior. Regent Rosenberg felt that each institution would need to be aware of the objectives and agree with and embrace the plan. Chair Dondero asked whether the money would go to the campuses prior to performance. Chancellor Nichols replied that the money would be rewarded to institutions after reaching a specified level of performance. She recommended that each campus be

aware of the amount that could potentially be earned before starting the program. She related there was a tendency for the campuses to compete with one another and felt that prior knowledge of the reward might ease that competition somewhat.

Regent Derby acknowledged the step forward this program represented, adding that she felt it was one of the most exciting outcomes of the Funding Formula Study Committee. She liked the idea of a pool of money that had to be earned. She felt they would need to work hard to refine the definitions for improvement in quality. Chancellor Nichols stated that assessment of student learning could provide such a measure, as well as growth in research in pre-identified areas. She felt that measures of quality could be arrived upon if they proceeded with the RAND Study. Chair Dondero asked about an institution requiring something specific in order to achieve their goal. Chancellor Nichols replied that, in the first year, the institutions would scramble to find resources within existing funds.

Regent Sisolak left the meeting.

Chancellor Nichols related that one-shot funds would be available in the second year. Regent Seastrand asked what the money would be used for. Chancellor Nichols suggested allowing flexibility for the campuses to decide, with reports to the Board.

Dr. Dhingra supported the Chancellor's recommendation for allowing the campuses to decide how the money was spent and agreed the campuses should not compete with one another for the funds.

Regent Sisolak entered the meeting.

Dr. Dhingra noted the lengthy period of time for graduate students to earn their degrees. He related that UNR was reviewing measures to improve what they currently do. He stated the money could not be used for on-going costs, but could be used to improve programs. President Harter related that the RAND Study focused on undergraduate education and access, while the Batelle Study focused on research, economic and workforce development. She felt the performance incentives should relate to recommendations from both of those reports.

Regent Gallagher moved approval of the distribution of \$3 million in Estate Tax funds for performance funding. Regent Seastrand seconded. Motion carried. Regent Wiesner was absent.

11. Withdrawn-Authorization to Proceed with Feasibility Study, UNLV – UNLV withdrew their request for authorization to pursue initial planning and feasibility work with the LaSalle Group of Minneapolis, Minnesota, concerning the construction and operation of a proposed conference center, small hotel, and city club on the UNLV campus. (Ref. F on file in the Board office)

12. Accepted-Part-Time Faculty Salary Update – The Board reviewed UCCSN policy on part-time faculty salaries and the current salary structure by institution. A discussion of the concerns raised by part-time faculty at the December 2000 Board meeting followed. The Board approved the formation of a task force to make recommendations regarding part-time salaries for Board consideration. (Ref. G on file in the Board office)

Chancellor Nichols revealed that an overview of part-time faculty practices concluded that every campus was attempting to include part-time faculty in all full-time faculty opportunities. Salaries for part-time faculty range from \$1,140-\$3,450 per 3-credit course. Salaries are market and resource driven. UCCSN institutions use slightly more part-time faculty than the national average. Part-time faculty (at the universities) teach 25% of the undergraduate courses and 6% of the graduate courses. At the community colleges, part-time faculty teach 47% of the courses.

Part-time faculty are eligible for benefits when they teach 10-credit hours/semester (community colleges) and 8-credit hours/semester (universities). Non-teaching part-time faculty are eligible for benefits when they work 20 hours/week. In the past, part-time faculty salary schedules have not been brought to the Board for approval, which conflicts with Handbook policy, Title 4, Chapter 3.

Vice Chancellor Miles discussed the different methods of funding between universities and community colleges. Regent Derby was pleased to see such a critical issue being addressed. She noted a movement across the country, which recognized the dependence upon part-time faculty and the manner in which they are under paid and under supported. She acknowledged the budget constraints, and commended the campuses for attempting to increase those salaries over time. She felt they were an exploited resource and that lack of health care benefits was a serious issue. She noted they were not compensated for time spent out of the classroom with students. Dr. Derby stated that other states were also in the process of considering ways in which they could improve their methods of compensation. She asked staff to bring forward recommendations.

Regent Seastrand agreed that the backbone of education was based upon part-time faculty. He felt that when trying to increase quality more should be done for part-time faculty, adding that it behooved the System to have the proper incentives in place. He asked what percentage of the funding formula was used for full- and part-time faculty salaries.

Regent Sisolak asked whether there was a trend for using part-time faculty. Chancellor Nichols replied the trend was steadily decreasing. Regent Sisolak asked about the percentage of part-time faculty with and without benefits for summer school. Dr. Dhingra stated that 8-credit hours/semester (and more than one class) was required to qualify for retirement and health insurance at UNR. Courses taught at other System institutions qualify toward this requirement. President Harter related that the College of Education had many part-time faculty who actually had other full-time jobs with the school district. Regent Sisolak stated that he was concerned for the faculty whose primary income came from part-time employment.

Regent Rosenberg stated that UNR had been instructed not to hire part-time faculty for more than 6-credit hours/semester. He asked how the Board could address improvement of part-time faculty salaries.

Regent Kirkpatrick agreed, adding that he was concerned with the high use of part-time faculty. He asked what percentage of part-time faculty taught English 101 at UNLV. Provost Alden replied that part-time faculty taught primarily remedial and entry-level courses, adding that 45% taught lower courses in general.

Regent Howard asked about a benefit waiver for part-time faculty desiring to work more than 19.5 hours/week. Chancellor Nichols stated that 19.5 hours was the standard for a part-time employee, adding that after reaching 20 hours/week they qualified for benefits. She explained that employees could volunteer not to receive benefits in order to work more hours, but they could not be asked to do so. Regent Howard asked what the institutions were doing. President Lucey stated that it was particularly severe for the community colleges because they were not funded for part-time faculty benefits. She related there was pressure on the institution not to hire at a level that required benefit funding. She acknowledged that a large percentage of new college students were taught by people who were not treated fairly and felt the students could potentially suffer. Interim President Huneycutt stated that the community colleges were very appreciative of part-time faculty efforts and attempted to increase their pay rate. She noted that the institutions were constantly trying to balance quality concerns with funding restraints.

Regent Derby requested the staff research what other states are doing, what percentage of part-time faculty are those who rely heavily on their part-time income (do not have other jobs), and what could be done to improve the situation.

Regent Seastrand observed there is a law involving coordination of benefits. An employer can request employees to disclose whether they have benefits from another source.

Regent Alden stated that the institutions were trying to meet increased enrollments with no funding increases, adding that it put the institution presidents in a difficult situation.

Dr. Jim Richardson, Nevada Faculty Alliance (NFA), related the NFA was very interested in this issue. Their bylaws have been changed and they are actively recruiting part-time faculty. He reported that the national picture for part-time faculty was grim.

He was hopeful that Board action could preempt legislative intervention. He cited selected developments concerning part-time faculty in the California State University System, where they are covered under the collective bargaining contract. The contract offers them some job security, better pay, and access to some benefits. A recent California state audit recommended efforts to close the gap between full and part-time compensation for the community colleges in California.

Regent Sisolak left the meeting.

Dr. Richardson provided a brief synopsis of selected part-time issues in the state of Washington, including recently passed legislative directives. He expressed concern for the majority of part-time faculty trapped in positions with no benefits and urged the Regents to take advantage of work accomplished in other states. He recommended establishment of a task force to examine the issue and prepare recommendations for the next budget cycle.

Regent Hill moved approval of the Chancellor recommending the formation of a task force to make recommendations regarding part-time salaries for Board consideration. Regent Rosenberg seconded.

Regent Derby asked whether the motion included other information and a plan for how to move forward. Regent Hill replied that the task force could make unlimited recommendations.

Motion carried. Regents Sisolak and Wiesner were absent.

13. Information Only-UNLV Lied Library Update – A report was presented on the opening of the UNLV Lied Library, which provided a description of the facility and its benefits to the university and the community, as well as a brief historical overview of the construction project. (Handout on file in the Board office)

Dr. Juanita Fain, Vice President for Administration-UNLV, reported highlights of the library including:

- 5-story, 302,000 sq. ft. library (6.9 acres).
- Over 350 computers available to users.
- Over 5,000 data and telephone drops (200+ miles of wiring).
- Automated storage and retrieval system.
- Lowest of 9 responsive bids accepted by the Public Works Board (PWB).
- Bids ranged from \$37.7 million - \$42 million.
- Change orders totaled \$3.6 million.
 - 30 change orders with 460 items.
 - UNLV initiated 72 change items totaling \$409,869.

