

**TELECONFERENCE
BOARD OF REGENTS
UNIVERSITY AND COMMUNITY COLLEGE SYSTEM OF NEVADA
Fallon Convention Center
100 Campus Way, Fallon
Thursday-Friday, October 18-19, 2001**

Members Present:

Mrs. Thalia Dondero, Chair
Mr. Mark Alden (via telephone 10/19/01)
Dr. Jill Derby
Mrs. Dorothy S. Gallagher
Mr. Douglas Roman Hill
Mrs. Linda Howard (via telephone both days)
Dr. Tom Kirkpatrick
Mr. Howard Rosenberg
Mr. Doug Seastrand
Mr. Steve Sisolak (via telephone 10/19/01)
Mr. Tom Wiesner

Others Present:

Chancellor Jane Nichols
Vice Chancellor, Finance & Administration Dan Miles
Vice Chancellor, Academic & Student Affairs Richard Curry
General Counsel Tom Ray
Ms. Theo Byrns, CCSN
President Stephen Wells, DRI
Interim President Carl Diekhans, GBC
President Richard Moore, NSCH
Interim President Rita Huneycutt, TMCC
President Carol Harter, UNLV
President John Lilley, UNR
President Carol Lucey, WNCC
Chief Administrative Officer Suzanne Ernst

Also present were faculty senate chairs Mr. Ruell Fiant, CCSN; Mr. William Albright, DRI; Mr. John Patrick Rice, GBC; Dr. Eun-Woo Chang, TMCC; Dr. Arthur Broten, UCCSN; Dr. Stephen Carper, UNLV; Dr. Paul Neill, UNR; and Mr. Richard Kloes, WNCC. Student government leaders present included Mr. Calvin Hooks, CCSN; Ms. Elisa Goyeneche, GBC; Ms. Michelle Lacerda, TMCC; Mr. Al Heck, UNLV; Ms. Rana Koran, UNLV-GSA; Mr. Matthew Wolden, UNR; Mr. Carlos Ledon, UNR-GSA; and Ms. Leslie Carlen, WNCC.

Chair Thalia Dondero called the meeting to order at 12:00 noon on October 18, 2001 with all members present except Regent Howard who participated by telephone.

1. Approved-Personnel Session - In compliance with NRS 241.030, a closed session was held for purposes of discussion of the character, alleged misconduct, professional competence, or physical or mental health of certain

executive employee(s) of the UCCSN.

Regent Rosenberg moved approval of moving to a closed session. Regent Kirkpatrick seconded. Motion carried unanimously.

The Board moved to a closed session at 12:05 p.m. and returned to open session at 1:17 p.m. with all members present except Regent Howard who was contacted by telephone.

1.2 Information Only-Return to Open Session - The Board returned to open session.

2. Introductions – None.

3. Chair's Report – Chair Dondero acknowledged Dr. Carol Lucey, President of WNCC and Mr. Bus Scharmann, Dean of the WNCC Fallon Campus, and thanked them for their hospitality in hosting the October Board meeting. She also thanked Mr. David and Mrs. Ludie Henley for graciously welcoming Board members into their home the previous evening. She then introduced Fallon mayor, Mr. Ken Tedford. She noted that Mayor Tedford graduated with a degree in Business from the University of Nevada, Reno and had served as mayor for the past 5½ years.

Mayor Tedford welcomed the Board of Regents to Fallon. He related how proud Fallon was of their community, adding they were not afraid to address the leukemia cluster problem head on. He reported that Fallon was supporting their neighbors and that the leukemia scare had actually pulled the community together. The City has launched aggressive testing of the municipal water system and is also engaged in an environmental compliance audit of all facilities. In cooperation with the state, the City of Fallon led public education efforts to address the fear and educate people about the disease. Their efforts included town meetings, roundtable discussions with community leaders, special mailings, website information and printed answers to frequently asked questions made available at City Hall, libraries, and churches. Additionally, the community has formed a group, Fallon Families First, to raise money for the affected children and families. Assistance has been provided for car repairs, groceries, rent, utilities, and gas expenses. At the request of the families, the State of Nevada recently funded a Service Coordinator dedicated to these case families only. He assured the Board that Churchill County residents were not in a state of panic. The number of homes for sale had not increased appreciably in the last year, a clear sign there was no mass exodus due to the cluster. He reported that the local University of Nevada Extension Service and Western Nevada Community College had been very helpful. WNCC helped plan and coordinate the April federal hearing in Fallon, which included Senators Reid and Ensign, Congressman Gibbons, as well as New York Senator Clinton. He related there were many signs that the community was weathering the storm and thanked the Board for scheduling their meeting in Fallon.

Mr. Richard Kloes, faculty senate chair-WNCC, also expressed the Fallon community's appreciation for holding the Board meeting in Fallon. He felt it provided a good opportunity for Board members to see the campuses over which they preside. He expressed hope that Board interest in the outlining communities would remain strong.

President Lucey introduced Mr. Bus Scharmann, Dean of the Fallon Campus.

4. Chancellor's Report – Chancellor Nichols introduced Dr. Marion Boenheim, the new Human Resources Officer.

- Chancellor Nichols reported that Nevada was one of five states selected to participate in the American Diploma Project. This grant is an honor and accompanies strategic planning efforts to improve K-12 standards and to use standards-based assessment results as key criteria for high school graduation, college admission, and employment decisions. Work on the grant will involve close collaboration between the UCCSN, the Governor's Office, the State Department of Education, and the business community. She thanked Vice Chancellor Dick Curry for working on the proposal with these partners under a very tight deadline.
- Regent Dondero and Chancellor Nichols participated in Governor Guinn's Summit on Tolerance, which was

held as a result of the tragic events of September 11. Chancellor Nichols spoke to the importance of UCCSN institutions serving as places of refuge, where an open exchange of ideas can take place. UCCSN campuses have responded to the challenges of September 11 in a variety of positive ways, including holding question-and-answer sessions with international students, hosting special programs for students and the general public, distributing world unity buttons, holding public memorials, and displaying educational exhibits about other cultures and religions. Chancellor Nichols expressed her pride that UCCSN institutions were sending the message that prejudice cannot live in the light of truth and information. She saluted the presidents, their staff, and students for their efforts throughout the year to heed the governor's call and to uphold the ideals of academia.

- The governor has appointed Chancellor Nichols to serve as one of Nevada's commissioners to the Western Interstate Commission on Higher Education (WICHE). She will join fellow commissioners Dr. Ray Rawson and Mr. Carl Shaff in developing strong ties to WICHE and the many partner institutions in the western states. The Chancellor also belongs to the SHEEO (State Higher Education Executive Officers) organization. She has been asked to serve on two SHEEO committees having great relevance to Nevada: A committee on K-16 education and a committee on diversity.

5. Approved-Property Purchase, UNLV – The Board approved UNLV purchasing three (3) buildings in Las Vegas located at:

- 1700 West Charleston Blvd.
- 813 Shadow Lane
- 1001 Shadow Lane

The properties will be utilized by the School of Dentistry and for expansion in other areas including Biotechnology and Biomedical related programs and research. This property consists of approximately 17.69 acres of land and three buildings, totaling 184,972 sq. ft., for a purchase price of \$13,500,000. (Ref. P on file in the Board office)

President Harter reported that UNLV would be accepting the first class of dental students in August 2002. An extraordinary response of 672 applicants was received for the 75 positions in the school; 90% of the applicants have a GPA above 3.0. They have also received 160 unsolicited applications for faculty positions yet to be advertised.

The creation of the first public dental school in the country in many years has created a great deal of national attention. The interim dean and associate dean for academic affairs have created a description of the curriculum, which has been forwarded to the accrediting body. The school must be eligible for accreditation prior to accepting the first dental students. Three clinics already in operation are providing services to underserved populations.

Discussions with health providers and Medicaid are nearly complete. The problem was providing space for these students. UNLV asked the legislature for a \$5 million capital grant plus a \$1 million grant for planning. The \$5 million capital grant was for a transitional facility for the first couple of years, with plans to return with a request for a major capital grant for the full building with clinical operating space for students and faculty. She estimated \$40 million to properly build a dental school. This opportunity came to UNLV after the legislature closed. She indicated there would be significant renovation costs, but still considerably less than building a brand new building. After UNLV receives IFC permission to apply the \$6 million grants to the EICON property, they will also propose that UNLV provide capital improvement fee funds, dental clinic net revenue, and federal funds, to bond out the entire project (approximately \$18, 750,000 in revenue bonds under the universities bonding cap). She felt it would provide a significant cost savings for the state. Two appraisals on the property were received for \$20 million and \$21 million. She asked Provost Alden to display slides of the potential property.

Dr. Alden discussed the physical layout of the property. He related that UNLV had been working on the dental school for several years since receiving Board approval 3 years ago. They have developed 3 community clinics, which are

currently operating. They applied for accreditation October 1, 2001. Facilities options for Fall 2002 include:

- UNLV main campus - classrooms and offices.
- UNLV community clinics - evenings and weekends.
- CCSN clinics and laboratories - evenings and weekends.

Dr. Alden reported that, during the first year of classes, the university expects to accommodate the first class on campus. They will run out of room by the time the second class is admitted. By Fall 2003, they anticipate 150 students and 225 students by Fall 2004. The property at 1700 W. Charleston Blvd. consists of approximately 18 acres, 3 buildings, 185,000-sq. ft., and 776 parking spaces. Purchase of the property would preempt the need for a transition building and it would be ready for students in Fall 2003. He reported that it was an excellent location approximately 5-6 miles from the main campus, located in the medical district, and midpoint between the three existing clinics. It is also less than 1 mile from the proposed Academic Medical Center site.

Dr. Alden reported that UNLV felt it represented the most economical solution and would also accommodate campus growth.

- Building A - two-stories; 82, 953-sq. ft.; built in 1988.
- Building B - two-stories; 93,519-sq. ft.; built in 1970's.
- Building C – one story; 8,560-sq. ft.; also built in 1970's.

Dr. Alden related that the advantages were that it would be ready when needed for students in Fall 2003, it is an excellent location, accommodates growth, and is the most economic solution. A Phase I Environmental Site Assessment revealed no recognized environmental conditions at the site. Some asbestos abatement will be required during renovation. Minimal costs will also be incurred to ensure ADA (American Disabilities Act) accommodations.

COSTS:

- Building and Land - \$13,500,000
- Renovation for Dental School
 - Building A = \$7,500,000.
 - Building B = \$3,750,000.
 - Equipment = \$2,000,000 first year.
- Renovation for Non-Dental:
- Building B = \$2,700,000 (Cancer and Biotech areas)

SOURCES OF REVENUE:

- Transition Building Funding = \$5,000,000.
- Institutional Funds = \$2,000,000.
- Dental School Planning = \$1,000,000.
- Federal Funds (Non-Dental) = \$2,700,000.

FINANCING:

- Total Cost = \$28,450,000.
- Revenues = \$10,700,000.
- Bond = \$18,750,000.

Chair Dondero related that she and Regent Howard toured the building and found it to be in excellent condition.

President Harter introduced Senator Ray Rawson.

Senator Rawson stated that, during the last session, legislative leadership was involved in discussions about the dental school. The \$6 million provided was for a conceptual transition to move forward with the dental school. The minutes indicate it might lock it into a specific site on campus. They have approached the LCB for a written legal opinion to use with the IFC meeting. The legal opinion found that it is appropriate for the IFC to determine the legislative intent. He felt the committee was comfortable with the opinion.

