

CORRECTIONS NOTED ON PGS. 216, 223, 253, & 254

BOARD OF REGENTS

UNIVERSITY AND COMMUNITY COLLEGE SYSTEM OF NEVADA

Building C, Room 133

Community College of Southern Nevada

700 College Drive, Henderson

Thursday-Friday, April 18-19, 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
Interim President Chris Chairsell, NSCH
Interim President Rita Huneycutt, TMCC
President Carol Harter, UNLV
President John Lilley, UNR
President Carol Lucey, WNCC
Chief Administrative Officer Suzanne Ernst

Also present were faculty senate chairs Mr. Ruell Fiant, CCSN; Mr. William Albright, DRI; Mr. John Patrick Rice, GBC; Dr. Eun-Woo Chang, TMCC; Dr. Arthur Broten, UCCSN; Dr. Stephen Carper, UNLV; Dr. Paul Neill, UNR; and Mr. Richard Kloes, WNCC. Student government leaders present included Ms. Deborah Faust, GBC; Ms. Michelle Lacerda, TMCC; Mr. Paul Moradkhan, UNLV; Ms. Rana Koran, UNLV-GSA; Mr. Matthew Wolden, UNR; and Ms. Marilou Woolm, UNR-GSA.

Chair Thalia Dondero called the meeting to order at 1:10 p.m. on April 18, 2002 with all members present.

1. Introductions – Dr. Lilley introduced the new ASUN Student Body President, Ms. Alicia Lerud and expressed his appreciation to outgoing president Mr. Matthew Wolden. President Harter introduced Mr. Erik Ball, the new editor of the *Rebel Yell*. She related that former editor, Mr. Mike Ziegler, had done a good job. President Wells thanked outgoing Faculty Senate Chair, Mr. William Albright for his service. President

1. Introductions – (Cont'd.)

Remington thanked outgoing Faculty Senate Chair, Mr. Ruell Fiant for his service, and introduced his replacement, Ms. Joan McGee. President Lucey introduced Dean Connie Capurro who presented the remedial education report during the ARSA Committee. She also thanked outgoing Faculty Senate Chair, Mr. Richard Kloes for his service. Regent Steve Sisolak introduced Regent candidate Mr. Starvos Anthony.

2. Chair's Report – Chair Dondero thanked CCSN for hosting the meeting. She announced that Mr. David Fulstone would replace Mr. Bruce James on President Stephen Wells' evaluation committee. She also announced the establishment of a new committee to evaluate the criteria and procedures for selecting Distinguished Nevadan award recipients. The committee will be comprised of Regents Thalia Dondero, Dorothy Gallagher, and Laura Hobbs. They will examine the process and make recommendations over the next few months. Chair Dondero reminded Board members about the upcoming ACCT Regional Seminar to be held June 9-12 at the Mandalay Bay Resort in Las Vegas. She then extended the Board's thanks to outgoing Presidents Dr. Rita Huneycutt and Mr. Carl Diekhans, adding that they had been a source of great support to their institutions.

Chair Dondero reported that Regent Howard Rosenberg spoke with a group of middle school students about the importance of staying in school and continuing their education. Regent Rosenberg stated that it had been a wonderful experience and recommended that other Regents take advantage of such opportunities, adding that Chair Dondero had also visited a group of students recently.

Chair Dondero introduced Mr. Ray Elgin, President of the 4-H Leaders Council, and Ms. Sylvia Beaman, Vice President, from the Pahrump 4-H Club. Mr. Elgin and Ms. Beaman presented Regent Sisolak with a plaque expressing their appreciation for his efforts in helping the 4-H group in Pahrump move into a larger building.

Chair Dondero reported that certain agenda items would be heard out of the order presented to accommodate individuals' travel schedules.

3. Chancellor's Report – Chancellor Nichols reported that the Board would hear a report about the new collaborative agreement with the State Board of Education, which was an outgrowth of the joint meeting held in January. She indicated that she was working with Chair Dondero and Dr. Jack McLaughlin to schedule another joint meeting with the State Board of Education that would also include members of the county school boards. She stated that she was pleased to present the final draft of the Master Plan, which has drawn positive attention across the country. She has been asked to make a presentation to the Society for College and University Planning about the comprehensive process the Board used to develop the Master Plan. Chancellor Nichols reported that Governor Guinn nominated her to attend the 2002 Women's Leadership Conference to be held in Washington on May 13-14, 2002. The conference agenda will focus on proposals to protect and strengthen families, create economic growth, and ensure educational opportunities for all citizens.

4. Approved-Review and Future Status of Nevada State College, Henderson – The Board assessed the development and current status of the college and determined whether to continue operation of the college or to terminate the college at this time.

Regent Seastrand moved approval of reaffirming the Board's commitment to NSCH. Regent Alden seconded.

Regents Kirkpatrick and Sisolak noted a point of order. General Counsel Ray advised Chair Dondero that she could recognize whomever she chose to. Regent Kirkpatrick observed that the Chair had already recognized him. Chair Dondero agreed. Regent Kirkpatrick asked that the motion be held in abeyance to allow him to explain his reasoning for bringing the item forward and proceeded with his presentation.

Regent Kirkpatrick observed that, Regent Sisolak had mentioned at the previous meeting, that Regents with opposing/minority views received little support and/or information. Regent Kirkpatrick stated that the NSCH issue was extremely important as it would dictate the future of higher education in Nevada and would impact existing institutions. He stated that NSCH had never been on an agenda for discussion, adding that, in the past, the Board had voted on elements related to the college. He recalled having asked when the Board did approve NSCH and General Counsel Ray told him that the Board had voted on a number of issues that approved the college defacto. He lamented the lack of a plan of action and a method for monitoring achievement. He reported that in January 1999, Mayor Gibson and community activist, Selma Bartlett, asked the Board to support a state college, indicating the community would provide great support (*including monetary*) for the development of a college. At the Board's June 1999 meeting, another group of Henderson community members pledged support for the college and promised to raise private funds (*\$15-20 million*). At the December 1999 Board meeting,

Assembly Speaker Richard Perkins provided an overview and rationale for establishing a state college in Henderson.

Regent Kirkpatrick reported that the 2000 legislature passed AB220, providing \$500,000 to study the need for a state college restricted to the Henderson area. He felt that was an excellent example of pork barrel politics. While that bill may have benefited Henderson citizens, it was not in the best interest of Nevada citizens. When the Board questioned the constitutionality of AB 220, General Counsel Ray outlined actions the Board could take in response to the legislature forcing an idea upon the Board. Regent Kirkpatrick stated that the Board never performed a needs assessment on the college. It was simply determined that Nevada was one of two western states without a state college. He questioned why the Board did not perform a needs assessment and why they allowed the legislature to determine the need for a 4-year degree-granting institution. He said that research was supposed to identify problems and provide conclusions. He felt that, with AB220, the legislature established the findings they desired and then developed the supporting criteria. He disagreed with the legislature's findings.

Regent Kirkpatrick stated that the basis for establishing the college was teacher education, nursing and less cost (*than either of the two universities*). He contended that the universities offered competitive pricing for their undergraduate courses. He observed that the Board's Teacher Education Committee identified the critical shortage of teachers in

4. Approved-Review and Future Status of Nevada State College, Henderson –(*Cont'd.*)

Nevada as well as recommendations for developing a strong 2+2 program with CCSN in cooperation with UNLV. He reported that over 600 teachers graduated last year. He related that UNLV expanded their teacher education program. He felt the Board made a mistake by not properly funding the expansion of those programs. He felt the Board should have considered satellite, branch, and regional campus approaches prior to deciding to promote the state college idea. Regent Kirkpatrick discussed the evolution of UNLV, which began as a southern branch of the University of Nevada prior to becoming Nevada Southern. President Harter clarified that "UNLV" began in 1968, adding that it had been known as "Nevada Southern" from 1958-1967. Regent Kirkpatrick observed that it was at least 5-6 years before UNLV became a stand-alone institution, which he felt was the appropriate manner for establishing a new institution. He observed that establishing a branch/satellite campus had advantages over starting a new state college (*i.e. accreditation, existing staff, less cost*). He related that the Board never investigated the use of a strong 2+2 program prior to deciding to move forward with a state college. He felt the Board should also have considered allowing CCSN to offer select baccalaureate degrees prior to moving forward with the state college model.