- Most change orders were issued to correct design flaws.
- Completion date revised 8 times.

Dr. Fain explained the difference between the lowest bid and the lowest responsible responsive bid, which received some media attention. There were three areas where the lowest bid was not accepted: wiring contract, shelving, and library chairs. The lowest responsible bidder submits a responsive bid at the lowest price of all responsive bids submitted whose past performance, reputation, and financial capability is deemed acceptable. The responsive bidder submits a bid which conforms in all material respects to the requirements in the invitation for bid. President Harter felt it had been very frustrating for UNLV not to have control over the building process prior to the building being turned over to them on July 8, 2000. She hoped that changes could be made in the future. Regent Hill asked what lessons were learned. Dr. Fain replied that a close working relationship should be established with the PWB, architect, and contractor from the beginning of the project to avoid errors and/or omissions. She suggested fiscal monitoring of the progress and regular meetings with the PWB, architects, and contractor. President Harter noted that institutions could not pre-qualify bidders (i.e. have you had experience with a project of this size'), adding that the same contractor (who was 1 year late and \$3 million over projection) could win the bid next time under current state law.

Regent Howard left the meeting.

President Harter noted that several Bill Draft Requests (BDR's) were proposed relating to the Public Works Board and construction practices. She felt the institutions required some quality assurance practices. Chair Dondero asked Dr. Fain to review the final bills and notify the Board of any items of concern. Regent Hill was very concerned with the number of change orders, adding that change orders could be very expensive. He felt it was easy for a contractor to underbid and make up the difference with change orders. He asked about recourse for the significant amount of change orders. Dr. Fain did not know and said the PWB was looking into this. Chair Dondero noted a similar experience with the county's wastewater treatment plant. Regent Alden suggested that two assemblymen (1-Republican & 1-Democrat) and two senators should be used to help push the BDR forward. President Harter related the contractor's association had formed a large lobby in opposition to the BDR.

Regent Howard entered the meeting.

Regent Gallagher stated that the PWB had been consistently more costly with their projects and felt it was time to take on this issue. Chancellor Nichols related there would be a state audit of the PWB on this project. She was not sure of the timeframe, but the public would have the information once the audit was completed.

Regent Hill asked for examples of the change orders. Dr. Fain reported there was \$27,000 to install a dock lift that was omitted. There was also a design flaw outlet retrofit. Regent Hill asked whether better planning could have prevented the number of changes and whether the state initiated any change orders. Dr. Fain replied that they did. She felt that careful attention and coordination of architectural plans upon initiation might have avoided some of the change orders. Regent Hill stated that some change orders were inevitable, but \$3.7 million in change orders was excessive. He felt it would behoove the System to hire a trusted consultant or take some action to prevent this from happening again in the future. Dr. Fain stated there was some external review on all projects, but closer scrutiny was warranted. President Harter stated that UNLV uses a project manager on every capital project. She said the project manager was ignored on this project.

Regent Kirkpatrick asked whether the major cost in change orders was due to structural design and reinforcement of the floors. Dr. Fain replied that it was, adding that it involved a substantial amount of money.

Chair Dondero stated that a task force would be appointed to work with UNLV and review the bills to avoid such problems on the next project. Regent Alden did not feel that a task force was necessary. Chair Dondero felt it could be a Regent responsibility. President Harter stated they would organize the bills for Board review. Regent Hill suggested consulting with a knowledgeable source to see if there was recourse.

Regent Seastrand asked whether they could go back to the responsible parties regarding the architectural issues. President Harter replied that some were being challenged. Dr. Fain replied that the PWB was funding a claims audit.

The meeting recessed at 5:05 p.m. and reconvened at 8:12 a.m. on January 19, 2001 with all members present except Regents Sisolak and Wiesner.

14. Accepted-Henderson Site Report on Environmental Issues – The Board accepted the Phase I Environmental Site Assessment, conducted by Converse Consultants, of the proposed site for Nevada State College Henderson (NSCH). The consultant answered questions concerning the assessment and a general discussion of the findings of the assessment and their significance occurred. The Board approved proceeding with negotiations with the City of Henderson regarding the terms and conditions for the conveyance of this property to the Board of Regents. (Ref. H on file in the Board office)

General Counsel Ray reminded the Board they had previously approved the site at Henderson as the potential location of NSCH, subject to certain conditions. One condition was the acceptance of an agreement with the City. The other contingency was to conduct an environmental assessment of the property. Pursuant to that, the System engaged Converse Consultants to conduct a Phase I environmental assessment. He introduced Mr. Kurt Goebel with Converse Consultants.

Regent Alden asked about the complete report. Chancellor Nichols replied that the original report was mailed to the Regents about 2 months ago. Regent Alden stated that he never received the original report. Chancellor Nichols apologized, assuring him that the reports were mailed to Board members when originally received by System General Counsel. She noted that reference material included an abridged copy.

Mr. Goebel reported the results of the Phase I environmental site assessment of Parcel 4A located at the north intersection of Lake Mead Drive and Boulder Highway. The assessment was completed in accordance with ASTM standard 1527-00. Tasks included: conducting a site walk, reviewing aerial photos of the site since the 1940's, discussion with regulatory agency personnel, reviewing documents, reviewing regulatory agency files, interviewing people with knowledge of the site, reviewing database information of other sites in the area, and reviewing historical ownership information. Two findings: 1) No recognized environmental conditions were found at the site and 2) The site was considered an exclusion zone. Even though there were no recognized environmental conditions, the state had required soil samples. Based on the state's review of the soil samples, no further action is required. Based on the consultant's review of that information and all of the data available, they had no recommendations for further environmental study at the site.

Regent Alden requested a copy of the original report.

General Counsel Ray asked the consultant to explain 'no recommendations'. Mr. Goebel replied there was no need for additional data collection.

Regent Gallagher asked whether the Board was fully protected. General Counsel Ray replied that, legally, that was not the purpose of the assessment. The purpose was to advise the Board of any environmental conditions that warranted remediation. He noted that the consultant's report indicated there were no such findings. He stated that if

later something were discovered, or there was some migration to the site, they would attempt to trace it back to the responsible party.

Regent Derby asked about the meaning of a Phase I environmental site assessment and whether there would be subsequent phases. Mr. Goebel replied that a Phase I assessment was a document search with the activities previously described. The ASTM (American Society of Testing Materials) standard is followed by most people in the industry. Review of the initial data collection revealed that other work was previously performed. Based on his review of that information, they felt there was nothing that would warrant additional data collection. Regent Derby asked whether it was the same as a clean bill of health. Mr. Goebel replied that it was.

Regent Rosenberg asked whether an environmental impact clause would be included in the land acceptance agreement. General Counsel Ray suggested the inclusion of an indemnity clause in the agreement.

Regent Hill clarified that the consultants reviewed aerial photos of the site at a point when it was virgin land. Mr. Goebel replied that they did. In the 1940's there were some dirt tracks; evidence of a prior racetrack. Regent Hill asked about anything that would indicate that something had been done with the land before that. Mr. Goebel replied there was no indication. Regent Hill asked whether they traced the land ownership historically to the present. Mr. Goebel replied that they had. Regent Hill asked about uses the land had been through that could have an environmental impact. Mr. Goebel replied there was nothing that they had observed. The property was primarily vacant. There was some evidence of temporary housing units (i.e. tent city). There was no evidence of a use unfriendly to the environment. Regent Hill asked whether there was any evidence that the college would be built on a toxic waste dump. Mr. Goebel replied there was not.

Regent Hill suggested possibilities for waste on the site:

1) Landowner dumped something on the land. Mr. Goebel reported they eliminated that possibility with the historical search, aerial photos, and state-required soil samples. He indicated the soil sampling was performed by others, and estimated 8 samples were taken from the 244-acre parcel. Regent Hill asked whether they looked for locations of concern. Mr. Goebel replied that it was typically performed in accordance with state EPA requirements. Since the state required the sampling, they approved the work plan and reviewed the sample locations. He was not aware of specific methodology, but noted that it went through the State of Nevada and received their approval. Regent Hill asked about other methodologies. Mr. Goebel replied that they varied. Regent Hill stated there were likely samples from the Love Canal site that could produce a negative result. He asked whether the state's sampling would attempt to avoid such findings. Mr. Goebel replied they would not.

2) Someone drove out and dumped something at the site. Regent Hill asked whether samples could have missed dumping. Mr. Goebel replied that the likelihood was unknown. He noted that it could happen in one's backyard and was typically household wastes, lumber, and drywall. He observed that, while there was some industry in Henderson, the study was conducted to confirm there was no dumping. Regent Hill asked whether the consultant saw anything that warranted additional sampling. Mr. Goebel replied he had not.