Regent Gallagher thanked Senator Rawson for coming to Fallon and asked about Medicaid collections and the culinary union contract. Senator Rawson replied that culinary patients were currently being seen. The Medicaid agreement has been reached and will soon be finalized. He anticipated \$12 million in cash flow per biennium. They have also been contracting for CHP (approximately 10,000 children). He felt there was no question about those contracts. He indicated that negotiations had been difficult, as well as federal requirements, but all was going well now.

Regent Rosenberg moved approval of the property purchase. Regent Kirkpatrick seconded.

Regent Hill expressed concern with buying another Bubba Building, acknowledging that environmental tests were performed. Mr. Anthony Flores, Vice President for Finance-UNLV, replied that assessments had been performed and more were being conducted. He related they were satisfied that the building was free of mold and required only minor asbestos abatement. Regent Hill asked about the nature of the studies being performed. Mr. Flores replied that he had that information in his file and would provide that information later. Mr. Flores stated that all of the studies performed thus far had been clean. Regent Hill asked whether the project would be abandoned should test results indicate any problems. Mr. Flores replied that they would evaluate each situation as it arose.

Regent Sisolak stated that President Harter and her staff went overboard and provided more than adequate responses to his questions. He was convinced that the real estate value provided a good safety net, adding that the building and land were worth more than what was being paid. He thanked President Harter, her staff, and Senator Rawson for providing the necessary financial details.

Regent Alden commended President Harter for forming partnerships, especially with the medical school. He felt the dental school was a worthwhile project. He also felt that more thought should be given to the organization and location of the medical school, the pharmacy school, and similar courses being taught in multiple locations. He expressed a desire to consider a combined college of learning for health science that included the School of Medicine, the pharmacy school, and the dental school. He requested a commitment from the presidents, the Chancellor, and the Board to address the possibility of the medical school having a much greater presence in Las Vegas, and sharing facilities and faculty. He suggested including University Medical Center and Sunrise Hospital. He observed that 70% of the population resided in Clark County. He encouraged the institutions to work together in partnerships and to not build empires. Chancellor Nichols replied that a comprehensive review of those questions was planned, that would take time and study. She affirmed that the System was committed to achieving the best solution. Regent Alden felt that was a good idea. He said that Dr. Harter had done a very good job. He suggested the Board should direct the Health Care Education Committee to study future directions with those three major endeavors, including the Academic Medical Center.

Regent Howard commended Senator Rawson, President Harter, and Vice President Albrecht for informing her on this issue, adding that they addressed all of her questions.

Motion carried. Regent Alden voted no.

The full Board meeting recessed at 2:15 p.m. and convened as members of the corporation for the TMCC Foundation Report.

6. Information Only-Foundation Report – The Board reviewed a presentation from the TMCC Foundation (Minutes on file in the Board office).

The meeting reconvened at 2:35 p.m. with all members present.

Chair Dondero reported that Regents Derby and Kirkpatrick recently attended an ACCT meeting in San Diego. Regent Kirkpatrick encouraged all Board members and community college presidents to attend these meetings in the future, adding that they were an excellent in-service educational opportunity. Regent Derby focused on technology in education at this meeting. She reported it had been a great gathering with not too many cancellations. She spoke with many presidents. The AGB consultant was also there to promote interest in the TMCC Presidential search. She encouraged everyone to attend the June regional meeting in Las Vegas. Chair Dondero thanked Regents Derby and Kirkpatrick for attending the meeting and their reports.

Regent Kirkpatrick asked whether Consent Agenda item #5 was related to the next item of business. Chair Dondero assured him they were not related.

7. Approved-Appointment, Interim Vice President, UNR – The Board approved the appointment of Mr. Robert Eggleston as Interim Vice President for Development and Alumni Relations of the University of Nevada, Reno at a proposed annual salary of \$120,646. Since 1991, Mr. Eggleston has been the Director of Major and Planned Giving for the university Foundation. On July 16, 2001 he was appointed Special Assistant to the President for Development and Alumni Relations. Mr. Eggleston's salary will be prorated for fiscal year 2001-02. The effective date of this appointment coincides with the date of approval by the Board of Regents. (Ref. A on file in the Board office)

President Lilley explained that the previous vice president retired shortly before he arrived. Several people on campus were interviewed for the interim position. A national search will be conducted to fill the position permanently.

Regent Hill moved approval of the appointment. Regent Gallagher seconded.

Regent Howard asked whether the appointment involved an increase in pay. President Lilley replied that it would temporarily. Regent Howard found it interesting for the Board to consider approving this hire and pay increase in a time when the governor had initiated a hiring freeze. She understood the importance of the position for UNR, adding that she would support the appointment. President Lilley stated that he understood that the governor's request was not binding upon this situation.

Regent Alden observed that a resume was not included. He asked whether Mr. Eggleston was currently working for the university and in what capacity. President Lilley replied that he was employed at the university acting as a Special Assistant for Development. Prior to that, he was in charge of major gifts. He will return to that position once the national search is completed.

Regent Alden asked about his current salary. President Lilley did not know, adding that there was a routine percentage increase for temporary appointments. Regent Alden noted that the reference material indicated an \$8,500 raise in pay and asked whether the character of his duties changed. President Lilley replied that the Special Assistant was an interim measure until this could be brought before the Board. There was no change from Special Assistant to Interim Vice President, but it was a significant change in responsibility from his prior position.

Regent Rosenberg stated that he recognized the importance of the appointments and the value of the people

involved. He felt that he could not support a raise at this point in time because raises had been denied to the presidents and the Chancellor. He indicated that he did support the concept and the appointment, but not the raise.

Chancellor Nichols explained her directive to the presidents with the hiring freeze. When the governor mandated that state agencies have a hiring freeze, she imposed a similar freeze on filling vacant positions and a delay of discretionary expenditures. She indicated that the presidents had honored that. Exceptions were permitted upon presidential discretion when a position was critical or when a search had been started. She felt that, under those circumstances, it seemed appropriate for these appointments to be filled. She noted that, with this appointment, there was a vacant position with considerable salary savings for the university to fill this critical appointment.

Regent Sisolak indicated that he also had a problem supporting the issue. He noted there had been no raises for presidents and the Chancellor. He had a hard time allowing a raise here. President Lilley related that he had spoken with the Chancellor. He understood that when a person added substantial new responsibilities, a pay increase was warranted. This person assumed this responsibility since the end of July, and has only now been provided the opportunity for a raise.

Regent Derby recognized the economic situation and the governor's request. She felt that Mr. Eggleston had been asked to take on broad new responsibilities. She noted that the Board had always compensated employees for that in the past.

Regent Alden asked about Mr. Eggleston's previous job. President Lilley replied that they were not seeking a replacement for his previous position. Regent Alden noted there was no reference material provided for either of the proposed appointments. He indicated he would support the appointment, but not the salary increase. He noted the System was facing large funding cuts to the budget due to state revenue shortfalls.

Regent Gallagher observed that this was not an increase in salary, but a whole new job. She felt that a different salary was warranted.

Regent Hill felt that the Board should not prevent presidents from filling vacant positions with existing employees. He noted that not many people would take on more responsibility for less pay. He was not happy with the current financial situation, but he was also not happy with vacant positions that could not be paid appropriately. He felt it amounted to looking for volunteers and would be a foolish management decision on the Board's part.

Regent Seastrand asked how long the position had been open. President Lilley replied that the position had been vacant since June 30th (when Dr. Paul Page retired). Regent Seastrand asked about the critical need to fill this position as well as his former position. President Lilley replied that it was absolutely critical to fill the proposed position, adding that the Foundation brought in \$15-17 million per year.

Regent Alden asked whether there was a net cost savings. President Lilley replied that there was, adding that they were paying Mr. Eggleston less than Dr. Page. Vice President for Administration and Finance-UNR, Dr. Ashok Dhingra reported a savings of approximately \$35,000 not including benefits. President Lilley related they were not filling his former position this year; and had rearranged the office to accommodate that. Regent Alden indicated that he would now support the appointment, adding that requests for appointments should include the candidate's resume and net effect to expenditures.

Regent Kirkpatrick indicated that he wanted to support the presidents. He related that he had requested resumes for vice presidents in the past. He noted that this discussion could have been avoided had a copy of the resume been provided. President Lilley promised to provide resumes in the future.

Regent Sisolak indicated that he had been persuaded to support the appointment in light of the cost savings. Regent

Rosenberg stated that he supported the appointment, especially because of the cost savings. He noted there was an equity difference between two presidents and did not support the timing of this raise. Regent Derby agreed about the equity difference between presidents. She felt this was a separate matter that merited Board approval.

Upon a roll call vote the motion carried unanimously.

8. Approved-Appointment, Vice President, UNR – The Board approved the appointment of Dr. Steven Zink to Vice President for Information Technology of the University of Nevada, Reno at a proposed annual salary of \$154,268. Dr.

Zink had served as Associate Vice President for Information Resources and Technologies and Dean, University Libraries since March 1995 and had been a member of the UNR faculty since 1980. Dr. Zink will continue to serve as Dean, University Libraries. Dr. Zink's salary will be prorated for fiscal year 2001-02. The effective date of this appointment coincides with the date of approval by the Board of Regents. (Ref. B on file in the Board office)

President Lilley explained the necessity for having one person in charge of all telecommunications and information technology. This proposal involved Dr. Zink filling two positions simultaneously and included a recommendation for a pay increase. Dr. Lilley noted that salaries for librarians and/or information officers were often more than \$200,000/year, so having one person fulfilling both duties for approximately \$150,000/year was an incredibly good deal for the university.

Regent Derby moved approval of the appointment. Regent Gallagher seconded.

Regent Sisolak asked whether one position was being eliminated. President Lilley replied that they were actually adding a half position. Dr. Zink currently fills 1½ positions. Adding the information technology responsibilities to his duties meant that he was filling two separate positions. Regent Rosenberg noted that UNR was saving a great deal of money and that it was a very good deal considering the caliber of the individual involved.

Regent Alden asked whether Dr. Zink had filled multiple positions. President Lilley replied that he had. He explained that Dr. Zink had served as the Associate Vice President for Information Technologies but had not had the additional responsibilities for telephones and administrative computing. Regent Alden asked about the amount of salary increase. President Lilley replied that his salary had been increased \$20,000. Regent Derby observed that it was wise of President Lilley to move in this direction, adding that UNR was lucky to have Dr. Zink willing to do it for such a modest salary. Regent Alden asked whether salary savings could compensate the \$20,000 increase. President Lilley replied that UNR would operate in a fiscally sound manner. There were no salary savings to cover this particular appointment.

Regent Howard asked how much a similar position at UNLV was paid. President Harter replied that UNLV had no similar position. UNLV employs a Dean of Libraries, which handles responsibility for a great deal of information technology in the library, and a separate individual for Academic and Administrative Computing. Regent Kirkpatrick observed that this person would be responsible for all technology on the university.

Regent Seastrand asked about the UNLV salary rates for those positions. President Harter replied that the Dean of Libraries earned approximately \$130,000 and the Associate Provost for Information Technology earned approximately \$120,000.

Motion carried unanimously.