Regent Kirkpatrick lamented that the Board did not select the location for the college, adding that the site proposed by Landwell Corporation appeared to be a good one, but the adjoining property was never cleared for development. He expressed concern about the current location because it would require students to own a vehicle in order to reach the campus.

Regent Kirkpatrick recalled that the Board attempted to appoint Dr. Richard Moore as Founding President without benefit of a search. He felt that Dr. Moore had no experience at the baccalaureate degree-granting level. He was disappointed by the Board's approval of a vice presidential candidate with only a high school GED. He felt it was inappropriate that the Board allowed Dr. Moore to use UNR as the sponsoring institution instead of UNLV. He felt that NSCH now wants to take advantage of CCSN. He cited a last minute notice for a meeting (*verified by Regent Howard*) requiring approval of 100 pages of curriculum documentation.

Regent Kirkpatrick recalled the Henderson community's pledge to raise between \$15-50 million for the college startup. He observed that slightly over \$1 million in contributions had been received, adding that another \$10 million would be required before starting on the first building. He related that the City of Henderson had been very generous in their contributions and efforts to help develop the college, while Henderson's citizens had not followed through with monetary support. He asked the Board about the governor's support for the college. He reported that a majority of the Senate Finance Committee opposed the state college at this time. He asked whether the Board had acted with due diligence, had given due consideration to the effect on other institutions, and had acted in a financially responsible manner. He felt that a community college president should never have been appointed as a 4-year institution president. When Dr. Moore resigned, Dr. Chris Chairsell was appointed as

the Acting President. He told Dr. Chairsell that she was tremendous and wonderful, but she was not a college president. He related that she had no line management experience, adding that a college president required a lot of that.

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He indicated that she did not have the background, training, or experience needed to make decisions, adding that she would need to rely upon what others told her. He felt that he should have addressed this issue with the Chancellor. He related that the Board did not have the same input when appointing interim positions as they did for permanent positions. He felt the System required the most qualified individual in the position in order to open the college on time.

Regent Kirkpatrick reported there were 60 student applications on file for NSCH. He related that newspapers reported that Dr. Chairsell said they would begin with 50 students. He stated that 50 students would result in a cost of \$76,000/student. He indicated that even 200 students would result in \$19,000/FTE. He related that the governor has reported the state is facing a \$240 million shortfall this biennium. The governor has indicated that he won't reduce the education appropriation. Regent Kirkpatrick felt the Board has a responsibility in this financial crunch and budget shortfall to do their part. He questioned whether the Board could justify opening a new college at this time. He stated there were 30,000 students at CCSN who would be shorted in the coming budget cycle and urged the Board not to spend money on a new college at this time. Regent Kirkpatrick suggested making a motion once discussion was completed. Chair Dondero noted there already was a motion on the floor.

Regent Kirkpatrick moved that, due to present unknowns relating to the opening of NSCH, the opening be delayed until after the next legislative session. Regent Sisolak seconded.

Regent Hill observed a point of order, stating there was a motion on the floor. Chair Dondero acknowledged the original motion.

Regent Howard requested an opinion from General Counsel regarding whether Regent Kirkpatrick's point of order had precedence over the motion on the floor.

Regent Hill noted a point of order, adding that the Chair should rule the most recent motion out of order. Regent Howard stated that she wanted an opinion from General Counsel.

Regent Kirkpatrick stated that the Chair had recognized him first, adding that he had the floor and that the Chair could not allow someone else to take precedence because he had not relinquished the floor. General Counsel Ray stated that the Chair ruled. He related that the Chair had indicated that she had accepted the motion by Regent Seastrand, which was seconded. He related that any Board member could appeal the ruling of the Chair.

Regent Kirkpatrick appealed the ruling.

Regent Sisolak noted a point of question. He asked whether a person who had not been recognized could make a motion. Chair Dondero stated that she had recognized the motion. General Counsel Ray stated that the Chair had indicated that she recognized or accepted Regent Seastrand's motion. Chair Dondero requested the motion be re-read.

4. Approved-Review and Future Status of Nevada State College, Henderson –(Cont'd.)

Regent Seastrand moved approval of reaffirming the Board's commitment to the state college. Regent Alden seconded. At which time, Regent Kirkpatrick asked to explain his reasoning for bringing the item forward. Regent Sisolak noted a point of order. General Counsel Ray stated that the Chair could recognize whomever she chose to. Regent Kirkpatrick observed that the Chair had already recognized him. Chair Dondero agreed. Regent Kirkpatrick asked that the motion be held in abeyance and began his report.

Regent Hill noted a point of order. He appreciated Regent Kirkpatrick's request, but noted that the Chair never

ruled that the original motion would be held in abeyance. General Counsel Ray stated that the Chair had indicated that she accepted and recognized Regent Seastrand's motion. He said that, if a Board member disagreed with her decision, they could appeal the decision.

Regent Kirkpatrick appealed the decision of the Chair. Regent Sisolak seconded.

Regent Alden called for the vote.

Discussion ensued regarding the maker of the motion and which motion was on the floor. Regent Seastrand requested clarification for the current motion on the floor. Chair Dondero replied that they were voting on overruling the Chair's decision. Regent Kirkpatrick asked whether he could make a statement in support of his motion. General Counsel Ray replied that a motion to appeal the Chair's decision was debatable. Regent Alden noted that he called for the vote and requested a roll call vote.

Regent Hill requested restatement of the effect of the vote. Ms. Ernst clarified that the motion was to appeal the Chair's decision on recognizing Regent Seastrand's motion. Regent Howard asked about discussion. Regents Derby and Hill requested an explanation of the vote. Ms. Ernst replied that a "yes" vote would support Regent Kirkpatrick's appeal of the motion, while a "no" vote would support the Chair's decision to recognize Regent Seastrand's motion.

Regent Sisolak noted a point of order, stating that calling for the question to cut off debate required a vote. General Counsel Ray stated that the motion to appeal the Chair's decision was debatable. Regent Sisolak established that calling for the question would require a vote prior to voting on the appeal of the Chair's decision.

Regent Alden requested an explanation of the vote. General Counsel Ray explained that the Board was considering a motion to appeal the Chair's decision, which was debatable. Unless there was a vote to end the debate, the Board could continue their debate.

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Regent Alden moved approval of ending debate. Regent Seastrand seconded.

Regent Kirkpatrick stated that he wished to debate the matter.

Ms. Ernst explained that a "yes" vote would end debate, while a "no" vote would allow debate to continue.

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

Ms. Ernst explained that the Board would now address the appeal of the Chair's decision. A "yes" vote would support Regent Kirkpatrick's appeal of the Chair's decision, while a "no" vote would support the Chair's decision to recognize Regent Seastrand's motion. Regent Seastrand requested a roll call vote.

Upon a roll call vote the motion to appeal the Chair's decision failed. Regents Howard and Kirkpatrick voted yes. Regents Alden, Derby, Dondero, Gallagher, Hill, Hobbs, Rosenberg, Seastrand, and Sisolak voted no.