3) Waste migrated through ground water or was blown in. Mr. Goebel stated there was always the possibility for contamination in groundwater to migrate under a site with any site in the valley, in any city, or any time property at an intersection was developed. The state would pursue the responsible party, not the impacted third party or current owner. Were that to happen to this site, recourse would be to pursue the party responsible for the contamination. Regent Hill observed that they might be dead or no longer in the area. He asked whether the consultant reviewed any groundwater testing from any of the area. Mr. Goebel replied he had not. Regent Hill asked whether the consultant was aware of any groundwater testing. Mr. Goebel replied there were sites in the area that had environmental work

completed, but he was unaware of the type of testing performed. Regent Hill asked whether the consultant reviewed any testing from around that area. Mr. Goebel replied he had not. Regent Hill asked whether those reports were available. Mr. Goebel replied that they probably would be if pursued.

Chair Dondero reported that she asked the water district about extensive tests performed in that area. They provided her with a map showing no underground drainage in that area. The Las Vegas Valley Water District tested the groundwater and showed nothing on that particular site. Regent Hill asked about tests in that area. Chair Dondero replied there was a plume leading to the Las Vegas Wash, but it was under housing and quite a distance from the site. Regent Hill asked whether the consultant was aware of the plume. Mr. Goebel replied that the plume was located west of the subject site and not anticipated to drain into the site. Regent Hill established that the subject site was not downstream from the plume. He asked about the distance to the plume. Mr. Goebel replied that it was approximately 1/2-1 mile from the subject site. Regent Hill asked about the plume's makeup. Mr. Goebel replied that it consisted of many things, like the perchlorate (a chemical used in the manufacture of rocket fuel) issue mentioned in the newspapers. He related the groundwater flowed in a northeasterly direction, was located north and west of the subject site, and did not migrate under the subject site. Regent Hill asked Dr. Wells whether he heard anything that caused him alarm. Dr. Wells replied that he had not seen the report or done the investigation so he could not comment. He said that he had not heard anything that did not sound right.

Regent Seastrand asked whether the consultant would be willing to accept the property if he were representing the citizens of Nevada. Mr. Goebel replied that he would.

Regent Alden asked whether the consultant would contact the Las Vegas Valley Water District to request assistance with their knowledge of this site. Chair Dondero replied that the map was at the System Office. Regent Alden withdrew his request.

Chair Dondero asked about the distance between the subject site and the Circle K store. Mr. Goebel replied it was approximately 1/4-1/2 mile. Chair Dondero established that the consultant's conclusion revealed no evidence of environmental conditions. Mr. Goebel agreed.

Regent Seastrand asked about additional requirements to limit Board liability. General Counsel Ray replied that he was relying upon Mr. Goebel's report and a clean environmental assessment. He felt that insulation from potential future liability would be part of the contract to be negotiated with the City.

Regent Kirkpatrick asked about future environmental concerns. Mr. Goebel replied there were none regarding the sites mentioned in the report. Regent Kirkpatrick asked whether the System was building the college on a toxic site. Mr. Goebel replied they were not.

Regent Seastrand moved acceptance of the Phase I Environmental Site Assessment of the proposed state college site and directed President Moore and staff to proceed with negotiations with the City. Regent Hill seconded. Motion carried. Regents Sisolak and Wiesner were absent. Regent Howard abstained.

15. Information Only-UCCSN Foundations – The Board reviewed an overview of all Foundations associated with UCCSN. (Ref. I on file in the Board office)

Chancellor Nichols read a section of the Handbook regarding Regent responsibility. The Regents receive annual reports/audits of the Foundations' activities. She suggested staff review the Foundation policies to determine whether they required updating, and return with a recommendation in April. The community colleges have only one main Foundation. The universities have other more specialized fund raising groups/foundations, particularly related to

athletics.

Regent Gallagher asked whether the primary Foundation of each university was responsible for the smaller groups and would report that activity in their reports. Chair Dondero agreed this was her understanding as well. President Harter stated that it was true, adding they had worked hard to bring them under the umbrella of the larger Foundation and ensure their appropriate activity. Regent Hill asked why the smaller foundations never reported to the Board. Chair Dondero replied that the major Foundation reported. Regent Hill established that the Board did not receive a report regarding the smaller foundations' activities. He felt the Board was relying upon their word that adequate oversight was provided for the Board. President Wells stated that DRI had two Foundations and made separate reports to the Board. Regent Hill asked about the two universities. President Harter related that the larger Foundation board received reports from the smaller foundations, approved them and they were subsumed by the larger umbrella Foundation that reported to the Board. She acknowledged the Board was putting their trust in an extraordinarily responsible group of people. Mr. John Gallagher, Vice President for Foundations-UNLV, reported that the mechanism described by the Chancellor had been followed by the two universities for the past 4 years. He agreed the Board was placing faith in Foundation board members and foundations' staff. He stated the foundations followed the Handbook policies as explained by the Chancellor's office. He noted there was ongoing conversation regarding clarification of policy language. Regent Hill felt there was Board risk even if they were following current policy. He asked whether anyone could write a check from any of the foundations without proper controls. President Harter replied that all money raised by the foundations passed through state and university accounts, with proper review and control. Interim President McFarlane stated that the Foundation boards were extremely professional, well-informed and competent individuals. Regent Hill asked why they bothered to report. Dr. McFarlane acknowledged the yearly reports were provided because it was an important oversight responsibility for the Board. Regent Hill asked why it was appropriate for some to report but not all. President Harter replied that it was an extremely lengthy process, adding they were trying to simplify the process for the Board.

Regent Sisolak entered the meeting.

Regent Hill asked whether the smaller foundations were audited. Mr. Gallagher replied that several were, while others provided a consolidated financial report at year-end. Dr. McFarlane said the UNR Athletic Association funds were funneled through the Foundation, which was audited each year. Mr. Gallagher stated that all of the foundations had some kind of audit function. Some were independently audited, while others were required to prepare a consolidated financial report. The 501(c)3 foundations were required to file a tax return, which also contained a consolidated financial report. Regent Hill stated that external audits of the smaller foundations might not be necessary, but felt a cost/benefit analysis of the amount of money vs. the amount of risk should be considered. He suggested that Internal Audit should review the smaller foundations and appraise the risk. He suggested that Internal Audit should review their financial statements and activity. He asked whether the foundations had ever been audited. Mrs. Sandi Cardinal replied that Internal Audit had never reviewed any of the foundations. Regent Hill asked whether Mrs. Cardinal was interested in reviewing and making recommendations to the Board. Mrs. Cardinal replied that it was something her department could do. She noted that prior legal counsel felt that Internal Audit did not have the right to review them. She felt that was not the opinion of current General Counsel Ray. She agreed her department could perform a cursory review. Regent Hill requested an agenda action item for an Internal Audit recommendation.

Regent Alden asked how much oversight was required. He recommended the Chancellor speak with both university presidents and their Foundation directors for recommendations of proper oversight.

Regent Gallagher asked whether reports submitted by the smaller foundations (and passed through the main Foundation) were considered in the main Foundation's external audit. Mr. Gallagher replied that all gifts were made to the UNLV Foundation and were then dispersed, which was different from an external audit picking up the smaller

foundations' activity. Regent Gallagher established that the external audit did not review where the smaller foundations' money came from or how they handled it. Dr. McFarlane mentioned that was also true for UNR. He stated that four of the five smaller foundations were processed through the UNR Foundation, which was audited externally. He related that the Athletic Association was also externally audited annually. The Alumni Football foundation raises a small amount of money to sponsor a banquet (and sometimes a scholarship), and was not audited. Regent Gallagher established the account would be audited when the Athletics department was audited. She noted there had been a great deal of conversation regarding the Board's role when the Foundations were formed. The Regents are corporate members but maintain an arm's length from the operation. She wanted to ensure proper oversight, but did not want to interfere. She also did not want to add additional workload to the Internal Audit department.

Regent Rosenberg suggested a clearer title (not foundation) for the smaller fund raising groups. Mr. Gallagher replied that the smaller foundations' activity was reported on their consolidated financial statements, which were sent to the UNLV Foundation board. Regent Rosenberg stated that the Board of Regents needed to know where all of the money was, adding that it would increase the comfort level of the Board.

Regent Derby suggested the Chancellor talk with the presidents and bring a recommendation to the audit committee and then to the full Board. She agreed with Dr. McFarlane that the caliber of people involved with the foundations and their level of responsibility warranted high confidence.