9. Approved-Honorary Doctorate, UNLV – The Board approved bestowing the honorary Doctor of Laws degree upon Mr. James Bilbray at UNLV's winter commencement on Saturday, December 1, 2001. (Ref. C on file in the Board office)

Regent Sisolak moved approval of the honorary doctorate. Regent Kirkpatrick seconded.

President Harter reported that Mr. Bilbray was a Las Vegas native and former Congressman with a significant record of service to the entire UCCSN. He received his Juris Doctorate from Washington College of Law.

Motion carried unanimously.

The meeting recessed at 3:00 p.m. and reconvened at 3:25 p.m. with all members present.

10. Information Only-Handbook Revision, Admission Requirements, First-Time Freshmen, Universities – The Board discussed Handbook revisions (Title IV, Chapter 16, Sections E.3.3 and F.3.3) to policies governing grade point average and high school course requirements for admission to universities for first-time freshmen. (Ref. D on file in the Board office)

11. Information Only-Handbook Revision, Admission Requirements, Transfer Students, Universities – The Board discussed Handbook revisions (Title IV, Chapter 14, Section 12.4d and Title IV, Chapter 16, Section 2.1.c) to policies governing grade point average and minimum credit requirements for admission to universities for transfer students. (Ref. E on file in the Board office)

Regent Alden suggested that, since the Board decision would have a wide-range of effect, the information be presented with no action taken until the December Board meeting. Chair Dondero replied that she intended to hold a hearing in Las Vegas prior to a Board decision on the matter.

Chancellor Nichols stated that faculty from the two universities worked on this proposal as a result of Board planning conversations. She had previously asked the university presidents to begin a process of examining entrance requirements as part of the mission differentiation proposed by the RAND report. She noted that this proposal had the full support of the faculty from both universities. It also had the full support of the presidents and faculty senate chairs of the community colleges.

Chair Dondero stated that the Board would address both items (10-Handbook Revision, Admission Requirements, First-Time Freshmen, Universities and 11-Handbook Revision, Admission Requirements, Transfer Students, Universities) simultaneously.

Chancellor Nichols reported that admission standards were key to the master plan. Mission differentiation attempts to provide efficiencies and effectiveness so institutions can do what they do best. Efficiencies, and the resultant savings, are essential for the state to afford the number of students seeking higher education in the future. She recalled past discussions about differential costs on a per-student basis between a university, state college, and a community college. Chancellor Nichols related that the System did not want to take actions that damage/hurt students or faculty. She related that the master plan included the importance of providing pathways to success for UCCSN students. Nevada has a very poor record for retention and graduation rates. She indicated that any plan in Nevada should attempt to improve retention and graduation rates, as well as provide pathways to success for all students. She noted that this plan was dependent upon very strong transfer requirements and encouraged students to complete enough work at the community college that they would be more likely to be successful when they transfer to a four-year institution. Chancellor Nichols reported that this plan provided a transfer at 24-credits (with successful performance) or a guaranteed admission to the universities if they completed an associate degree at the community college. Statistics indicate that students, completing associate degrees at community colleges and transfer to a university, have a higher success rate for graduation from the university than first-time, full-time freshman. She related that the intent was to ensure that the university was open to all Nevada students when they were ready to be successful. Chancellor Nichols reminded Board members that the Master Plan also included an

emphasis on diversity. It addresses and calls for increased diversity in the student bodies, holds the campuses accountable for increasing the diversity of the students, and the success rate of students from diverse backgrounds. Chancellor Nichols felt it was not enough to get students in, but to also help them achieve their goals. She indicated that this plan included a way to hold institutions accountable for increasing diversity and the success rate of students from diverse backgrounds. She related that public reaction indicated that the System had inadequately described what and why the universities want to do and how protections were built in for students to be successful. She felt that more public input was required. She was supportive of Chair Dondero's proposal for a public hearing in Las Vegas to give the public a chance to learn more and to be heard.

Regent Alden reiterated that the Board would take no action that day. He asked whether it would be better to hear the university presentations or to table the matter. Chair Dondero replied that the Board should hear their information.

Regent Howard stated that she was also interested in hearing what they had to say. She referred to remarks attributed to the Chancellor in the newspaper the previous day. She observed that the Chancellor had taken a strong position on this issue prior to the Board vote. She said that the minority community was offended by her remarks, adding that the Chancellor did not understand the history of black Americans. She noted that just a few generations ago, black Americans were challenging the right to equal protection. She said that the Chancellor's remarks in the newspaper were an insult added to injury after the remarks of Mr. Mike Meyers. She appreciated that the Chancellor and the Board Chair desired community input. She was concerned about the Chancellor taking a position on an issue prior to the Board voting on it. She questioned whom the Chancellor represented (the presidents or the Board?). Chair Dondero explained that the Board was in the process of listening to all of the facts that needed to be brought forward. She assured Regent Howard that the Chancellor was only trying to bring the necessary information to the Board in order for the Board to make an intelligent decision.

Regent Gallagher stated that the Board could hear Regent Howard talking but could not understand what she said. She suggested saving Regent Howard's comments until members could get to Las Vegas and hear her clearly. Regent Howard stated that she had not heard Regent Gallagher's remarks.

Chancellor Nichols responded to Regent Howard's comments. She assured her that she was committed to diversity, the value of diversity, and had spent her life working for that. She stated that she would not accept any allegation that she was not fighting for every student, because she was. She said that she was fighting for every student to be successful and to build the best possible system that they could. She related that she took a position without a Board vote to remind the Board of the master plan and previous discussions. In that master plan there is recognition of the need for differential admissions standards. She related that she would support the Board's ultimate decision. She explained that she framed her remarks within the context they were provided. She assured Regent Howard that, should the Board desire different standards or criteria, she would support that decision. Regent Howard asked who the Chancellor represented – the college presidents or the Board of Regents. Chancellor Nichols and Chair Dondero both responded that the Chancellor represents everyone.

Regent Rosenberg stated that he had known the Chancellor for almost 20 years. One of her most valuable attributes is that she knows so much about higher education. He observed that she advises the Board, adding that he desired her best possible advice. He agreed that, if the Board decided differently, she would still work hard to support the Board. He noted that she was in a situation where she leads a system, and therefore, represented all of us. He observed that it was a very difficult job.

Chancellor Nichols said that she works for the Board of Regents and was very clear about that. She stated that she also supported the presidents and the work they do. She lauded the presidents, the faculty and the staff that worked on this proposal knowing that the Board would make the ultimate decision.

Regent Hill stated that he did not hear everything that Regent Howard said. He asked whether she was questioning whether the Chancellor was racist. Regent Howard replied that she had not intended the Chancellor, but thought maybe Regent Hill was.

Regent Sisolak requested a point of order. Chair Dondero apologized to President Harter for the interruption and asked her to continue her presentation. Regent Hill requested an opportunity to respond and Regent Sisolak noted his point of order. Chair Dondero encouraged the Board to move forward.

President Harter stated that UNLV and UNR had been discussing this proposal and many alternatives for over a year. She noted they had talked extensively with faculty, staff, and students. This proposal had the approval and endorsement of every group. The primary motivation was a desire to implement and ensure multiple paths to success for students. She observed that not all students begin their educational journey at a university. The universities are committed to making the universities ultimately accessible to virtually anyone who performs successfully in any number of different ways and venues. This proposal provided four different ways for students to enter the university should they choose to do so. She emphasized that it would be phased in over the next four years. A 3.0 GPA achieved in high school would allow direct entry to the university. She noted that students could also go to a community college and transfer to the university. Knowing that some students may not attain a 3.0 GPA in high school, other opportunities for entry have been created:

- 6% (over 200 students in each institution) of the freshman class would enter through alternative routes to admission. Those alternative routes include:
 - National test scores.
 - Essays.
 - Portfolios of artistic achievement.

Others would gain entry through the community colleges:

- Any student achieving a 2.5 GPA over 24 credits at the community college would have entrance to the university.
- Any student gaining an associates degree at any level of performance would be able to enter the university.

She said that the universities believed it was a very broad based and inclusive proposal. President Harter related that GPA was the single most important predictor of success for a university. The lower a student's high school GPA, the less likely the student was to enter their chosen major/profession and graduate in their chosen major. Many comparable institutions have similar requirements as those being proposed. She stressed that the universities were very concerned that there was equity in the proposal and that minority students were not excluded. The ethnic composition of students who would qualify under these new standards were proportional to their representation among admitted students. She stated that this proposal would not negatively affect minority groups. The universities also believed that the minority community agreed that they want minority students to succeed. She stated that the universities wanted them to be prepared to succeed.

President Lilley stated that the proposal also included elimination of the requirement to ensure computer literacy as part of the admissions process. He related that the universities were attempting to help every student succeed in this System. He noted that successful programs for outreach to under represented groups would continue, as they had proven to be a real asset in retaining students and admitting students who were prepared academically to do well. Students will still have the opportunity to demonstrate they possess the skills to succeed. He believed the proposed changes would ensure the wisest use of resources for student success.

Dr. Juanita Fain, Vice President, Administration-UNLV, stated that the two presidents had summarized the benefits

of the proposal. The computer literacy change would become effective immediately in the Fall Semester, and would eliminate an unnecessary hurdle for students. She related that the increase to the minimum GPA would better ensure that students admitted to the universities were academically prepared and ready for university-level studies. She reported that students admitted to UNLV in Fall 1998 with a 2.5–3.0 high school GPA had a college GPA of 2.34 at the end of Spring 2000. Many of those students would not be able to enter their chosen field of study with that GPA. Conversely, students entering with a 3.0 high school GPA had a 3.12 college GPA during the same period. Educational research has shown that increased admissions requirements positively impacts the student's continued enrollment and persistence to graduation.

Dr. Shannon Ellis, Vice President, Student Services-UNR, stated that data collection on first-time, full-time freshman at UNR revealed a similar trend. She related that the trend was nationwide and very relevant to student success. Students entering UNR in 1998 with a 2.5-2.75 high school GPA had an average cumulative GPA of 1.99 at the end of their 1st semester; a 2.13 GPA at the end of their 2nd semester; a 2.27 GPA at the end of their 3rd semester; and a 2.31 GPA in their final semester. Conversely, students entering with a GPA between 2.75-2.99 had a 2.37 at the end of their first two semesters and a 2.53 at the end of their next two semesters. Students entering with a 3.0-3.25 GPA ended with a 2.66 GPA at the end of their fourth semester. Students entering with a 3.25-3.49 ended with a 2.90 and students with a 3.5 or above high school GPA ended with a 3.28 college GPA at the end of each semester from Fall 1998 to Spring 2000. Students entering with less than a 3.0 high school GPA persist at a significantly lower rate than those entering with a 3.0 or above. Students with high school GPA's below 3.0 take longer to acquire a degree than those entering with a higher GPA. She related that the lower the high school GPA upon entering UNR, the lower the rate of graduation (36% vs. 11%). An increasing number of majors at both universities require at least a 2.5 GPA, with 2.75 and 3.0 not uncommon for the more rigorous courses. Raising the entrance GPA helps students admitted to the universities to have realistic expectations about being able to enter their desired major. The increased requirements may also be attractive to Nevada students who might otherwise attend out-of-state. She told the Board that she and Dr. Fain researched whether this would negatively impact students of color and found that it would not in any greater or lesser proportion in the predominant population. She assured the Board that the proposal would not in any way reduce or minimize the continued commitment to outreach, access, and diversity. She recalled the Regents' policy of allowing 6% of the prior year's freshman class to be designated as special admits. Alternate admissions criteria would be expanded to allow additional entry paths such as an optional essay and standardized test scores to offset lower GPA's. Freshmen admitted by alternate criteria would be encouraged to take advantage of support services designed to assist their academic success and persistence to graduation. She related that students not meeting the proposed criteria would still receive a quality higher education at the Nevada community colleges.