The original motion was re-read:

Regent Seastrand moved approval of reaffirming the Board's commitment to NSCH. Regent Alden seconded.

Regent Seastrand clarified that motion should have included that the college be opened in Fall 2002.

Regent Sisolak noted a point of order, requesting that the tape be reviewed. He said that he had not heard the request for the college to be opened by Fall 2002.

Regent Seastrand proposed a friendly amendment to the motion that NSCH be opened in Fall 2002. Regent Alden accepted the friendly amendment.

Regent Hill felt that it was an important time to consider the future of the State of Nevada and, more importantly, the City of Las Vegas and Clark County. He praised the U.S.'s overall legal system (*a representative democracy, the judicial system, and the right to express opinions and vote*) and its system of education (*common educational opportunity available to all U.S. citizens*). He reported that the U.S. has a better-educated populace than nearly any country in the world, adding that education was the future of this country. He observed that Nevada has the highest growth rate, one of the highest high school dropout rates, and the lowest rate of matriculation to college in the nation. He stated that Nevada has only two universities

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and no state college, adding that the universities had recently increased their admission requirements. He urged Board support for the state college.

Regent Seastrand expressed his appreciation to Regent Kirkpatrick for taking the time to share the state college's history with the Board. He also felt it important for the Board to consider Regent Hill's remarks. Regent Seastrand observed that long-term planning often presented short-term problems, adding that he considered the state college a long-term solution. He acknowledged that the State of Nevada was in a very difficult financial situation. He favored starting the college as soon as possible because he felt it would cost less in the long run and would enable more people to be educated. He felt that more people with college degrees was good for Nevada. He acknowledged that the Board would be criticized in the short-term because of the cost. He observed there were 64 people in the first class held at Nevada Southern. He said that he was gratified to support NSCH.

Regent Hobbs stated that her concerns related to financial and fiscal responsibility. She acknowledged the state's deficit and that the legislature would be faced with cutting programs. She felt the Board should really think about how money is spent and where it is going. She agreed that the college was a good idea and she supported the location. Her concerns related to the short term. She observed that even 250 students in September would still be double the amount appropriated to university-level instruction, which was the most significant consideration for her in arriving at a decision.

Regent Derby stated that she was very proud of the state college initiative. She observed that the RAND Report revealed that Nevada would likely require more than one state college in order to educate more Nevadans than are now. She was glad the Board was ahead of the curve. She appreciated Regent Kirkpatrick's recounting of the history, adding that the state college had been under consideration for the past 3 years. She was proud of the process leading to the establishment of the college and addressing the community's needs. She was also proud of the committees established by Chair Dondero, as well as the community support and engagement during this process. She related that the Board had provided a model for how to establish a new state college in a thorough and inclusive manner. She said that she was proud of the Board's work, adding there had never been a new project that did not invite opposition. She expressed her pleasure that the Board would finally approve the September 2002 opening of the state college. She thanked former President Moore and Acting President Chairsell for their leadership, as well as community leaders who were involved.

Regent Sisolak expressed his appreciation for Regent Kirkpatrick's efforts. He was troubled that the Board chose to cut off debate on this issue. He said that some of his questions might make people feel uncomfortable, adding that he felt he had a fiduciary responsibility to his constituents. He observed that September 11th had changed everyone's life, as well as Nevada's economy, forever. He acknowledged the state's \$250 million budget shortfall, adding that the governor had spoken of flat budgets and budget cuts. He said that he did not know where the money would come from. He observed that students would be most affected. He said that he thought the state college was a good idea, but he failed to see the need to open the college this year. He hoped the state

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college would be the best institution possible. He expressed concern for opening the state college in an uncertain financial climate without negatively impacting the other institutions. He felt that the \$3.75 million allocated to

NSCH could better serve existing institutions, adding that he had significant concerns about ongoing expenses. He asked the Chancellor whether a minimum number of enrolled students had been determined as necessary in order to open the college on Sept. 3rd. He also asked whether discussion of an enrollment minimum would be appropriate. Chancellor Nichols replied that many discussions had been held over the past few months about whether to open the college in the Fall and whether it was feasible. To her knowledge, no minimum enrollment number had been determined. She said that part of the difficulty in determining a minimum number was that the institutions were funded on an annual average FTE. She explained that the Spring and Fall enrollments would be equally important in establishing the annual FTE. She related that the State had historically not required a refund when UCCSN failed to enroll the number projected, adding that CCSN was currently funded for more students than it enrolled. She stated that she did not want to squander state funds, adding that she hoped to have 500 FTE by the end of the Spring semester. Regent Sisolak asked whether the college would open with only 35 enrollments. Chancellor Nichols replied that it would be a Board decision. She said that everyone hoped for more than 35 students on the first day of class. Were that to happen, System Administration would be aware of that situation prior to September 3rd and the Board would have an opportunity to review that. She stated that the Board could establish and pursue a minimum number of enrollments if so desired.

Acting President Chairsell reported there were nearly 70 applications with no student recruitment efforts. The college tallied 110 phone calls in the last week expressing interest in enrolling. She said she would follow the will of the Board. If the Board wanted NSCH to open on September 3, 2002, an aggressive student recruitment program would be initiated. She explained that she could not do that prior to receiving Board approval of the curriculum. Regent Sisolak disagreed that no recruitment had been done, recalling past efforts to waive the application fee in order to encourage enrollments. He felt those efforts had failed to meet expectations. He stated that Board members were trustees of state dollars, adding that he was aware of how scarce and limited those state resources were. He did not believe the System would voluntarily refund dollars to the state if less than 500 students enrolled. He again asked whether any number had been determined that would be deemed as not feasible for opening the state college. He felt that arrangements should be made with either UNLV or CCSN to quickly enroll those students if the state college did not open as planned. Chancellor Nichols stated that, if the Board approved the motion, they would be making a commitment to open the college September 3rd. She felt the commitment was necessary in order for students to enroll. She said the Board would be telling Dr. Chairsell and the Henderson and Las Vegas communities that the Board recognized the needs of the students. She said it was not her place to establish a minimum number, adding that she had not established a minimum number of enrollments necessary. She related there had been multiple discussions regarding the number required in order to provide a valuable student experience. She felt that the motion before the Board was not about setting barriers by determining a minimum number of enrollments to open the college, but rather a vote of confidence and a point from which to move forward. Regent Sisolak stated that the System was

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communicating to the taxpayers that the college would open, regardless of the number of students enrolled. Chancellor Nichols stated that she did not believe that was the message conveyed to Nevada taxpayers. She felt that the message was that a state college was opening because the state needs one. She related that, if UCCSN did not spend the money on the state college, they would have taken a short-term gain and accepted a long-term loss.

Regent Sisolak stated that the presidents were aware of the potential budget cuts and some had even made contingency plans. He requested a brief answer from each of the presidents regarding the short-term financial impact of the Board's decision on each of their institutions (*no response from the presidents*).

Regent Rosenberg stated that he was on the original committee to investigate the possibilities. He said that the Chancellor convinced him that this was definitely needed. He recognized the precarious financial position the state is in. He observed that the System would never accomplish anything if they only acted when it was safe. He cited as example, an entry-level class required for every other course in the department. It enrolled 68 students this semester; the room holds 24. The instructor scheduled sections in other rooms in the building in order to accommodate the additional enrollments, since there is not enough money to pay for resources to hold enough sections of the class to accommodate all those enrolled. He observed that parents and students required

some assurance from the Board that the programs were approved and the enrollments would follow. He urged the Board to give the college a chance, adding that the long-run benefit would be worth the risk. He was not concerned with establishing a minimum number, adding that the college was needed and the students would come.