Regent Kirkpatrick supported Regent Hill's request to have someone look into the matter and report to the Board at a future meeting.

Regent Seastrand asked whether the subsidiary organizations reported to the umbrella organization. Mr. Gallagher replied that they did. Regent Seastrand asked whether the reports were available upon request. Mr. Gallagher replied they were as they were public records. Regent Seastrand asked whether the umbrella Foundation would discuss any discrepancies during their board meetings. Mr. Gallagher replied that they would, but they had not experienced any discrepancies in the past. He noted that those agendas were not mailed to Board members, but were posted in accordance with the State Open Meeting Law. President Harter noted that the Regents were invited to those meetings.

Chair Dondero stated that she had attended some of those meetings, had great trust in the members, and felt they did a great job. Regent Sisolak stated that he had been to several of the Foundation meetings and felt the members were highly responsible members of the community and above reproach. Regent Hill agreed that they were marvelous people, adding that he was grateful for their dedication. He was concerned with maintaining a proper level of Board of Regents oversight. He was not trying to imply they were doing anything wrong, but felt a cost/risk analysis was in order. He reiterated that it was not intended as an insult to community members, but instead as prudent oversight.

Chancellor Nichols stated that she would speak with the legal staff, internal audit and both presidents and return with a recommendation. She noted they were addressing finances, consolidated financial reports and possible revisions to Handbook language to ensure it reflected current practices.

16. Approved-RAND Report Update – The Board approved recommendations of the RAND Report presented to the Board on January 12, 2001.

Chancellor Nichols discussed the steps necessary for developing a strategic plan for the UCCSN (Handout on file in the Board office). She suggested that by the end of 2001, the strategic plan would include: 1) A clear direction and

objectives for higher education in Nevada, 2) The standard of quality expected, 3) Mission differentiation for each institution, 4) An examination of System governance, 5) Appropriate recommendations for System governance, 6) Plans for the next 20 years, 7) Financing and fee structure reforms, and 8) An assessment plan that would inform educational policy-making and establish accountability for administration and faculty. She suggested the following steps:

- Two-day workshop between February 15 and March 15, 2001.
- Finance and Funding workshop in late March or early April 2001.
- Quality, Access, and Mission Differentiation workshop in concert with the April Board meeting.
- Assessment and Accountability workshop in mid-May or in place of June meeting.
- Staff to develop written draft of the strategic plan June/July 2001, with Board review at the August meeting.
- Public Roundtable Seminars in August/September 2001, with Board review at the October meeting.
- Final Strategic Plan workshop in November, with final action at the December Board meeting.

Chancellor Nichols stated that she had assured the presidents, faculty and students they would be involved in the process. In related actions, a System-wide database would be developed so information is readily available (as suggested in RAND Report). She also suggested establishing a temporary moratorium on approval of new campus programs and initiatives, effective with the April 2001 Board meeting.

Dr. Nichols stated that the RAND Corporation or similar groups (i.e. WICHE) would assist with these efforts. She revealed she was in the process of negotiating a continuing relationship with the RAND Corporation. She requested Board consent to continue negotiating with them. She noted that their current contract would continue until the final report was finished, so they could use their expertise in the interim.

Regent Gallagher felt that the Chancellor's program would serve higher education well. She felt the Board should agree to take on this project on.

Regent Rosenberg moved approval of the RAND Report recommendations and Chancellor Nichols proposed plan. Regent Gallagher seconded.

Regent Rosenberg advised Chancellor Nichols to hire the necessary help.

Regent Seastrand felt the plan provided an opportunity for the Board to make a difference in higher education. He welcomed presidential input, and felt it could be an exciting plan for higher education in Nevada. Regent Derby agreed. She felt it was terribly important and a good plan. She suggested the workshops be held in concert with meetings already calendared. Regent Kirkpatrick felt it was a unique opportunity for the Board to make a difference. He noted that the RAND Corporation had indicated they would work with the Board. He encouraged everyone to work hard on this plan. Regent Sisolak asked about a planned distribution of the report (i.e. school boards and legislators). He felt it was a K through Ph.D. effort. Chancellor Nichols replied that the draft report belonged to the Board of Regents and that it could be distributed in any manner they desired. She was reluctant to distribute it until the final report was completed. Regent Sisolak felt the Board would require cooperation and efforts from many individuals. He expressed a desire to involve the school boards and legislators and asked that they receive a copy of the report at some point. Regent Hill agreed the Board should move forward with this project. He asked that opportunities to combine workshops with scheduled meetings, one-day meetings, and/or weekend meetings also be explored. He stated that it would be difficult for him to attend that many meetings. Regent Seastrand agreed. Chancellor Nichols acknowledged it would be a problem for many Board members. She suggested streamlining the meeting process and holding joint committee sessions in order to limit the number of days required.

Motion carried. Regent Wiesner was absent.

The meeting recessed at 9:35 a.m. and reconvened at 9:45 a.m. with all members present except Regent Wiesner.

17. Accepted-NCAA Report, Compliance Policy and Legislative Review – The Board accepted a report regarding NCAA compliance policy and legislative review. On December 12, 2000, the NCAA (National Collegiate Athletic Association) issued a report, which included its findings, conclusions and penalties imposed on the UNLV men's basketball program. In light of that report, each university made a presentation for discussion by the Board as to their respective policies and practices regarding compliance with NCAA regulations, including monitoring practices to ensure compliance with NCAA regulations by all persons who might represent the interests of the university. The presentation also included for Board consideration a discussion of existing and proposed legislation regarding the activities of sports agents. The Board considered action to make recommendations for future legislation. (Ref. J-1 & J-2 and Handouts on file in the Board office)

Dr. Chris Exline, faculty representative-UNR Athletics, reported that UNR underwent three external reviews of their compliance program in 2000 (WAC, NCAA, NCAA Certification). Every year UNR attempts to strengthen and enhance their compliance program. He related that the compliance structure included components of Financial Aid, Student Services, as well as Athletics. All reporting lines go through his office and then to the president's office. He indicated that education and interpersonal contact (talk to players and coaches) was key to compliance. The university made a tremendous investment of time and resources. Coaches attend compliance seminars every year. The program uses teamwork to review the complex issues, as they must adhere to several compliance manuals. He related that continuity was also important, adding that the Athletic Director had been there 15 years. The Intercollegiate Athletic Board, Financial Aid, Admissions & Records, Student Services, the Cashier's Office, and booster organizations are all apprised of rules and changes. UNR holds a series of mandatory presentations on a monthly basis to discuss topics pertinent to compliance. Roll is taken at those meetings, and coaches and administrative staff must attend. Donors receive educational brochures and pamphlets identifying acceptable/unacceptable behavior. He reviewed UNR's procedures for handling rule violations that included a structured reporting line. Any allegation is investigated thoroughly.

Regent Alden asked about the following:

- The number of self-reported infractions, notification of NCAA violations, or probation periods imposed during the last 25 years.
 - Requested a report on NCAA violations over the past 25 years.
- Does UNR have a mission statement identifying the goals of the program, including an expectation of compliance with NCAA regulations and stressing academics?
 - Requested a copy of the mission statement.

Dr. Exline replied there was a violation in the early 70's, but there had been no major violations since 1981. UNR has experienced some secondary violations, which were inadvertent oversights. He related that it was very easy to do with the complex rules. The only major violation involved a basketball player in 1974 or 75. Dr. Exline reported that UNR did have a mission statement, adding that it would be included in the next general catalog.

Regent Hill discussed the following:

- NCAA enforcement mechanism requires self-reported violations.
- Self-reporting relies upon the educational program outlined.

- A coach providing rides to a player constituted a secondary violation.
 - Most coaches should be aware of that.
- Coaches scoring below 80% on the certification examination.

Dr. Exline reported the NCAA system was predicated on self-reports. NCAA believes a system should be in place to discover such infractions. UNR's policy holds that, no matter how insignificant, all violations are self-reported. Dr. Exline stated that self-reporting relies heavily on knowing the rules. He stated that provision of rides to a player was a secondary violation, and coaches should be aware of that. Every year coaches take a certification examination. They must score 80% or better in order to recruit off-campus (per NCAA requirements). Dr. Exline estimated that 2 or 3 coaches scored below that in the past 6-7 years. One coach was undergoing an enormous personal matter. He took the test again (one month later) and aced it. Another instance involved two new coaches who took the test with no preparation. Coaches usually go through the training program before testing.

President Harter introduced Mr. Charles Cavagnaro-UNLV Athletic Director; Dr. Myrlene LaMancusa, faculty representative-UNLV Athletics; Mr. Mike Glazier and Mr. Stephen Morgan from Bond, Schoeneck & King law firm, who were previously involved with NCAA compliance; and Mr. Eric Toliver-UNLV Director of Compliance.