Dr. Fain reiterated that both institutions were concerned about the potential negative impact the new standards might have on multiethnic students. She stated that the ethnic composition of students affected by the new standards was not proportionately greater. Students not admitted to the universities would still be able to obtain a quality education in Nevada at the other UCCSN institutions. She acknowledged that concerns regarding the potentially negative impact of the proposed requirements on multiethnic students were appreciated and understood.

Regent Wiesner asked how many of the 6% special admits were student athletes vs. regular students. Dr. Fain replied that the percentage was not that high. The total number of special admits allowed for UNLV was 200. In Fall 2000, UNLV had a total of 33 special admits and 8 were athletes. Regent Wiesner asked whether they expected more special admits due to growth. Dr. Fain replied that they did, but UNLV had the capacity within the 6% to accommodate that. She related that they found no disproportionate number of athletes or any other group under the special criteria. Regent Wiesner asked about the percentage of student athletes currently below a 3.0. Dr. Fain replied that it was not a high percentage. They did not find a significant number of students disproportionately affected from any constituent group (athletes, fine arts, etc.). Regent Wiesner asked about the special admit process. Dr. Fain replied that UNLV used an admissions committee comprised of faculty. Students submit a letter of

request for reconsideration. The policy for having students appear before the committee was changed at UNLV about two years ago. All students must now submit a letter of request and may also include letters of recommendation from counselors.

Regent Kirkpatrick noted that the number of special admits would likely increase considerably when the GPA requirement was changed to 3.0. He was disturbed that 25% of Millennium Scholarship recipients were enrolled in remedial English. Dr. Fain and Dr. Ellis agreed that that also concerned them. Regent Kirkpatrick asked whether remedial English would still be offered. Dr. Fain replied that students would still need to take a placement test. Those students scoring low on the placement tests would need to enroll in developmental English or Math. She noted that a decision would be made where the developmental courses would be offered. Regent Kirkpatrick expressed a desire for reducing the number of remedial courses offered at the universities if the 3.0 GPA admissions requirement was adopted. He was hopeful that students in need of remedial education would be identified prior to university admission. Dr. Fain replied that that element was not included in the proposal, but could be considered in the future. Students will be encouraged to take the ACT or SAT tests prior to enrollment. Regent Kirkpatrick asked about the number of remedial English classes offered each semester. Dr. Fain replied that she was unsure of the number of classes offered, but it comprised approximately 230 FTE. Regent Kirkpatrick believed there were more students affected.

Regent Gallagher observed that this was the third time this issue had come before the Board. It has been proven that raising admissions requirements would not negatively impact minorities. She was hopeful the new standards would be adopted. She hoped that, after the public hearing, the Board would consider that the university presidents, the student affairs officers, and the Chancellor had all concluded that raising university admission requirements was the proper action. She noted that every consultant used in the last 10 years had advised the Board to increase admission standards in order to increase the quality of the two universities.

Regent Derby agreed with Regent Gallagher. She noted that she had been very supportive of increasing the universities' admission standards in order to improve quality and student success. She acknowledged the quality of teaching occurring at the community colleges. She noted that the initiation of a 4-year college would also provide students with an alternative choice.

Regent Hill asked about the number of people present who began their higher education experience at a community college. He felt the community colleges should do more to promote themselves, adding that the universities would also need to encourage students to attend the first two years at a community college. He acknowledged that many students were not ready to go directly to a university from high school, adding that community colleges could fill that need. He felt that community colleges should offer more facilities for out-of-town students. He felt it was more economical for the state to educate at the community college level. He asked about the number of students who would not seek higher education, especially if forced to attend a community college. Dr. Fain agreed that it was important to strengthen collaborative opportunities with the community colleges. She did not know the number of students who would decide not to go to college. She felt that all institutions should encourage students to stay in Nevada and go to school.

Regent Sisolak asked about the entrance requirement for Nevada State College at Henderson (NSCH). Dr. Moore replied that it would be a 2.0. Regent Sisolak was disturbed that the state college was intended to address the state's critical need for teachers and nurses, yet utilized a lower entrance GPA. Dr. Moore replied that the state college would serve students with a 2.0-2.9 GPA. He was disturbed with the prejudice of labeling people by GPA. He felt that students with a 2.0-2.9 GPA were good academic people and could become great students and great teachers. He noted that NSCH would also serve students with a higher GPA. He observed that UCLA accepted students with a 3.8-3.9 GPA, yet half of their students were enrolled in developmental English. He felt it was good to build strong writing skills. He felt that taking developmental courses did not imply that one was not a good college

student. Regent Sisolak was concerned that it appeared a stigma was attached to each institution that was grossly unfair to students and taxpayers. He expressed concern for students opting for easier courses in high school in order to qualify for the Millennium Scholarship. He was amazed at the number of high school students that work. He felt it was more difficult for students to achieve a higher GPA when they work. Dr. Ellis replied that the universities shared the same concerns. Admission criteria require high school core requirements and a GPA within the core requirements. Regent Sisolak asked why lower grades in physics and calculus weren't tolerated instead of encouraging higher grades in electives. Dr. Ellis replied that the universities would prefer students take science and math classes in order to be better prepared for college. Regent Sisolak stated that he was under the impression that some students took easier courses in order to qualify for scholarships. He was troubled with making arbitrary decisions.

Regent Rosenberg agreed there were inconsistencies. He was troubled that students qualifying for special admission might get into the university, but after taking university courses, their GPA's would drop so drastically they would be unable to qualify for their chosen field of study. Students can become overwhelmed and discouraged. He said that, when advisement was strong enough, the students could remain enrolled. He stated that a lower GPA did not indicate a poor or dumb student. He felt that public schools would help in the future and that cooperative agreements were necessary. He felt that raising admission requirements was a good idea and that the minority student population would not decrease.

Regent Howard asked why UNLV was proposing the GPA increase. Dr. Fain replied that the universities believed it was best for students to enhance their ability to persist and graduate. She related that it was a matter of academic preparation and student success, adding that GPA was the best predictor of academic success. Regent Howard disagreed, adding that it appeared to be elitism. She then asked why UNR was changing their GPA requirements. Dr. Ellis replied that the university was concerned that students entering the university were able to succeed academically and personally. Data indicates that students with lower GPA's continue to have setbacks and are lost entirely to higher education. Regent Howard asked about student athletes. Dr. Ellis replied that student athletes were treated the same as other students entering under special admit criteria. Student government also monitors the situation to ensure even distribution amongst student musicians, athletes, home-schooled students, etc. She related that all have compelling reasons to fit into that category. Regent Howard stated that she still did not understand the criteria for special admits.

Regent Derby stated that this was all about student success. She related that many great minds were mediocre students, including Albert Einstein. She noted that high school GPA did not predict life success, and was not about intelligence or capability. Most students can be successful and get good grades. She emphasized that this was about student success and not about being less smart. She felt that putting students in a place where they would achieve some success was good for everyone, including ethnic minorities. Regent Howard was concerned with campus environments. She felt that friendly environments should be created to ensure students feel comfortable. She related that most minorities she contacted would not want to go to a UCCSN institution.

Regent Alden stated that he understood the concerns of the minority community, but felt that UCCSN should not be the target. He felt that students were not doing well in Clark County due to a lack of funding.

Regent Wiesner asked whether all of the presidents and faculty senate supported the proposal. Dr. Moore replied that they all agreed it was a good idea.

President Lucey observed that the Board usually supported the presidents when they could prove that something was in the best interest of the students. She affirmed that this was in the best interest of all Nevada students. She said that students entering the university after two years at a community college would excel. She related that she recruits top high school graduates by convincing them they would receive more personalized attention at the

community college.

President Lilley related that neither of his three sons were ready for a large university experience. All took alternate routes, knowing that their parents could afford to send them back to school. He noted that most students must do well initially or they would not return.

Dr. Paul Neil stated that the UNR faculty senate was strongly in favor of the proposal, adding that it would benefit all System institutions. He felt it was also a student friendly proposal. He related that he was always disturbed by the 30% drop out rate. He noted that some students were not prepared for the university experience. He desired all students to have the opportunity to be successful and believed the proposal afforded that.

Dr. Dotty Merrill, Senior Director for Public Policy, Accountability and Assessment for the Washoe County School District (WCSD), stated that Nevada school districts had been implementing new standards since 1998 and 1999 and she supported this proposal. She believed that the proposal was the culmination of higher expectations for student achievement that began with the 1997 legislature. She felt it would benefit students because they would be better prepared for a university experience and would have the capability to persist to graduation. She believed that the proposal would further collaborative partnerships with school districts in Nevada. High expectations are necessary for academic improvement and all students benefit when the bar is raised. She said that she was looking forward to working with the UCCSN to make WCSD students aware of the challenges ahead.

Regent Kirkpatrick said that 3 or 4 Clark County administrators had opposed this proposal. He asked whether the Millennium Scholarship program and increasing GPA entrance requirements would have an impact on grade inflation in high school. Dr. Merrill replied that, ideally, grade inflation would be eliminated. She felt that this proposal would help ensure that students were taking more challenging and rigorous courses. She stated that vigorous, proactive, assertive advisement was necessary for students to take the courses that would help them succeed. She did not believe that grade inflation would increase. Regent Kirkpatrick felt the Board should know there were very few electives in high school. Dr. Merrill replied that the Nevada Administrative Code as well as graduation requirements governed electives throughout the state. She estimated there were 5½ units of elective credit. Many districts add additional requirements for students, which then reduces the number of electives. Some rural districts also have additional requirements.

Dr. Steve Carper stated that the UNLV faculty senate voted unanimously to support this proposal. He related that GPA was not a measure of intelligence, but rather a measurement of the amount of time a student put into studying for their courses. Increasing the GPA requirement was equivalent to selecting students who have the time management skills to succeed at a university.

Mr. Matthew Wolden reported that some students supported the proposal while others had expressed concern regarding bias against students of color and under privileged students. He urged the Board to carefully consider the proposal.

Ms. Rana Koran expressed support for the proposal, adding that it created a high value for the university, increased retention, and created a better academic infrastructure. She noted that it would support both graduate and undergraduate studies. She related that many graduate students at UNLV work and still succeed academically and personally. Regent Sisolak questioned the number of students that worked. Ms. Koran replied that half of the graduate students worked, adding that many undergrads also worked (80% at UNLV and 90% at UNR). She reported there were many students working at the university.

Mr. Calvin Hooks understood that increasing the GPA would increase retention as well as chances for success for incoming freshmen. He felt it would also increase the credibility of the university System by having less dropouts.

He felt it was a good start, but expressed concern that NSCH having a lower GPA requirement would be like creating a remedial state college. He recommended eliminating the 6% special admits and sending those students to the state college.

Dr. Ellis called attention to the data regarding transfer students. She related that many of the same issues applied to transfer students as well.

Chair Dondero reported there would be a public hearing before the December meeting.

12. Approved-Personnel Session - In compliance with the Family Educational Rights and Privacy Act, 20 U.S.C. 1232g and NRS 241.030, a closed session was held for purposes of a student appeal relating to the character, alleged misconduct, professional competence, or physical or mental health of a UCCSN student.

