

**BOARD OF REGENTS**  
**UNIVERSITY AND COMMUNITY COLLEGE SYSTEM OF NEVADA**  
**College of Education, Room COE 1003**  
**University of Nevada, Reno**  
**Wednesday-Thursday, March 6-7, 2002**

**Members Present:**

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

**Others present:**

Chancellor Jane Nichols  
Vice Chancellor, Finance & Administration Dan Miles  
Vice Chancellor, Academic & Student Affairs Richard Curry  
General Counsel Tom Ray  
President Ron Remington, 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 Ms. Joan McGee, 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. Charles Akers, CCSN; Ms. Deborah Faust, GBC; Ms. Michelle Lacerda, TMCC; Mr. Paul Moradkhan, UNLV; Ms. Rana Koran, UNLV-GSA; Mr. Matthew Wolden, UNR; Ms. Marilou Woolm, UNR-GSA; and Ms. Leslie Carlen, WNCC.

Chair Thalia Dondero called the meeting to order at 11:40 a.m. on March 6, 2002 with all members present except Regents Kirkpatrick and Sisolak.

**1. Oath of Office** - Newly appointed Regent Laura Hobbs took the oath of office with the Honorable Connie Steinheimer presiding. Judge Steinheimer stated that it was an honor to be present, adding that she was a proud graduate of the University of Nevada, Reno. Chair Dondero welcomed Regent Hobbs to the Board.

Regent Kirkpatrick entered the meeting.

Chair Dondero announced that the closed session scheduled for the following day had been cancelled so the meeting would begin at 8:00 a.m. the next day.

**2. Introductions** - Mr. Ron Latimer, Director of the University of Nevada Press, introduced Dr. James W. Hulse, Professor Emeritus and coauthor of a new book entitled Reinventing the System: Higher Education in Nevada, 1968-2000. Dr. Hulse has written many books and is a member of the Nevada Writers Hall of Fame. Dr. Hulse said that he was grateful to the University of Nevada, Reno for the education he received as well as for allowing him to serve as faculty. He said that he appreciated the Regents' patience while he updated the book.

Dr. Paul Neill introduced Professor Bourne Morris who will become UNR's Faculty Senate Chair upon the end of his term. Dr. Lilley introduced new GSA Student Body President Ms. Marilou Woolm.

Regent Sisolak entered the meeting.

Mr. John Patrick Rice introduced Ms. Joan McGee who was filling in for CCSN Faculty Senate Chair Mr. Ruell Fiant.

Chancellor Nichols introduced Mr. Alvin Major, II, Director of Marketing and Fund Development for ACCT. He was in Reno working with staff on details for the regional ACCT meeting in Las Vegas scheduled for June.

### **3. Information Only-Regents' Awards -**

**3.1 Approved-Closed 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 persons.

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

The meeting recessed at 12:00 noon and reconvened at 1:50 p.m. with all members present. Chair Dondero reported that items 4, 7, 8, 10, and 13 would be postponed until the following day.

**3.2 Approved-Return to Open Session** - The Board rendered a decision on the 2001 Regent Awards:

#### **A. Distinguished Nevadan Awards - (Policy: Handbook, Title 4, Chapter 1, Section 11.1)**

Regent Kirkpatrick nominated Mr. James Edward and Mrs. Alice Rae Smalley . Regent Alden seconded. Motion carried.

Regent Howard nominated Dr. William Pearson. Regent Alden seconded. Motion carried.

Regent Sisolak nominated approval of Mr. J. Terrence Lanni. Regent Kirkpatrick seconded. Motion carried.

Regent Derby nominated approval of Mr. Donald Bently. Regent Gallagher seconded. Motion carried.

Regent Hill nominated approval of Dr. Jesse Hall. Regent Rosenberg seconded. Motion carried.

#### **B. Honorary Doctorate Degrees - (Policy: Handbook, Title 4, Chapter 1, Section 11.2)**

Mr. Glenn Schaeffer, UNLV  
Dr. George Sidney, UNLV  
Mr. Michael T. (Tommy) Sands, UNR  
Mr. John Bancroft, UNR  
Mr. John D. Noble, UNR

#### **C. Honorary Associate Degrees - (Policy: Handbook, Title 4, Chapter 1, Section 11.3)**

Assemblyman Morse Arberry, Jr., CCSN  
Major General Billy McCoy, USAF (retired), CCSN  
Mr. Richard Barrows, GBC  
Mr. Kevin Melcher, GBC  
Mr. Frank and Mrs. Stephanie Burnham, TMCC  
Reverend Onie Cooper, TMCC  
Ms. Shelly Aldean, WNCC

#### **D. Regents' Scholars - (Policy: Handbook, Title 4, Chapter 1, Section 12)**

Ms. Kate E. Martin, UNLV Undergraduate  
Ms. Chiaki Brown, UNLV Graduate  
Ms. Lori Anderson, UNR Undergraduate  
Dr. Shannon Martin, UNR Graduate  
Ms. Kerri Hamrick, CCSN  
Ms. Bobbi Claytor, GBC  
Ms. Erin Lippert, TMCC  
Ms. Suzanne Lequerica, WNCC

Regent Rosenberg moved approval of the 2002 Honorary Degrees and Regents' Scholars awards. Regent Alden seconded. Motion carried.

**4. Approved-Resolution 01-12, Sale of Bonds, Fire Science Academy, UNR** - The Board approved President Lilley's request for authority to proceed with the sale of bonds totaling \$31 million to pay the costs of acquiring the existing Fire Science Academy (FSA) facilities in Carlin, Nevada pursuant to the terms of the settlement agreement entered into in August 2001. The Board of Regents, at its January 16, 2002 meeting, adopted a Resolution authorizing staff to solicit requests for proposals for underwriters for the FSA bond offering. Based on the RFP process and the recommendation of the

review committee, UBS Paine Webber was selected as the underwriter for this bond issue. Details of the process are described in the February 4, 2002 memo included with the reference material. (Ref. A on file in the Board office.)

Mr. Scott Nash, Johnson Consulting Group, reported that UBS Paine Webber was the successful bidder with a 5.30% interest rate. Mr. Nash reported that the System received an A-1 bond rating from Moody's and an AA- from Standard and Poors. The bonds qualified for bond insurance and the System purchased an insurance policy on the bonds, which yielded an AAA rating for the bonds.

Regent Gallagher moved approval of Resolution 01-12 regarding the sale of bonds for the UNR Fire Science Academy. Regent Hill seconded. Motion carried. Regent Alden voted no.

**5. Approved-Handbook Revision, Student Directory Information** - The Board approved an addition to the Board Handbook concerning student directory information (Title IV, Chapter 1, new Section 23). (Ref. C on file in the Board office.)

Chancellor Nichols stated that the proposed policy underscored the importance of FERPA compliance for all campuses. The policy also provides a description for education records and directory information. It allows institutions to limit directory information if they wish, but does not prescribe a limitation of directory information. Chancellor Nichols reported that new information was included on page 2 of 2 in Section 3-Notification Requirements. Notification must be published within the first 5 pages of the catalog and every class schedule. A common statement about the uses of directory information shall be provided on the form. The privacy statement must appear in bold face type. Institutions may add clarifying language if they wish, but they must advise students that directory information may be provided to individuals or mailing services outside the institution for a variety of purposes. A statement must be included about the student's ability to prevent their information from being shared. The policy extends the deadline to the end of the first six weeks of the Fall or Spring semester for all campuses. The deadline must be included in the academic calendar of each institution. Student directory information cannot be sold or rented for a fee by a UCCSN institution.

Regent Rosenberg moved approval of the Handbook revision concerning student directory information. Regent Kirkpatrick seconded.

Regent Hill recalled that, at the previous meeting, he had asked students to keep track of the credit card solicitations received since the last meeting in January. He related that the news media had been critical of the Board's use of student directory information. Ms. Rana Koran stated that she received 27 credit card applications (i.e. Alaska Airlines, an honorary society, and Barnes & Noble). All had an introductory rate of 0-4.9% financing for 3-6 months, increasing to 19-23% after the introductory period. She related that the lowest rate offered was from a Naval Federal Credit Union at 13.9%.

Regent Alden asked whether the policy had been reviewed by General Counsel Ray and staff. General Counsel Ray replied that it had been. Regent Alden asked whether the policy met FERPA requirements. General Counsel Ray replied that it did.

Regent Sisolak asked where the statement would be located. Chancellor Nichols replied that the statement would appear within the first five pages of all catalogs and schedules on all campuses. Regent Sisolak asked whether anything would be indicated on the enrollment/registration form. Chancellor Nichols replied there was nothing required on the enrollment/registration forms with this policy. She related that it had been discussed, but many students now register online. She said that it would take longer to implement in order for them to create a new data element and her understanding was that the Board wanted a notice. She stated that, if the Board desired this policy in addition to other elements, it would take longer to implement. She suggested beginning with this policy and then adding other elements as they were developed. Regent Sisolak stated that he had the impression they were looking at something during registration. Regent Rosenberg clarified that this policy equated to an "opt-out" solution.

Regent Sisolak asked about the sale of parental information. Chancellor Nichols replied that it was not covered under this policy and she did not remember discussion regarding that from the last meeting. Regent Sisolak stated that it had been discussed, adding that he has received calls from parents that don't like their names being used either. Chancellor Nichols said that she did not hear Board direction regarding the names of parents. Regent Sisolak stated that parents would not see the catalog and could not "opt-out". Chancellor Nichols replied that parents would also not see the registration form. She indicated that parental names were more complicated and that staff would need to work with the campuses on a proposal if the Board wished to do so.

Regent Sisolak observed there was a loophole in the terminology of selling or renting directory information for a fee, adding that it was considered a royalty or residual. He stated that the policy did not prohibit the use of student directory information for a residual. Chancellor Nichols agreed, adding that the other choice before the Board was to say that the campuses cannot enter into an agreement with any company that might yield money for the campus in terms of scholarships. She felt this proposal was a clear policy. She related that the Board could determine to ban any relationship with credit cards, but she thought the Board had been persuaded by students to allow the credit cards. Regent Sisolak stated that he did not disagree. He asked whether parents were required to provide information when students registered. Chancellor Nichols asked the presidents. President Harter requested clarification of the question. Regent Sisolak asked whether incoming freshman were required to provide parental information during registration. Dr. Juanita Fain, Vice President, Administration-UNLV, replied that

the registration form did not require parental information, but it was possible that the admissions form might request that information. She did not believe that it was a requirement if the student was at least 18 years old. Regent Sisolak stated that people assume the request is required information. He was concerned about the implication that the information was required and was unsure about the appropriateness of using parental names.

General Counsel Ray recommended that, if the motion passed, it be applied prospectively (not to any existing contracts). He was aware of one contract in existence that would be in violation of the new policy and the party to that contract expected the college to honor that contract.

Regent Howard asked whether System staff had worked with the ACLU. Chancellor Nichols replied that she had tried and the ACLU had indicated they wanted to submit a policy. Due to an illness in the family, the policy was not submitted. Chancellor Nichols related that she had subsequently received a letter from the ACLU. They want an "opt-in" only, so every student must indicate whether or not they want their information shared. The ACLU also wants a box on the registration form. Regent Howard stated that that was her position as well. She asked who created the policy. Chancellor Nichols replied that she and her staff had created the policy. Regent Howard asked why "opt-in" was not considered. Chancellor Nichols replied that, in listening to the campuses and presidents, it was her opinion that "opt-in" created so many difficulties and problems that are not necessary to protect students' rights. Those students who "opt-in" would have their names withheld from lists used for honor societies, graduation programs, and a variety of other purposes. She said it would create a variety of problems that were more difficult to cope with. Chancellor Nichols stated that this policy went beyond the FERPA requirements. Regent Howard asked whether the institutions could be required to seek Board approval prior to entering into a contract with a financial institution. Chancellor Nichols replied that the Board could make that determination. Regent Howard urged further consideration of the policy prior to Board action, adding that she felt that it should be an "opt-in" policy. Regent Alden agreed.

Dr. Paul Neil requested clarification for how the form would be completed. Chancellor Nichols stated that the institutions would have the form filled out, signed, and turned in.

Regent Howard asked about the differences. Chancellor Nichols explained that the emphasis was on making sure students understand their ability to choose and the policy also addressed the concern that students were not adequately notified. She felt the policy provided more confidence that the students would see the notification and pay attention to it.

Regent Alden agreed with Regent Howard, adding that he felt the matter should be tabled to the next meeting. He believed there were credit card vultures present and the policy was still not clear.

Regent Kirkpatrick felt the policy was an improvement, but did not object to waiting for a Board decision.

Regent Seastrand agreed the proposed policy was an improvement and suggested the use of two check boxes: one to allow students to "opt-out" of all informational opportunities and one to allow students to "opt-out" of sales to third parties.

Regent Hill proposed a friendly amendment to incorporate Regent Seastrand's suggestion for two check boxes: 1) to "opt-out" of all disclosures; and 2) to "opt-out" of commercial disclosures only. Regents Rosenberg and Kirkpatrick agreed.

Mr. Kendall Stagg with the ACLU expressed his appreciation for allowing the ACLU's input. He stated that the ACLU strongly disagreed with the System's proposal. He felt that, if the disclosure methods were technically legal, there was no doubt the disclosure methods used were repugnant of FERPA. He felt the universities should be held to a higher standard and that UCCSN's actions should be based upon principle and not technicalities. He said that just moving the disclosure statement within the same publication would not solve the problem and would not establish informed consent. He felt the burden to "opt-out" should not be placed upon the students and supported an "opt-in" policy instead. He felt that registration materials should provide a checkoff system, with an explanation of what directory information is, and providing students the opportunity to affirm that they do not object to UCCSN using their directory information for other commercial or non-commercial purposes. He felt the same privacy rights should be extended to faculty, staff, alumni, parents, and donors. He said that the Board should consider there were several students in support of the current policy, and those students were from organizations that benefit from the sale of directory information. He stated that the ACLU has heard from many students with the opposite opinion. The ACLU has also spoken with legislators who also believe that the System should employ an "opt-in" policy thereby establishing true informed consent.

Regent Hill stated that he was a card-carrying member of the ACLU and felt the organization had accomplished a number of good things. He agreed with a philosophical statement for informed consent on everything, but felt that life was too short to accomplish that. He felt the ACLU had tried to embarrass the System in any manner they could, adding that it would be better to sit down and work out a solution in a calm manner. Mr. Stagg replied that it was O.K. to disagree, adding that the fundamental fact was there were a number of students who had asked the ACLU to sue the System and the ACLU declined. He noted there was a great deal of debate whether UNLV and UNR had violated the law when they disclosed information. He said that the ACLU was trying to work with the System to ensure that concerns expressed by alumni, donors, parents and students were addressed.

Ms. Rana Koran reminded the Board that she had spoken on this issue at the last meeting. She related that students had several concerns about the issue, but were in full support of the policy. She explained that concern was expressed about the information, but more concern was expressed about going with an "opt-in" policy. She related that students don't know what they don't get. She resented the implication that she was exploiting her constituents. The general consensus among the UNLV graduate student body was that they want the opportunity for health insurance and to have their name in the graduation program. She said that students could mistakenly "opt-out" and deprive themselves of those benefits. She related that she had researched the procedures for release of student directory information, adding that the information was closely guarded and she could not imagine a negative impact to students. She supported the "opt-out" policy.

Regent Howard asked about the process used to poll graduate students. Ms. Koran replied that monthly council meetings were held and a representative from each department was polled. The major concern expressed was for developing a form that would notify students when their directory information had been accessed. Representatives also use an e-mail system to ask graduate students about their concerns. Six responses were received. They were more concerned about what directory information was and the release of their height and weight. Regent Howard cautioned Ms. Koran about using a specific process prior to stating that, "a majority of graduate students...". Ms. Koran replied that she was a highly visible representative. The graduate students have posted requests on campus for students to contact the Graduate Student Association (GSA) about their concerns. She explained that it was GSA policy not to interfere with graduate students' lives. She affirmed that graduate students were not silent on issues affecting them. Regent Howard disagreed, adding that students often do not take the time to voice their opinion. She did not feel that six responses were representative of the entire student body.

Regent Sisolak established that Ms. Koran favored the policy because students do not know what they do not get. She agreed. He asked whether she would favor the universities selling or renting the lists so students could receive more. Ms. Koran stated that she realized how heavily the information was guarded. She did not favor selling information for commercial solicitations (i.e. magazines). Regent Sisolak observed that the students were not opposed to the policy because they enjoyed some of what was being sent to them. Ms. Koran stated that students supported an option to have academic/professional information sent to them. Students would miss out on that information if they "opted-out".

Mr. Paul Moradkhan stated that the undergraduates saw one problem with the "opt-in" method. Students would be deprived of lists to validate their I.D.'s for sporting events. He said that students prefer the easiest and most convenient method. He said that students did not realize how much they would be impacted if they "opted-out".