Regent Gallagher stated that, if the state college had not received money from the legislature, she had no confidence that it would have been shared with the other institutions, but rather used somewhere else. She cited Board contention regarding NSCH as the likely cause for low enrollments to date. She encouraged Board support for the college, adding that discussion regarding the number of students or the amount of money raised could be entertained in plenty of time for the Board to reconsider their decision.

Regent Howard requested information on NSCH's minority recruitment plan. Dr. Chairsell replied that the college did not have a specific minority recruitment plan at this time. She said they would begin with an aggressive student recruitment plan, adding that they have approached select high schools in the area. The high schools have their own diversity component. Regent Howard asked whether there was any recruitment plan. Dr. Chairsell replied that the recruitment would begin the following Monday. She asked Mr. Bob Johns to address the recruitment plan.

Mr. Bob Johns stated that he recently attended a symposium conducted by UNLV and CCSN regarding student retention and underrepresented student programs. He gathered information regarding the creation of programs to benefit minority students. He stated that two minority recruiters had been retained to assist with the project. He indicated that he participated in the selection of high schools and their location in order to provide

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accessibility to students outside the Henderson area. Mr. Johns stated that the key would be in obtaining a caring staff and faculty. He related that NSCH was small and would do it right from the beginning. He said they would use the experience of UNR, UNLV, and CCSN to create NSCH's programs. He felt strongly that, once the Board sanctioned the college, an aggressive recruitment campaign would begin and the students would materialize. He related that high school seniors had not yet applied for college and he believed they would take advantage of the new state college.

Regent Howard asked when NSCH would have a minority recruitment plan. Mr. Johns replied that NSCH would hire two minority recruiters to help with the effort. Facilities will be located in areas accessible to underrepresented students. Regent Howard asked about the plan for recruiting minority and low-income students as well as transportation assistance. Mr. Johns replied that NSCH would provide the support to make the students successful. He said that the two recruiters had the ability and experience to talk to the parents and students they would like to recruit. He indicated that one recruiter had real success with underrepresented groups. He offered to present a specific recruitment, retention, and support program at a future date.

Dr. Chairsell stated that the college had received many commitments in the last couple of weeks: St. Rose Hospital committed a \$50,000/year scholarship for the nursing program; they have committed another \$50,000 to build the nursing program; the Southern Nevada Hospital Association committed a maximum of \$50,000 for the nursing program; Del Webb has contributed \$25,000 and has another \$25,000 pledge to the college. She thanked the contributors.

Regent Hill noted that Mayor Gibson was in the room. Regent Howard noted that Nevada State Senator Joe Neal was also in the room. Dr. Chairsell noted that Father Caesar Caviglia was in the room. Regent Sisolak noted that Senator Hal Smith was also in the room. The Board recognized them.

Regent Alden acknowledged that these were difficult decisions for the Board. He recalled that when the convention center was built it was considered a white elephant. He noted that the success of McCarran Airport had been doubted and that UNLV began in the basement of a building with 20 people. He noted a debt of gratitude to the Gibson Family, the leadership of Mayor Gibson, and the people of southern Nevada. He felt it was the right decision to move forward and urged Board support.

Chair Dondero requested a roll call vote. Ms. Ernst explained that a “yes” vote would support Regent Seastrand’s motion, while a “no” vote would oppose his motion.

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

Father Caesar Caviglia stated there were many resources in the community that would reveal themselves.

4. Approved-Review and Future Status of Nevada State College, Henderson –(Cont’d.)

Dr. Chairsell stated that the NSCH Foundation raised the money for the college’s first year of planning. She acknowledged the NSCH Foundation members present: Mr. William Martin, Chair; Mrs. Selma Bartlett; Mr. Glenn Christenson; Mrs. Sherry Colquitt; Mr. Fred Cox; Mr. Clifford J. Findlay; Mayor James Gibson; Mr. John Gibson; Mr. Richard C. Kellogg; Mrs. Marydean Martin; Mr. Phillip Peckman; Mr. Erik Sletten; and Mr. Dan Stewart with the Landwell Corporation.

Ms. Ernst read a letter from Senator Jon Porter in support of the state college. Chair Dondero stated she also had letters of support from the Las Vegas Chamber of Commerce and Stations Casinos.

Regent Kirkpatrick asked when plans would begin on state colleges in Summerlin and East Las Vegas. Regent Howard asked about a state college for North Las Vegas. Chancellor Nichols replied that the Master Plan provided the ability for planning branch campuses and other institutions that might be needed in the community.

The meeting recessed at 3:15 p.m. and reconvened at 3:30 p.m. with all members present.

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

(1) Approved-Minutes – The Board approved the minutes from the joint meeting with the State Board of Education held January 25, the special meeting held February 25, and the regular meeting held March 6-7, 2002.

(2) Approved Presidential Salary, GBC – The original negotiations with President-elect Paul Killpatrick were misstated at the March 6-7 Board of Regents’ meeting. The Board approved an initial annual salary of \$125,000, effective June 1, 2002. All other employment terms and conditions remain unchanged.

(3) Approved-Appointment With Tenure, UNLV – The Board approved appointment with tenure for the following individuals:

- • Dr. Gillian M.P. Galbraith, MD, professor and Chair of Integrated Biosciences in the UNLV School of Dentistry, effective April 1, 2002. The Senior Faculty Advisory Council voted 5-0-1 to hire with tenure. (Ref. C-3a on file in the Board office.)
- • Dr. Peter Fos, DDS, Ph.D. and MPH professor and Chair of Clinical Sciences in the UNLV School of Dentistry, effective March 1, 2002. The Senior Faculty Advisory Council voted 5-0-1 to hire with tenure. (Ref. C-3b on file in the Board office.)
- • Dr. Gregory Levitt, professor and Chair of the Department of Curriculum and Instruction, effective April 19, 2002. The department voted unanimously to hire with tenure. (Ref. C-3c on file in the Board office.)

5. Approved-Consent Agenda – (Cont’d.)

(4) Approved-Capital Improvement Fee Funds, CCSN – The Board approved the use of \$43,000 in Capital Improvement Fee funds for the Charleston Campus and the Green Valley Tech Center. The project consists of relocating a wall and a door to modify an existing room at the Charleston Campus to accommodate the growing EMS program needs. Sinks and eyewashes will be added to meet safety requirements. Additionally, cabinets designed to hold the specialized EMS equipment will be installed at Green Valley Tech Center. The cabinetry will be color-coded with that which is in place at the Charleston Campus to facilitate consistency for the instructors and the students. Sinks and eyewashes will also be installed at this location to satisfy safety requirements.

(5) Approved-Capital Improvement Fee Funds, TMCC – The Board approved the use of \$300,000 in Capital Improvement Fee funds for TMCC. The project consists of adding Plant & Facilities department office space to the approved facilities building being constructed through the Student Development Center state funded project. (*Ref. C-5 on file in the Board office.*)

(6) Approved-Grant of Easement, UNR – The Board approved a grant of easement from the Board of Regents to the City of Carlin to construct and maintain the water pipeline to the Fire Science Academy and to perform related work. (*Ref. C-6 on file in the Board office.*)

(7) Approved-Special Fees, UNR – The Board approved special fees for UNR effective July 1, 2002 that were accidentally omitted from the March meeting reference material (*Title IV, Chapter 17, Sections 15 and 17*). (*Ref. C-7 on file in the Board office.*)

- • Residence Hall and Food Service Rates, UNR
- • Summer Conferences
- • University Housing

Regent Alden moved approval of the Consent Agenda. Regent Hill seconded. Motion carried. Regent Rosenberg abstained.