Mr. Cavagnaro provided an overview of compliance activities at UNLV. He related that it was a complicated and time-consuming issue. Everyone in Athletics takes his or her job seriously. As required by the NCAA Committee on Infractions in 1993, UNLV hired a senior NCAA staff member to implement a compliance program. Upon the arrival of Dr. Harter in 1995, a new component was added: an annual presidential breakfast. Attended by academic and athletic advising staff, and representatives from each booster club, she clarifies the necessity of abiding by the letter and spirit of NCAA rules. The NCAA reviewed UNLV's compliance program annually during the 3-year probation period. In 1996-97, the compliance program was reviewed by an external team consisting of senior NCAA compliance representatives and the Director of Compliance for the WAC (Western Athletic Conference). The compliance review concluded that UNLV appeared to have established systems of compliance to help maintain control of its athletic programs. It noted that the Athletic Director and President had implemented a structure for compliance that was conducive to individuals within the Athletics department, as well as outside the department. Booster action that same year was the key component for the recent NCAA infractions case. Sanctions include: 4-year probation and ineligibility to compete in the 2001 men's basketball tournament. The latter penalty is currently under appeal. Mr. Cavagnaro reported that review of the 28 penalty cases, since the creation of the infractions review committee was formed, revealed a finding of 'lack of institutional control' in 24 cases. There were extenuating circumstances in the other 4. He reported the NCAA infractions committee found that the men's basketball program 'was not monitored properly' during the summer of 1997. That finding led UNLV to self-impose two actions: 1) New student athletes are not permitted to arrive in Las Vegas prior to their enrollment in the fall semester and 2) All incoming men's basketball players must reside in a dormitory on-campus for the first two years. The 1998 NCAA peer certification team found the university in compliance, adding that Athletics personnel were expected and required to comply with rules of the NCAA, the conference and the institution.

Dr. LaMancusa related that her role focused on the academic certification and eligibility of all student athletes. She was also responsible for certifying the coaches. She reported the coaches usually scored between 94-100% on their tests. Student athletes must meet UNLV eligibility requirements as well as Mountain West and NCAA requirements. Players are certified in the fall and again in the spring. Students know they must meet academic standards every semester. She works closely with the academic athletic advising unit.

Regent Hill asked how to reconcile the incident of a coach providing a student athlete rides on at least 15 occasions. President Harter replied that the coach was terminated. Dr. LaMancusa stated that knowing the rules did not prevent people from breaking them.

Mr. Morgan provided historical background on institutional control. During the mid-70's there were a number of significant violations across the country. Athletics programs distanced themselves from their institutions. The NCAA sought a better method for bringing the institution CEO's into the compliance process and initiated the institutional control process. The NCAA tried to find a way to get the information to the institution presidents so that, even if there was campus resistance, there would be notification of NCAA expectations. He noted the important distinction between major and secondary violations. The institutions' response to secondary violations allowed greater NCAA focus on major violations. They tried to integrate intercollegiate athletics into the higher education community. The principle of institutional control is that the president has the ultimate responsibility for the institution's compliance via direct involvement in supervision of Athletics department personnel. Presidents initially held only an advisory role. As presidential influence grew within the NCAA organization, so did their level of control. Now presidents are no longer advisors, but have ultimate responsibility for compliance.

Regent Hill posed the following:

- What went wrong at UNLV'
- The report stated there was a lack of institutional control (Pg. 11, #3-"there was no effective monitoring of Athletics representatives during the time in question').
- Whether there should have been a signal to the university.
- Whether a good system would include proper oversight.

Mr. Morgan replied that people (who knew better) acted outside of the system. One hopes the internal controls will discover those individuals. The violations did not occur due to ignorance, but failure of the individuals to act within the expectations of their positions and to follow compliance processes. He noted the report found there was a failure to monitor the basketball program. The NCAA was referring to a specific period of time and a specific prospect, prior to his enrollment in the university. The coach was required to report the prospect's presence and employment in the community. No signal was provided to the university to monitor the situation. Procedures require coaches to report summer jobs and that did not occur. Responsibility was placed with individuals in a position to know. People acted outside of the rules. He related that a good system would include proper oversight, but it was not economical to hire two people for every job. Monitoring is usually accomplished on a spot-check basis. The violations occurred during a very narrow window of time. Checks did occur beyond the coach not reporting, and the prospect was informed he could not be an athlete at the university.

Mr. Eric Toliver, UNLV Director of Compliance, provided an overview of his responsibilities. The national average for most institutions is 4-6 secondary violations/year. He monitors compliance systems for 17 intercollegiate sports, conducts investigations, makes reports, and determines corrective action. Mr. Toliver explained the secondary violation self-reporting process. He reported that he provided knowledge of the rules to the coaching staff as well as the student athletes. His handout (on file in the Board office) identified policies in place from 1996-97, which included procedures for movement of prospective student athletes. He noted that education did not always lead to behavior modification, adding that institutional staff members, student athletes, and boosters all had their own agendas. The institution could only provide corrective measures. He reported that blatant disregard for NCAA regulations was not tolerated. The institution disassociated itself with the offenders. The Rebel Right-of-Way brochure is sent to every booster, notifying them of acceptable/unacceptable behavior. He also meets with the booster groups yearly to educate them.

General Counsel Ray cautioned the Board and Mr. Toliver that the published report did not include individual names, and asked that comments be limited to the content of that report.

Regent Howard stated there had been an on-going problem with booster access to student athletes. She asked whether a support mechanism was in place to prevent athletes from relying on booster support. Mr. Cavagnaro replied the NCAA limited the number of hours a student athlete could practice to ensure they were students first. He related the rules intended to prevent student athletes from mixing with boosters and to make them as normal a student as possible. He was not aware of any system that encouraged boosters or families to interact with the athletes. Regent Howard asked about financial support and why a student would need to rely on rides from a coach. Mr. Cavagnaro replied that it was likely convenience. He stated that the philosophy was you could not provide for a student athlete what you would not provide for a normal student. Regent Howard requested a list of boosters be provided to the Board.

Regent Alden requested a report from UNR & UNLV (for the last 4 semesters) of GPA by team and coach. He recalled discussions regarding a coach's basketball contract at Kent State. In addition to the base salary, the contract included incentives for the team's academic performance as well as home attendance goals. He asked whether similar incentives would be mandated for all coaches at UNLV. Mr. Cavagnaro replied that he had discussed that with President Harter. His experience had shown that coaches were expected to support the graduation and academic performance of student athletes. He questioned whether math teachers should also receive a bonus for academic performance. Regent Alden stated that coaches should communicate the importance of academic performance and that it should be reflected in their salary bonuses. He asked whether Mr. Glazier and Mr. Cavagnaro had any comment to the proposed mission statement he provided. Mr. Cavagnaro replied that none of UNLV's compliance problems were academically related. He noted that UNLV had developed a written philosophy statement that addressed many of his suggestions. President Harter reported that it had been recognized as a national model and was based on the overall-planning document of the university. She stated that UNLV had a mission and goal statement that would be provided for the Board. General Counsel Ray observed that Board policies also addressed that issue (Chapter 10 section 17). Regent Alden stated that he would continue to advocate a System mission statement for Athletics.

Regent Kirkpatrick asked whether this was the first year the policy was implemented for student athletes not to report before orientation. Mr. Cavagnaro replied that it was for men's basketball only. Regent Kirkpatrick asked whether that applied to freshmen and sophomores living in the dorms. Mr. Cavagnaro replied that it only applied to men's basketball and that freshman enrollment in summer school was also being considered.

Regent Rosenberg discussed the following:

- Whether an individual identified as a booster held that classification forever (i.e. season ticket holders).
- There were likely season ticket holders not aware that they were boosters who could violate NCAA rules.
- Boosters failing to read the information.
- Whether someone could unknowingly violate the rules without the university's awareness.

Mr. Cavagnaro replied that boosters retained that classification forever. Mr. Glazier explained that, under some circumstances, one could be a season ticket holder and not considered a booster. A booster was determined by their financial contribution to the Athletics program. He felt that treating all season ticket holders as boosters was a good practice. Mr. Cavagnaro stated that the institution sent information to all season ticket holders. President Harter and Mr. Cavagnaro agreed that violations could occur without university knowledge. Mr. Cavagnaro related that those were not the violations under discussion.