Ms. Marilou Woolm asked the Regents to table the issue to the next meeting. She explained that, as a new president, she had not had the time to determine what the UNR graduates really want.

Mr. Fred Albrecht, Director and Vice President for University & Community Relations-UNLV, clarified that no lists were sold. He stated that ACLU implications that academic lists were sold was inaccurate. He clarified that those lists were only used to provide academic assistance to students. He cautioned that an "opt-in" policy would severely cripple Alumni Association volunteer work. He explained that it would severely curtail alumni contacts for both universities, since volunteer alumni were used for student recruitment. He related that students already have credit cards. Many valuable efforts would be severely curtailed by providing students the option to "opt-in". He recalled that insurance offered after graduation (and until the student becomes employed) would be eliminated. He affirmed that the lists were not being sold and that the students should be afforded the opportunity to make these decisions.

Chancellor Nichols suggested that staff would need to return with new language to incorporate the friendly amendment for final Board action at the next meeting.

Regent Hobbs mentioned a federal act allowing people to "opt-out". She felt the Board might be over protective in this area. She suggested the information could be provided.

Regent Howard noted that students often graduate with a high debt ratio. She did not believe that academic institutions should be promoting this type of activity.

The motion was re-read for Chair Dondero:

Regent Rosenberg moved approval of the Handbook revision concerning student directory information. Regent Kirkpatrick seconded. Regent Hill proposed a friendly amendment to incorporate Regent Seastrand's suggestion for two check boxes: 1) to "opt-out" of all disclosures; and 2) to "opt-out" of commercial disclosures only. Regents Rosenberg and Kirkpatrick agreed.

President Remington stated that, if action were delayed on this issue, CCSN would miss the deadline for printing their catalog.

Dr. Juanita Fain, Vice President, Administration-UNLV, said that two check boxes would create administrative problems. The current system would be unable to process the information, so the form would need to be hand processed. Dr. Melisa

Choroszy, Assistant Vice President, Enrollment Services-UNR, said that, in addition to the 2nd box, the Board would also need to make a determination for what is considered commercial.

President Harter stated that students failing to "opt-in" would be denied access to external scholarship companies, national and international honor societies, Who's Who organizations, health insurance companies, fee payment plan companies (fee deferrals), and graduation lists. She observed that an "opt-in" policy would deprive students of many positive opportunities, and she supported the "opt-out" policy.

Regent Derby observed that it was agreed to use an "opt-out" approach. She asked about using one or two check boxes. Dr. Fain replied that the problem was that once the box was checked there was no way for the system to process the information automatically.

Regent Seastrand stated that it was possible to use two checkboxes. He observed that the Board should determine policy and not how the policy was implemented. Vice Chancellor for Technology Mr. Van Weddle stated that it would take some time to create "opt-in" or "opt-out" options for the Student Information System, adding that it would also take several months to implement. He asked about the Board's priority for this item. Regent Seastrand said that it was not required by a certain time. Staff could work to make it possible as quickly as they are able. Mr. Weddle related that it would not be complete by the next Board meeting. His staff would need to discuss this with all of the campuses and investigate how to make it work.

Regent Rosenberg noted that the Board was still facing the question of who decides what is commercial and what is non-commercial. Dr. Choroszy stated that supplemental health insurance and other legitimate avenues could be prevented by use of the checkbox. She felt it would not serve the best interests of the students. She stated that the institutions were moving further away from providing services to students by adding administrative detail. She agreed it was difficult to define. She noted there could be commercial endeavors that were in the students' best interest and institutions could provide a disservice by not making those things available.

Regent Rosenberg stated that it was a matter of personal responsibility and what the System was trying to teach the students.

Regent Kirkpatrick was concerned about preventing names from being printed in the graduation program. He felt the policy was adequate, even though the ACLU was not happy with it.

Regent Seastrand stated that it would be easy to identify the items students would forfeit if they checked a particular box.

Regent Derby supported notifying students about supplemental health insurance. She felt that some commercial ventures could be for a student's advantage. She felt the original policy language was broad enough to accomplish the task.

The motion was re-read for Regent Howard:

Regent Rosenberg moved approval of the Handbook revision concerning student directory information. Regent Kirkpatrick seconded. Regent Hill proposed a friendly amendment to incorporate Regent Seastrand's suggestion for two check boxes: 1) to "opt-out" of all disclosures; and 2) to "opt-out" of commercial disclosures only. Regents Rosenberg and Kirkpatrick agreed.

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

Regent Kirkpatrick asked staff to return with other options for the next agenda.

Regent Rosenberg moved approval of the recommendation as written. Regent Hill seconded. Upon a roll call vote the motion carried. Regents Derby, Dondero, Gallagher, Hill, Hobbs, Kirkpatrick, Rosenberg, and Seastrand voted yes. Regents Alden, Howard, and Sisolak voted no.

The meeting recessed at 3:05 p.m. and reconvened at 3:15 p.m. with all members present except Regents Howard and Seastrand.

**6. Approved-Recommendation from GBC Presidential Search Committee** - Committee Chair Dorothy Gallagher reported that the Board of Regents' GBC Presidential Search Committee met on Friday and Saturday, February 8-9, 2002. The Regents' Committee met on Friday at 8:00 a.m. in the Berg Hall Conference Room on the GBC campus to review applicant references for the position of GBC President. The Institutional Advisory Committee met jointly with the Regents' Committee beginning at 9:00 a.m. in the Berg Conference Room. Semi-finalist candidate interviews began at 10:30 a.m. and continued through Saturday, February 9th. Each candidate was provided a tour of the campus and an opportunity to communicate with GBC and community personnel via open forums held on the campus. The Regents also met with each candidate in a social environment. Chair Gallagher reported that four well-qualified candidates were considered. The Institutional Advisory Committee voted unanimously to recommend Dr. Paul Killpatrick to the Regents' Committee. The Regents' Committee then

voted unanimously to recommend Dr. Paul Killpatrick to the full Board at the March meeting, pending successful further reference checks.

Regent Gallagher moved acceptance of the report. Regent Alden seconded.

Chair Gallagher then requested approval of the appointment of Dr. Paul Killpatrick as the new President of Great Basin College with the following terms and conditions:

- \$120,000 annual salary.
- 3-year contract, beginning June 3, 2002.
- All of the prerequisites normally provided to community college presidents.

Regent Seastrand entered the meeting.

Regent Gallagher moved approval the Committee recommendations, the appointment of Dr. Paul Killpatrick as GBC President, and acceptance of the report. Regent Alden seconded. Motion carried. Regent Howard was absent.

Regent Gallagher announced that Dr. Killpatrick was present at the meeting. Dr. Killpatrick stated that he was pleased and honored to have been chosen to serve as the president for Great Basin College, adding that he was very impressed with the college and the Elko community. He thanked the Board for their unanimous support.

**7. Approved-Recommendation from TMCC Presidential Search Committee** - Committee Chair Derby thanked the members of the TMCC Presidential Search Committee, adding that she was grateful for their hard work. Regent Derby reported the TMCC Presidential Search Committee met February 1, February 15, and March 5, 2002. During the February 1st meeting, Committee members were provided the resumes of nine applicants for the position of President of Truckee Meadows Community College. After reviewing the applications, seven semi-finalists were chosen. The process for interviewing was also discussed and meeting dates were set. On February 15th, the committees met jointly to hold interviews for TMCC President. It was noted that Dr. Ronald Field had withdrawn his name from the pool of candidates. The six remaining semi-finalist candidates were interviewed and the Regents' Committee selected three finalists to return for campus visits. They were: Dr. Cynthia Azari, Dr. Berton Glandon, and Dr. Philip Ringle. At the March 5th meeting, the committees met and reviewed the candidates. After discussion, the Advisory Committee unanimously recommended Dr. Philip Ringle to the Regents' Committee as their selection for the next President of TMCC. The Regents' Committee then unanimously voted to recommend Dr. Philip Ringle for the presidency at TMCC. Chair Derby then requested approval of the appointment of Dr. Philip Ringle as the new President of Truckee Meadows Community College with the following terms and conditions:

- \$145,000 annual salary.
- 3-year contract, beginning June 10, 2002.
- All of the prerequisites normally provided to community college presidents.

Regent Derby moved approval of the Committee recommendations, the appointment of Dr. Philip Ringle as TMCC President, and acceptance of the report. Regent Kirkpatrick seconded.

Regent Howard entered the meeting.

Regent Howard apologized for being out of the room when Dr. Killpatrick was approved. She indicated her support for Dr. Killpatrick but expressed concern for his level of pay. Chancellor Nichols replied that Board policy included a salary range for community college and university presidents. She explained that the chair of the search committee, the Board Chair, and the Chancellor consulted together to determine the employment package offered to the candidate. She related that the salary was primarily based upon the size of the institution and the candidate's experience, which had been the case with both the GBC and TMCC presidents. Regent Howard stated that sometimes the market rate was considered and expressed concern for consistency. Chancellor Nichols replied that the market was considered in terms of the size and type of the institution. She thought that Regent Howard might be referring to market-related salaries for university presidents, which related to the type of institution and comparable salaries at similar types of institutions. Chancellor Nichols acknowledged there was a difference in presidential salaries, which many felt was unfair because they all work equally hard. She indicated there was a difference in terms of the size and complexity of the institution as well as the candidate's qualifications, adding that they tried to be fair and impartial.

Regent Kirkpatrick asked about Dr. Killpatrick's salary. Regent Rosenberg replied that it was \$120,000.

Motion carried.

Regent Derby stated that Dr. Ringle was absolutely thrilled with the appointment. TMCC Faculty Senate Chair Dr. Eun Woo Chang commended Dr. Derby's strength as chair of the search committee and thanked all of the Regents and Chancellor Nichols for her support throughout the search.

TMCC Student Body President Ms. Michelle Lacerda stated that she spoke on behalf of TMCC's 11,000 students, who were ecstatic to have Dr. Ringle as their new president.

**8. Approved-Nevada State College Foundation Agreements** - The Board discussed the Nevada State College Foundation Service Agreements for consultant services and considered potential action to modify or cancel the current agreements.

Chancellor Nichols stated that the System office had reviewed the agreements. She asked the Board to provide staff the ability to correct any problems with the agreements, adding that they would work closely with the NSCH Foundation. She reported that she had asked General Counsel Ray to review the difficulties that exist with the contracts.

Regent Sisolak asked about a memo he submitted on February 14th requesting specific information about NSCH and the amount of time and money that UNR had spent on the project. He was assured the information would be available by February 28th, but he had still not received the information. Chancellor Nichols stated that it could be her error. The information was sent to her directly and she assumed the information was also sent to Regent Sisolak. She assured Regent Sisolak that the information had been received and offered to provide him a copy. Regent Sisolak was disturbed that he had requested the information, other Regents had received the information, and he was never provided a copy. He said that Regents need good information in order to make their decisions. He was upset that he had not been provided the information and now was asked to vote on the subject. Chancellor Nichols stated that the information was provided by the 28th by the institution and she had received it. She made the assumption that the information was also sent directly to the Board. She took responsibility for the action. She stated there were no items on the agenda related to that particular information. She said that she would ensure that all of the Regents received a copy of the information. Regent Sisolak stated that the information provided was not what he asked for. Chancellor Nichols stated that it provided the number of faculty and staff hours invested, as well as the activities and out-of-pocket expenses that UNR had incurred. Regent Sisolak asked about the out-of-pocket expenses. Chancellor Nichols replied that the information was provided at the end of the document. Regent Sisolak was very frustrated that he had asked for the information three weeks prior and was now asked to make a decision without benefit of having reviewed the information. Chancellor Nichols stated there were no action items on the agenda relating to this particular information. Regent Sisolak stated that he had requested the information for two years. He was frustrated that some Regents were provided with the information while others were not. He observed that he had gone out of his way to follow the new rules and was very frustrated. He said he felt that his constituents had been disserved because he had not received the information. He was unsure whether it was accidentally or intentionally withheld from him.

Regent Howard stated that there seemed to be an ongoing problem with communication, adding that she shared Regent Sisolak's concerns. She asked whether there was a remedy to assure the Regents received requested information. She said that she too had not received information she had requested, adding that it impeded her ability as a Regent. She asked General Counsel Ray what her recourse was because she was fed up. General Counsel Ray replied that the agenda item under discussion related to NSCH college contracts. He suggested that other discussion could be undertaken under New Business. Regent Sisolak asked the Chair to move to New Business in order to discuss the problem.

**9. New Business** - Regent Howard asked about her recourse when she is unable to obtain requested information. General Counsel Ray replied that certain remedies were available through the civil process when a statutory right or obligation was violated. He indicated that the discussion related to requests for information. He said that if she was not satisfied with the results, she could request a personnel session. Regent Howard asked who was responsible. General Counsel Ray replied that the Board would conduct the personnel session and could approach the subject of the session when in closed session. Regent Howard asked who was responsible for assuring that Regents' requests for information were responded to. Chancellor Nichols replied that she was. She said that the Board could conduct a personnel session about the presidents, the Chancellor, General Counsel and the Board Secretary. She indicated that those people were responsible for others who may or may not have provided the necessary information. Regent Howard said that she had been told that information requested by one Regent would be shared with all of the Regents. She observed that this has not happened on several occasions.

Regent Alden left the meeting.

Regent Kirkpatrick stated that he had called Regent Howard several times within the last ten days to discuss different fax information that had been sent to him. It was obvious that he had received the information and she had not.

Regent Sisolak said that it appeared that if one supported an issue, the information was available, but if one was not a supporter, the information was not available. Chair Dondero disagreed, adding that she too did not have a copy of the material. Regent Sisolak stated that he was trying to represent his constituents by addressing their concerns. He noted that he followed the rules and was still denied the information. He felt it was not fair for him to have to take action without benefit of the information. Chair Dondero asked whether Regent Sisolak had called the office to request the material. Regent Sisolak replied that he was told to submit requests in writing and was told not to call. He felt that both sides were not being heard. He indicated that he was ready to return to the contract discussion.

Regent Howard again asked if anything could be done to resolve the situation. Chair Dondero stated that she would sit down with the Chancellor and staff and try to resolve a method for providing information to Regent requests.



## 8. Approved-Nevada State College Foundation Agreements - (Cont'd.)

Regent Sisolak stated that, on February 4th, he requested information regarding every contract as it related to NSCH or NSCH Foundation. He was supposed to have the information by February 12th. He noted that the contracts were dated February 14th. He observed that the forms used were not independent contractor forms, adding that the people in question were actually employees. He said the UCCSN must follow IRS guidelines for them as employees, adding that such procedures were not followed (federal withholding and social security not withheld). Regent Sisolak said that he did not believe there were contracts prior to his February 4th memo. Chair Dondero asked Mr. Bill Martin to step forward.

Chancellor Nichols restated Regent Sisolak's question by asking whether the contracts were drawn up prior to February 4th. Mr. Martin replied that he did not know the exact date the contracts were created. Regent Sisolak asked about the date they were signed. Mr. Martin established that his signature was on the documents, but they were undated. He replied that he did not recall the date he signed them. Regent Sisolak asked about the date contracts were signed when President Moore dated them. Mr. Martin replied that they were all signed the same day. Regent Sisolak established that all of the contracts were signed on February 14th, after he requested the information. Mr. Martin stated that he knew nothing about Regent Sisolak's memo. He offered to answer Regent Sisolak's questions, adding that the project had quite a history. He began initially with the thought of raising money to build buildings. Later he discovered he was raising money to start a college. He explained that the Foundation took on the responsibility for creating the budget. Each category was reviewed for hiring and expenses through July 1st, when the state money would become available. The budget totaled \$608,000. He made an agreement with President Moore that Dr. Moore could make changes within categories, but could not spend more than \$608,000. He said that he did not review the contracts, but would not have known whether they complied with IRS requirements. He believed that they were proper contracts for consultants and he focused on the budget. He said that a lot of money had been raised from people who believed the college would move forward. The money had to last until July 1st. Regent Sisolak stated that he had the feeling that many of the contracts were drafted after his February 4th request. He indicated that President Moore had said that Mr. Martin signed, but did not date the contracts. Dr. Moore dated the contracts. Regent Sisolak asked whether the legal department had reviewed the contracts. Mr. Martin replied they were not reviewed by General Counsel. He explained that he and Dr. Moore were responsible for that, adding that it had not cost the taxpayers anything.

General Counsel Ray stated that he was asked to review the consulting agreements, adding that he sent a memo to the Regents with his analysis. He established that they were agreements, adding there were questions about their structure. In his opinion, the agreements did not adequately address IRS requirements regarding the employment relationship. He said there were possible ramifications with payments of benefits. He said that, at this point, he would recommend the NSCH Foundation submit 1099's showing the income paid. He offered to meet with the contractual parties to reword the contracts and to determine the degree of supervision and controls. He said that other contracts could still be structured as independent contracts. He promised to ensure the System met the necessary requirements. Regent Sisolak asked whether anyone was tracking these payments (i.e. Dr. Georgeanne Rice, 30 days @ \$1,000/day). He asked who was responsible for cataloging and analyzing the payments. Mr. Martin replied that it was a budget line item that the Foundation could keep track of, what the contract was, and how much had been paid on the contract. He said that he was unaware of the amount of work completed. Regent Sisolak asked whether Dr. Moore received any help with this. Chancellor Nichols replied that the Foundation board approved the expenditure of the funds for the contracts for these purposes. She explained that the expenditure of those funds was done directly by the Foundation. A staff member of Dr. Moore provided an accounting of the actual expenditures to the Chancellor. She related that Dr. Moore was responsible for tracking the work. She indicated that the next president would do the same. She related that Dr. Rice had been paid nothing to date, but had invoiced \$4,236.50 against her contract.