6. Information Only-Combined Motor Pool, UNLV/State of Nevada - UNLV discussed the possibility of a revised proposal for a combined UNLV/State Motor Pool facility on an alternative site on the west side of Swenson Avenue on Clark County Airport Authority (CCAA) property that is currently leased by UNLV. The new proposal addresses previous concerns and meets the needs of the university and the state. (*Ref. T on file in the Board office.*)

President Harter reported that Dr. Fain and Mr. Dan O'Brien had worked together to identify a space that would be mutually helpful and not interfere with UNLV's projected space planning for campus facilities.

Dr. Juanita Fain, Vice President, Administration-UNLV, thanked the Chair for hearing the item out of the original order presented. She introduced Mr. Dan O'Brien, Manager of the State Public Works Board. She stated that UNLV was cognizant of the Board's desire to protect the use of UNLV's limited land. She reported that the State required space for a motor pool, adding that UNLV could benefit from a new motor pool as well. She explained that UNLV wanted to inform the Board about the latest development. If the Board deemed the option was viable, UNLV would return to the Board with an

6. Information Only-Combined Motor Pool, UNLV/State of Nevada – (*Cont'd.*)

interlocal agreement. The area under consideration is located across the street from the campus on Swenson Avenue, immediate west of the Thomas & Mack Center. The land is currently leased by UNLV from Clark County Aviation. That lease expires in 2011. Dr. Fain related that UNLV would need to renegotiate the lease extending it to at least 40 years. She stated that Governor Guinn had assured UNLV he would help resolve any issues with Clark County in renegotiating the lease.

Chair Dondero stated that, years ago, the property belonged to UNLV and the airport leased it. President Harter replied there were several pieces that had been traded as the airport expanded. Dr. Fain stated that this project was not part of that property. The property under consideration is approximately 2.68 acres of 11.2 acres leased by UNLV.

Regent Kirkpatrick applauded UNLV and Mr. O'Brien for reconsidering the issue, adding that he felt it was a great location. He asked whether General Counsel had reviewed the contract. General Counsel Ray replied that he had not reviewed any paperwork as the transaction was still under negotiation. Dr. Fain stated that UNLV wanted to get a sense from the Board that it was a viable option. She related that UNLV would work with General Counsel once the planning was finalized.

Regent Alden asked whether the property was between the Thomas & Mack Center and Paradise. President Harter replied that it was. Regent Alden asked whether the property was in the flight path. President Harter

replied that it was, adding they could only do certain things with the property. Regent Alden asked whether the property could ever be used for classrooms in the future. President Harter replied that it could not. Regent Alden wanted to affirm that the property would not be needed by UNLV, adding that he did not like giving up property.

Regent Hill asked what the building would look like. Mr. O'Brien replied that it would be similar to the building depicted in the reference material. Regent Hill felt it was important that the building met esthetic appearance requirements due to its proximity to UNLV.

Mr. O'Brien thanked the Board for their consideration. He indicated that the pictures were taken of the building in Carson City. He pointed out the "no-build fly zone" to the south of the motor pool building. He related that the area north of that had a height limitation of 30 ft., adding that the proposed building would qualify. He felt it was a good site. He related that Governor Guinn had talked to Thomas & Mack regarding the area used for parking large trucks and they are in agreement. He was hoping to identify any Board concerns so they could move forward with the project. The building architecture will be complementary to the Thomas & Mack Center and is compatible with surrounding architecture.

Chair Dondero asked about the timing. Mr. O'Brien replied that it would likely be finalized for bid in September-October. He noted that it was an excellent site for the traffic flow. Chair Dondero asked about any restrictions for access to Thomas & Mack. Mr. O'Brien replied there were none, adding that it was a two-way street. He reported

6. Information Only-Combined Motor Pool, UNLV/State of Nevada – (Cont'd.)

that the facility would have 53% dedicated for UNLV and 47% for the State Motor Pool with sufficient parking accommodations. The facility will have meeting rooms.

Regent Sisolak stated that it would be a welcome improvement to the semi-trucks parked there, adding that he received many calls about that.

Mr. O'Brien congratulated the Board on NSCH, adding the state was in consultation with Field-Paoli Architects and they would now proceed. He related that \$10 million would be required prior to the start of construction, but they could proceed with the design.

7. Approved-Support Policies and Programs for Increased University Admission Standards - Regent Linda Howard, speaking on behalf of community representatives and underrepresented groups, presented a proposal relating to 1) increased admissions requirements at UNLV and UNR and 2) recruitment and retention efforts at all institutions. (*Ref. C on file in the Board office.*)

Regent Howard stated that the community representatives would speak for themselves, adding that it was not her agenda item, but what transpired from the increased admissions standards. She asked the Chancellor to explain why the item was on the agenda.

Chancellor Nichols reported that the first version of the proposal was presented to the Board during discussion of the increased admission standards. The universities and community colleges made clear commitments to address any issues related to underrepresented groups and minority groups so they would not be unfairly disadvantaged. She related that a key provision of the Master Plan was an ambitious goal for minority groups to have the same graduation rates as the majority groups. The Board asked staff to work with the universities and community colleges and return with responses to the proposal. That document was provided at the January Board meeting, but the item was not discussed because the community leaders and representatives had not had an opportunity to see the System responses. She explained that the current version was slightly different reflecting the changes made. She indicated that the intent of the document was to present a parallel set of goals as the new admission standards were approached.

Regent Howard introduced Mr. Thomas Rodriguez from the Minority Coalition. Mr. Rodriguez recalled the Board's December 7, 2001 action to raise admission standards. He indicated that the vote was supported by a group of minority organizations, who had previously opposed raising any of the standards. He said that the

Minority Coalition supported the Board because a commitment was made to adopt essential, additional items at a future date. He recalled that a letter was sent to Board members including Minority Coalition recommendations. He related that the 24 recommendations were developed carefully over the past 3 months working closely with the Chancellor's office. He felt the recommendations could be easily implemented over the next few years. Some recommendations can be implemented almost immediately, some have no cost, while others will take more time. He suggested the Board could adopt the recommendations in principle for future implementation, similar to the increased admission standards. He suggested that 3 additional Millennium Centers be built over the next few years (*1-Reno, 1-Las Vegas Black community, and 1-Las Vegas Hispanic community*). He felt the Centers would

7. Approved-Support Policies and Programs for Increased University Admission Standards

(Cont'd.)

ensure that minorities finally have unprecedented access to institutions of higher learning in the state. He thanked Chancellor Nichols for negotiating with them in good faith. He did not feel that any of the 24 recommendations were in conflict with the Board's commitment. He recommended adoption in principle of the recommendations with implementation schedules to be developed in the future.

Chair Dondero said that she was not aware of the UCCSN ever denying admission to minorities. Mr. Rodriguez replied that he did not believe they had. He cited an example when he filed a lawsuit against the Clark County School District regarding the low number of Hispanic employees. The Civil Rights Office found that a reasonable number of Hispanic applicants had been hired. He felt that an effort to recruit minority applicants had been lacking. He related there was a similar lack of effort in recruiting minority students, adding that financial aid and non-English speaking parents were viable issues. He felt the Millennium Center would address that issue.

Senator Joe Neal took exception to Chair Dondero's remark about not knowing about minorities not being admitted. He suggested the Board review admission to the Dental School, adding that not a single black person had been admitted. His daughter was denied admission to the School of Medicine. He related that his daughter is now a doctor, though she did not attend UNR. He hoped the Board would take advantage of Blacks and Hispanics reaching agreement on this issue. He also hoped the Board would find the means to heed and support the recommendations, adding his support for them. He affirmed that UCCSN did indeed have problems admitting minorities into the professional schools, adding that it was still occurring.