Regent Rosenberg moved approval of moving to a closed session. Regent Kirkpatrick seconded. Motion carried.

The Board moved to a closed session at 4:55 p.m. and returned to open session at 6:00 p.m. with all members present except Regent Howard.

12.2 Information Only-Return to Open Session - The Board returned to open session.

Regent Hill moved to affirm the decision of the president. Regent Wiesner seconded. Motion carried unanimously. Regent Howard was absent.

The meeting recessed at 6:05 p.m. and reconvened at 8:05 a.m. on Friday, October 19, 2001 with all members present except Regents Alden and Sisolak who were contacted via telephone. Regent Howard was absent.

Chair Dondero thanked the people of Fallon and especially the Fallon Kiwanis Club, who served breakfast for participants prior to the meeting. She also thanked Ms. Ernst and her staff for making the necessary arrangements for the meeting. She thanked the audio technicians for their assistance with the microphones and telephonic hookup, acknowledging that it had been difficult.

13. Approved-Handbook Revision, Entrance Requirements, NSCH – The Board approved a Handbook addition (Title IV, Chapter 16, New Section III) codifying admission requirements to Nevada State College at Henderson. (Ref. E on file in the Board office)

President Moore reported that high school course requirements for general admission to NSCH would include:

- English – 4 units (same as the universities).
- Math – 2 units (universities require 3 units).
- Natural Science – 2 units (universities require 3 units).
- Social Science/Studies – 3 units (same as the universities).
- High School GPA – 2.0 (universities currently require 2.5).

Regent Kirkpatrick moved approval of the Handbook revision. Regent Derby seconded.

Regent Seastrand suggested adding the word “religion” to the discrimination prohibition statement. Dr. Moore thanked him for the suggestion, adding that he would investigate its admissibility. Regent Hill reported that the definition of “creed” included religious beliefs.

Motion carried. Regent Howard was absent.

14. Information Only-Handbook Revision, UCCSN Code, Prohibited Activity –Chancellor Jane Nichols presented a first reading of a proposed Code amendment (Title II, Chapter 6, Section 6.2.2) related to prohibited activity for members of the System community. Per System policy, final action on this item will not be taken until the December 2001 Board meeting. (Ref. G on file in the Board office)

General Counsel Tom Ray recalled a recent incident that caused examination of the Code's ability to adequately address inappropriate conduct considered less heinous than "harassment, discrimination, or a hostile environment" as defined by the law. He observed there were instances when conduct was inappropriate, though not the level of legal discrimination or harassment. He related that the proposed amendment was intended to fill a gap in the Code. He acknowledged there were two sides to the issue, and encouraged discussion of concerns in order to balance the interests of those involved. He reported that the UCCSN Code was an element of each professional staff contract. The Code identifies prohibited conduct. An individual cannot be disciplined for conduct that is not clearly identified in the Code. The proposed language, "Abusive or demeaning treatment of students, fellow employees, or the public while on duty or on System premises." intended to address conduct (i.e. screaming and yelling, abusive treatment of co-workers) that could be considered inappropriate conduct. He felt that everyone could agree that it was not appropriate to abuse or demean fellow employees. He acknowledged the legitimate response for how to define "abusive" or "demeaning". He felt a broad statement was necessary in order to encompass a range of activities (i.e. the incident in Las Vegas, treatment of a staff member with yelling and screaming). Mr. Ray felt that the due process provided by the Code was the protection for false claims or misunderstandings. He felt it was important to have the ability to address conduct that everyone agreed was inappropriate in the work place. Mr. Ray related that he had discussed this proposal with faculty senate representatives and encouraged their input for changes to the language. He felt it was important to have the ability to prevent inappropriate, demeaning conduct. He reported that the most common complaint was professional staff's treatment of classified staff. He noted that prohibited conduct did not necessarily result in termination. A wide range of responses are available to address inappropriate conduct (i.e. warning, cautionary letter in employee file). He hoped to close the gap in the Code and protect mistreatment of employees, co-workers and peers.

Regent Alden established that this was the first reading for the proposed amendment. He related that he and Regent Sisolak had concerns regarding encroachment on academic freedom, the broad statement, and individual rights. He suggested relying upon guidance from the faculty senate.

Regent Seastrand asked about the penalties and/or remedies for this particular sub-section. General Counsel Ray replied there was a very formal process for any contemplated discipline:

- Administrative Code Officer (ACO) receives complaint and investigates to determine whether the charge is warranted.
- If warranted, it proceeds to a hearing. The ACO makes a recommendation, which is sent to the President for a decision.
- Depending on the nature of the charge, discipline could range from a warning, reprimand, suspension, or termination.
- Informal process under 6.6 of the Code, via the deans and vice presidents. Mediation of the discipline between the dean and the involved person.

Regent Seastrand asked who would determine when the process moved from one level to the next. Mr. Ray replied that the Hearings Officer or Special Hearing Panel would make a recommendation to the President, but it was ultimately the President's decision. With the more informal process it could be remedied at the dean or vice president level or resolved through mediation.

Regent Sisolak asked about the specific language and the affect it could have on grading papers and creating a

hostile environment. Regent Rosenberg replied that it was a question of style. He agreed that “abusive” and “demeaning” were very broad. He affirmed that his behavior when teaching was never intended to create a hostile environment, but to acquaint students with the realities of life. He acknowledged that his behavior could be determined as abusive or demeaning, but stated that he would never intentionally hurt a student. He felt the Code already addressed this matter and was unnecessary.

Regent Derby stated that she was looking for balance. She acknowledged the need presented by the Chancellor and General Counsel and that the problem most commonly occurred between professional and classified staff. She expressed a desire to have the classified staff protected from that sort of behavior. She also understood concerns about the breadth of language. She agreed that current language was not adequate, but felt more work on the language was necessary.

President Harter stated that she was deeply disturbed by the words, adding they could not be used properly in this context and were too broad. She suggested broadening the category addressing sexual harassment/hostile environment to include “hostile work or educational environment”, since they were already tested in the law. General Counsel Ray replied that “a hostile environment” had a very specific definition tied to Title VII addressing conduct affecting sex, race, or other protected category. He felt that a one-time incident not sex- or race-related would not come under that definition. He affirmed that he was not advocating the language, but hoped to arrive upon agreement that some conduct was unacceptable and language indicative of that.

Regent Howard joined the meeting by telephone.

Regent Hill observed that President Harter’s suggestion was viable. He acknowledged the dilemma of balancing freedom of speech and academic freedom vs. protecting people. He questioned determining disciplinary action for non-condoned behavior.

Mr. Rice related that the language caused grave concern amongst the faculty senate chairs and faculty. He felt the Code already addressed the spirit and the letter of the proposed amendment (i.e. subsections A-T). He recommended a Board statement affirming and reconfirming the Board’s commitment to the Code.

Dr. Michael Coray, Special Assistant to the President for Diversity-UNR, was terribly concerned about the language used in the proposal. He implored the Board to heed the advice of the faculty senate chairs. He related that he could not effectively teach history courses if the language was adopted. He felt the vague language was an oblique assault on the right of a public institution to entertain a marketplace of ideas. He suggested the policy address protecting classified staff from abuse by professional staff. He supported Dr. Harter’s recommendation, adding that the legal threshold for hostile environment was that it be severe and pervasive. He urged against disciplining behavior measured by a single incident, adding that it was not a wise policy.

Regent Kirkpatrick suggested abandoning the proposed language based upon comments received by the Board. Chancellor Nichols expressed her appreciation for the comments and concerns offered. She offered to re-word the proposal after consulting with the Presidents, faculty senate chairs and students.

Regent Howard asked about the purpose for the proposal. General Counsel Ray restated that an incident occurred in southern Nevada a few months ago, which spurred review of the Code’s ability to adequately address discipline for the incident that occurred on campus. It also raised concerns about the number of complaints regarding professional staff’s treatment of co-workers and classified employees. The intent was to address a daily problem in the office setting. He again stated that certain conduct could be agreed upon as inappropriate for the work place and he was hoping for collaboration on language that could address it. Regent Wiesner asked about the incident. Mr. Ray replied that it was the incident at CCSN.

Regent Howard asked whether General Counsel Ray had proposed the language. Mr. Ray replied that he had. Regent Howard agreed that the issue required further input.

Ms. Koran noted that graduate assistants and part-time instructing assistants were faced with many challenges when entering a classroom. She asked the Board not to make their jobs more intimidating. She felt that students benefited from an open exchange of ideas.

15. Information Only-Handbook Revision, Order of Business - This was the first reading of a request for approval of a Handbook Bylaws amendment (Title I, Chapter 1, Article V, Section 12) to eliminate the recommended order of business at each regular Board meeting. (Ref. H on file in the Board office)

Chancellor Nichols explained that the proposed change reflected current practice.

Regent Hill whether the Chair's decision could be appealed. General Counsel Ray replied that his interpretation was that any decision of the Chair could be appealed by a Board member.

Regent Alden agreed that the proposed language agreed with current Board practice, adding there were occasions when it was necessary to take agenda items out of the order presented.

Regent Sisolak asked whether the wording would apply to committee chairs as well. Chair Dondero replied that it would not. Regent Alden suggested reviewing the applicability to committee meetings as well.

16. Approved-Policy Response to U.S. Military Deployment - Chancellor Jane Nichols presented a recommendation on issues affecting students and employees regarding the national deployment of National Guard and United States military personnel. (Ref. I on file in the Board office)

Chancellor Nichols related that both policies (students and employees) would be in effect through this academic year only. She related that the matter would be brought back to the Board in the Spring, when the student policy would be extended or made permanent. The employee policy would also be re-examined, which had far greater ramifications.

Associate Vice Chancellor, Dr. Chris Chairsell, described the changes to the student policy for students in the reserve forces of the U.S. Armed Services and the Nevada National Guard. In order to qualify, student must present official military orders of activation to the appropriate university officers. A parent, guardian, or spouse may represent already activated students. The student will receive a 100% course fee refund should mobilization occur during the regular semester. Insurance and non-refundable fees are exempt. Room and board will be refunded on a prorated basis. GBC is currently exempt because of their contractual agreements with local hotels. If able to renegotiate their contract or obtain their own facilities, they will also comply. Other options will apply should the student be mobilized in the last four weeks of the semester (or the last 3-6 days of the summer session), contingent upon faculty concurrence:

- Withdrawal from courses.
- Take an early final exam.
- Request a final grade based upon work completed.
- Request an incomplete grade (with warning of difficulty for removal).

Dr. Chairsell reported that, once discharged from active duty, students have one year to meet with college officials to establish a timetable for removing the incomplete grade. Students must re-enroll within one year of return from active duty. Institutions should make every reasonable effort to get students back on track with their curricula. Students should be given peripheral enrollment rights for high-demand classes (particularly in their junior and senior year).