Regent Hobbs asked whether the money the Foundation raised was to explore the possibility of a college or to assure programming for the college. Mr. Martin replied that no money was provided for the period of time from when the college was approved until it opens. At one point, the Regents were going to ask the Interim Finance Committee for startup funds. The Foundation was under the impression that might not be approved, so they raised \$500,000 for startup expenses to get the college open, with the understanding that state dollars would start on July 1. Regent Hobbs asked whether the Foundation was expecting the contractual work to be done in time for the college to open its open doors. Mr. Martin replied that they did have that expectation, adding that it was not the Foundation's responsibility. He explained that the situation involved having purse strings controlling someone through money but not through any organizational lines of responsibility. He said that they did expect the people to complete the work so the school would open on time. He stated that mistakes were made on contracts daily and could easily be resolved by returning to the substance of the contract. Regent Hobbs asked whether Mr. Martin was aware if people had fulfilled their contractual obligations or whether the college might not be ready to open. Mr. Martin replied that he knew the percentage of completion based upon the payments made. Dr. Moore had tracked the amount of work completed. Regent Hobbs asked whether staff knew the answer. Regent Derby stated that the presidents report to the Chancellor. The Board had one president resign and had yet to appoint a president who would be responsible for that information.

Regent Hobbs asked whether the Board knew how much of the work had been completed. Chancellor Nichols stated that she was not originally aware of the contracts. When she recognized the System had a problem, she began to contact the contract holders to check on the nature of the relationship and the status of their work under the contracts. She said that she did have a sense of the delivery of the work to be performed, adding that she did not have a complete picture. She mentioned that some of the contracted individuals had appeared before the ARSA Committee earlier that day. She felt that

the System was on schedule with the expectations of performance for the contract work as well as for a September 3rd opening.

Regent Hobbs asked whether the Board expected the Foundation to raise a specific amount of money. She stated that she was aware that some state money was available after July 1 (\$3.8 million). She asked whether the Board was expecting the Foundation to raise even more money. Mr. Martin replied that he was not aware of any expectations placed upon the Foundation to raise money. He perceived it as a crisis situation to which the Foundation responded. He said that the Foundation had long-term expectations for raising \$10 million for a building or \$50 million for a campus. He observed that it was difficult to raise money in an environment where the media constantly criticized the president and questioned the need for the institution. He said that it had been a very difficult period, adding that it was difficult to keep moving forward. He blamed the news media for its criticism of the college. He feared delaying the project, adding that he believed in the Nevada state college system. He observed that UNLV and UNR were heading more towards research, which left a gap for students to have a 4-year opportunity. He noted that many good things were happening (model institution) that were not reported.

Chair Dondero cautioned that the conversation had strayed from the scope of the agenda item. She expressed her appreciation to Mr. Martin and the NSCH Foundation for their efforts for the college.

Regent Howard asked Mr. Martin about a fundraising plan for NSCH, recalling his statement about no expectations for raising money by the Foundation. She asked whether he had a commitment and a plan for raising more funds, adding that she had requested the information several weeks prior. Mr. Martin replied that he did. He said that he was unaware of her request. Chair Dondero again cautioned that the conversation was straying from the scope of the agenda item.

Regent Kirkpatrick stated that he appreciated Mr. Martin's work, adding that he recognized that it was not Mr. Martin's problem. He asked whether Regent Sisolak had received an answer. Regent Sisolak agreed that Mr. Martin was in a tough spot, adding that he did not expect him to provide the answers. Regent Sisolak was frustrated that his questions had not been answered, adding that he was not seeking answers from Mr. Martin. He stated that it was no reflection on Mr. Martin or what good things the Foundation was trying to accomplish. Chair Dondero stated that she had asked General Counsel and the Chancellor to review the agreements once she saw them. Regent Sisolak stated that his February 4th letter had originally requested the contracts, adding that he did not believe the contracts existed before his request. He expressed his appreciation for Chair Dondero's efforts.

Regent Derby said that she was struck by the Board's efforts over the past few years in exploring the need for a state college. She said that the Board had decided a state college should exist and that Nevada students should have a choice. She felt it also provided opportunities for the universities to raise their standards. She said that the Board studied the matter very carefully. She acknowledged there had been opposition and that existing campuses were threatened by the stretch of resources. She observed that the people who appeared before the Board had all stepped into roles in good faith to support NSCH, adding that those people had not been treated very politely. She noted that General Counsel Ray had suggested a way to remedy the contracts. She said that she was very grateful to Mr. Martin and the college Foundation for raising funds for the state college. She observed that UCCSN received no startup money from the state and the private money had made the difference. She acknowledged there had also been incredibly negative publicity. She thanked Mr. Martin and the Foundation for the good work performed in the face of a difficult climate. She suggested General Counsel Ray take the necessary steps to correct the agreements, adding the importance of expressing the Board's appreciation to the people working to make the college a reality.

Regent Seastrand stated that Mr. Martin was a volunteer and he thanked Mr. Martin for caring about the college. Regent Seastrand expressed his gratitude to Mr. Martin. He thanked Mr. Martin for financing the work that is ongoing, adding that the Board was grateful that people were working on this project and that it would be good for the people of Nevada.

Regent Gallagher stated that it was time for the Board to realize that the college had been approved at least three times and that it had also gone through the Governor's budget and the legislature. She said the college was nearly ready academically, adding that she had spoken with some of the consultants. She urged the Board to move forward, adding that the majority rules and the Board had voted. She observed that people were working for the college for little to no compensation. She asked the Board to stop criticizing the college and thanked Mr. Martin for his support.

Regent Hill acknowledged that he too had encountered clients that had trouble accurately dating their contracts. He realized that it should not happen, but recognized that it did. He said that Mr. Martin was noble and good in fighting for the future of Nevada. He acknowledged that moving forward with the college was a risk. He felt the college should open and that it would send the message that Nevada was moving forward with higher education. He related that if the Board failed to open the college it would be perceived as a failure in accomplishing higher education and that it would damage the state for many years. He thanked Mr. Martin for his commitment, his work and his time.

Mr. Martin addressed the contracts. He said that when an error occurs on a contract it was corrected and then procedures were established to ensure it did not happen again. He said that when assessing blame, Dr. Moore would be first he (Mr. Martin) would be second, and Chancellor Nichols would be third in line. He acknowledged that they did not review the contracts closely enough, adding that proper review would now occur. He apologized for the problems. He said that it was

not the essence of what was going on at the college. Chair Dondero asked Mr. Martin to convey the Board's appreciation to the Foundation members for the funds raised.

Dr. Neill stated that Dr. Moore was not acting independently with development of the academic programs. He reported that UNR was the sponsoring institution for NSCH and that Dr. Patricia Miltenberger had been working closely with Dr. Moore to define the academic programs and put them in place.

Mr. Martin said that the Foundation was a good board and they would see the project through to completion.

Regent Gallagher moved approval of having General Counsel review the contracts, work with the people with whom the contracts were made, and correct any discrepancies. Regent Rosenberg seconded.

Regent Sisolak asked whether IRS guidelines would be followed. Regent Gallagher replied that they would be. Regent Sisolak asked how completed contracts would be corrected. General Counsel Ray explained that he had asked the Foundation to report any income paid on a 1099 form to the IRS. He stated that the employer could be responsible for the tax. He said that current contracts could be revised or restructured. Regent Sisolak stated that the IRS could challenge the employer/employee relationship even after the contract was completed. General Counsel Ray stated that if the recipient reported income and taxes were paid there would be no problem. If the recipient did not report the money, the IRS could make the employer responsible for taxes.

Regent Kirkpatrick asked about including a provision in the motion for future contracts to be reviewed. Regent Gallagher replied that the Chancellor and Chair had already established that would happen. She observed that the Board did not normally have foundations funding ongoing operating expenses. She stated that it was Board policy for contracts to be reviewed by the legal department.

Regent Hill suggested that the IRS could challenge the contract even if legal counsel had approved it. He noted that it was also possible to void contracts (for work performed) and reform the document to correct any errors.

Regent Howard expressed concern about altering the contracts. She asked whether such behavior was criminal. General Counsel replied that it was not criminal. He was referring to a mutual agreement of the parties to revise the contract. He related that the new interim president would work with General Counsel Ray and the parties to the contracts to correct any discrepancies.

Motion carried. Regent Alden was absent

The meeting recessed at 4:30 p.m. and reconvened at 8:05 a.m. on Thursday, March 7, 2002 with all members present except Regents Alden and Derby.

**10. Chancellor's Report** - Chancellor Nichols introduced Dr. David Longanecker who would provide input later in the meeting on the Master Plan. Chancellor Nichols mentioned Ms. Carla Henson, Director, Human Resources-UNLV, adding that she had served as the UCCSN representative on the Public Employees Benefits Program Board for a number of years. Chancellor Nichols reported that Ms. Henson had served with great effectiveness and dignity. Ms. Henson asked to be replaced. Chancellor Nichols reported that the faculty senate chairs and the Nevada Faculty Alliance had recommended Ms. Jacque Ewing-Taylor as her replacement. Chancellor Nichols then requested a report from President Lilley.

President Lilley welcomed the Board of Regents to the University of Nevada, Reno. He reported that a recent UNR graduate in Business Logistics accepted a position in Pittsburgh. One of his new colleagues was a recent graduate of the Penn State Business Logistics program. The UNR graduate communicated to his UNR professors that his Penn State colleague was amazed at the skills he had acquired from UNR. He wrote a letter to UNR thanking his professors for the hard work they had required of him. President Lilley reported that faculty-student interactions were very important. He then discussed UNR's statewide land grant mission and the quality of UNR's research. He reported that UNR's Small Business Development Centers, Cooperative Extension Services, and the School of Medicine were all over the state making a difference in the quality of Nevadan's lives. He mentioned that he and Regent Howard spent time with members of the Clark County Cooperative Extension faculty and staff as they detailed success stories in helping disadvantaged people in Clark County. Details included:

- More than \$4 million in competitive external grants have been awarded to the Cooperative Extension Service in Clark County to expand community education programs helping youth, families, and seniors.
- \$1.3 million was received from the U.S. Department of Agriculture to prevent childhood obesity by helping childcare providers improve their nutritional practices.
- More than \$500,000 was provided by the National Center for Disease Control and Prevention to expand the Healthy Hearts program, which seeks to decrease the incidence of heart disease among African Americans.
- Over \$270,000 was received from the Nevada Division of Child & Family Services to assist nearly 400 foster youth who would lose their financial support when they turn 18.

President Lilley reported that Cooperative Extension in Clark County was working with schools, churches, social service agencies, and the justice system to make a real difference.

President Lilley stated that the research mission was also very important and provided the following highlights of faculty activities:

- In FY01 faculty received more than \$102 million for externally sponsored projects.
- Research awards total more than \$48 million.
- UNR per-faculty funding now exceeds the University of Florida, Colorado State, Iowa State, University of Nebraska, and Washington State.
- Three UNR departments (Physiology, Family Practice, and Nutrition) rank among the nations top 25 in NIH (National Institute of Health) funding.
- They are ahead of programs at Northwestern, Dartmouth, Johns Hopkins, and Stanford.

President Lilley reported the following lab successes:

- Dr. Warren Volker, Director of Obstetrics & Gynecology, School of Medicine, Las Vegas, has been featured on the Learning Channel's Maternity Ward series for his expertise in the area of infectious diseases.
- Dr. Chris Pritsos, Chairman, Department of Nutrition in Reno, has received \$2.3 million for his studies on second-hand smoke.
- Dr. Joe Hume, Chairman, Department of Pharmacology, and Dr. Burton Horowitz, Professor of Physiology and Cell Biology have received a \$9.4 million grant from NIH to develop innovative ways to solve the problem of heart arrhythmias.
- Dr. Jim Brune, Professor of Seismology, is one of the five most prominent seismologists in the world. He is a medal winner from the Seismological Society of America and continues to conduct studies in the Great Basin, Yucca Mountain and throughout the world. Dr. Brune was approved for the Regents' Researcher Award this year.
- Professor Valerie Fridland is an English professor who has received a National Science Foundation award for her work in linguistics. Her focus is the massive vowel shift occurring in the South that will one day affect dialects throughout the country.
- Professor John Cushman, Biochemistry, recently received a \$2.8 million grant to study the development of plants that are more drought and salt resistant.
- Hussein Hussein, Professor of Animal Biotechnology, has received more than \$2 million in grants for his work using the simulated chambers of cow stomachs to develop new cures for stomach cancers.
- Dale Holcombe, known as the lamb lady, has won every teaching award that UNR offers. In 2001, she was named by the Council for the Advancement and Support of Education as its Professor of the Year for the State of Nevada.
- Political Science Professor Leonard Weinberg is the world's most published author on the subject of terrorism.
- Student, Allison Pearl, graduated from the School of Medicine in May. She was a competitive skier who was paralyzed at age 18 due to surgical complications. Ms. Pearl is doing her residency in Neuroradiology at Stanford and is also competing in the Para-Olympic winter games in Salt Lake City. Her ambition is to show her patients that barriers in life can be overcome.
- Student, Katarina Hanusova, a two-time NCAA Nordic skiing champion from Nevada represented her native Czech Republic in the Salt Lake winter games. The team finished 4th.
- Graduate student, Peter Dusicka, came to Nevada to learn from the best civil engineers in the world. He is currently serving as one of the investigators in the research involving the testing of a new Oakland Bay Bridge in the UNR Earthquake Laboratory.

Regent Derby entered the meeting.

President Lilley affirmed that UNR could move to the next level with the help of great faculty and great friends.

**11. Approved-Regents' Awards** - Chair Thalia Dondero brought forward a recommendation concerning the Distinguished Nevadan ceremonies. Chair Dondero reported that after consulting with the Regents' Committee it was agreed to bring forward the following recommendations:

- Dispense with the Regents' Distinguished Nevadans Reception.
- Honor the Distinguished Nevadan's and their families at a luncheon on the day of graduation when they receive their award. The Chair of the Board and the Regent who nominated the person would present the award at graduation. The luncheon would be hosted by UNLV and UNR and would be held between the morning and afternoon ceremonies. Previous Distinguished Nevadans would also be invited to the luncheon.
- Honor the other Regents Award honorees, such as the Regents' Scholars. It is planned that, at the Honors Convocations/Awards Ceremony at each campus in the Spring, that Regents would attend and present the awards.
- Honorary Degrees are awarded by the President and their institution and the honorees will be recognized at the institution's graduation ceremony as they are presently.

Chair Dondero reported that the Committee agreed that there are many events surrounding graduation and it was difficult to have the reception without conflicting with them. It was also felt that a luncheon on the day the person was actually going to

receive the award would allow more of the family to participate in the luncheon.

Regent Kirkpatrick moved approval of the recommendations. Regent Rosenberg seconded. Motion carried. Regent Alden was absent.

**12. Approved-Handbook Revision, Naming of Buildings** - The Board approved a second revision to the amendment to the Board's policy on naming of buildings (Title IV, Chapter 10, Section 21.3). (Ref. B on file in the Board office.)

Chancellor Nichols handed out a new section (d) (on file in the Board office) regarding the waiving of limitations. She explained that it was determined from the previous meeting that the Board wanted discretion to waive any limitations contained in sections (b) and (c).

Regent Rosenberg moved approval of the Handbook revision concerning the naming of buildings. Regent Kirkpatrick seconded.

Regent Hill asked whether it was being accepted with the changes contained in new section (d). Regent Rosenberg replied that it was.

Regent Seastrand asked about the purpose of new section (d). General Counsel Ray replied that this was contained in the policies and not in the Bylaws. He explained that the Board could suspend the policies by a majority vote. At the last meeting, it was indicated that the Regents preferred language in the policy itself recognizing the Board's discretion to waive any of the limitations.

Motion carried. Regent Alden was absent.

Regent Gallagher noted the presence of former Regent Dan Klaich.

**13. Approved-Negotiation of Property, TMCC** - The Board approved for TMCC to search for and possibly begin negotiations for replacement property of the Reno Town Mall (RTM) site. (Ref. D on file in the Board office.)