Regent Seastrand asked how UNLV's compliance program compared with others around the country. Mr. Glazier replied that UNLV's compliance program was among the best in the country. He related that infractions were a learning process. Through the infraction process, UNLV, like many other institutions, had a very comprehensive

compliance program in place. Regent Seastrand applauded UNLV's efforts to comply.

Regent Hill asked whether the incidents were self-reported before the NCAA report. Mr. Cavagnaro replied that they were, adding that the report indicated the same. He related that the major violations were not, but most of the secondary violations were self-reported. Mr. Glazier reported there were 4 secondary violations self-reported. Regent Hill asked whether Mr. Toliver reported them. Mr. Toliver replied that he reported one of the telephone calls. Mr. Cavagnaro explained that Mr. Toliver was not in his position at the time of the other infractions (Mr. Toliver is the 5th compliance director since 1995). Regent Hill asked whether clues were evident prior to NCAA intervention. Mr. Cavagnaro related that most activities were conducted privately. UNLV has thorough and complete systems, but could not prevent covert actions. Mr. Toliver replied that he informed the student athletes about proper and improper activities, adding that they too could self-report. Regent Hill observed that students were young and easily influenced. Mr. Toliver replied that he followed-up on all alleged violations and retained such files for 6 years. He noted that a significant amount of time was spent on gossip/hearsay. Regent Hill asked whether people were not doing their jobs properly. Mr. Cavagnaro replied that he did not believe that. He felt that every prior compliance director had attempted to ensure proper compliance.

Regent Hill asked whether President Harter was aware of UNLV's history with the NCAA when she assumed her position. Dr. Harter replied that she was. He asked what measures were adopted to prevent the same from happening. President Harter replied there were many:

- 1) The Athletic Director reports directly to her and was a member of her cabinet;
- 2) Athletics was integrated into the entire upper management of the university. She felt that she made a significant difference in the academic performance and integrity of UNLV. She stated that she and everyone at UNLV was very sorry about the current violations. UNLV took decisive action to hold responsibility at the proper level. She felt the program was vastly improved over the program she inherited six years ago. She related they attempted to limit infractions by building a system of checks/balances. She stated that she could not legislate morality or pure behavior, adding that she tried to hire individuals with high values who were not influenced by the community. Regent Hill stated that the report disagreed with her conclusion ('The university must have in place a system reasonably calculated to uncover violations'). Dr. Harter disagreed with that finding. Regent Hill noted that a university accountant (in 1997) notified the Director of Compliance there was no policy or procedure to control/monitor the boosters. Dr. Harter replied that was inaccurate. Mr. Glazier stated that the university implemented a program intended to educate all season ticket holders as well as boosters. The university tried to broaden the group of people to educate. The auditor mistakenly thought that since there was no list specifically citing men's basketball boosters that there was none. Regent Hill asked whether the NCAA was in error. Mr. Glazier replied that the university had expanded notification to all season ticket holders. Regent Hill asked about the charge there was no system in place to control and monitor boosters. Mr. Glazier felt that Mr. Toliver treated all season ticket purchasers and boosters equally. Regent Hill suggested having Internal Audit perform an operational audit of the athletic programs at UNLV, UNR, and CCSN. He also suggested performing a financial audit if one had not been completed recently. Mr. Cavagnaro replied that an annual external audit was a NCAA requirement. Regent Hill noted that internal and operational audits were slightly different. Mr. Glazier felt it was an excellent idea.

Regent Howard asked about the educational program administered by Mr. Toliver. Mr. Toliver replied there were specific populations he targeted for rules education: prospective and currently enrolled student athletes. Once recruitment was initiated, a significant amount of information was provided regarding the rules of recruitment activity. He also meets weekly with each team, as well as at the beginning of each semester. He meets with non-coaching staff twice yearly and an institutional exam is administered. He meets monthly with the coaching staff. Additionally, he provides weekly e-mails to the coaches. Regent Howard was concerned whether student athletes received the information once they were under the UNLV umbrella. Mr. Toliver assured her they did. He meets with them 2-3 times/semester and conducts spot checks. Regent Howard asked whether they clearly understood the penalties. Mr.

Toliver replied that they did.

Regent Kirkpatrick asked how long the basketball program would need to avoid another major penalty. Mr. Cavagnaro replied it would be 5 years from the imposition of the penalty (December 2000). He related that, in reality, the programs viewed it as all of the time.

Regent Derby thanked the participants for their review, adding that she found it very informative and gratifying. She felt a new level of reassurance and confidence. She expressed appreciation for the strong educational program and structures in place at UNLV that were estimated to be top in the nation.

Regent Hill asked why it constantly happened at UNLV. Mr. Cavagnaro replied that it happened at other schools as well. Other universities were also going through similar circumstances. He stated that enormous pressures were placed on coaches and boosters, and acknowledged that violations would likely continue. Regent Hill observed there were also schools where it did not occur and asked about the difference. Mr. Cavagnaro replied that he did not know. Regent Sisolak requested a point of order. Chair Dondero stated that it was time to move on. Regent Derby agreed.

The meeting recessed at 11:35 a.m. and reconvened at 11:50 a.m. with all members present except Regent Wiesner.

General Counsel Tom Ray provided a synopsis of procedures in other states. 28 states have laws regulating the conduct of sports agents, with a wide range in the degree of regulation. Nevada has a law regulating the conduct of sports agents that is less comprehensive than others. He noted there was very little information regarding the regulation of boosters and that it would be difficult to legislate the conduct of private citizens. NRS 398.085 states that a person can be held liable for causing a student athlete or an institution to violate a rule of the NCAA to which the institution is a member, or aids in such a violation. Chair Dondero noted that a bill was proposed for the coming legislative session (Ref. J-2). Dr. Harter expressed appreciation of Board support of that legislation. Chancellor Nichols added that the System would want to retain existing language ('an individual') and not limit it to sports agents.

Regent Alden was concerned the individuals involved in the UNLV case suffered no repercussions. He encouraged the Board to consider legal action and asked why they were not seeking damages. General Counsel Ray related that Nevada's language was broader and included 'any person'. He added that the decision had not been made to pursue legal action. Regent Alden felt the System should explore seeking penalties against those individuals.

Regent Rosenberg moved acceptance of the NCAA report. Regent Kirkpatrick seconded. Motion carried. Regent Seastrand abstained. Regent Wiesner was absent.

18. Withdrawn-Academic Medical Center – President Harter and Interim President McFarlane withdrew their request for Board approval of the conceptual development of an Academic Medical Center. (Ref. K on file in the Board office)

19. Approved-Academic, Research & Student Affairs Committee Recommendations - Chair Jill Derby reported the Academic, Research & Student Affairs Committee met January 18, 2001. Interim Associate Vice Chancellor for Academic & Student Affairs Chris Chairsell presented an update concerning UCCSN response to AB 47 (establishment of programs addressing teacher recruitment, retention and professional development by UNLV and UNR's Colleges of Education). A report will be presented to the Legislative Counsel Bureau on February 5, 2001. Chancellor Nichols reported that, due to the RAND Study recommendation for strategic planning, a proposal to implement a moratorium on new program proposals would be brought to the full Board. The moratorium would go into effect at the April Board meeting. Committee Chair Derby proposed a review of the retention rate of doctoral students

with completion time and comparisons with other institutions included. She also requested that staff bring recommendations for enhancing academic advisement to the Committee. She requested Board action on the following Committee recommendations:

- New Program Proposals – The Committee reviewed the following new program proposals: (Ref. L through Q on file in the Board office)
 - BS/MS, Biotechnology, UNR
 - Department of Women's Studies, UNLV
 - BS, Hotel Management-Beverage Management, UNLV
 - BS, Culinary Arts Management-Beverage Management, UNLV
 - MEd, Workforce Education and Development, UNLV
 - MS, Workforce Education and Development, UNLV
 - AAS, Landscape Management, CCSN
 - AAS, Landscape Design/Contracting, CCSN
- Program Elimination – The Committee reviewed elimination of the following program: (Ref. R on file in the Board office)
 - AAS, Substance Abuse Counseling, TMCC

Regent Derby moved approval of the Committee recommendations and acceptance of the report. Regent Sisolak seconded. Motion carried. Regent Wiesner was absent