Time served while mobilized will not count against catalog contractual time dictated for their curriculum

requirements. When a student returns, the institution should make every reasonable effort to get students back on track should a curriculum no longer exist, be substantially changed, or courses eliminated, including transferring students to an institution offering that curriculum. Students must return scholarships upon mobilization and activation. Every effort should be made to provide an equivalent scholarship or alternative grant-in-aid upon re-enrollment when eligible (contingent upon availability of funds). Institutions must make every effort to sell back books upon activation. Students receiving grants or loans early in the semester must be notified that any course fees or room and board fees might need to be returned to the granting agency or lender. Students activated/mobilized prior to receiving their grant or loan will be advised to return the money to the grantor or lender. Financial aid officers must be notified in all cases. Institutions must also make every effort to ensure that students' families are covered by proper insurance. Spouses and dependants living in campus housing should be allowed to continue living there. Students not re-enrolling within 6 months of discharge from active duty may be required to vacate their families from campus housing. Institutions should inaugurate policies to assist negatively impacted students who are dependents, spouses, parents, or guardians of mobilized/activated personnel.

Regent Hill moved approval of the policy response to U.S. military deployment for students for the 2001-2002 academic year. Regent Kirkpatrick seconded.

Regent Kirkpatrick complimented the quality of the backup material.

Motion carried unanimously.

Chancellor Nichols reported that the second part of the proposal related to UCCSN professional employees. Professional staff receiving official orders to serve as members of federal reserve forces or the Nevada National Guard will be compensated for the difference in their UCCSN and military pay through the end of the 2001-2002 employment contract. The differential compensation will commence immediately following the 15 working days of regular compensation provided for in the Handbook, (Title IV, Chapter 3, Section 15.1). At the request of the employee, other benefits including, but not limited to, health insurance will be continued through the academic year at the same cost currently paid (in spite of four "hold-harmless" campuses). The governor issued a similar proclamation of extended military leave for active military service for state employees, which will cover classified employees.

Regent Hill moved approval of the policy response to U.S. military deployment for professional employees for the 2001-2002 academic year. Regent Rosenberg seconded.

Regent Alden requested that records be kept regarding the impact of the policy. Vice Chancellor Miles agreed it was a good point, adding they would compile the information.

Motion carried unanimously.

17. Approved-Student Fees For Unemployed - Governor Kenny Guinn has requested that the Board of Regents consider fee waivers for Nevada workers who have lost employment as a result of the economic impact of the tragedy of September 11, 2001. Chancellor Nichols reviewed and critiqued options for Board consideration.

Chancellor Nichols noted the impact to the Las Vegas tourist-based economy from the September 11th events. CCSN and UNLV have been developing creative approaches to help displaced workers. Some activities are happening immediately, while other are still in development. Some training funds are provided by the federal Workforce Investment Act, while other funds are being provided by campus resources:

- CCSN held a successful job fair at its Cheyenne campus on October 10th. More than 50 companies participated.
- The Green Valley "Helping Hands" project opened October 10. CCSN is collaborating with MGM, the Boyd

Group, the Venetian, and Park Place to help displaced workers into new employment.

- A portion of the Green Valley Tech Center is now a one-stop shop. The utility companies, Nevada Partners, M.A.S.H., Nevada State Unemployment, Red Cross, and many others have set up booths to assist and refer displaced workers.
- Computers at the Green Valley Tech Center are available for clients to access and search Joblink websites.
- Special training is being developed in cooperation with the Ministerial Alliance for workers who cannot access the Green Valley site. Locations will include the Cheyenne campus, the A.D. Guy Center, and the Western Tech Center. Nevada Partners is also interested in expanding their programs.
- The CCSN Hospitality Resource Center has opened its gaming lab to allow dealers or prospective dealers to practice.
- Several training programs are available beginning monthly.
- UNLV will expand an existing federal grant program through its Center for Workforce Development and Occupational Research in order to provide day-long workshops for displaced workers.
- The campus will produce public service announcements through the campus TV station on behalf of the unions, United Way, UNLV and CCSN to inform displaced workers about training seminars, course offerings, job fairs, and other activities.
- UNLV's Career Planning and Placement Office will provide seminars on using the World Wide Web to conduct job searches.
- UNLV will partner with CCSN to provide training programs at UNLV's Downtown Center as well as using the campus television studio to videotape seminars.
- The Boyd School of Law provides pro bono legal services through Clark County Legal Services and is conducting classes on bankruptcy and consumer credit counseling.
- Student Financial Services is pooling funds awarded to students (but not used), and will make them available to students who have lost their jobs because of the September 11th tragedy.

Tuition Assistance Proposal:

- Campuses have reviewed a number of options for fee waivers, grants-in-aid, and reduced-fee courses.
- CCSN and UNLV (the two most affected campuses) are in a hold-harmless situation.
- Budget and staffing concerns must be taken into consideration carefully.
- Verification of unemployment status is another concern.

Recommendations:

- Ø Expand the 1-for-1 program already in place on some campuses.
 - Employee or other source pays for one course, campus provides a second course free of charge.
- Expand the \$25 distance education fee for this academic year only.
- Offer non-credit short courses and seminars in computer skills and English as a Second Language.
- Campus-by-campus implementation according to ability to fund and ability to provide capacity.
- Tuition assistance programs would be provided through the end of Spring Semester 2002 only.
- Displaced workers must provide state verification of unemployment status.

Chair Dondero requested the information be made available to the Regents.

Regent Sisolak asked about the fiscal impact of this provision. Mr. Anthony Flores, Vice President, Finance-UNLV, replied that UNLV did not have a current assessment of the cost. Chancellor Nichols stated that the campuses would need to be very careful not to go beyond their fiscal capacity. System Administration is trying to develop funds to pay the fees for these courses.

Regent Hill moved approval of student fees for the unemployed. Regent Rosenberg seconded.

Regent Alden requested that records be kept regarding the impact of providing this aid. Regent Howard also requested a report on the economic impact be provided at each subsequent Board meeting.

Regent Seastrand asked about restrictions on the courses taken. Ms. Theo Byrns, Acting Vice President, Academic Affairs-CCSN, replied there were no restrictions. Generally, when using Workforce Investment Act funds, it is concentrated on a specific career path. Regent Seastrand asked how the public was being informed. Ms. Byrns replied that the casinos and unemployment agencies were referring unemployed workers to the Green Valley Tech Center. There has also been a great deal of press and newspaper coverage.

Motion carried unanimously.

18. Approved-Consent Agenda – The Board approved the Consent Agenda with the exception of item #5 (Foundation Bylaws Revision, UNR):

(1) Approved-Minutes – The Board approved the minutes from the Board's August 16-17, 2001 meeting, the workshop held August 23, 2001 and the special Board meeting held August 28, 2001.

(2) Approved-Handbook Revision, Revisions to Bylaws, UNLV – The Board approved revisions to the UNLV Bylaws (Title 5, Chapter 6, Chapters I-III). (Ref.C-2 on file in the Board office)

(3) Approved-Easement/Rights-of-Way, UNLV – The Board approved a Grant of Easement and Rights-Of-Way for Las Vegas Valley Water District. This easement was requested in connection with the construction of the softball stadium at the northeast corner of Swenson Street and Harmon Avenue on the University of Nevada, Las Vegas campus. (Ref. C-3 on file in the Board office)

(4) Approved-Workers Compensation Trust Agreement – The Board approved the Workers Compensation Trust Deposit agreement between the UCCSN and the Virginia Surety Insurance Company, as well as the establishment and funding of the Trust Deposit Agreement in the amount of \$1,200,000. (Ref. C-4 on file in the Board office)

Regent Alden moved approval of the Consent agenda with the exception of item #5 (Foundation Bylaws Revision, UNR). Regent Kirkpatrick seconded.

Regent Sisolak asked whether item #2 (Handbook Revision, Revisions to Bylaws, UNLV) meant that only tenured and tenure-track faculty would participate on the committees. President Harter replied that some faculty felt that associate deans serving on personnel committees could influence the personnel committee and the dean's decision regarding tenure, merit, or promotion recommendations. She reluctantly agreed to the proposed language, adding that the particular department or college could waive that particular provision on a yearly basis if they chose so. Regent Sisolak asked about the policy used at UNR. President Lilley replied they employed a different method.

Motion carried unanimously.

19. Approved-Naming of Building, WNCC – The Board approved of naming the new Library and Student Center at Western Nevada Community College in honor of Assemblyman Joseph Dini. Speaker Emeritus Dini has made significant contributions to the education of Nevada's citizens of all ages. (Ref. J on file in the Board office)

President Lucey reported that Assemblyman and Speaker Emeritus Joe Dini had represented the interests of all Nevada college students at the state legislature for over 30 years. He used his position to publicly support higher education throughout the state in material ways as well as with moral support. He has always found the personal

time to support and encourage young people in pursuit of their educational goals. She noted that WNCC was very grateful for his support and hoped to recognize him by naming the new Carson City library and student center in his honor. The college consulted with all parties who will use the facility as well as with members of the community. Ms. Leslie Carlen pronounced student support of the naming of the building.

Regent Gallagher supported the measure, adding that Assemblyman Dini had not only represented higher education, but had kept a statewide perspective.

Regent Gallagher moved approval of the building naming. Regent Rosenberg seconded.

Regent Seastrand agreed with the naming. He asked about missing other opportunities for fundraising with naming this building. President Lucey replied that all decisions regarding naming facilities were associated closely with WNCC's ability to raise funds.

Regent Howard was opposed to naming buildings after people while they were still alive, especially when they were still in office. She asked whether Senator Jacobsen would be offended by this naming since the building was in his district. President Lucey replied that the building was not in his district. She indicated that Senator Amodeiani and Assemblywoman Parnell both strongly supported it.

Regent Sisolak asked about an inventory of buildings already named. Chancellor Nichols replied there were no buildings or rooms within the System named for Mr. Dini. Regent Sisolak asked about streets named for Mr. Dini. Chancellor Nichols replied there were no streets, buildings, libraries, or bricks named for him.

Regent Alden felt it was wrong to name buildings, streets, roads, etc. after those in public office. He felt it was bad public policy. No disrespect was intended towards Mr. Dini.

Regent Rosenberg asked whether the Board policy could be reviewed. Chancellor Nichols replied that the Board policy was included with the reference (approved by the Board in December 1999). The building naming policy will be revisited at the December Board meeting.

Regent Wiesner suggested that the Board respectfully disagreed with Regent Alden. Chair Dondero stated that she fully supported naming the building after Mr. Joe Dini due to his years of public service. Regent Derby agreed, adding that Mr. Dini had been an enormous friend to higher education. She was glad the policy would be revisited.

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

20. Approved-Naming of Building, UNR – The Board approved of naming the College of Education building for Senator William J. Raggio. Senator Raggio has been a strong supporter of higher education, and education generally, in his years in the Legislature.

(Ref. K on file in the Board office)

President Lilley noted that Senator Raggio played a major roll in the 1986 adoption of the higher education funding formula, the 1999 revision of the formula, and was instrumental in the Nevada Education Reform Act and the creation of the Estate Tax endowment fund for UCCSN. He noted that Senator Bernice Mathews (her district) favored the naming.

Regent Hill moved approval of the building naming. Regent Gallagher seconded.

Regent Howard noted that this would be the second building within higher education named for Senator Raggio. She stated there were others within the state who also made great contributions to higher education. She supported the

proposal, adding that it was time to recognize others.

Regent Sisolak asked about buildings already named for Senator Raggio and about fundraising opportunities for the building naming. Chancellor Nichols replied there was Raggio Parkway between TMCC and DRI, UNR's Raggio Science Math and Technology Center (in the College of Education), and CCSN's William and Dorothy Raggio High Tech Center at Western High School. Chancellor Nichols observed it would be the second building named in his honor (one in Las Vegas and one in Reno). President Lilley noted that buildings were rarely named through gifts once built. He noted that UNR was seeking naming of the College of Education for a major gift (independent of naming this building).