President Huneycutt provided a brief review of the history of this item. TMCC has been leasing space at Reno Town Mall since 1989. Current usable space is 48,000 sq. ft. Current programs offered at this site include academic offerings, community services, Business & Industry, and sponsored/grant funded programs. There are between 1,500-2,000 students attending state academic programs and approximately 7,000 students attending non-state programs at this site annually. Future plans include the expansion of diversity-oriented programs (i.e. ESL) and to increase workforce-training offerings. The site is located in the heart of the Hispanic/Latino population. Washoe County has an 18% growing Hispanic/Latino population. TMCC has been able to capture about 9% of that population. President Huneycutt reported that, prior to the last legislative session, TMCC explored lease purchase options, which did not prove viable. SB497, sponsored by Senators Mathews and Raggio, was created, which allowed TMCC to convert the lease payment to a general obligation bond debt service. That bill provided the ability to purchase RTM or a similar facility with an \$8.5 million general obligation bond. The RTM owner's asking price was \$8 million, which was declined by TMCC. An outside negotiator was hired who was very familiar with this type of transaction. A thorough study of the building ensued. When a new engineering study revealed \$1.6 million in deferred maintenance, TMCC conducted comparable site studies. In addition to the high cost, the RTM also carried property restrictions:

- 15-year sublease on the northern stores would have restricted TMCC expansion of programs.
- Parking became an issue with a requirement for students to park in the back of the property. The rear entrance required ADA access improvements and would cost additional land to accommodate parking requirements.

President Huneycutt reported that TMCC's new appraisal of the situation brought their offer down to \$4.7 million and negotiations reached a standstill. The owners counter-offered \$7.2 million, which she still felt was not credible. The lease came due on December 21, 2001 and TMCC now has a month-to-month lease with the owners. Discussions are ongoing regarding a semester-to-semester option. The owner wants TMCC to take a long-term lease without a funding out clause, which was not recommended by General Counsel. She felt the owner's proposition was not in the best interests of TMCC or its students.

President Huneycutt then reported on alternative site requirements. SB497 funds do not allow for new construction, but would allow the purchase of a similar facility (mall or commercial property). The market focus remains concentrated on the same ethnically diverse population in a south-central location. Student access and safety concerns as well as the potential for growth remain a priority. President Huneycutt stated that Hispanic/Latino students did attend the main campus, but they preferred the Neil Road area. TMCC wants to get them involved in beginning classes with the hope they will continue with other classes at the main campus. She asked the Board to approve TMCC negotiating alternate site(s) for a replacement facility for the Reno Town Mall Education Center. She related that General Counsel Ray and Chancellor Nichols had advised her to request permission before taking this next step. She assured the Board that TMCC would perform the same due diligence with any new potential sites.

Regent Gallagher moved approval of the property negotiation for TMCC. Regent Derby seconded.

Regent Sisolak stated that his major concern was with the parking issue. President Huneycutt stated that she was only trying to provide notice on a prospective site. She said that the owners were willing to assist TMCC with that particular site, adding that there was additional land. She reported that the owner would place the need for additional parking spaces in the property package. He asked whether she had a diagram depicting the site. She said that she did not, adding that she recognized that the southern Regents were not as familiar with the area. She reported that the sites were within 2 miles of the RTM site and actually closer to the Hispanic population than the RTM site. Regent Sisolak stated that there were not many parking spaces depicted. He asked how many spaces there were. President Huneycutt replied there were 375 spaces for 90,000-sq. ft. of office space. She reported they now had 48,000-sq. ft. at RTM. This property would double the amount of space for additional programs. The site she discussed with Regent Sisolak had two, much newer buildings than the RTM site. She indicated that she had not spoken to the owners yet. Regent Sisolak established that half of the building was rented and asked how many spaces they used. President Huneycutt replied they used 70 spaces. She stated that TMCC operates from 7:30 a.m. to 10:00 p.m. and would not fill the parking spaces immediately. She was assured they would be able to acquire additional parking for the original negotiation. She reported that the property was across from a large mall and near St. Mary's. TMCC would work with those entities to allow student parking. Regent Sisolak asked about the liability if students parked away from the TMCC structure. General Counsel Ray replied that he would not view that as a liability issue, adding that he would want a written arrangement with the adjoining properties. President Huneycutt stated that one of the particular interests for staying in this area was that most of the underrepresented groups TMCC was trying to serve do not travel by car, but rather by the bus system, which does access this site.

Regent Seastrand clarified that the Board was only granting permission for TMCC to negotiate with other potential properties. President Huneycutt agreed.

Regent Derby stated that she was very excited about one of the sites under consideration because of its proximity to the underrepresented Hispanic population. She clarified that the Board was only granting authority for TMCC to negotiate alternative sites.

Regent Hill stated that if there was inadequate parking it would likely not be selected as the site. He did not object to TMCC negotiating for alternative sites.

Motion carried. Regent Alden was absent.

**14. Approved-Consent Agenda** - The Board approved of the Consent Agenda with the exception of items #2 (Tenure with Appointment, NSCH) and #5 (Summer 2002 Salary Schedule, NSCH), which were removed:

(1) Approved-Minutes - The Board approved the minutes from the WICHE Roundtable held January 7, the special meeting held January 16, and the regular meeting held January 24-25, 2002.

(3) Approved-Tenure - The Board approved tenure for the individuals listed below as recommended by the institution presidents, effective July 1, 2002.

CCSN - (Ref. C-3a on file in the Board office.)  
Dwane Aulner Christian Azar Douglas H. Baker  
Michael J.L. Connolly Clarissa M. Cota John M. Cummings  
Carlo DeFazio Rudi Eichler Lori Gallinger  
Mark Garner Janice L. Glasper Sergio A. Guzman  
Marion W. Hammond Randy Harwood Timothy James  
Martin Medvejer Edmee S. Meek John L. Metcalf  
Frieda Nilforoushan Sharon G. Peterson Christine R. Privott  
Kenneth J. Pugh Ray Thweatt Kenneth Umland  
Brian C. Wainscott Dale B. Warby Robin M. White

GBC - (Ref. C-3b on file in the Board office.)  
Patricia M. Fox Eric B. Henderson  
Patricia R. Josey Katherine Schwandt

TMCC - (Ref. C-3c on file in the Board office.)  
Judy Chilcott Patricia Cullinan Theresa Housden  
Jim New Ben Scheible Mary Stubbs

WNCC - (Ref. C-3d on file in the Board office.)  
Janeen Malkovich Aniruddha Mitra Michelle Rousselle

UNLV - (Ref. C-3e {\* Indicates tenure with promotion} on file in the Board office.)

Annette Appell\* Seyhmus Baloglu\* Pam Campbell  
Ramona Denby\* Michaelyn Haslam\* Stefan N. Karlsson\*  
Anthony LaBounty\* Susan Meacham\* Gillian Naylor\*  
Mark Odell\* Michelle Schultz\* Darryl Seale\*  
Henry Selvaraj \* Terry Spell\* An Pyng Sun\*  
Keah Tan\* Elizabeth White\* Maryann Wolverton

UNR - (Ref. C-3f {\* Indicates tenure with promotion} on file in the Board office.)

Tammy V. Abernathy\* Greg B. Arehart\* Bruno Steven Bauer\*  
George Bebis\* Rahul Bhargava\* George Borden\*  
Cynthia Brock\* Amy E. Childress\* Christine Cremo  
Jane A. Detweiler\* Susan G. Donaldson\* Dana Edberg\*  
Marta Elliott\* Isabelle Favre\* John Fildes  
Patrick C. Friman\* Yanyao Jiang\* Katherine R. McCall\*  
Paula J. Noble\* George Perreault Melissa Piasecki\*  
Patrick Ragains Marlene K. Rebori\* Margret Ressel\*  
Maurice L. Robinson James S. Sedinger\* Amy W. Shannon\*  
Judy Strauss\* Regina N. Tempel\* Tommy Thompson

(4) Approved-Handbook Revision, Academic Warning, Academic Probation & Disqualification, UNR - The Board approved of new wording for the Handbook (Title IV, Chapter 16E, Section 17.14) revising the section that describes the UNR policy on Academic Warning, Academic Probation, and Disqualification. (Ref. C-4 on file in the Board office.)

(6) Approved-Allocation of Grants-in-Aid, 2002-2003 - NRS 396.540 provides for tuition waivers for "students from other states and foreign countries, not to exceed a number equal to three percent of the total matriculated enrollment of students for the past preceding fall semester." Board policy provides for grants-in-aid for the same number of students for the payment of in-state registration fees. It should be noted that the allocations are amounts that institutions could award. In all cases funding is not sufficient to support the statutory and Board maximums. Based upon enrollment figures for Fall 2001, the officers have requested the following allocation of Grants-in-Aid for Fall 2002-2003:

IN-STATE OUT-OF-STATE

NSCH 30 30  
CCSN 1,001 1,001  
GBC 80 80  
TMCC 313 313  
WNCC 170 170  
UNLV 709 709  
UNR 429 429

(7) Approved-Resolution 01-13, Letter of Credit - The Board approved a \$1,200,000 letter of credit to act as collateral for the UCCSN workers compensation program. The issuance of an RFP for the letter of credit was approved at the January 25, 2002 Board meeting. (Ref. C-7 on file in the Board office.)

Regent Gallagher moved approval of the Consent Agenda with the exception of items #2 (Tenure with Appointment, NSCH) and #5 (Summer 2002 Salary Schedule, NSCH), which were removed. Regent Kirkpatrick seconded. Motion carried. Regent Alden was absent. Regent Rosenberg abstained.

Regent Howard asked about the items removed. Chancellor Nichols replied that the request for tenure with appointment would not be brought back to the Board, adding that the appointment would not be made with tenure. She said that she wanted time to further review the Summer 2002 salary schedule for NSCH.

**15. Approved-Community College Salary Schedule Task Force Report** - The final report and recommendations of the Community College Salary Schedule Task Force were reviewed (Bound Report on file in the Board office). The Board accepted the final report, which contained the following recommendations:

- Revise the community college academic salary schedule to include five new columns labeled "Professor", to which eligible faculty would be moved upon the award of tenure and promotion.
- A uniform plan for initial placement of faculty members at premium rates in selected fields.
- Amendments to the Board of Regents' Handbook (Title IV, Chapter 3, Sections 24, 25, and 26) that reflect the Task Force's recommendations.
- A suggestion that the Board direct the community college presidents to form campus task forces to examine current tenure, merit, and evaluation procedures.

Chancellor Nichols introduced Ms. Carolyn Collins and Ms. Mitzi Ware with CCSN, and Mr. John Patrick Rice with GBC, who were members of the Task Force.

Ms. Collins reported that when Chancellor Nichols formed the Task Force they were charged with finishing unfinished business. The process began with the 1999 PricewaterhouseCoopers study on the community college salary structure. PricewaterhouseCoopers returned with a recommendation for increasing the schedule by 9% and proposals were implemented before the last legislative session. She indicated that the community colleges were very complex; four very different institutions serving different areas with one salary schedule. The increase could not be immediately implemented because of other System priorities and the shortage of funding. She praised the Chancellor's commitment for offering competitive salaries to keep good people in the System. She reported the Task Force was bringing forward a two-prong proposal. She said that her participation on this project had been very rewarding utilizing shared governance.

Ms. Ware stated there was a real commitment to reach concession. Five new columns were added to the current salary schedule to represent "professor columns" for those receiving tenure and promotion. Each movement represents a 2.5% increase. The second part of the proposal allows initial placement flexibility. Currently the System is having a hard time hiring instructors within the limitations of the current schedule. Variance committees will be in place to review the hiring recommendations and the institution president would also need to approve the hire. She indicated that the change provided greater flexibility for hiring in competitive areas. She related that a review of merit and initial placement was also necessary.

Regent Rosenberg moved approval of the Task Force recommendations and acceptance of the report. Regent Kirkpatrick seconded.

Regent Kirkpatrick asked how much flexibility was offered. Ms. Ware replied that the Task Force did not place limits on that area, adding that the market would dictate that range. She said that it would have to be done prior to any announcement and the department would need to make the request. Regent Kirkpatrick asked whether the Task Force had considered the effect this practice would have on the morale of System faculty. Ms. Collins replied that the Task Force worked very hard on this issue knowing that faculty would raise equity issues. The Task Force discovered that existing faculty were willing to allow new faculty to be hired in a more competitive manner in order to improve the quality of the faculty, if there was a commitment to enhancing and rewarding meritorious service for benchmarks reached within a career. The faculty insisted there be no backroom deals. The salary must be approved before the position is announced. She related that it was also subject to the external standards of market value and could not be arbitrarily decided. The Chancellor's office will maintain standards and standard forms will be submitted using benchmark data. The faculty also wanted the process implemented equitably. The institutions have variance committees that make recommendations to the president. Ms. Ware stated that the additional columns allow a place for current faculty to promote to, so they would not resent new hires. Regent Kirkpatrick stated that the Task Force had done a good job on a tough issue.

Regent Howard asked how it was decided who receives 2.5% merit. Chancellor Nichols replied that the community college salary schedule was based upon a merit increase. Each faculty member receiving a particular merit rating would qualify for 2.5% merit each year as they moved up the salary schedule. The new column provides a 2.5% increase at the time of promotion from instructor to professor and at the time that tenure is granted. She related that part of the recommendation was a recommendation that each community college president form a task force to seriously review how evaluations are conducted, how merit decisions are made, and how promotion decisions are made. She noted that the community college presidents had agreed to do so, adding that the faculty have supported this method. Regent Howard asked whether the presidents determined merit. Chancellor Nichols replied that they did not, rather it was determined by the faculty member's evaluation and their rating on the evaluation, which began at the department level.

President Remington advised the Board that this was unfinished business to fulfill a 1999 promise when it was determined that this group was underpaid by 9%. He felt it was a reasonable request and commended the System office and the other presidents. He recommended Board approval.

Motion carried. Regent Alden was absent.

**16. Approved-Fire Science Academy, UNR** - The Board approved the addendum to the settlement agreement regarding the UNR Fire Science Academy.

President Lilley thanked General Counsel Tom Ray and Assistant General Counsels Mark Ghan and Mary Dugan, adding that they had worked very hard to represent the university through this negotiation process.

General Counsel Ray reported that a special Board meeting had been held to resolve the differences in the completion of the construction of the Fire Science Academy. At that time, the parties were unable to reach an agreement. Since that meeting, all parties have worked long and hard to arrive at a fair compromise of those issues. Pursuant to the statute, litigation related meetings were held where Regents were briefed on the terms of the proposal. He and President Lilley recommended approval of the addendum to the settlement agreement.



Regent Rosenberg moved approval of the addendum to the Fire Science Academy settlement agreement. Regent Sisolak seconded. Motion carried. Regent Alden was absent.

**17. Approved Part-Time Faculty Task Force Report** - The Board accepted the final report and approved recommendations of the Part-time Faculty Task Force as presented by the Chancellor (Bound Report on file in the Board office). The final report contained recommendations for the following Board actions:

- Amend Title II, Chapter 2 - UCCSN Code, Academic Freedom (first hearing; second hearing will occur at April 2002 meeting).
- Delete Title IV, Chapter 17, Section 5.3 and add Title IV, Chapter 18, new Section 6 - Grants-in-Aid for Temporary Part-time Faculty (final action requested).
- Amend Title IV, Chapter 3, Section 31 - Definitions of Part-time Faculty (final action requested).
- Include the recommended minimum part-time faculty salaries in the 2003-05 biennial budget request.

Chancellor Nichols announced the names of the members of the Part-time Faculty Task Force. She related that the Task Force reviewed national and regional data, adding that it was very clear that UCCSN part-time salaries were low. A survey was conducted of the 1,200 part-time faculty in the System. The response rate was 50% and interest among part-time faculty was very high. The Task Force tried to determine whether they were satisfied or dissatisfied working for the UCCSN and to identify problem areas. Remarkably, 70% of the respondents agreed that they were treated well and respected in their department and college. The primary issue for unhappiness was that they felt they were not compensated fairly (the only area where negative responses outweighed positive responses). Chancellor Nichols related that the majority of the part-time faculty appeared to be happy with much of their employment situation. A number of areas were identified as needing improvement. Chancellor Nichols reported that campus specific results would be shared with every president and every faculty senate member to take action on their campuses. The survey revealed that part-time faculty are highly educated, evenly split by gender, and not racially diverse (89% white). The survey indicated that 50% of the part-time faculty are currently employed in another job. Of the 568 with another job, 390 are employed full-time and 160 are employed part-time. 12% of the respondents teach at other non-UCCSN institutions. 23% of the respondents indicated they were dependent upon part-time teaching as their primary income. 18% of part-time faculty are retired and teaching for fulfillment or to supplement income.