20. Approved-Audit Committee Recommendations - Chair Steve Sisolak reported the Audit Committee met January 18, 2001 and received follow-up responses for 22 internal audit reports presented to the Committee in June 2000. The institutions have been very responsive in implementing the internal audit recommendations. Director of Internal Audit Mrs. Sandi Cardinal reported that institution bank reconciliations were up-to-date. Associate Vice President for Finance and Administration-UNR Mr. Tom Judy reported the status of the University of Nevada School of Medicine Practice Plan. The Committee was recently provided a copy of the consolidated Profit/Loss statement for year ending June 30, 2000, which was requested at the November 2000 Committee meeting. The statement showed a net loss of \$149,000. Dean Robert Miller indicated that he expects the net loss would be reduced to \$0 for the six months ending December 31, 2000, which will be presented to the Committee in March 2001. The Committee heard a report on emergency hiring practices throughout the system (Ref. T on file in the Board office). Chancellor Nichols indicated that a new Human Resources person would be hired in System Administration. This person will prepare a clearer and consistent emergency hire policy later this summer. The policy will be presented to the Board for approval. The Committee also heard a report on the use of host funds and the purchase of tables at charity events (Ref. U on file in the Board office). Chancellor Nichols indicated that the Finance & Planning Committee would review draft changes to the current host policy at their next meeting. The policy will include guidelines on the purchase of charity tables. Committee Chair Sisolak requested Board action on the following Committee recommendations:

- Internal Audits – The Committee reviewed the following internal audits: (Ref. S on file in the Board office)
 - Dept. of Residential Life, Housing & Food Svcs., UNR
 - Speech Pathology and Audiology Department, UNR
- Audit Exception Report – The Committee reviewed the Audit Exception Report for the 6 months ending December 31, 2000.

Regent Sisolak moved approval of the Committee recommendations and acceptance of the report. Regent Rosenberg seconded. Motion carried. Regent Wiesner was absent.

21. Approved-Campus Environment Committee Recommendations - Chair Tom Kirkpatrick reported the Campus Environment Committee met January 18, 2001. Interim Associate Vice Chancellor Chris Chairsell presented information concerning the further development of institutional climate surveys. Proposed issues include: campus environment, mentoring program, safety and security, and childcare. Survey options include a paper survey based on a 2,000-person target population, or an electronic survey. Campus representatives recommended a 3-page survey, with one page dedicated to demographics and two pages with twenty questions. There should be a common thread for all institutions, institutionally specific questions, and room for comments. Representatives recommended the Committee provide direction regarding priorities and goals for the survey and the extent institutional researchers and computing staff would be utilized. System staff will work with institutional representatives to incorporate existing data from national surveys and provide the Committee with survey focus recommendations at the March meeting. Ms. Chairsell provided the Committee with information regarding UCCSN benefits that could be extended to domestic partners by the Board. Benefit programs that are Board-controlled include: grants-in-aid, family medical leave, and support for dual-career couples where the System provides assistance in locating employment for the accompanying spouse/partner. Further discussion of extending benefits to domestic partners will be addressed at the March meeting. Ms. Chairsell also presented an update on the development of UCCSN diversity goals to the Committee. The diversity committee has developed goals, which will be presented to the Council of Presidents on January 23, 2001. The final report will be provided to the Committee and the full Board in the near future.

Regent Kirkpatrick moved acceptance of the report. Regent Sisolak seconded. Motion carried. Regent Wiesner was absent.

22. Approved-Finance & Planning Committee Recommendations - Chair Dorothy Gallagher reported the Finance & Planning Committee met January 18, 2001 to review 2nd quarter FY 00-01 self-supporting budget revisions, 2nd quarter FY 00-01 budget transfers, and the mid-year self-supporting budgets and summer school budgets for calendar year 2001. She requested Board action on the following Committee recommendation:
vMid-Year Self-Supporting Budgets & Summer School Budgets Calendar Year 2001 – The Committee reviewed the mid-year FY01 self-supporting budgets and the summer school budgets for calendar year 2001.

Regent Gallagher moved approval of the Committee recommendations and acceptance of the report. Regent Rosenberg seconded. Motion carried. Regent Wiesner was absent.

23. Approved-Health Care Education Committee Recommendations - Chair Doug Seastrand reported the Health Care Education Committee met January 10, 2001 and agreed the Committee's primary focus for the foreseeable future would be the Academic Medical Center proposed by the University of Nevada School of Medicine and the University of Nevada, Las Vegas. The members recommended the Committee be involved in reviewing strategies for addressing the shortage of nurses in the state if time exists. Dean of the University of Nevada School of Medicine Dr. Robert Miller presented a progress report on the proposed Academic Medical Center and asked the Committee to review a forthcoming proposal to be submitted to the City of Las Vegas by March 3, 2001. The proposal would provide the City of Las Vegas with the information necessary for UCCSN to receive land in downtown Las Vegas for construction of the proposed medical center. The Committee will meet again February 14, 2001 to consider the proposal to the City and to make a recommendation at the Board's March meeting.

Regent Seastrand moved acceptance of the report. Regent Derby seconded.

Regent Rosenberg asked whether the City was donating land for the Academic Medical Center. Regent Seastrand replied they would not. Suggestions for use of the land have been requested via an RFP. He related that purchase/exchange of the land had not been discussed. Regent Rosenberg requested the Committee not ignore the nursing shortage. Regent Derby stated that the Academic Planning Task Force for NSCH was also considering

programs for nursing. Regent Sisolak reported there were several hundred proposals for the property. The idea was to locate the pharmacy school, dental school, and cancer institute in the same facility. The City of Las Vegas has a very tight development schedule. Regent Seastrand stated that the Committee would address the nursing shortage if time permitted.

Motion carried. Regent Wiesner was absent.

24. Approved-Consent Agenda – The Board approved the Consent Agenda:

(1)Approved-Minutes – The Board approved the minutes from the meeting held November 30-December 1, 2000.

(2)Approved-Capital Improvement Fee Funds, CCSN – The Board approved the use of Capital Improvement Fee funds for the following projects at CCSN:

Automotive Stair Construction (Cheyenne Campus)\$15,000
Automotive Floor Repainting (Cheyenne Campus)4,900
Automotive Door Replacement (Cheyenne Campus)5,000
Area 2100 Remodel (Cheyenne Campus)5,000
Room 1106 Remodel (Cheyenne Campus)5,000
Biotechnology Remodel (Charleston Campus)5,000
Horticulture Greenhouse (Charleston Campus)15,000
Parking Development (Charleston Campus)25,000
TOTAL:\$79,900

(3)Approved-Capital Improvement Fee Funds, UNLV – The Board approved the use of \$80,000 in Capital Improvement Fees (CIF) to repair damage to underground data and utility lines that occurred during construction at the Interfaith Student Center on campus. Damage to the lines disrupted various critical computing services to the residence halls. The university intends to replace the CIF funds after seeking reimbursement from the responsible contractor.

(4)Approved-Capital Improvement Fee Funds, UNLV – The Board approved the use of Capital Improvement Fee funds for the following projects at UNLV:

Lighting Bid Supplement (Judy Bayley Theatre)\$37,800
Rewire Computer Network (Flora Dungan Humanities Bldg.)200,000
Rewire/Connect to Internet II (Campus Research Network)425,000
Relocate/Remodel Advising Center (College of Education)30,500
Create Faculty Workshop Labs (Teaching Learning Center)50,000
Redesign Lobby (Student Services Complex)50,000
6th Floor Renovation (Flora Dungan Humanities Bldg.)75,000
Restroom Renovation (Maude Frazier Hall)55,000
TOTAL:\$923,300

Regent Alden moved approval of the Consent Agenda. Regent Gallagher seconded.

Regent Sisolak requested clarification of item (3), and asked whether insurance would cover the expense if the contractor did not. President Harter replied that the university was struggling with the issue of responsibility. General Counsel Ray and Dr. Fain reported that the status of that discussion was unknown. President Harter stated they

were trying to determine whether proper maps existed, so the work could be done properly. She stated it was imperative to make the repairs and seek reimbursement from the responsible party later.

Regent Howard asked about the location and purpose of the Student Services lobby redesign. Dr. Rebecca Mills identified the building, adding that it was a large area and not very useful. They are attempting to make it more useful for the students, by adding seating for students waiting for appointments, computers for student use and an information center. She noted it would provide Internet access and a campus telephone/directory so students could call the proper department to get answers to their questions.

Motion carried. Regent Wiesner was absent.

25. Information Only-UNLV Radio Station – A general discussion was held regarding the radio station KUNV. Mr. Bradford Colton (UNLV alumni), representing a group of students and community members known as the Nevada College Radio Alliance, reported that KUNV was culturally and educationally significant for the students. Students initially formed KUNV in 1979 (with the Regents holding the radio license). With a Regent loan in 1981, the students obtained a student-run station in Moyer Student Union. CSUN (the student association) bought and paid for the radio station with student fees. Mr. John Lindstrom was the first general manager in 1981. Mr. Lindstrom reported to the CSUN radio board and the Vice President for Student Services. Over 100 students participated in KUNV operations with flexible and diverse student programming. The Radio station recently moved off-campus due to a lack of space. Students became upset with changes to the station and tried to fire the general manager (Mr. Don Fuller) in 1996, but were blocked by Dr. Ackerman (former Vice President for Student Services). He expressed dismay that the station was run by the administration, was not self-supporting, and lacked the cultural outreach that the students proudly programmed for 17 years.