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

Regent Sisolak requested the policy be reviewed again. Chair Dondero replied that they would.

21. Withdrawn-Revised Loan Proposal, NSCH – President Richard Moore reported that the Board had previously approved a \$700,000 loan against Estate Tax funds at the August meeting. After review, the request was reduced to \$565,000, but the Interim Finance Committee tabled action on the item until the next meeting. He formally withdrew the request in light of events on September 11th. He believed that private funds should be used for funding. He introduced NSCH Foundation chair and President of Nevada State Bank, Mr. Bill Martin.

Mr. Martin reported that private funding had been raised through the Foundation (just short of \$565,000) and he looked forward to the college opening in September 2002. Regent Alden thanked Mr. Martin for his assistance.

22. Approved-System Policy, AB 555 - Chancellor Jane Nichols reviewed Board obligations required by Assembly Bill 555, a new section of state law that permits certain individuals who have retired under the Public Employees Retirement System to be rehired into areas of critical need. The Chancellor will draft a Chancellor's Memorandum outlining the Board's position with respect to this bill. (Ref. L on file in the Board office)

Chancellor Nichols stated that this policy would permit retired employees to be rehired into areas of critical need, subject to Board approval. She noted the policy would be the same as the State's with one critical exception. Added to the System policy would be a prohibition against the retiring and immediate rehiring of UCCSN employees in their current positions (with some discretion for exceptional circumstances).

Regent Rosenberg moved approval of the System policy regarding AB 555. Regent Seastrand seconded.

Regent Sisolak asked whether this was the same policy that caused trouble with the Department of Motor Vehicles. Chancellor Nichols replied that this policy would prohibit an employee from retiring on Friday and rehired on Monday. Employees must be retired for a substantial period of time and fill a position that has encountered difficulty in filling. Regent Sisolak asked about defining "substantial". Chancellor Nichols replied that it was defined in the Chancellor's Memorandum eligibility requirements:

- Retired employees may apply for employment in positions deemed to be experiencing a critical labor shortage.
- Requests will not be approved for immediate rehiring into the same position of incumbent employees who elect to retire.
- Consideration given on a case-by-case basis.
- PERS employees must have retired with:
 - Regular members – 5 years of service at age 65, 10 years of service at age 60, and 30 years of

service at any age.

- o Police and Fire members – 5 years of service at age 65, 10 years of police/fire service at age 55, 20 years of police/fire service at age 50, and 25 years of police/fire service at any age.

Regent Sisolak asked about the length of time a person must be retired. Chancellor Nichols replied that no time period was specified. The intent was to avoid using a current employee in their current position also collecting PERS.

Regent Kirkpatrick observed that AB 555 was intended to identify retired individuals in the areas of Special Education, Math, and English. He felt the policy should be used judiciously. He noted that it would mostly affect classified staff. Regent Alden stated the policy should help prevent double dipping within the System. Chancellor Nichols explained that the Chancellor's Memorandum addressed Regent Kirkpatrick's concerns.

Regent Howard asked whether state law would supercede System policy. General Counsel Ray replied that the bill would be implemented by state regulations and System Code and policy. System classified employees would be subject to Board approval.

Chancellor Nichols stated that the bill specifically mandated that the Board of Regents handle its own employees.

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

23. Approved-Resolution 01-04, Sale of Bonds, Southern Nevada Science Center Phase II, DRI – The Board approved a resolution pertaining to the issuance and sale of revenue bonds issued for a principal amount of \$8.6 million, as well as the solicitation of a \$2.0 million bank loan for the purpose of financing a building for the Desert Research Institute and authorizing the potential refunding of certain outstanding obligations; authorizing the Vice Chancellor for Finance and Administration or the Director of Banking and Investments to arrange for the sale of the revenue bonds; and providing other matters pertaining thereto. (Ref. M on file in the Board office)

Regent Gallagher moved approval of Resolution 01-04. Regent Kirkpatrick seconded.

Regent Sisolak asked about the revenue stream. President Wells replied that the Department of Energy would have a lease on a significant portion of the building, which would cover the debt service. Regent Sisolak asked about the amount of prior expenditures. Ms. Kendra Follett, Swendseid and Stern bond counsel to the System, replied that the section was to allow reimbursement under the tax code if required. Regent Sisolak asked whether there were any reimbursable expenses. President Wells replied there were none at this point.

Motion carried unanimously.

24. Approved-Property Purchase, GBC – The Board approved of Great Basin College purchasing property at the following locations adjacent to the GBC campus to serve as residence halls: (Ref. N on file in the Board office)

- Town Park Apartments at 611 Walnut Street and 1691 College Parkway, Elko, Nevada.

Interim President Diekhans noted that the appraisal came in with a lower value so they were requesting less money.

Regent Alden noted an error in the addresses reflected in the Phase I Environmental Site Assessment and the Appraisal Summary Report. Interim President Diekhans confirmed they were misprints on the cover sheets of the reports. He reported that this proposal related to the Towne Park Apartments owned by Groupwest.

- Buildings constructed in 1988 (13 years old).
- 24 two-bedroom units (712-sq. ft.).

- 24 three-bedroom units (808-sq. ft.).
- 120 bedroom (144 beds).
- Gross building area (36,480-sq. ft.).
- Gross acreage (2.46 acres).
- Buildings are structurally sound.
- No recognized environmental concerns (no visual asbestos detected).
- Appraisal based upon market value - \$1,440,000. Groupwest will accept that even though the lien is for \$1,700,000.
- Cost per unit - \$30,000.
- Cost per square foot - \$39.47.

Regent Alden moved approval of the property purchase. Regent Gallagher seconded.

Interim President Diekhans requested permission to borrow \$1.53 million to cover the property purchase and related expenses. He reported that 51% occupancy was required to cover the payments. He was confident the properties could be easily filled. Currently the property is 60% occupied. They will remain through the Spring term. Twenty students currently living in hotel accommodations have requested permission to move subsequent to Board approval. GBC will recruit heavily to fill the vacant apartments.

Regent Seastrand asked about the projected revenue stream. President Diekhans replied that the breakeven point was 73 beds, adding that they would allow current occupants to stay as long as possible. Ms. Kendra Follett reported that the tax code required the present tenants not stay for more than one year. President Diekhans reported that \$70,000 from the bookstore, cafeteria, and vending machines could supplement the revenue stream if necessary.

Regent Sisolak asked about ADA compliance. President Diekhans replied that an electric lift would be installed and some renovation on the bathrooms was required. Regent Seastrand asked whether those costs were included in his projection. President Diekhans replied that those would be additional costs. Regent Sisolak asked about the number of units that would need to be ADA compliant. President Diekhans agreed to provide that information at a later date.

Regents Alden and Howard announced that Mr. Rick Bennett-UNLV, Mr. Fred Albrecht-UNLV, and Senator Joe Neal had joined the meeting in Las Vegas.

Regent Derby expressed a desire for having all of the information prior to approval. President Diekhans replied that he would get the information, adding that these expenses could be covered by the source previously mentioned.

Regent Howard acknowledged the importance of this facility for GBC, but was worried about their ability to fill the apartments.

Motion carried unanimously.

25. Approved-Resolution 01-05, Bank Loan, GBC – The Board approved Great Basin College securing a bank loan for the purchase of residence halls properties. (Ref. Q on file in the Board office)

President Diekhans introduced Mr. Scott Nash with Johnson Consulting. Mr. Nash related that bids were sent to various banks. The best bid came from Zion's Bank/Nevada State Bank at 4.15%. He noted that the loan would be paid with revenue generated from the apartment rentals and encouraged Board approval of the resolution.

Regent Gallagher moved approval of Resolution 01-05. Regent Rosenberg seconded.

Regent Seastrand asked about collateral for the loan. Mr. Nash replied there was no collateral on the transaction. Regent Seastrand established it was an unsecured loan.

Motion carried unanimously.

26. Information Only-Millennium Scholarship – A presentation was given on the Millennium Scholarship program, reflecting information gained after the first complete year of experience with the program. (Reference material on file in the Board office)

Associate Vice Chancellor, Dr. Sherwin Iverson, efforts were being made to identify whether students continued at any System institution. He noted that data presented was currently institutionally oriented. In 2000-2001:

- UCCSN provided \$151.1 million in all forms of financial assistance excluding the Millennium Scholarship.
- \$6.9 million was provided in Millennium Scholarship funds.
- For each \$1 in Millennium Scholarship aid provided to students there were \$22 awarded from other financial aid sources.
- To qualify for a Millennium Scholarship, students must graduate from a Nevada high school, with a 3.0 GPA, and pass all areas of the Nevada High School Proficiency Exam.
- In 1999-2000, Nevada high schools graduated approximately 13,000 students.
 - 7,300 (56%) of the graduate were eligible for the Millennium Scholarship.
- 63% of eligible graduates acknowledged receipt of the award.
 - Of those who acknowledged the receipt, 93% enrolled as Millennium Scholars.
 - 60% of the eligible Millennium Scholars enrolled in a UCCSN institution with Millennium Scholarship support.
- Millennium Scholars came from every county in Nevada – Fall 2000.
 - 80% came from Clark and Washoe counties.
 - 60% were women.
 - Approximately 50% of the class of 2000 high school graduates were women.
 - 28% of the Millennium Scholars were minority students.
 - 29% of the class of 2000 high school graduates were minority students.
- Although the overall percents of minority high school graduates and millennium Scholars are very close, the representation is specific racial/ethnic groups is not as high as desired.
- At the universities, 89% of the Fall 2000 Millennium Scholars enrolled in Spring 2001 (compared with 86% non-Millennium Scholars). 74% retained eligibility.
- At the community colleges, 81% of the Fall 2000 Millennium Scholars enrolled in Spring 2001 (compared with 6% non-Millennium Scholars). 73% retained eligibility.
- Fall 2001 - More Nevada high school graduates (3.9%), more millennium eligible graduates (7.4%), more new Millennium Scholars than in Fall 2000.

State Treasurer Brian Krolicki reported on the Millennium Scholarship fund. Nevada's portion of the tobacco settlement totaled \$1,221,673,879 to be received over the next 25 years; 40% of those funds are dedicated to the Millennium Scholarship. The current fund balance was \$19,761,007. \$6,357,360 was distributed in Fall 2001.

Regent Kirkpatrick asked about the \$5,000 gift reported. Mr. Krolicki replied that Sprint provided a cash donation. He anticipated similar donations in the future.

Regent Rosenberg asked whether the money was secure. Mr. Krolicki replied that some risks were involved. He noted that the tobacco industry was notoriously risk filled. He related there were plans to mitigate that risk.

Regent Alden asked about the forecast of available funds by year. Mr. Krolicki replied that it was unknown due to the number of variables (i.e. number of eligible scholars who will use the scholarship, investment performance, accuracy of master settlement agreement). He felt sufficient resources would be available to provide the scholarship to students through the decade.