Chancellor Nichols then reviewed the Task Force recommendations:

- Each institution maintain and report data on the number of part-time faculty hired each semester, the aggregate number of credit hours taught per semester, and the gender and race/ethnicity of its part-time faculty workforce.
- Individual institutions must address the weaknesses noted in the summary of responses for their specific institution.
- Establish a unified part-time faculty salary schedule model that is indexed to the full-time faculty salary schedule at the universities.
  - The salary schedule would establish the minimum part-time faculty salary for each type of institution.
  - Tie proposed salaries to a salary automatically adjusted. No COLA is provided currently. The regular salary schedule is adjusted annually for COLA.
  - Minimum salary for LOA - Target is \$862/credit for universities (compared with \$700/credit). Community colleges minimum target is \$776/credit (90% of university target). State college minimum target is \$819/credit (95% of the university target). Currently CCSN pays \$630/credit, TMCC pays \$600/credit, WNCC is \$480/credit, and GBC is \$400/credit.
  - Request enhancement from the legislature.
- Affirm the rights of each institution to pay different salaries based on academic discipline and/or type of course taught.
- Handbook language is just cleanup.
- Ensure that part-time faculty have academic freedom. Recommend strengthening the Code language.
- Each institution to have an established policy for mid-term termination.
- Board of Regents' Campus Environment Committee to set targets for recruitment and hiring of underrepresented part-time faculty.
- Each institution to maintain data on race, ethnicity, and gender.
- UCCSN Personnel/Benefits Committee to examine and report on recruitment procedures with recommendations for recruiting minority faculty.
- Each institution to post full-time positions and make information available to part-time faculty who wish to apply.
- Offer orientation sessions and/or handbooks.
- Offer two-semester contracts to part-time faculty, if in the best interest of the institution and faculty member.
- Provide timely information about teaching assignments, including changes to class time, location, or class rosters.
- Provide part-time faculty access to a mailbox, telephone, e-mail account, campus publications, library resources, offices supplies and a secure place to store belongings.
- Provide part-time faculty with credentials for access to e-mail accounts, library holdings, computer labs, and other services.
- Provide designated space for part-time faculty to meet with students.

- Each institution to work toward providing a designated space in which part-time faculty can meet privately with students, including access to keys as necessary for after-hours meetings.
- Invite part-time faculty to department meetings.
- Academic departments regularly inform part-time faculty about departmental decisions that impact the curriculum, course materials, and teaching methods.
- Professional development programs. Each institution urged to implement programs for continuous improvement of all faculty.
- Offer teaching excellence seminars for all faculty.
- Mandatory teaching evaluations of all faculty each semester.
- Each institution to offer part-time faculty the opportunity for peer evaluation if requested.
- Encourage each institution to provide opportunities for mentoring of part-time faculty by members of the full-time faculty.
- UCCSN Personnel/Benefits to examine available options for offering self-paid health and life insurance packages to part-time faculty.
- Each campus to form a committee to enact principles and recommendations contained in this report and report annually to the Board's Academic, Research, & Student Affairs Committee.

Regent Rosenberg moved approval of the recommendations and acceptance of the report. Regent Kirkpatrick seconded.

Regent Derby stated that she was very excited about the recommendations, adding that the System had not properly integrated part-time faculty for many years. She praised the recommendation for tying the part-time faculty salary structure to the full-time faculty's. She observed how important the provision of adequate resources was to part-time faculty. Regent Derby stated that part-time faculty teach a high percentage of the courses and interface with many students. She hoped that the budget would incorporate this salary plan.

Regent Howard asked why faculty pay varied from one campus to another. Chancellor Nichols replied that the institutions were funded in interesting ways. Very little funding is provided to the universities and they typically use salary savings to pay for part-time faculty. The community colleges have an identified formula for part-time faculty salaries. In order to meet student demand, the institutions have been unable to raise part-time faculty salaries, with GBC and WNCC lagging behind all of the other UCCSN institutions. She related that the Board did not authorize a minimum level in the past that would indicate the necessary funding. This recommendation sets a policy minimum for all UCCSN community colleges and universities.

President Lucey reported that the community colleges were funded based upon FTE. The legislature assumes 60% of the students are taught by full-time faculty and 40% are taught by part-time faculty. She related that the formula for part-time faculty was higher than the institution could afford to pay. She observed that both GBC and WNCC had large rural areas, necessitating smaller classes in order to deliver their missions. Those colleges were less efficient than an urban area and they had not been able to keep up with the appropriate growth in salaries. She related that WNCC had increased their efficiency somewhat, which would allow an anticipated increase in part-time faculty salaries next Fall.

President Remington agreed with President Lucey, adding that at smaller colleges it was more important to achieve projected full-time enrollment to balance the budget. He related that CCSN experienced different circumstances. There is a limited pool of advanced degrees in Las Vegas and CCSN competes with UNLV for faculty. He said that explained some of the differences in salaries between institutions.

Regent Seastrand asked about the cost. Chancellor Nichols replied that the cost was roughly estimated at \$5.3 million/year. She suggesting going half way in the first year of the biennium. Regent Seastrand asked about the impact to the institutions for providing the recommendations and asked whether they were goals or requirements. Chancellor Nichols replied that the recommendations were goals because the campuses have severe restrictions on new resources. She related that the Task Force was comprised of both full- and part-time faculty. The presidents will implement the recommendations as their budgets allow them to do so. Regent Seastrand asked whether the recommendations would be implemented by a certain time. Chancellor Nichols replied that the campuses varied widely as did the services they provide to part-time faculty. It was hoped the campuses would make choices for what was most important in collaboration with their part-time faculty. Regent Seastrand asked about allowing faculty to audit UCCSN classes as part of their professional development. Chancellor Nichols replied that, currently, part-time faculty could take a course for no cost at the institution where they teach equal to the number of credits they are teaching. Regent Seastrand asked about opening the service up across System institutions. Chancellor Nichols replied that the Task Force had considered that possibility. The financial impact was gigantic, with the need flowing from the community colleges to the universities. The community colleges would be responsible for paying for those courses at the university. The cost was determined to be too great. Part-time faculty indicated that they preferred putting the money in the salary. Opening benefits to spouses and dependents only benefited a selected portion of the part-time faculty. Regent Seastrand asked about allowing faculty to audit classes with available space. Chancellor Nichols replied that the Task Force had considered that option, but it was generally felt to be not workable. She explained that space was not determined until the class had been held for at least a week, adding that it was a good idea but it would be difficult to implement.

Regent Gallagher thanked Chancellor Nichols and the Task Force for addressing this issue in a professional manner. She was particularly impressed that the faculties agreed to do what was best for all and commended them.

Chair Dondero asked if part-time faculty qualified for grants. Chancellor Nichols replied that they could qualify for grants and research, adding that it was a very productive relationship.

Task Force member, Ms. Carol Conder, reported that the Task Force recommendations included improvements to pay, working conditions, and benefits. She expressed her thanks to the Chancellor and the Task Force members for their sincere effort and dedication over the last year. She acknowledged that the recommendations would require additional funding, but would benefit all UCCSN community colleges and universities. She asked the Board to endorse the efforts of the Task Force and encouraged inclusion of the recommendations in the budget request.

Task Force member and president of the Nevada Faculty Alliance, Dr. Candace Kant, urged Board approval of the Task Force recommendations, adding that they were badly needed. She also urged the Board to continue to consider adjunct faculty concerns, adding that this was only a beginning with more to be accomplished. She stated that part-time faculty teaching English 101 are compensated differently at each of the institutions. She said that the salary recommendations attempted to alleviate this discrepancy. She requested Board support of the recommendations to let the adjunct faculty know how much their services were appreciated.

Regent Hill asked whether remedial courses were taught by full- or part-time faculty. President Lilley noted that graduate teaching assistants also taught classes. President Harter replied that remedial courses were taught primarily by graduate students and part-time faculty. Regent Hill asked whether full-time faculty taught remedial courses. President Harter replied that they did occasionally. Ms. Conder stated that the UNLV English Department used graduate students and part-time faculty for remedial courses.

Motion carried. Regent Alden was absent

The meeting recessed at 9:50 a.m. and reconvened at 10:09 a.m. with all members present except Regent Alden.

**18. Information Only-2003-2005 Tuition and Fee Proposals** - The findings of the Tuition and Fees Committee for the 2003-2005 biennium were discussed. The recommendations were discussed at public forums and feedback from those hearings was also provided. Final action on the tuition and fee proposals will be taken at the April Board meeting.

Chancellor Nichols reported this was the first discussion of tuition and fees for the next biennium, adding that they were an important part of building the budget. She indicated that fees were set every two years. Per Board policy, a committee was formed, student input was collected, and then the committee makes a recommendation to the Board. The committee was comprised of presidents and student government representatives. Chancellor Nichols stated that the committee reviewed comparable fees, national data, the RAND Report, and the draft UCCSN Master Plan. A northern Nevada student hearing was held Tuesday, February 19th at UNR, and a southern Nevada hearing was held Wednesday, February 20th at UNLV and CCSN.

Student Feedback:

- State share for funding higher education should increase too.
- Burden should not fall solely on students.
- How will additional need-based aid be distributed?

Current Tuition & Fees Formula:

- Current policy adopted in 1996.
- Provided for regular, predictable increases.
- Tied to an inflation measure (HEPI) + 1%.
- Formula also set to western stated median and the actual cost of education.
- By Regents policy, 50% of all increases in tuition and fees is earmarked for financial aid known as "Student Access".
- 90% of Student Access aid is awarded on a need basis.
- Board's policy protects students when tuition and fees rise.
- If proposed tuition and fees are approved, need-based aid estimated to increase \$9 million in 2003-2005.
- By comparison, in 2001-03 biennium \$8.4 million in General Fund dollars were allocated to general scholarship aid.
- An additional \$8.7 million in Estate Tax dollars were appropriated to financial aid.
- General Fund dollars for scholarship aid have not grown proportionately over time as enrollments have increased.
- Estate Tax appropriations for financial aid focused primarily on need-based aid will disappear.

Rationale for New Formula:

- HEPI data no longer available.

- "Cost of education" difficult to define consistently.
- Under old formula, university fees falling behind western average.
- State expects students to pay fair share.

#### Recommendation Based on Examination of:

- WICHE fees and tuition.
- National trends and data.
- Goals of new UCCSN Master Plan.
- Student share of cost of education.

A comparison of WICHE states revealed that Nevada ranks 10th in public, two-year institutions; 15th in public four-year institutions; and 16th in graduate tuition and fees.

Chancellor Nichols reported that, nationally, tuition at public four-year institutions increased by an average of 7.7% (to \$3,754) in FY02, the highest rate of increase since 1993. Nevada's tuition in FY02 was \$2,295 (3.4% over the previous year).

#### Master Plan Goals:

- RAND Report said that the state and students must pay more for the cost of higher education to attain goals and higher tuition must be accompanied by higher financial aid.

#### Sharing the Cost of Education:

- Currently, UCCSN students pay approximately 20% of the cost of their education through tuition and fees.
- Nationally, students pay 21% to 31% of the cost of education, depending upon the type of institution attended.

The proposed new formula will provide for regular, predictable increases, align UCCSN tuition and fees with other western states, establish internal consistency among all UCCSN tuition and fee rates, and provide a long-range plan to meet future targets.

#### New Formula - Part One:

Registration fees to be set so that charge for full-time attendance (30 credits for undergraduates and 16 credits for graduates per year) is equivalent to WICHE median for two-year and four-year colleges, respectively and uses a 3-year lag in data.

#### New Formula - Part Two:

Registration fees for upper-division courses at two-year colleges and state colleges to be set at the mid-point between the lower division fees for community colleges and the undergraduate fees at the universities. No comparable data available for state colleges.

Because full application of the proposed formula would result in a significant increase for university students, the committee recommended a phase-in period beginning in academic year 2003-04 and continuing until the new formula can be fully implemented. The recommendation is for the 2003-05 biennium only. Chancellor Nichols requested Board feedback on the percentage increase so that adjustments could be made for the next meeting.

#### Proposed Fees - Community Colleges Lower Division:

- 2002-03 - \$45.50/credit or \$1,365 (full time calculation based on 30 credits/year). In line with the WICHE median (3-year lag).
- 2003-04 - \$2.00 increase (4.5%); \$47.50/credit or \$1,425.
- 2004-05 - \$2 increase (4.5%); \$49.50/credit or \$1,485.

#### Proposed Fees - GBC & NSCH:

- 2002-03 - \$62.00/credit or \$1,860.
- 2003-04 - \$4.50 increase (7%); \$66.50 or \$1,995.
- 2004-05 - \$4.50 increase (7%); \$71.00 or \$2,130.

#### Proposed Fees - University Undergraduate:

- 2002-03 - \$79.00/credit or \$2,370.

- 2003-04 - \$6.50 increase (8%); \$85.50 or \$2,565. (Students on the committee felt this was a reasonable proposal.)
- 2004-05 - \$6.50 increase (7.5%); \$92.00 or \$2,760.

#### Proposed Fees - University Graduate:

- 2002-03 - \$107.00/credit or \$1,712 (full-time calculation based on 16 credits/year).
- 2003-04 - \$8.50 increase (8%); \$115.50 or \$1,848.
- 2004-05 - \$9.00 increase (8%); \$124.50 or \$1,992.

A comparison of registration fees revealed that Nevada's were the lowest of 6 comparable western states.

The general philosophy with non-resident tuition is that non-resident students should pay the full cost of instruction and non-resident students pay the in-state registration plus an annual flat tuition charge. The rationale for the increase is that the State of Nevada is not obligated to support the cost of education for non-Nevada students and non-resident tuition in Nevada is currently lower than rates charged in other western states. Some non-resident students pay less in Nevada than they would in their home state.

#### Proposed Non-Resident Formula:

- WICHE non-resident median (using a 3-year lag) times 120% for full-time students at community colleges and universities.
  - State college tuition to be set at mid-point between community colleges and universities.
  - Resident fees times 110% for part-time non-resident students.
- |         |                    |                      |              |
|---------|--------------------|----------------------|--------------|
|         | Community Colleges | Nevada State College | Universities |
| 2002-03 | \$4,430            | \$5,940              | \$7,785      |
| 2003-04 | \$4,507            | \$6,497              | \$8,487      |
| 2004-05 | \$4,692            | \$6,676              | \$8,674      |

A comparison of non-resident tuition (undergraduate and graduate) revealed that Nevada's non-resident tuition would still be well below the WICHE median.

Chancellor Nichols reported that, by Board policy, certain groups of non-resident students are eligible for a tuition discount: Part-time Non-resident, Good Neighbor, and Children of Alumni. These students pay the in-state registration fees plus a reduced per-credit tuition charge. Part-time students would pay a disproportionate amount if assessed the full non-resident tuition.

#### Distance Education Tuition:

- UCCSN institutions jointly recommend a differential tuition assessment for non-resident students enrolled exclusively in Distance Education courses.
- Non-resident Distance Education tuition to be set at resident fees times 50%.
- Matches the WICHE/WUE fees.
- Approved by UCCSN Distance Education coordinators with full support of the Academic Affairs Council.

Chancellor Nichols reported that, increasingly, students are being called upon to support financial aid and quality improvements within the UCCSN. These increases in tuition and fees are necessary in order to be congruent with the findings of the RAND Report, accomplish the goals of the Master Plan, and to meet the expectations of the legislature for students to do their part to support higher education in Nevada.

Regent Derby stated that it was compelling logic; by raising tuition and fees UCCSN would be able to give more grants and aid to needy students. She asked whether the System was relying upon the policy for 50% to be attributed to need-based scholarships. Chancellor Nichols replied that they were. Regent Derby asked how Nevada ranked in relation to WICHE states or the country. Chancellor Nichols replied that she did not have those figures, adding that Nevada used to be near the bottom in financial aid. With the advent of the Millennium Scholarship, Nevada has moved up considerably (about 38th of 50 states). She related that Nevada was still one of the lowest states in the country for need-based aid. This was the legislature's concern when they passed legislation for the Millennium Scholarship and asked UCCSN to increase need-based scholarships to supplement the Millennium Scholarship.

Regent Kirkpatrick said that he had received no calls from students but had received some calls from parents. He suggested increasing graduate fees since the graduate population was so low, and decreasing undergraduate fees, adding that he was very reluctant to raise tuition and fees at all.

Regent Seastrand stated that the laws of supply and demand were at play. He asked what a dramatic increase in price would do to the demand for classes. He was very concerned that people would be unable to afford higher education. Chancellor Nichols replied that no one would know until it was done. She cited two studies on the cost of higher education. Results indicated that the general public thinks that college costs significantly more than it actually does, which was a great

discouragement for going to college. Colleges and universities are encouraged to get more information to the public about the actual cost and the availability of financial aid. The RAND Report argued strongly that price was not the key factor for students, rather the convenience, availability, and quality of product. States with the highest tuition also have the highest college going rate and vice versa. She stated that competitive organizations were doing very well in Nevada with higher tuition than the UCCSN's. She acknowledged that the UCCSN did have a responsibility to be affordable for all Nevada students.