Regent Kirkpatrick stated that he was already upset that less than 50% of the Dental School students were from Nevada. He could not believe that not one Black student had been admitted. President Harter replied that 7% of the applicants were minority and 17% of those students invited to enroll were minority. Senator Neal observed that President Harter's words had been carefully chosen. He indicated that he had been informed that not a single black individual had been admitted to the Dental School. President Harter replied that it was not true. She explained that the class would not begin until August. She reiterated that 17% of those students admitted were minority, adding that she did not have the exact breakdown. She reported that 18 minority students had been admitted out of a class of 75. Regent Howard requested a breakdown of the minority admissions. She asked whether a spokesperson from the Dental School was present. President Harter replied they were not. Senator Neal asked about the number of Black graduates from the School of Medicine in the past few years. President Lilley replied he did not know. Senator Neal stated that he was aware of one Black graduate, adding that no Blacks were admitted to the School this year. Regent Howard requested a breakdown of minority enrollment at the Dental School and the SOM for the next meeting.

Regent Alden asked about the number of recommendations that had been, or could be implemented without cost, which recommendations would require funding, and the cost of implementation. Chancellor Nichols agreed to do so:

7. Approved-Support Policies and Programs for Increased University Admission Standards

(Cont'd.)

➤ • Recommendation #1 - Can be done and is already practiced. The difference is having the institutions report

to the Board as well as designated minority group organizations, which have not been designated. No process is currently in place.

- • Recommendation #2 - Has budget ramifications and is dependent upon the budget. The FY03 budget has already been set; the change would need to be implemented in FY04's budget request.
- • #3 – Dependent upon legislative funding for Millennium Bound Outreach Centers.
- • #4 – Dependent upon Board action on tuition and fees and the portion set aside for financial assistance (*designated for need-based scholarships*).
- • #5 – Has been accomplished. Recommendation mirrors Handbook language.
- • #6 – An advisory committee needs to be established at each institution and implementation strategies need to be Board approved.
- • #7 – A budget item dependent upon funding. If enrollment grows and the formula is sufficiently funded, there should be increased funds for student support services.
- • #8 – Need a report from each campus regarding how it is currently managed, or would be managed in the future.
- • #9 - System Administration will conduct a study on educational opportunity programs for Board consideration.
- • #10 – This is not a problem and should obviously be done.
- • #11 & #12 - Involve issues of curriculum, faculty, and graduation requirements. It would need to go through the ARSA Committee and receive faculty input.
- • #13 – K-16 curriculum alignment is on the current agenda.
- • #14 – Is exactly what the American Diploma Project will accomplish.
- • #15 - Part of the K-16 initiative with the State Department of Education.
- • #16 – Providing information to minority group organizations should not be a problem.
- • #17 – Is System Administration material and underscores System goals.
- • #18 – Is already in the works and on the agenda.
- • No item #19.
- • #20 – Is underway.
- • #21 – Similar to the American Diploma Project with better communication with minority group organizations in the state.
- • No item #22.
- • #23 – Is already done on the campuses.
- • #24 – Is already done; The change involves providing better information to designated minority group organizations.

Chancellor Nichols noted that the common theme was that minority group organizations said they wanted to be partners with the System.

Regent Alden established with Regent Howard that the list had been mis-numbered with items #19 and #22 missing.

7. Approved-Support Policies and Programs for Increased University Admission Standards

(*Cont'd.*)

Senator Neal asked the university presidents to count the minority students, particularly Black students from Nevada, and not just those coming from African countries. Regent Howard requested a five-year history. President Lilley replied that he would have it ready the following day.

Mr. Andres Ramirez, Ramirez & Associates, Inc., stated that minority groups had been working on this issue for quite some time. He urged increasing communication and coordination between minority communities and the institutions, adding that the issue was important to them. He recognized no intentional wrong doing, adding that improvement was necessary. He said he was not as concerned about the timing of implementation, rather that the recommendations would be implemented. The minority organizations want to ensure that as many Nevadans as possible can succeed and receive the best education possible. He said they desired better access and better opportunities for all Nevadans. He related that he left Nevada because not one UCCSN institution attempted to recruit him, adding that he was accepted at Georgetown University. He said that he had no help completing

scholarship applications. He felt UCCSN needed to improve its method of educating citizens about opportunities in Nevada. He requested Board support and approval of the plan.

Regent Hill moved to gratefully accept the report and to refer it to the Chancellor and presidents for concrete recommendations on implementation . Regent Sisolak seconded.

Regent Kirkpatrick asked about the amount currently spent on student support services and about the impact of increased spending on the campuses.

Regent Hobbs said that she agreed in principle with the document, but wanted to ensure the Board did not approve funding they would be unable to acquire. Regent Sisolak replied that Regent Hill's motion considered that.

Motion carried.

President Diekhans noted that GBC fully supported recommendation #3, adding that a large part of the state was not considered in that recommendation. He related that GBC serves 5 counties with a large Hispanic and Native American population. If outreach centers are created, he felt they should be considered for rural Nevada as well.

8. Approved-Extension of Temporary Policy, Military Leave for Professional Staff - At the October 2001 Board meeting, action was taken to temporarily amend the policy on military leave to allow members of the professional staff to be compensated for the difference in their UCCSN pay and their military pay through the end of the 2001-2002 employment contract. The Board approved a request to extend this temporary policy through the 2002-2003 employment contract period. (*Ref. A on file in the Board office.*)

8. Approved-Extension of Temporary Policy, Military Leave for Professional Staff – (*Cont'd.*)
Vice Chancellor Curry reported that the item constituted a request to extend the policy for another year, adding that several professionals would be affected. He related that the State Personnel Office had already adopted the extension.

Regent Rosenberg moved approval of extending the temporary military leave policy for professional staff through the 2002-2003 employment contract period. Regent Kirkpatrick seconded.

Regent Alden noted that there was an associated cost with this measure.

Motion carried.

9. Approved-UCCSN Master Plan for Higher Education – The Board approved the final draft of the new UCCSN Master Plan. (*Ref. B on file in the Board office.*)

Chancellor Nichols reported there were no significant changes from the previous meeting, adding that most corrections were editorial in nature. If approved, the Plan would be printed in an abbreviated version for public distribution. It also provides easier access to the key points of the Plan for legislators. She said that copies of the complete Plan would be provided to the Board, presidents, faculty, student leaders and all roundtable participants. Work will begin immediately to implement policies and procedures required to achieve the goals and targets outlined. She reminded the Board that master plans are living documents providing a vision to the future. The goals and targets will be reviewed every 4 years. She thanked the Board for their patience during the lengthy process.

Regent Kirkpatrick moved approval of the UCCSN Master Plan for Higher Education as presented. Regent Rosenberg seconded.

Regent Seastrand suggested continuing to consider technology when considering how to implement these strategies. He noted that students taking courses on-line perform better. He urged the System not to overlook

technology.

Motion carried.

10. Approved-Final Report and Recommendations, UCCSN Police Study Committee – The Board approved the final report and recommendations of the UCCSN Police Study Committee for the Board’s consideration. (*Bound Report on file in the Board office.*)

Chancellor Nichols introduced members of the panel commissioned to study campus policing and security. The panel was led by Dr. Ken Peak, Professor, Criminal Justice-UNR, and Dr. Richard McCorkle, Assistant Professor/Chair, Criminal Justice-UNLV. Members included Mr. Jose Elique, Chief of Police/Director of Public Safety-UNLV; Mr. Mike Murray, Deputy Chief/Deputy Director of Public Safety-UNLV; Mr. Randy Flocchini, Executive Director/Chief of Police-TMCC; Mr. Adam Garcia, Director, University Police Services-UNR; and Mr. Todd Renwick, Interim Director, Police Department-UNR. She said that they were extremely supportive of this initiative.