President Harter stated that all members of the advisory committee agreed that the most important feature of the station was the educationally related opportunities provided to the students and that it be a worthwhile experience. She stated that it was difficult to move it into an academic program, due to staffing limitations. There are on-going discussions regarding how to integrate it. A clinical faculty member from the College of Urban Affairs is to be appointed as the new station manager.

Mr. Colton was not aware of those developments. He indicated he had recommendations from the last advisory board meeting, adding that students should be involved via internships. He introduced Mr. David Himmel, CSUN representative on the KUNV advisory board; Mr. Jeremy Foley, UNLV student and local disc jockey; and recent UNLV graduate Mr. Brian Alvarez.

Mr. David Himmel related that he was a broadcast journalism major. He felt there had been a lot of talk and the process needed to move forward. He came to UNLV from Chicago 3½ years ago because of the eclectic, student-oriented radio station. He was allowed to intern at the station for a brief period. He felt that KUNV had great potential, but there had been no change in the negotiation process. He felt his college experience would have been better with greater participation in the radio station and that it should be run in a similar fashion as the Rebel Yell newspaper.

Mr. Jeremy Foley, student and disc jockey at another radio station, reported that allowing students to work at KUNV provided them the opportunity to gain knowledge not ordinarily provided in a classroom. He urged Board action so UNLV students would not have to take their ideas off campus to employ them.

Mr. Brian Alvarez stated that, as a member of the community, he watched the city grow at an alarming rate. Las Vegas is a culturally diverse community and has become a cultural leader in the southwest. KUNV is a special antennae the university could use to communicate cultural differences. KUNV offers no culturally diverse

programming. He asked the Regents to help move the matter forward, since students had worked hard on the issue for three years.

Mr. Donald Hickey, UNLV alumni, felt that student involvement in KUNV was important, but the issue had not made any progress. There used to be student involvement in programming, technology, and management structure. The advisory board never addressed the issues. KUNV is not the norm for college radio stations across the country. A public relations crisis exists. He believed that having a graduate or undergraduate program director would be key to the success of the program. He requested the students be permitted to do the work.

Mr. Colton asked the Regents to consider three resolutions proposed by the student alliance (percentage of students involved in the operation, target station advertising to students, and ensure student programming). He hoped to ensure the current situation would not be repeated in the future.

President Harter introduced Dean Martha Watson and Dr. David Henry. Dr. Watson reported that UNLV reviewed several models of student radio stations across the country. Some radio stations were integrated into the educational program; students wishing to be on the radio must take certain preparatory classes. UNLV would like to take the first step towards that model. Faculty member involvement with the radio station would provide the opportunity to learn what is necessary to integrate the program into the educational program, provide student internships, and move the radio station in the right direction.

Chair Dondero asked whether it would be a student program/activity. President Harter replied it would be an academic activity. Chair Dondero asked whether students would learn all aspects of the trade. Dean Watson replied that training would be provided before students would be allowed to program. She noted that the curriculum had not been designed yet. President Harter observed that student government had withdrawn their financial support for the station. They believe it should be part of the academic program. Funding for the station is now provided by her office and fund raising efforts. Dean Watson related it would be similar to the educational television program, where students take classes and work on programming.

Regent Sisolak asked whether the redesign would afford students the opportunity to put their shows on the station. Dean Watson replied that it was important to provide opportunities for ideas to be presented. Regent Sisolak asked whether it would provide flexibility for students to present their ideas. Dean Watson felt it important to distinguish between students and members of the community. She believed that none of the speakers were currently students. Several students then assured her they were currently enrolled at UNLV. She stated that, after proper preparation, students could propose programming. Regent Sisolak noted that one student (a UNLV junior) currently had a radio show on another station. He asked whether that student would be provided the opportunity to propose programming. Dean Watson replied that he would be required to have the proper academic, educational training the faculty believed was appropriate. She reiterated that the curriculum had not been designed. Chair Dondero asked when the curriculum would be determined. Dean Watson replied they had just identified the possibility of a faculty member program director and were only beginning to determine how to make it work.

Dr. Henry stated there were multiple options to getting a student's ideas on the air: 1) Current KUNV format with an additional low-power program for student ideas and 2) The Florida model. Regent Sisolak observed that this had been under discussion for the past two years, adding that it was a big issue for the students and it had not gotten very far. Provost Alden stated that, when the student government withdrew their financial support, it became a self-supporting venture. A jazz format has been supporting the station with advertisers and membership participation has increased. The jazz format replaced the eclectic, student programming. He noted that the university must decide with the faculty what programming was appropriate because it could cause a loss of membership. Regent Sisolak was troubled by the response and asked to meet with President Harter.

Regent Rosenberg related that format had been the basic problem for almost 3 years. Two student governments supported the radio station (\$60-75,000) based on the promise they would have a voice in the programming format. He felt there must be a way of getting it to work. The low-power cable is so low-powered and subject to interruption, that it is not a viable alternative. He noted there had been student support, which was withdrawn when the students failed to see any progress. He asked Dr. Harter, as a personal favor, to please resolve the situation. President Harter felt that progress was possible now that the station was in an academic context to provide students genuine educational experiences. She asked the Board to allow Dean Watson and Dr. Henry time to establish a program. Regent Rosenberg asked whether CSUN would be willing to reconsider and help offset the costs. Student body president Mr. Moradkhan replied there were no funds available for this year, adding that student government had grown too large to operate a radio station and there was no interest in doing so.

Regent Gallagher asked about the training. Dean Watson replied that it would be available to any student in any discipline. Training would be provided in proper broadcast techniques.

Regent Kirkpatrick was concerned there had been 100 students involved 5-6 years ago and now there were only five. He asked how many students were expected to be involved in the academic program. Dean Watson stated they would not develop media courses since some already exist. She agreed that 5 was a low number, adding that she hoped to increase student participation. She stressed the need to communicate what was necessary before being able to broadcast. Regent Kirkpatrick asked what courses would be necessary. Dean Watson was unsure, but stated that FCC regulations, ethics, proper etiquette and broadcast skills would be part of the training. Regent Kirkpatrick requested a future agenda action item on this matter.

Chair Dondero was frustrated with the lack of a timeline and what was being done in the interim. Dean Watson assured her the station was running and had increased listenership and donations. She felt the university needed to be sensitive to the costs. President Harter stated that the radio station was not making money as her office subsidized it. Regent Sisolak was unwilling to address the issue in April, since that meeting would be held in Reno and would be difficult for the students to attend. He preferred the issue be addressed at the next meeting in Las Vegas (March). Regent Gallagher asked whether that was possible. Dean Watson replied that the program director would need to be involved in the discussions, adding that he had not been hired yet. President Harter requested 6-months to prepare the curriculum. Regent Rosenberg asked that the program director have experience in college radio stations. Dean Watson replied they would try. Regent Sisolak stated that the alumni present were students when the discussion first started. He felt it was unfair to make the students wait longer. Regent Howard asked when the program director would be hired. Dean Watson replied that she did not know the timeframe. They stopped the job announcement in order to add the educational component. She did not know the response deadline. Regent Howard requested copies of the students' resolutions. Dean Watson was not familiar with the material, adding that she was not on the radio station advisory board and was not aware of their requests.

Regent Hill felt this was not a policy decision and constituted Board micro-management. He felt it was a decision for President Harter and UNLV.

Regent Hill moved to table discussion. Regent Derby seconded.

President Harter assured the Board that she would report to the Board as quickly as developments were made.

General Counsel Ray stated that a motion was not necessary to stop discussion if it was completed.

Regent Hill withdrew his motion.

26. Public Comment – Mr. John Lindstrom, former general manager for KUNV, related there had been a successful model for the station. The station was student-run for over 15 years, with over 100 students/year, and made money. He noted that the \$80,000 Board loan was repaid within two years of issuance. He asked the Board to investigate why changes were made to limit student participation. He felt that student participation was of value to the community and the university.

27. New Business – Chancellor Nichols reported there were a few seats left for Regents for the Governor's State of the State address.

The meeting adjourned at 1:25 p.m.

Suzanne Ernst
Chief Administrative Officer to the Board