Regent Hobbs asked whether an analysis had been performed regarding the impact of increased fees and use of the Millennium Scholarship. She observed that when fees were increased more of the scholarship would be used by fewer students. Chancellor Nichols replied that the amount of the scholarship was pre-set regardless of UCCSN tuition and fees. She explained that students receive \$40/credit at the community colleges, which meant that next year the Millennium Scholarship would cover 88% of their fees. For GBC upper division courses and NSCH, students receive \$60/credit or 97%. University undergraduates receive \$80/credit (more than the recommended \$79/credit next year). She agreed that students would need to pay more of the difference in the following biennium if the scholarship amounts remained the same. The current difference at the community colleges is \$5.50, the new difference would be \$2.00 more. Currently at the universities, the Millennium Scholarship pays more than the cost. Under the new policy the difference would be \$5.50. She explained that increased fees would not impact how long the Millennium Scholarship money would last.

Regent Sisolak expressed concern that 50% of the increase would be used to subsidize someone else's tuition. He observed that people mortgaged their homes and took extra jobs in order to afford their children's education. He felt that UNLV's cavalier attitude regarding students having to forgo "glamour lunches" was offensive. He stated that tuition was only one of the factors, adding that books and lab fees were significant. He said that parents and students were already making sacrifices and that he was uncomfortable with asking them for more.

Regent Howard stated that she was opposed to any tuition hikes. She felt it would further contribute to the "dumbing down" of America's students. She asked why she was not notified about the public forums. Chancellor Nichols replied that she had included the information in a memo to the Board inviting them to attend. The forums were set in consultation with the campus student government and members of the committee. The greatest concern was expressed by community college students regarding a fee increase. They asked that fees be kept as low as possible. She reported there was not a large student turnout at the universities. Those students also do not want a fee increase, but they (particularly the graduate students) were very aware of how inexpensive Nevada's education was and were not surprised by the recommendation for an increase. Regent Howard asked whether the forums had been video taped or whether minutes had been taken, adding that she wanted to see students feedback. She said that she would be very surprised if UNLV students did not already think that their tuition was high enough. Chancellor Nichols replied that she was not suggesting that the students had requested an increase. She said that the forums were not taped and that minutes were not taken. The process was conducted as it always had been done in the past and the committee listened to the students. Regent Howard reported that she was approached by a UNR student who indicated they wanted to discourage tuition hikes. Regent Howard asked about the UCCSN Distance Education Coordinator. Chancellor Nichols replied that each campus had one with different titles, adding there was no coordinator at the System level.

Regent Rosenberg asked about the recommended percentage increases. Chancellor Nichols replied they were 4% at the community colleges, 8% and 7.5% undergraduate at the universities, 7% at the state college and upper-division community colleges, and 8% each year for the graduate students. Regent Rosenberg asked whether the System could calculate whether smaller percentage increases (6%-universities (graduate and undergraduate), 3%-community colleges, and a half-way point for the state college) would stretch funds as far as they were needed. Chancellor Nichols replied that they could calculate that. Regent Kirkpatrick felt that graduate education should cost more as it was well below the median.

Regent Hill stated that he shared Regent Sisolak's concerns regarding taxing one group of students to subsidize another. He felt a better approach could be developed. He felt that, generally, the proposal was fair. He asked about the State expecting students to pay their share and the ramifications. Vice Chancellor Miles replied that the legislature and governor expect that this is a shared proposition and that the burden is not placed strictly on the backs of the taxpayers. He related that the State expects students to share in the cost of their education. He recommended that, when distributing the student fees, a reasonable portion of those fees be returned to the State budget to help offset State tax dollars necessary for support. He recalled that, in the 1983 session, the legislature felt the Board had not raised student fees adequately and reduced the State General Fund appropriation.

Chair Dondero asked whether the legislature was aware that the institutions were paying for additional students. Vice Chancellor Miles replied that they would have known as they were taking the entire budget into consideration. Chair Dondero clarified that she was referring to student access fees. Vice Chancellor Miles replied that it had not been part of the proposal. He related that the legislature's concern would be the level of student fees that go into the State budget for general support and not student access. He recalled that when the Board did increase student fees and simultaneously requested an increase in student access money, the legislature took the money but did not provide the expenditure, which was the reasoning behind the current policy for trying to reserve half of the increase for student access.

Regent Hill asked what the legislature would find reasonable. Vice Chancellor Miles replied that since the reapportionment/redistricting he no longer had that insight. He stated that 20% of the System's state-funded budget came from student fees. Another 3-4% comes from other revenue sources internal to the System (indirect cost recovery, interest income). The State accounts for approximately 75% of the System's budget. He said that he would be concerned if those percentages were reduced, adding that the RAND Report had suggested that both the students' and the state's share should increase in order to increase access.

Regent Gallagher observed that the legislature would know that Nevada is at the bottom of the WICHE states for tuition. She also recalled the time when the legislature decided what tuition should be and took that amount away from the General Fund budget. She observed that it could happen again when they were looking for ways to balance the budget. She felt the Board should be reasonable, adding that she too wanted to keep tuition and fees down.

President Lilley suggested showing what the states retain from what the students pay. He observed that a policy change was necessary; if the students were going to pay more of their educational costs, then what they pay should remain with the institution rather than returned to the state.

President Harter agreed that graduate fees are very low. She thought that UNLV's graduate students also reluctantly agreed. She cautioned that accelerating those fees resulted in an immediate cost because universities pay graduate assistants' tuition.

Regent Howard expressed concern about Regent Hill's remarks about taxing one group of students in order to fund the education of another. She did not believe that was the case. She felt there was still misunderstanding about students with need. She noted that Nevada's universities and colleges were ranked very low in minority recruitment and retention. She urged Regents Hill and Sisolak to attend her community forums to hear how the increase impacts minority students. She requested suggestions from Regent Hill. Chair Dondero called for the next Regent in line to speak. Regent Howard asked Regent Hill to respond under New Business.

Regent Derby recalled that she supported the decision by the Tuition and Fee Committee for 50% of the increase to be used for need-based scholarships. She observed that Nevada ranked very low in terms of need-based grants. She said that universal education was important and served everyone, adding that it was critical for people to be able to think critically. She noted a widening gap between rich and poor, adding that allowing only the affluent to receive a higher education would disserve everyone. She felt that justified having some of the fees collected going to help those students who could not afford it. She felt it was part of being a democracy and would provide critical thinking for all. Another important principle is that UCCSN wants diversity in its colleges and universities so the population reflected that of the real world and that we reflect our communities. She said that Nevada ranking at the low end of states providing need-based aid was not a good thing.

Ms. Rana Koran, GSA student body president-UNLV, stated that she served as a member of the Tuition and Fees Committee, adding that the proposal had the support of the graduate students. She related that, as a student, she did not want a fee increase, adding that she understood the reality of the situation. She thanked Chancellor Nichols for listening to the students on the committee, adding that Dr. Nichols really listened to the hardships that would be created. She said that the committee agreed the proposal was reasonable. When the graduate student council heard about the process (42 members) all recognized the inevitability of the proposal, especially with graduate studies. She said that students were well aware that competitor schools would charge significantly more. She said the legislature must realize that students were taking responsibility for paying for their education and would not be justified in decreasing state funding or raising fees themselves.

Ms. Leslie Carlen, student body president-WNCC, stated that she supported the proposal, adding that other proposals had been considered. She acknowledged that it would be most difficult for the students, but they did support the proposal.

Regent Kirkpatrick observed that the proposal would cost \$272 more per year at the community colleges and \$390 more per year for graduate students. He added that similar increases were expected in the following years. He felt that minority students would be hurt the most and more impacted by fee increases.

Regent Sisolak stated that considering affluent and/or non-affluent people ignored the middle ground; those students who pay for their own education. He was not arguing against need-based scholarships, but felt a more appropriate source of funding could be found. He asked how many other states mandated that tuition increases be used for this purpose. Dr. David Longanecker stated that most state finances were down and tuition increases were common in such times. The Idaho State budget just reduced higher education funding by 10.1% and tuitions are increasing 11.1%. He observed that Nevada would be even further behind the University of Idaho after that increase. Arizona is considering their third budget cut this year. Washington State was considering an 18% increase in tuitions. He reported that most institutions were encouraged to raise tuition 10%. He related that Wyoming, North Dakota, South Dakota, and Montana were not experiencing those substantial difficulties because their economies lagged the national economy. Regent Sisolak asked how many states mandated that a percentage of the increase go to need-based scholarships. Dr. Longanecker replied that Washington State had a component of their tuition increases as a share of institutional aid. He was not sure about the percentage, adding that they also had the most robust state funding of need-based aid in the West. In governing board states (Nevada), the state legislature provides

most of the money through a governing board. Those states typically use an internal mechanism like this. Coordinating boards (Washington State) treat it as a separate line item in the state budget. He observed that it was a very different environment depending on state governance. He noted that Nevada had a disadvantage because the state was not funding financial aid. Arizona was similar in using total revenue increases to fund need-based aid. Regent Sisolak felt that was a different scenario.

Regent Sisolak asked about using half of the tuition for need-based scholarships. Vice Chancellor Miles clarified that only half of the increase was allocated to need-based aid. Regent Sisolak observed that there was no tax consequence for paying the increased tuition, but if they contributed to an education fund, they would have been able to deduct that amount. He felt the UCCSN was forcing people to subsidize or contribute to charity and not giving them the same benefits that the IRS does.

Ms. Marilou Woolm, GSA student body president-UNR, stated that her constituents were not particularly opposed to the increase if the students received return benefits (i.e. scholarships). She observed the difference in the cost of living between Reno and Las Vegas, adding that it was more expensive to live in Reno. She asked the Board to consider that. She related that tuition at the University of Iowa was \$3 more per credit, but they also had substantial scholarships. She suggested the Board should consider the pay base for undergraduate students putting themselves through school.

Regent Hobbs suggested that alternative scenarios be presented to the Board. She suggested having a proposal that tracked the CPI's so the initial increase would not be so large and would then gradually increase.

**19. Information Only-2003-2005 Tuition and Fees, School of Medicine** - The Board held an initial hearing on recommended tuition and fees for the 2003-05 biennium for the

University of Nevada School of Medicine. Final action will be taken on the proposal at the April meeting. (Ref. E on file in the Board office.)

President Lilley reported that the recommendation was included in Ref. E (on file in the Board office).

**20. Information Only-2003-2005 Tuition and Fees, William S. Boyd School of Law** - The Board held an initial hearing on recommended tuition and fees for the 2003-05 biennium for the William S. Boyd School of Law. The university recommends continuing the current tuition and fee levels for the 2003-05 biennium. Final action on the proposal will be taken at the April meeting. (Ref. F on file in the Board office.)

President Harter reported that the tuition recommended was the same as the current year's because UNLV's Law School tuition was above the average in the WICHE group. She recommended the tuition continue at \$7,000/year for in-state and \$14,000/year for out-of-state students.

**21. Information Only-2003-2005 Tuition and Fees, Dental School** - The Board held an initial hearing on recommended tuition and fees for the 2003-05 biennium for the UNLV Dental School. The university recommends continuing the current tuition and fee levels for the 2003-05 biennium. Final action on the proposal will be taken at the April meeting. (Ref. G on file in the Board office.)

President Harter recommended that current dental school tuition continue at the same rate through the next biennium. Currently, it is \$15,000/year for in-state tuition and \$28,000/year for out-of-state.

Regent Kirkpatrick observed that the School of Medicine's out-of-state tuition was nearly three times that of in-state and asked why the dental school's was less than double. He hoped the System was not preparing dentists for other states. President Harter replied they were not. She said they would recommend an increase when possible, adding that dental fees were very high nationwide. She noted that students attend three semesters in a row, which was very expensive. Regent Kirkpatrick asked whether out-of-state students could establish residency after the first year and pay in-state tuition thereafter. Vice President for Finance Mr. Anthony Flores replied that they would become in-state students in the second year. Regent Kirkpatrick felt the System was subsidizing dentists for other states. President Harter stated that UNLV only accepted 25 out-of-state students and 50 in-state for the dental school. Regent Kirkpatrick urged her to continue with that ratio. President Harter replied that they intended to.

Regent Rosenberg was disturbed that medical students could establish residency while attending school but undergraduates could not. He noted that undergraduates would need to stop attending for one year in order to establish residency. President Harter stated there was a difference between graduate and undergraduate students. She stated that graduate assistants earned residency while attending and paid in-state tuition. Regent Rosenberg was disturbed that undergraduates could not do the same. He felt that it should be the same for all, particularly with residency. Chancellor Nichols stated that a report would be made at a future meeting.

**22. Approved-Handbook, Student/Special Fees** - The Board approved proposed student fee changes for the institutions. These fees did not include student registration fees and tuition approved in the biennial budget process. (Ref. H on file in the Board office.)



Mrs. Sandi Cardinal, Director of Internal Audit, reported that CCSN and WNCC had not proposed any fee increases. She related that summer school tuition fee increases would be an additional \$3 above the Spring and Fall fees per Board policy. She indicated that the individual institutions also brought dormitory, medical plans, and special course fees forward.

Regent Kirkpatrick moved approval of the student and special fees. Regent Gallagher seconded. Upon a roll call vote the motion carried. Regents Derby, Dondero, Gallagher, Hill, Hobbs, Kirkpatrick, Rosenberg, Seastrand, and Sisolak voted yes. Regent Howard voted no. Regent Alden was absent.

**23. Information Only-UCCSN Master Plan for Higher Education** - A revised draft of the new UCCSN Master Plan was presented. Final action on the plan will be taken at the Board's April meeting.

Chancellor Nichols introduced Dr. David Longanecker, the head of WICHE. Dr. Longanecker requested Board feedback regarding the draft Plan. He related that, from discussions held throughout the State, they had learned this was a good plan for Nevada that reflected citizen comments. He reported that the Plan incorporated the concept of shared responsibility between the students (consumers), the Board, and the legislature in order to achieve future objectives. He emphasized that it focused on the future, adding that Nevada faces a unique set of challenges. He observed that Nevada has the fastest percentage growth of any state in the west and an increasingly diverse population. New students are coming from communities that were not well served in the past. He noted a 40% increase in the Hispanic/Latino population, adding that one-third of Nevada's residents would be non-white by 2010. He praised Nevada for attempting to diversify the economy so it was not reliant upon one source. He said it would be a challenge to provide an educated workforce for Nevada, adding that UCCSN would realize a rapid increase in demand (students). He encouraged UCCSN to increase enrollments so Nevada did not lag behind other western institutions. Dr. Longanecker affirmed the goal to become more effective in persistence, adding that it was a large and unique challenge. He reported that the Plan addressed mission differentiation, adding that Nevada could not afford unbridled competition between System institutions. He recommended a collaborative rather than a competitive model. Dr. Longanecker then reviewed the six goals mentioned in the Plan. He noted the importance of economic development and the strength of Nevada's economy, holding institutions accountable for reaching their goals, and the need for UCCSN to work with the elementary and high school education system. He observed it would be quite a challenge for a state with such limited resources.

Vice Chancellor Miles reviewed enrollment projections under different scenarios. Option 1 incorporated three principles consistent with the ultimate objectives of the plan:

- Increased College Participation - increased productivity as measured by annual average FTE (AAFTE) generated per headcount.
- Increased college participation rate as seen in the increasing headcount per 1,000 population.
- The year-to-year growth in headcount exceeds the year-to-year growth in high school graduates. Expect a 77% increase in enrollments between 2001-2010.

Costs would increase under this scenario. The 2001 total state-supported budget was \$459.6 million (State share-\$345.8; Student/Other share-\$113.8). The projected 2011 total state-supported budget is \$1,025.9 million (State share-\$769.4; Student/Other share-\$256.5). This projection was based on dividing the current budget into two sections (one sensitive to enrollment growth). The projection was derived using the growth indicator and a 3% inflation indicator. Mr. Miles related that 85% of the budget was sensitive to enrollment growth. Administrative agencies (15%) were only increased by the inflation factor. He reported that enrollment growth from 1991-2001 was approximately 57%. Staff is predicting an accelerated growth pattern of 77% over the next 10 years. The budget was increased by 100% in the past ten years and staff is expecting a 122% budget increase over the next 10 years. Historically the state appropriation has increased at the rate of enrollment growth plus 4%.

Option 2 is based on the assumption that the UCCSN will continue to enroll 42 students per 1,000 population. The AAFTE was estimated based on the headcount and a constant headcount to AAFTE ratio of .5509 (2001-2002 ratio). This approach allows enrollment to grow as the population grows, but does not increase the participation rate or the AAFTE productivity per headcount. At this growth rate, UCCSN would experience a 26% increase in student AAFTE by the tenth year, increasing costs by about \$994 million. This would be partially offset by increased student fees resulting from the enrollment increase, leaving the balance to come from increased student fee rates, the state, and increases in productivity.

Option 3 assumes no enrollment growth (enrollment caps) and support to cover increases due to inflation and other fixed costs. Enrollments would be capped at the 2001-2002 levels. This option results in a very sharp decline in college participation and college continuation rates. By 2010, Option 3 would result in approximately 35,500 fewer (-42%) AAFTE than Option 1, and 10,800 fewer (-18%) than Option 2. Additionally, Option 3 would serve nearly 52,000 fewer students (-37%) than Option 1, and 19,600 fewer students (-18%) than Option 2.