Mr. Krolicki reported that SB 487 pertained to investment of these monies. A constitutional vagueness exists on how monies can be invested in permanent funds in Nevada. The general portfolio should be incredibly conservative, exclusively fixed income. Some funds cannot be used for 50 years. He felt investments should be diversified to include all available securities, including equity securities (stocks). Up to 25% of the Millennium trust fund can be invested in the equity markets. A decision is pending on whether funds can be invested in private corporations. Those investments will help sustain the scholarship program for a longer period of time. He noted that many factors could affect the amount of money to be received, including less smokers. A plan was created to secure future payments. Instead of relying on January and April deposits, the receivable could be sold in the market today with the money invested in a secure fund. This would eliminate future concerns for tobacco sales. Regent Seastrand asked about the year 2026. Mr. Krolicki replied that after 2025, the settlement would be in perpetuity, but they would not know the exact figures.

Mr. Krolicki reported there were 8,300 enrolled in the Nevada prepaid tuition program after 4 years. America's College Savings Plan provides a college savings option, which allows money to be used for tuition, room and board, books, fees, and graduate school with the same tax treatment. He thanked the Regents and college presidents for their help and support with this program.

Mr. Krolicki and Dr. Susan Moore, Director of the Millennium Scholarship Program, presented Chancellor Nichols with a plaque in honor of her leadership on behalf of the Millennium Scholarship program. Chancellor Nichols commented how fortunate the UCCSN was to have Governor Guinn, State Treasurer Krolicki, and Dr. Susan Moore, adding that it was a great team.

The meeting recessed at 11:05 a.m. and reconvened at 11:15 a.m. with all members present. Regent Dondero thanked Mr. and Mrs. David Henley for hosting the cocktail reception the previous evening.

27. Approved-Resolution 01-06, Sale of Bonds, UNLV – The Board approved authority to proceed with the sale of bonds totaling up to \$25 million toward the purchase for the dental school and for expansion in other areas including Biotechnology and Biomedical related programs and research. (Ref. Q on file in the Board office)

Regent Alden moved approval of Resolution 01-06. Regent Rosenberg seconded.

Regent Seastrand asked about plans for repayment. Mr. Anthony Flores, Vice President for Finance-UNLV identified two revenue streams for repayment of the bonds: projected dental practices profits and capital improvement fee funds identified for this project.

Motion carried unanimously.

28. Approved-Rainbow Gardens Land Sale, UNLV – The Board approved of UNLV negotiating the sale of property currently owned by UCCSN on behalf of UNLV. The property is located about four miles northeast of Sam Boyd Stadium adjacent to the Rainbow Gardens Geological Preserve and Lake Mead National Recreation Area. (Ref. R on file in the Board office)

President Harter reported that UNLV was given 532 acres of property in a very remote site in 1982. No longer remote, the property has become attractive to the BLM for a preservation site. She related that the property was unsuitable for campus development or for commercial purposes because it lies in a larger preservation area. It has

no utility or paved road access within several miles. The BLM desires the land for preservation purposes, but would continue to allow UNLV to use it as a natural preserve for study and use after the sale. She related that it has a large liability concern due to illegal dumping and use of the site. She reported that UNLV would like to sell the property for approximately \$2.5 –2.7 million.

Regent Seastrand moved approval of the Rainbow Gardens land sale. Regent Gallagher seconded.

Regent Kirkpatrick asked what they would do with the money from the sale. Dr. Harter indicated that \$500,000 would be dedicated to buy a machine for the Geosciences Department and \$2 million would be used to buy equipment for the dental school.

Motion carried unanimously.

29. Approved-UCCSN Sponsorship of ACCT Regional Seminar – The Board approved of UCCSN agreeing to be the sponsor of the ACCT Regional Seminar to be held in Las Vegas, Nevada June 9-12, 2002. A budget request of \$10,000 is requested to assist with seminar expenses associated with co-sponsoring the seminar.

Dr. Nichols stated that the UCCSN had been asked to be a sponsor of the regional seminar. CCSN stepped forward to be a key leader and sponsor in this event and will match this money. She related the event would take quite a bit of staff time. She felt that \$10,000 was a very modest request, which would be taken from Regent accounts.

Regent Kirkpatrick moved approval of UCCSN sponsorship of the ACCT regional seminar. Regent Rosenberg seconded. Motion carried unanimously.

30. Information Only-Master Plan Update - Chancellor Jane Nichols reported on feedback received at the recent invited roundtable with community leaders and suggested changes in the structure and focus of the draft Master Plan for Higher Education in Nevada.

Recognizing time restraints, Dr. Nichols stated there were many important decisions to be made and requested more time in December. Due to the September 11th events, the Reno roundtable was cancelled and has not yet been rescheduled. Positive feedback included strong support for the emphasis on proposed accountability. Accolades were received for the emphasis on quality, diversity and the business community expressed their appreciation for the emphasis on economic development. Concerns were expressed regarding a funding source. Even with students paying more fees and efficiencies realized, the state general fund cost would exceed available state revenues given the tax structure. Nevada's unique characteristics need to be made more explicit, especially the regional differences. Efficiencies promised by higher education need to be more explicit. A question was raised regarding whether tuition increases combined with increased financial aid really made sense. Another concern was whether quality should be ranked before quantity, or whether they should be combined. There was some skepticism about the actual public demand for more students attending higher education as projected in the report. Suggestions included:

- Include a target of hiring faculty who are members of the National Academy of Science or the National Academy of Engineering
 - Possible state matches for private gifts for endowed professorships across all disciplines.
- Build stronger partnerships with business.
- Strengthen the P-16 partnership, including several ideas for higher education and high school connections.

Chancellor Nichols reported that the state's economic picture was a concern, primarily in southern Nevada. A general air of uncertainty clouds the ability to think long term. She felt the planning effort was too important to set aside. Campus focus groups are scheduled for October and November. Valuable feedback will be incorporated in the plan. She related that feedback from the community roundtable provided valuable insights. Staff is reshaping the plan to

reflect concerns expressed. General themes include:

- Better communication of key ideas.
- Re-examine enrollment goals with more strategies for alternatives. Enrollment projections may be less than WICHE projections.
- More emphasis on internal efficiencies for low or no cost.
- Less emphasis on the cost to the state.
- Analysis of why Nevada is different and how the plan addresses this difference.

Chancellor Nichols related that, in light of the current national and economic crisis, a review of goals and the timeline was necessary with more flexibility. In spite of the uncertainties, the campuses are seriously engaged in strategic planning and are moving forward. At the December Board meeting a revised master plan will be presented reflecting feedback from all constituencies. The Board will be asked to approve the key principles, mission differentiation, general goals, accountability, benchmarks, implicate the timeline, and budget implications of the plan.

Regent Alden was concerned about decreased access and tuition policy. Dr. Kirkpatrick stated that roundtable in Las Vegas was well attended and very participatory.

31. Approved-BOR 2002 Calendar - The Board discussed and approved the sites for the Board of Regents' 2002 meeting calendar. (Ref. T on file in the Board office)

Regent Alden reported that he had requested this item with Regent Sisolak. He observed that 7 meetings were scheduled (3 in the north and 4 in the south). He proposed reducing the number of meetings to 6 (2 in Reno and 4 in Las Vegas).

Regent Sisolak stated that the time commitment required for travel made it more difficult to get to the rural locations. Regent Dondero felt it was very important for the Regents to visit the different facilities. Regent Wiesner agreed that it was part of the job. Regent Alden felt it was important to reduce meeting expenditures. He implored the Board to consider 6 meetings (2 in Reno and 4 in Las Vegas).

Dr. Derby was not convinced there was a significant cost savings with four institutions located in the north. She strongly believed it was important to have everybody present for the full Board meeting. She acknowledged that committee meetings worked acceptably with video and teleconferencing capabilities. She was unsure that this Board addressed the advocacy function of trusteeship as well as they could. Regents could not advocate for institutions they were unfamiliar with. She felt it was absolutely critical for Regents' meetings to be held at all of the campuses in spite of the travel constraints.

Regent Gallagher stated all of the people in Nevada comprised the Regents' constituencies, adding that avoiding certain institutions could suggest that those people were not important. She noted that Regents' meetings were scheduled far in advance, adding that Regents should schedule around those meetings.

Regent Rosenberg firmly believed that constituents included the students, adding that they need to see the Regents as well as the Regents need to see them.

Regent Howard supported reducing costs. She felt Reno and Las Vegas were better able to accommodate participation from Regents not in attendance.

Mr. John Patrick Rice agreed with Regents Gallagher and Rosenberg that it was very important for the Regents to make it to all of the campuses, adding that it made an incredible difference to the students to see the Regents governing.

Regent Sisolak stated that he would agree were there a huge faculty, student, or community turnout. Chair Dondero related that everyone in the audience indicated that they would prefer the Board to continue to meet at the individual campuses. Regent Sisolak asked how many Fallon faculty or students were present. Chair Dondero and Regent Rosenberg replied that some were present and some were teaching.

Regent Alden emphasized that a reduction in expenses was required. He noted the state was facing a serious revenue shortfall.

Regent Alden moved to change the meetings for 2002 to 6 meetings (2 in Reno and 4 in Las Vegas). Regent Howard seconded. Upon a roll call vote, the motion failed. Regents Alden, Howard, and Sisolak voted yes. Regents Derby, Dondero, Gallagher, Hill, Kirkpatrick, Rosenberg, Seastrand, and Wiesner voted no.

Regent Kirkpatrick moved approval of the Board's 2002 meeting sites as presented. Regent Gallagher seconded.

Regent Kirkpatrick stated that he did not enjoy getting up early and traveling to meetings, but knew what the job entailed when he was elected. He felt it was important to travel to the different locations. He felt the meetings could be structured so that meetings would be shorter in the more remote locations. He noted there were many things he did that he did not enjoy that he felt were part of his duty as a Regent.

Regent Howard asked whether this matter had been voted upon. Chair Dondero replied that they had not. Chair Dondero again thanked the Kiwanis members who arose very early in the morning to prepare the pancake breakfast, as well as all of the people who went out of their way to ensure the Board had a good meeting. She stressed the importance of this to all Board members, and thanked those present. Regent Rosenberg assured the City of Fallon that Regent Alden meant no disrespect. He reiterated that the Board appreciated their extraordinary efforts to prepare the pancake breakfast for the Board and thanked them.

Regent Gallagher mentioned the excellent attendance at the reception held the previous evening. She related that such events were effective representation of the Board's constituencies.

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

32. Information Only-Agenda Supporting Documentation – A discussion was held related to supporting documentation necessary for agenda items to be considered for action.

Regent Kirkpatrick stated that he was pleased with the timely issuance of supporting documentation received for this meeting. He related that it made his job easier to have time to read the material prior to the meeting. He was hopeful these efforts would continue. He related that the Chancellor had assured the Board that she would mandate the timely submission of agenda items and reference material from the campuses. Chair Dondero stated that she too appreciated the reference documentation.

33. Approved-Campus Environment Committee Report - Chair Doug Hill reported the Campus Environment Committee met October 17, 2001. Ms. Andrea Bennett, Director of the Child Development Center at WNCC, provided a short presentation on the childcare facility, highlighting Center activities. The childcare center cares for 60-70 children each year. Many WNCC students are employed at the center, including college work-study and Regents' Award Program workers. The goal for the center this year is to gain accreditation and to start a summer camp to help ease attrition from spring to fall.

The Committee and campus representative addressed goals for this year:

- Determining retention and persistence to degree completion rates by race, gender, and ethnic categories.
- Exploring better ways to articulate standards, expectations, and coordination of goals between K-12 and
UCCSN.
- Enhancing the high school senior year and preparation for the first college year, and investigating dual credits.
- Ascertaining the degree of rem