10. Approved-Final Report and Recommendations, UCCSN Police Study Committee – (*Cont’d.*)

Chancellor Nichols reported that general policing issues raised in the report included:

- • The use of sworn officers.
- • Practices relating to recruitment and training.
- • Citizen complaints regarding peace officers.
- • The type of policing model used.
- • Ultimate authority and responsibility for the police departments.

She then reviewed the recommendations. Recommendation A clearly stated that control and authority over all UCCSN police departments resides with the Board of Regents. She noted there was no current policy in the Handbook regarding this issue. She reported that TMCC, UNLV, and UNR used their own employees for security, while CCSN employs a contracted security firm. A variety of “make-do” efforts are employed at the other, smaller campuses. The report recommended that, if contracted private security firms were used, they should provide the same level, quality and general function as that of regular employees. She indicated that all of the campuses had entered into an interlocal agreement with the appropriate municipal police department to define territorial limits and jurisdiction. The report recommended that all UCCSN police departments shall use a community-oriented policing model.

Mr. Elique explained that a community-oriented policing model involved police departments reaching out to the communities served to identify what the public felt were security and public safety needs, and the police department complies with that. It also refers to devoting most of their efforts to policing on campus as opposed to campus perimeters. Police departments also strive to make police officers more accessible and less intimidating. They utilize alternative methods of patrolling (*bicycles, carts, mini motor bikes, horses*). President Harter commended Mr. Elique for changing the culture of the UNLV police department, adding that it was now more service oriented.

Chair Dondero asked about the Regents’ responsibility. Chancellor Nichols replied that the Board of Regents is responsible for the police departments. Chair Dondero noted that those employees were hired by and reported to the institution president. Chancellor Nichols identified the chain of command: police officers are responsible to the Chief of Police, who is responsible to the institution president, who is responsible through the Chancellor to the Board. President Harter stated that some of UNLV’s police officers mistakenly thought they reported to the State Department of Public Safety. She related that Mr. Elique had since clarified that issue for them. Chancellor Nichols explained that the Board would not manage the police departments.

Regent Sisolak left the meeting.

Chancellor Nichols continued her review of the policy recommendations.

Chair Dondero asked when local police departments were called. Chancellor Nichols replied that she would address that question later in her report.

10. Approved-Final Report and Recommendations, UCCSN Police Study Committee – (Cont'd.)

Regent Gallagher asked about the connotation associated with “peace officer”. Mr. Elique replied the term was synonymous with police officer, adding that they must maintain a specified level of training at POST (*Peace Officers Standards of Training*).

Regent Howard asked whether the officers belonged to different unions. Mr. Elique replied that they were brotherhoods and not bargaining units, adding that they did not contract for wages. Regent Howard asked whether Las Vegas Metropolitan police officers were in a separate union from UNLV’s officers. Mr. Elique replied that they were, adding that Las Vegas Metro was a bargaining unit.

Chancellor Nichols continued her review of policy recommendations. The report recommended that all police departments establish standards and screening criteria to ensure qualified personnel, including standardized psychological screening of all recruits. Each institution shall determine the type of attire best suited for effective functioning and easily recognizable to students and employees. The report recommended that each president may restrict the armament of any or all police within the institution. Officers must be fully trained to carry a weapon. She related that the Board had an option here to insist that no UCCSN police department be equipped with automatic weapons. Automatic weapon was defined as any weapon capable of firing more than one round of ammunition with a single pull of the trigger.

Mr. Elique disagreed with the definition. He considered a fully automatic weapon as one that expended all rounds with a single trigger pull. He reported that UNLV uses semi-auto rifles, which could be set at safe, unsafe, or semi-automatic settings. One trigger pull expends three rounds. He related there was limited use of that weapon. Since September 11th, UNLV carries only one of those weapons in a supervisor’s vehicle. It would only be used in an “active shooter situation”. Chair Dondero asked for President Harter’s feelings. President Harter replied that she supported limited use of those weapons as described by Mr. Elique. She felt that not having those weapons available could put UNLV in a jeopardy situation should a tragedy occur. Mr. Elique stated that deployment was extremely limited and highly supervised.

Regent Hill observed that it would be considered felony possession of an illegal automatic weapon if a private citizen used the weapons described by Mr. Elique. Mr. Elique agreed, adding that his definition was widely used in police business. Regent Hill respectfully disagreed with the definition. He asked about the range and caliber of the weapon. Mr. Elique replied that the rifle was an AR-15, adding that he did not know the range. Regent Hill established that the range was over one mile, adding that a 22 gauge would shoot 9/10 of a mile. Mr. Flocchini replied that the caliber was .223. Regent Hill expressed concern for an officer missing a target and the recoil causing injury to innocent bystanders within 2 miles. Mr. Elique replied that the possibility was there whenever a police officer fired a weapon. Regent Hill noted that it was different when an officer would need to pull the trigger more than once. Mr. Elique acknowledged there was a slight difference. He said that he would rather have that weapon available in light of September 11th. He clarified that the police department did not require military weapons. He reiterated that the university had severely restricted use of the AR-15’s. Regent Hill asked about other defensive equipment possessed by the police departments that was not

10. Approved-Final Report and Recommendations, UCCSN Police Study Committee – (Cont'd.)

listed in the report. Mr. Elique replied that such equipment was locked away, had never been deployed, and included pepper canisters (*for riot situations*) and 12 gauge beanbag rounds. Regent Hill noted that the AR-15 was not listed in the report. Mr. Elique replied that those weapons were not issued to police officers. Mr. Flocchini stated that TMCC did not have any weapons on campus, adding that they wanted to provide a level of protection until those with specific training could arrive. He stated that Mr. Elique had done an incredible job on his campus, adding that those weapons were inherited from a previous administration. Mr. Garcia stated that UNR did not have additional weapons not listed in the report. He supported Mr. Elique’s position, adding that UNR did not anticipate adding such weapons to their arsenal.

Regent Alden stated that UCCSN was in the business of higher education and providing a safe area for students and faculty. He observed that UCCSN was not in the police business, but rather, the community service

business. He felt that the campus should provide and ensure a safe environment (*i.e. properly lit at night, foot and horseback patrol*). He felt the police departments should protect the people on campus and not intervene or raid, adding that he understood Regent Hill's point.

Chancellor Nichols stated there were two places in the report for Board choice. She reported that UNLV preferred retaining the ability to keep those weapons, adding that the other campuses had indicated they do not have automatic weapons. She related that the other Board choice occurred in the Scope of Operations. The Board would need to determine whether tactical special operations units (*i.e. SWAT*) should be allowed. Mr. Elique reported that UNLV did not have specialized tactical units and did not intend to use them, adding that he had no problem with the recommendation.

Regent Howard asked about UNLV's plans for addressing terrorism and/or working with other police agencies. Mr. Elique replied that UNLV worked closely with the Metropolitan Police Department. They have a Memorandum of Understanding in place. He related that UNLV's small force could not suppress a terrorist attack, so they work closely with the Sheriff's office and rely upon them. Mr. Garcia replied that UNR works closely with the City of Reno and Washoe County and depends upon them for specialized services. He also agreed with the recommendation. Mr. Flocchini stated that TMCC had never been interested in any tactical units, preferring instead to base their mission on community service rather than tactics.

Chancellor Nichols stated that the policy recommendation could be included with the report.

Regent Hill moved approval of adopting the proposal from the bottom of page 2 (*Mission*) to page 4, inclusive of the two possible additions. Regent Alden seconded.

Regent Sisolak asked whether the motion would eliminate the AR-15's. Mr. Elique replied that it would. Regent Howard asked why Mr. Elique did not want to eliminate the

10. Approved-Final Report and Recommendations, UCCSN Police Study Committee – (*Cont'd.*)

AR-15's. Mr. Elique replied that it was ill advised to reduce armaments at a time when the country was arming itself (*since September 11th*).