Chancellor Nichols stated that the staff was seeking Board input regarding any changes to the Plan. Final approval will be sought at the April Board meeting.

Regent Gallagher acknowledged that it had been a long and worthwhile process. She said that it was difficult to make projections not knowing what state growth would be in the future. She said that staff had done a good job and she appreciated their work. She said that the public sessions were well received.

Regent Derby echoed Regent Gallagher's remarks. She said that it would be very helpful for the Board to have the Plan. She was pleased with the development of goals offering methods to measure progress. She applauded the Chancellor's efforts.

Regent Seastrand felt it was a good framework from which the Board could work. He asked which items would be worked upon first. Chancellor Nichols replied that staff would like to complete the process and framework by the end of this year. The Academic Affairs Council and Academic, Research, & Student Affairs (ARSA) Committee has been charged with the work to flesh out program approval and the mission differentiation process. She hoped to use the document as a master plan for making decisions regarding opening new campuses and branch campuses. Regent Seastrand asked who would receive copies of the document once it was completed. Chancellor Nichols replied that it would be sent to the legislature, policy makers, and community leaders. Draft versions have been distributed to those who participated in the forums. It would be used to represent what higher education is about. Regent Seastrand felt it was important to look at distribution and get the message out, adding that the entire state must agree with it. He felt it represented what Nevada wants to do for higher education and showed great potential.

Regent Gallagher asked how mission differentiation would be addressed. Chancellor Nichols replied that it would involve the process of developing criteria. There is discussion of a technical institute and community colleges offering selected baccalaureate degrees. Staff still needs to develop the criteria to bring the proposals forward. She explained that the Academic Affairs Council would work on those issues. Regent Gallagher asked whether work would be done to differentiate the missions of existing institutions. Chancellor Nichols replied that, once the Master Plan was completed, there would be implications for all of the institutions. Each institution will clarify their mission and report back to the Board.

The meeting recessed at 12:00 and reconvened at 12:20 p.m. with all members present except Regent Alden.

**24. Approved-Academic, Research & Student Affairs Committee Report** - Chair Jill Derby reported the Academic, Research & Student Affairs Committee met March 6, 2002. Dr. Barbara Sanders, TMCC Executive Dean of Academic Affairs, Dr. John Frederick, UNR Executive Vice President and Provost, and Ms. Betty Elliott, GBC Vice President of Academic Affairs, reported on developmental education programs at their campuses. The remaining campuses will report on their developmental programs at the April ARSA meeting. Chair Derby requested that System staff analyze data related to developmental programs regarding the percentage of high school students taking developmental courses, coordination between UCCSN and Nevada high schools, and student success for those enrolled in developmental education. A presentation was made previewing the degrees and curriculum at Nevada State College. Lois Becker, Interim Dean of Arts and Science, reported that the College is a teaching college with a philosophy to seek students who traditionally do not go to college (first-generation, minority, and older students). The College will offer ten bachelor degrees and proposed degree programs will articulate very well with CCSN. Some curriculum proposals will be presented for Board approval at the April meeting. Dr. Marcia Bandera reported that the proposal for teacher preparation curriculum for Nevada State College has been submitted to the Department of Education and was based upon the format previously approved by the Board. It is anticipated that the curriculum will be submitted for Board approval in April. Dr. Georgeanne Rice described the teacher education programs. All of the program standards are based upon NCATE standards. Connie Carpenter, Director of Nursing, reported that a formal proposal for nursing programs would be submitted in April. Mr. Bob Johns provided information to answer a question regarding the recruitment of minority students. Mr. Johns will present a more detailed recruitment plan at the April meeting. Regent Derby requested Board action on the following Committee recommendations:

- Resumption of New Program Proposals - The Committee approved a recommendation to re-institute review of new program proposals. (Ref. ARSA-3 on file in the Board office.)
- WNCC Mission and Goals - The Committee approved the mission and goals for Western Nevada Community College. (Ref. ARSA-4 on file in the Board office.)
- 2002 Board of Regents' Awards - The Committee approved recommendations for the following Regents' awards: (Ref. ARSA-5 on file in the Board office.)
  - Nevada Regents' Researcher Award  
Dr. James Neil Brune, UNR
  - Nevada Regents' Creative Activity Award  
Mr. Stefan Karlsson, UNLV
  - Nevada Regents' Teaching Award-Community College Faculty  
Mr. Eric Bateman, GBC
  - Nevada Regents' Teaching Award-University & DRI Faculty  
Dr. Gary Hausladen, UNR
  - Nevada Regents' Academic Advisor Award  
Ms. Sherri Theriault, UNLV-Undergraduate  
Ms. Roberta B. Williams, UNLV-Graduate  
Ms. Debra Holman, UNR-Undergraduate  
Dr. Joseph Cline, UNR-Graduate

Mr. William Erik Proctor, CCSN  
Re-Entry Center Professional Staff-TMCC:  
Ms. Barbara Twitchell  
Ms. Ruth McKnight  
Ms. Darlene Simkins  
Ms. Lee Geldmacher  
Mr. Michael Sady, WNCC  
Dr. Mike McFarlane, GBC

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

**25. Approved-Audit Committee Report** - Chair Steve Sisolak reported the Audit Committee met March 6, 2002 and received follow-up responses for four internal audit reports that were presented to the Committee in August 2001. Mrs. Sandi Cardinal, Director of Internal Audit, reported that the institution bank reconciliations were up-to-date. Mr. Tom Judy, Associate Vice President for Business & Finance, UNR, reported on the status of the University of Nevada School of Medicine Practice Plan. He distributed a Consolidated Balance Sheet and Consolidated Profit/Loss Statement as of December 31, 2001. A profit of \$350,000 was reported for the six-month period. The Practice Plan expects to have a profit of approximately \$500,000 as of June 30, 2002. Mr. Judy also reported on the financial status of the UNR Fire Science Academy (FSA). He distributed an updated statement of Monthly Account Balances as of February 28, 2002 showing the FSA deficit balance on a monthly basis since June 30, 2000. The Committee requested additional information on receipts and expenses for the next meeting. The Committee discussed an internal audit report of the UNLV Thomas & Mack Center at length. Trade-outs were noted during the audit that benefited certain Thomas & Mack Center employees personally. The Committee expressed the desire that these types of trade-outs be discontinued immediately. Regent Hill noted that many of the audit recommendations were repeated from the prior audit report. He requested that a limited follow-up audit be performed to ensure the recommendations from the internal audit have been implemented. Regent Sisolak requested Board action on the following Committee recommendation:

- Internal Audit Report - The Committee reviewed the following Internal Audit report: (Ref. I on file in the Board office.)
  - Thomas & Mack Center, UNLV (Ref. A-2 on file in the Board office.)

Regent Sisolak moved approval of the Committee recommendation and acceptance of the report. Regent Rosenberg seconded.

Regent Sisolak thanked the Thomas & Mack staff and the UNLV financial officers for answering the questions and providing the necessary information.

Motion carried. Regent Alden was absent.

**26. Approved-Campus Environment Committee Report** - Chair Doug Hill reported the Campus Environment Committee met March 5, 2002. The Committee compared the Faculty Climate Survey to the Part-time Faculty Survey, approved the survey and agreed to send a part-time faculty campus climate survey in the Fall at the same time as the classified staff campus climate survey. The Committee discussed bids received from UNR and UNLV research centers to perform the survey work. The committee approved the Cannon Center for Survey Research to do the survey for a total of \$13,336. The Committee discussed options for extending benefits to domestic partners. Health insurance for domestic partners was the primary concern. Medical insurance can only be extended to legal spouses and dependents. The State of Nevada does not recognize domestic partners as lawful spouses. This would require a legislative change to the statute. The Committee recommended that the campus environment committees discuss the issue and present proposals to the full Board of Regents. Regent Hill requested Board action on the following Committee recommendations:

Faculty Climate Survey - The Committee discussed proposals for implementing the Faculty Climate Survey in Spring 2002. (Ref. CEC-2 on file in the Board office.)

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

**27. Approved-Finance & Planning Committee Report** - Chair Tom Kirkpatrick reported the Finance & Planning Committee met March 5, 2002 to review several budget reports, to authorize UCCSN to seek Interim Finance Committee (IFC) approval for excess student fees and utility expense overruns, approve new Handbook language on deferred student fee payments and to preview possible operating budget and capital improvement requests for the next budget cycle. The Committee first reviewed a report on funding of athletics at UNLV and UNR, the second quarter all funds report and the second quarter fiscal exceptions report. The all funds report provides the status of current operating revenues and expenditures in comparison to the previous year. Both revenues and expenditures exceed the previous year. The fiscal exception report included the current cash deficit at the UNR Fire Protection Training Academy. The report also identified projected revenue overages and shortfalls in state appropriated accounts. The Committee then previewed budget and capital improvement issues throughout

the System. The review covered System-wide budget issues such as enrollment growth, formula funding, estate tax replacement, equipment, faculty COLA, nursing capacity, part-time faculty salaries, outreach and economic development/workforce initiatives. Potential capital improvement requests (by campus) were reviewed, and each campus president provided an early indication of important budget issues at their campus. Regent Kirkpatrick requested Board action on the following Committee recommendations:

- IFC Approval for Additional Student & Testing Fee Collection FY 01-02 - The Committee approved UCCSN's request to seek approval from the Legislature's IFC for student fee and testing fee revenues that exceed the level budgeted. UNR, UNLV, Boyd School of Law, CCSN, WNCC, and the State Health Lab all expect fee revenue to exceed budgeted levels and sought approval to expend those excess fees. (Ref. FP-5 on file in the Board office.)
- IFC Funding Requests for UCCSN Energy (Utilities) Needs FY 01-02 - The Committee approved UCCSN's request to seek supplementary funds for excess utility costs this year from the IFC. The 2001 Legislature appropriated \$17 million to a special fund to meet budget shortfalls in utility expenses. UCCSN's request for this year is about \$3.9 million. (Ref. FP-6 on file in the Board office.)
- Handbook Revision - The Committee approved Handbook changes (Title IV, Chapter 17, Section 7) to standardize student fee deferral policy at the various campuses. Each campus would retain discretion over the types of fees that qualify for deferral and the payment schedule in order to accommodate their students. (Ref. FP-7 on file in the Board office.)

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

**28. Approved-Investment Committee Report** - Regent Steve Sisolak reported the Investment Committee met February 14, 2002. Mr. Lindsay Van Voorhis, Cambridge Associates, reviewed the asset allocation and performance for the UCCSN's pooled endowment and pooled operating funds for the quarter ended December 31, 2001. Endowment investments returned 5.8% for the quarter (compared to the 7.8% benchmark) and -3.5% for the calendar year (compared to the -4.5% benchmark). The total return for the pooled operating funds was 2.3% for the quarter (compared to the 2.9% benchmark) and 3.1% for the calendar year (compared to the 1.4% benchmark). The System's investments were impacted by Enron. The endowment lost \$159,000 (0.08%) and the operating fund lost \$152,000 (0.08%). The Committee briefly discussed the impact of the estate tax on the operating fund and the endowment fund. The System has spent all but \$5 million of the estate tax monies in the operating pool and will soon begin drawing down on the endowment. At the next Investment Committee meeting, this issue will be discussed further. The status of the operating pool reserve was discussed. The reserve as of February 13, 2002 is (\$9.8) million. Proposed changes to the operating pool payout rate effective July 1, 2002 will be examined at the next Investment Committee meeting. The bond allocation in the operating pool was reviewed briefly and the Committee did not make any changes to this allocation.

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

**29. Approved-Committee on Estate Tax Report** - Chair Dorothy Gallagher reported the Committee on Estate Tax met February 28, 2002. Vice Chancellor for Finance and Administration Dan Miles reviewed two projections of the estate tax fund. If spending continues at \$38 million/year, the fund will disappear in fiscal 2006. If only income and tax estate receipts are spent, the fund should grow each year from market appreciation. The Committee discussed the current uses of the estate tax fund. The fund is used for EPSCoR matching funds, research, financial aid, information technology, medical and dental programs, salary adjustments, statewide programs, federal mandates, and the hold harmless provision. There are 191 positions (excluding the hold harmless provision) funded with estate tax funds. The Committee discussed the critical need for these programs. Regent Gallagher requested Board action on the following Committee recommendations:

- Committee Recommendations for the 2003-2005 Biennium - The Committee recommended endowing the balance of the estate tax fund at the end of this biennium, and thereafter spending at the statutory level of \$2.5 million/year.

Regent Gallagher moved approval of the Committee recommendations and acceptance of the report. Regent Rosenberg seconded.

Regent Gallagher stated that everyone should be aware how serious it was that the estate tax was being phased out. The statute mandates the UCCSN to maintain a balance that will earn \$2.5 million/year. She related that she was unsure whether the legislature would allow the UCCSN to endow the balance and only spend \$2.5 million/year. She felt it was the best recommendation at this time.

Motion carried. Regent Alden was absent.

**30. Accepted-CCSN Organizational Advisory Committee Report** - Chair Thalia Dondero reported the CCSN Organizational Advisory Committee met March 4, 2002. Consultant Dr. James Samels of The Education Alliance provided the Committee with an update on the activities conducted by his firm to complete an organizational study of CCSN. Dr. Samels and his associates conducted individual interviews and focus groups with CCSN administrators, faculty, staff, and with members of

the business community on January 13, 14, and 15. They also conducted one focus group with students on March 4, and the Committee suggested that additional opportunities for student input be provided. The consultant is also gathering relevant national data on large community colleges as well as campus data from CCSN. All of the qualitative and quantitative data will be analyzed and summarized in a preliminary report that Dr. Samels will provide to Chancellor Nichols and President Remington for review and comment prior to the April 10 due date for the final report. The final report will be discussed by the Committee at a future meeting. The Committee also heard a presentation by CCSN administrators with information about student enrollments, course-taking trends, and needs for additional space to meet enrollment demands. The Committee discussed current methods of class scheduling to maximize space utilization as well as Distance Education opportunities.

Regent Dondero moved acceptance of the report. Regent Gallagher seconded.

Chair Dondero stated that it had been a really interesting report. She observed there was not enough class space for students at CCSN. President Remington stated that, once the popular classes were filled, CCSN kept track of the number of requests for those courses. Requests tallied over 3,200 additional FTE. Regent Derby asked to see the full report at the next meeting. Chair Dondero promised to provide a copy of the report, adding that it showed the community college's need due to the tremendous growth.

Motion carried. Regent Alden was absent.

**31. Approved Request for Reassignment** - The Board approved a request from President Richard Moore for voluntary reassignment per Handbook (Title IV, Chapter 3, Section 20).

Chancellor Nichols reported that Dr. Moore had submitted a request for voluntary reassignment to the faculty for the remainder of his contract (through June 30, 2003). He was granted tenure at NSCH upon the opening of the college. In keeping with the presidential transition process, the Chancellor assesses the performance of the president and brings forward a recommendation for Board consideration. Chancellor Nichols recommended that President Moore be removed as president and reassigned to a faculty position at NSCH. He has requested a 6-month leave to prepare to return to the classroom and has submitted a plan for that 6-month period. The salary (set forth in the Handbook) would be half way between his current salary and that of the faculty position to which he would be moving. The interim salary would be \$136,000, with an eventual salary of \$90,000 (full professor). Chancellor Nichols reported that the highest salary possible for a full professor at NSCH would be \$94,685. She based her recommendation on a review of salaries for economics professors at the community colleges and the universities. The \$90,000 was in line with the salaries of the highest paid professors.

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

Regent Sisolak asked whether 6 months was classified as one semester. Chancellor Nichols replied that it was one semester, adding that they were attempting to carry him over to the beginning of the Fall semester. Regent Sisolak stated that the period of time would be for more than a semester. Chancellor Nichols replied that the request was until the Fall semester began. Regent Sisolak asked whether expenses were also included with the request. Chancellor Nichols replied they were not, adding that any prerequisites would stop immediately. Regent Sisolak asked how NSCH would bear the costs. Chancellor Nichols replied that she had spoken with Landwell, who was paying his salary, and they agreed to continue to pay his salary during the transition period until there was state funding for the professor's salary. She related that Landwell had also agreed to give the difference in his salary to be used for other college positions. Regent Sisolak asked whether the Board was mandated to approve the request. Chancellor Nichols replied that approval of the leave was optional, adding that Dr. Moore had a contract with UCCSN and they needed to do something. She explained that the discretionary portion of the request was whether or not to approve the leave. Regent Sisolak asked about the appraisal of his overall performance. Chancellor Nichols replied that she had evaluated his performance, adding that she did not have a written evaluation at this time. Her recommendation was based upon his service to the System including his presidency at CCSN. Regent Sisolak questioned Dr. Moore's review of articles in business and professional journals and researching books available for the classroom during his leave. Chancellor Nichols replied that it was usual and customary for a professor to prepare to return to the classroom. She felt his professional leave request was very similar to other presidential transitions, which were used to prepare an individual to teach.

Regent Howard asked when the current contract ended. Chancellor Nichols replied that his presidential contract would end June 30, 2003, adding that the Board had previously granted him tenure at NSCH.

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

**32. Approved NSC Presidency** - The Board approved the Chair's recommendation for the appointment of Dr. Chris Chairsell as the Acting President for Nevada State College. Dr. Chairsell has played key roles at UNLV and CCSN and has contributed to the development of the Nevada State College. Dr. Chairsell will not be a candidate for the permanent position. A 15% increase over her current salary of \$114,446 was recommended.

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

Regent Hill stated that, during his interface with Dr. Chairsell for the Campus Environment Committee, he found her to be conscientious, hardworking and extremely competent. He acknowledged that she was taking on a tough assignment. He felt it was important to get someone with System knowledge in the position.

Regent Howard asked about the salary and history, adding that she wanted more background on how the recommendation came through the System. She asked about Dr. Chairsell's salary after the 15% increase. Chancellor Nichols replied that her salary would be \$131,612.90. The 15% increase would be paid by Landwell Corp. and would not be a cost to the System. Dr. Chairsell has asked that she not be provided with other presidential prerequisites (no automobile or housing allowance) for the interim period. Regent Howard asked how long Dr. Chairsell had been with the System and from where she came, adding that she had seen the resume but wanted more information. Chair Dondero referred Regent Howard to the resume, adding that Dr. Chairsell had been in the System for a long time. Dr. Chairsell reported that she had been in the System for 16 years. She began as a political science faculty member in 1987 at UNLV, just after finishing her Master's degree at UNLV. She served as a lecturer for 8 years in the Department of Political Science. Her starting pay was \$19,000. She then moved to the newly created Environmental Studies program and became a Director of Energy Education. She worked with the Clark County School District to integrate professional development into their curriculum. After 3 years, CCSN hired her as a dean at \$65,000. She worked there managing programs, began a Distance Education program and a weekend college. She also managed a unit of Student Services providing a one-stop shop. She was promoted to Provost of the Charleston Campus where she managed at a campus level. She believed she was paid approximately \$90,000, adding there were provosts at the other campuses and CCSN tried to maintain an equitable range. She was given additional responsibility for managing all computing services for CCSN. Regent Howard asked about her salary before she came to the System. Dr. Chairsell replied that she was a student and had just left the United States Air Force. Regent Derby corrected Dr. Chairsell, and asked about her salary prior to working for the System office. Dr. Chairsell replied that she earned approximately \$98,000/year. Regent Howard stated that her comments were not against Dr. Chairsell personally, adding that she felt that Dr. Chairsell was very good at what she does. Regent Howard expressed concern about whether Dr. Chairsell was able to lead an institution in this unique situation, adding that it was a virtual university and did not really exist. She suggested leaving the college as a virtual or on-line institution. Regent Howard requested that her comments be entered into the record. She said that she had spoken to at least 3 legislators. She related that 3 legislators had spoken publicly in opposition to starting a new college. Chair Dondero stated that Regent Howard's comments were not pertinent to the item. Regent Howard stated that it was a part of the Board's discussion regarding who would lead NSCH. She said that she knew of at least 4 senators serving on the IFC who thought the college was not a good idea at this point in time. Chair Dondero again warned Regent Howard that she had strayed from the subject. Regent Howard stated that she was still discussing the person who would lead the college. Chair Dondero reminded Regent Howard that she was not addressing the agenda item. Regent Howard requested General Counsel's opinion. General Counsel Ray stated that the discussion was broader than the scope of the agenda. However, he was assuming that Regent Howard was prefacing the reasoning for her vote and if it related to her vote it was fair. He stated that the discussion was a bit broad, and recommended not going too far with it. Regent Howard stated that it would all lead to whether she would support or oppose the appointment. She said the question had been asked, "Why not now?". She felt that funding would hurt UNLV and CCSN. She thought the Board should delay the opening for a few years, if not scrap the idea. She feared that any other action would be a poor decision on the part of the Board and the Board would lose respect among key legislators, which could hurt the Board in the long run. She felt it was a bad idea to spend more money on this idea. She said that several events had taken place since the study recommendation for the college, and the Board should consider whether this concept was still feasible and whether CCSN could play a bigger role in educating teachers and nurses to complement what UNLV was already doing. Regent Howard stated that, at St. Petersburg College in Florida, they received legislative approval to begin offering bachelor's degrees in teacher education. Other two-year colleges are expecting to win similar approval.

Regent Hill noted a point of order, adding that Regent Howard's comments were off the subject. Chair Dondero asked Regent Howard to limit her comments to the agenda item - the recommendation of the appointment of the Acting President.

Regent Howard stated that she was attempting to do so and asked whether she could continue with her comments, adding that she knew what she wanted to say. Chair Dondero replied that Regent Howard could say what she wanted if it was related to the agenda item. Regent Howard asked whether her discussion thus far was not related the agenda item. Chair Dondero replied that the part about St. Petersburg was not. Regent Howard felt that it was. She said that it all related to her casting her vote for the leader of the college. Chair Dondero suggested that Regent Howard finish her remarks and relate it to her intended action. Regent Howard stated that she would vote against this because of reasons she cited. She felt that UNLV and CCSN could do this and the Board should not approve any money or support for continuing with the idea.

Regent Derby spoke in support of the recommendation, adding that it was nice to hear Dr. Chairsell's background. Regent Derby said that Dr. Chairsell was an extremely competent, hardworking professional who knew many arenas of higher education. She stated that she felt that Dr. Chairsell would do a fine job, adding that she was pleased with the recommendation.

Regent Gallagher voiced her support, adding that she felt it was an excellent recommendation. She wished Dr. Chairsell well, adding that if the Board stood behind her and cooperated, she would do a great job.

Regent Kirkpatrick asked about the criteria used for determining the appointment. Chair Dondero replied that Dr. Chairsell knows the System well. Regent Kirkpatrick stated that he was not referring to Dr. Chairsell, but the criteria established for the president of the college. Chair Dondero stated that she consulted with the Chancellor regarding who had the proper credentials for the position. Regent Kirkpatrick asked about those credentials. Chair Dondero replied that Dr. Chairsell had an academic background. Regent Kirkpatrick asked Chair Dondero to limit her response to credentials for the position. Chair Dondero replied that she was looking for someone with an academic background, leadership capabilities, and other areas relating to being a good president. Regent Kirkpatrick asked how many people were considered. Chair Dondero replied that three others were considered. Regent Kirkpatrick asked why only three other people were considered. Chair Dondero replied that it was an interim appointment for a specific purpose. Regent Kirkpatrick asked how many people declined the offer. Chair Dondero replied that a number of them had for reasons of their involvement in other projects and their work. Regent Kirkpatrick asked which key Regents Chair Dondero had consulted. Chair Dondero replied that most of her consulting was done with the Chancellor. Regent Kirkpatrick stated that he would oppose Dr. Chairsell as President of NSCH because she did not have the background, experience, qualifications, or the knowledge of a baccalaureate degree granting institution. He noted that the constitution provided that the Board of Regents selects and appoints presidents. He felt that it was one of his most important functions as a Regent. He felt it was also the most important thing the Board does for an institution. He stated that a president was not only a Chief Executive Officer, but also a Chief Financial Officer, Chief Administrative Officer, and, most importantly, a Chief Academic Officer. He related that presidents also had many other related duties (i.e. students services, Foundations, and spokesperson for the institution). He felt it was imperative for the appointee to have the background, training, and experience to fulfill those roles. He observed that a deliberate process had been followed for appointing the two most recent presidents. He related that a number of people had applied or were nominated for the positions. An advisory committee and Regents committee reviewed the candidates and selected the top three. He acknowledged that the committees selected outstanding candidates. He observed that the same process was used for selecting the presidents of CCSN and UNR. He felt that UCCSN had great presidents and wanted to maintain that standard. He said that he liked Dr. Chairsell, adding that he did not enjoy doing this, but felt it was his job to do so.

Regent Kirkpatrick asked Dr. Chairsell which positions she held on an interim basis. Dr. Chairsell replied that the only interim appointment was as Interim Associate Vice President for Computing Services at CCSN for about a year. Dr. Chairsell stated that she had been hired as the Interim Associate Vice Chancellor for UCCSN for approximately 8 months prior to being made permanent. Regent Kirkpatrick stated that she had been loaned to the System by CCSN, adding that CCSN paid her salary. He asked whether a selection process had been used when she was selected as dean. Dr. Chairsell replied that a search had been conducted. He asked whether searches had been conducted for the other positions she filled, including her System position. Dr. Chairsell replied that searches had been conducted. Regent Kirkpatrick doubted her appointment as Associate Vice President for Technology at CCSN. Dr. Chairsell replied that was the Interim Associate Vice President for Computing Services at CCSN. She held that position in addition to her duties as Provost. Regent Kirkpatrick asked about her duties. Dr. Chairsell replied that she was over the entire technology of the college and was asked to restructure that area and bring academic and administrative computing together. It was also the first time the student fee for technology had been implemented. She was asked to develop a plan for how to best allocate those resources. She related that they reviewed T-1 lines for Distance Education and increased the bandwidth to expand Distance Education. At that time, they also bought two new servers for Distance Education. Regent Kirkpatrick asked whether she had been the Dean of Distance Education. Dr. Chairsell replied that she was not, but she had been the Dean of Special Programs. Regent Kirkpatrick asked what that entailed. Dr. Chairsell replied that she handled all special programs created by the college. She was tasked to create the Distance Education program. He asked whether Dr. Chairsell held that position prior to Ms. Theo Byrns. Dr. Chairsell replied that Ms. Byrns was head of the Roadrunner Program at that time and they had worked together closely with the development of that program. Dr. Chairsell explained that Ms. Byrns handled the rural program while she handled the selection of faculty, the curriculum, and creating the videos and taping.

Regent Kirkpatrick stated that he had not seen a vita on Dr. Chairsell. He asked Dr. Chairsell to assess her management and leadership skills. Dr. Chairsell replied that she had a great deal of training in leadership and management, adding that she came up through the ranks in the UCCSN. She felt that she tried to learn something from every position she held. She said that she has very strong interpersonal skills, which she felt was most important to administrative success - the ability to work with and communicate with people. She said she could get a firm grasp of the task at hand and carry out the task without hurting too many feelings, and still getting the task done. Regent Kirkpatrick asked whether Dr. Chairsell had ever been in a line management position. Dr. Chairsell replied that she had mostly been in institutional support positions. Regent Kirkpatrick asked whether she had ever supervised faculty and/or academic programs. Dr. Chairsell replied that she supervised the Distance Education program and the building of its curriculum. She stated that she had not supervised faculty or been a chair of a department. She said that she facilitates quite well. Regent Kirkpatrick asked about her involvement with the development of academic programs. Dr. Chairsell replied that she was involved with the development of the Distance Education program, which brought academic programs to the air. She said that she was also involved in the development of academic programs for community education. She developed her own programs as well as professional development programs for teachers (K-12). Regent Kirkpatrick asked whether she was ever involved in developing programs leading to baccalaureate degrees. Dr. Chairsell replied that she had not.

Regent Kirkpatrick asked about her involvement with the Henderson community. Dr. Chairsell replied that her involvement was mainly an extension of her work regarding community education and western water education. Regent Kirkpatrick asked about her involvement with fundraising. Dr. Chairsell replied that her fundraising was mainly through volunteer organizations

(AquaVision, where she served as president for two years). She also raised funds for her salary in the Environmental Studies program and raised funding through grants for energy education through the Governor's office. Regent Kirkpatrick noted that the next president would need to raise \$10 million for the buildings. He stated that the college had not been very successful with fundraising. He asked about her skills in that area. Dr. Chairsell stated that she believed in Mr. Bill Martin, adding that the Foundation and Mr. Martin were wonderful guardian angels. She related that the Board needed a person who could organize and motivate people and get the task done. She said that specific skills would be left to those actually doing the job. She said that she believed the Foundation would be able to do it. She said that she had ideas to share with the Board, adding that she had the utmost confidence in Mr. Bill Martin to raise those funds. Regent Kirkpatrick stated that Dr. Chairsell knew very little about the Henderson community. Dr. Chairsell disagreed, stating that she lived on the edge of the Henderson community for 22 years. Regent Kirkpatrick asked about her experience at a 4-year institution. Dr. Chairsell stated that she taught for 8 years at UNLV in the Department of Political Science, as well as the community service associated with those duties. She cited planning for the new classroom building and her work in the Environmental Studies program, where she taught part-time and worked full-time as an administrator.

Chair Dondero stated that the Board would have a search committee for the permanent position, adding that this was an interim position. Regent Kirkpatrick stated that, in order for the college to open in September, the person would need to be a dynamite person with experience in the development and delivery of programs and curriculum. He felt that Dr. Chairsell did not have that experience. He observed that Dr. Chairsell had received her doctorate less than one year ago. He said that Dr. Chairsell was not qualified and the Board would be doing a disservice to her, the Henderson community, as well as the other presidents and the System. He said that he could not support the appointment.

Regent Sisolak noted that he had not seen Dr. Chairsell's vita until a few minutes before. He observed that her current salary of \$114,446 was paid with System funds. He asked about plans for the college to reimburse the System. Chancellor Nichols replied there was no plan for that to happen. She related that the System had always provided support for the new state college at the Board's request, so long as no new hires were made and no new positions were created. She indicated that the UCCSN Personnel and Finance departments had been working with the college since there was no money. Chancellor Nichols stated that Dr. Chairsell's willingness to accept this responsibility for a short period of time seemed to be a good use of System resources. Regent Sisolak stated that there was money raised by the Foundation, adding they were paying for a sabbatical for the retiring president. He related that, after listening to Vice Chancellor Miles, he was convinced there was no money available from the other institutions to help the System's budget. He was disturbed that System resources would be used for this purpose. He asked about personnel loans to other institutions. Chancellor Nichols replied that UNLV was loaning a person to the System, adding that it was not uncommon for that kind of partnership to exist. Regent Sisolak asked whether the System had anyone loaned to UNLV. Chancellor Nichols replied they did not, nor to any other institution.

Regent Sisolak asked about Dr. Chairsell's current position. Chancellor Nichols replied that System staff would work even harder than they do now. Regent Sisolak asked whether the position was not needed since it could be left open for six months. Chancellor Nichols replied that the position was desperately needed. Regent Sisolak stated that the perception was that the position was not needed if it could be left open for this timeframe. He felt that he no longer had the same obligation to protect what was taken from the other campuses and that the information had been misrepresented.

Regent Sisolak observed that Dr. Chairsell would make more in her interim position than the new president hired for GBC; a college that already exists and has students. Chancellor Nichols replied that it was usual and customary to provide a 15% increase when an employee accepted additional responsibilities. Regent Sisolak questioned whether that was fair to the new GBC president. Chancellor Nichols replied that Dr. Chairsell was replacing a president that earned \$182,000. Regent Sisolak stated that he had questioned that initially, but it was paid for by private money. He stated that Dr. Chairsell's salary would be paid with System funds. He took exception to the use of state funds being allocated to the college. He said that the Chancellor and Vice Chancellor Miles had made commitments to him about several of these issues that were now not being upheld. He said that the perception was that if System staff could perform the work in Dr. Chairsell's absence, that the System did not require the position.

Regent Rosenberg stated that Regent Sisolak's argument, carried to the extreme, could cripple teaching on every campus. Most faculty teach over the normal load in order to get more students in classes, which made it difficult to justify additional positions. He acknowledged that most employees tightened their belts and did a little bit more for the benefit of the students. He related that state money spent would ultimately benefit the students. He observed that the Board had a habit of beating up on people and it should not be done. He related that Dr. Chairsell had demonstrated the ability to stand up to this kind of situation with style, dignity, and grace. He felt that she would do a fine job. He stated that the college would open on time and it would be the proper way to open a college - for the students.

Regent Derby defended the process for making an interim appointment, adding that it had always been done in this manner. She noted that it was a completely different process from filling the permanent position. She said that the Chair and the Chancellor evaluated who might be available to fill the vacancy and felt the Chancellor and Chair acted appropriately.

Regent Gallagher observed that Dr. Chairsell's military training would come in handy.



Regent Howard felt that the Board had a bad habit of putting people in positions for which they are not qualified (i.e., the last CCSN Interim President). She felt that, due to his inexperience, the entire System had been embarrassed. She felt that people hired for this type of position should already have some experience in that position. She said that she could not support the recommendation, adding that she thought that Dr. Chairsell was a good person.

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

Chair Dondero named the members of the NSCH Presidential Search Committee (on file in the Board office). Regent membership included Mark Alden-Chair, Jill Derby, Dorothy Gallagher, Doug Seastrand and Thalia Dondero.

**9. Public Comment - (Cont'd.)**

None.

**33. New Business - None.**

The meeting adjourned at 1:35 p.m.

Suzanne Ernst  
Chief Administrative Officer to the Board