Regent Hill complimented Mr. Elique on his transformation of the UNLV police department, adding that he was very impressed and had not believed it possible. He did not dispute that the police enforced the law, adding that it was not included in the Mission Statement. He felt that safety, protection of property, and atmosphere were primary, adding that enforcement of the law should be limited to the safety of students and those on campus. He respectfully disagreed with the use of automatic weapons. He felt those weapons would require more training, had too great a range (*pistol won't carry as far*), and required greater skill in identifying and aiming at the target. He felt the officers would be shooting to kill and that it would be dangerous to have around students.

Regent Gallagher said that she would feel differently if the police officers were walking around campus with those weapons. She felt that the security measures enforced were sufficient.

Regent Kirkpatrick asked which weapons Regent Hill wanted eliminated. Regent Hill replied that Chief Elique had indicated he had three AR-15's.

Ms. Ernst clarified that a "yes" vote would eliminate automatic weapons.

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

Regent Sisolak moved approval of adopting the report as presented. Regent Howard seconded.

Regent Kirkpatrick asked whether any campus police department could possess automatic weapons. Regent Hill replied that any police department could have them. President Harter clarified that it would require presidential agreement.

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

Chancellor Nichols stated that in Fall 2002 the Board would discuss review boards. The legislature mandated that the Regents look at whether the campuses require review boards. She reported that police department funding came from the institution's regular budget. They have recommended increasing the number of employees and sworn officers, adding that they want to attract more women and minorities. They want to address the pay differentials between campus police and the county/municipal agencies. The Chancellor has requested a study by the State of Nevada. The results of the study will be incorporated into the governor's budget through the executive branch, if it is determined that a discrepancy exists.

10. Approved-Final Report and Recommendations, UCCSN Police Study Committee – (Cont'd.)

President Wells stated that DRI relies upon UNLV and TMCC for campus security. He thanked them for their outstanding work.

Regent Derby noted that these departments train and educate students about other dangers, including alcohol and drugs. She related there had been alarming reports about the number of alcohol-related fatalities on our nation's campuses. She expressed her concern for that issue, adding her hope that the System was doing everything possible. She was interested in knowing more about what is done to educate students and to prevent alcohol-related deaths. Chancellor Nichols agreed.

Chancellor Nichols stated that she wanted the Board to be aware of the campus police concerns for budgetary enhancements. Chair Dondero thanked the security members present.

11. Approved-New Collaborative Agreement with State Board of Education, 2002-2007 – The Board approved a new agreement with the State Board of Education to be called the Nevada Collaborative for Academic Success: A Blueprint for Nevada P-16 Initiatives 2002-2007. (*Ref. D on file in the Board office.*)

Regent Kirkpatrick asked whether the State Board of Education had recently approved this measure. Vice Chancellor Curry replied that they had.

Regent Kirkpatrick moved approval of the new collaborative agreement with the State Board of Education for 2002-2007. Regent Alden seconded.

Regent Seastrand asked what was accomplished at the first meeting, adding that he hoped that subsequent meetings would be more publicly announced. He felt the initiative should not go unnoticed, adding that it was imperative. The ARSA Committee earlier discussed remedial education. It was found that, after completing remedial education courses, students performed quite well. He hoped to better educate high school students so they would not require remedial education in college. Chair Dondero stated that more meetings with the State Board of Education and local boards of education had been discussed.

Dr. Curry stated that it had been a wonderful experience working on this with his K-12 colleagues. Accomplishments from the first round included involving K-12 and UCCSN in developing standards and collaborations on test development. This version goes beyond strategies and goals, and includes specific action items (*common data systems, sharing of data, student success impacts*). A commitment for periodic progress reports is included with this agreement.

Regent Howard asked why the local school boards were not part of the agreement. Dr. Curry replied that they could be part of another initiative. This initiative calls for the establishment of a statewide P-16 council representative of all groups.

Motion carried.

The meeting recessed at 5:30 p.m. and reconvened at 7:40 a.m. on Friday, April 19, 2002, with all members present except Regents Derby, Seastrand, and Sisolak.

12. Information Only-Personnel Session – The Board held a closed personnel session.

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

Regent Rosenberg moved approval of moving to a closed personnel session. Regent Howard seconded. Motion carried. Regents Derby, Seastrand, and Sisolak were absent

The meeting recessed at 7:45 a.m. and reconvened at 9:32 a.m. with all members present.

12.2 Approved-Return to Open Session – The Board returned to open session and rendered a decision on the student appeal.

Regent Hill moved approval of returning the student to good standing providing he not re-apply to the institution for 5 years. Regent Howard seconded. Upon a roll call vote the motion carried. Regents Alden, Gallagher, Hill, Howard, Kirkpatrick, Rosenberg, and Seastrand voted yes. Regents Derby, Dondero, Hobbs, and Sisolak voted no.

Chair Dondero thanked the outgoing Faculty Senate Chairs for their dedication and commitment to their institutions.

13. Approved-Neil Road Property Purchase, TMCC – At the March Board of Regents’ meeting, consistent with Senate Bill 497, the Board authorized TMCC to search for an alternative site for the Reno Town Mall Education Center and further authorized TMCC to negotiate a purchase agreement conditioned upon Board of Regents’ approval, if a suitable site was found. TMCC has located an alternate site and a purchase agreement has been negotiated. The Board approved the agreement to purchase the real property with improvements located at 5250/5270 Neil Road, Reno, Nevada. (*Ref. W on file in the Board office.*)

President Huneycutt reported that the site was comprised of two 45,000-sq. ft. buildings (*3-stories*) on 5.02 developed acres, with 1.7 undeveloped acres for future expansion. She indicated that the site possessed the three essential requirements for TMCC faculty, staff, and students:

➤ • Student Program Offerings – the Neil Road property provides the space needed to transfer current Reno Town Mall courses and programs, as well as space required to expand ESL (*English as a Second Language*) and adult basic education programs.

13. Approved-Neil Road Property Purchase, TMCC – (*Cont’d.*)

➤ • Student Access – The property is centrally located in the Hispanic/Latino community (*the fastest growing ethnic population in Reno*), and one block away from a major regional transportation bus station with three major routes incorporating six stops/hour (*195 stops/day*).

➤ • Financially Feasibility – An independent appraisal firm determined that the purchase price was \$1.3 million below the appraised value. SB497, sponsored by Senators Raggio and Mathews in a previous legislative session, required that, if the Reno Town Mall property was not acquired, TMCC must acquire a similar facility with an ethnically diverse population (*no new construction*). The Neil Road property is in a prime Reno location, 1.3 miles southeast of the Reno Town Mall.

Dr. Huneycutt assured the Board that TMCC had completed the due diligence requirements. She reported the project would save State construction and leasing costs and would provide a System-owned site for future growth.

Regent Derby moved approval of the Neil Road property purchase for TMCC. Regent Rosenberg seconded.

Regent Sisolak asked about the parking situation. Dr. Huneycutt replied there were 377 developed spaces, with 1.7 undeveloped acres for future expansion (*over 200 spaces*), and 200 curbside parking spots. Regent Sisolak asked about the price on the undeveloped property. Mr. Steve Salaber, Acting Vice President, Administrative Services-TMCC, replied that it was part of the agreement at \$700,000 (*\$6.50/sq. ft.*). Regent Sisolak asked about the total square footage of the building. Mr. Salaber replied it was 90,000-sq. ft. Regent Sisolak asked about space allotted to the leased portion of the building. Mr. Salaber replied that 70 spaces were currently used by existing tenants, but one-half of the 377 total spaces totaled 188 spaces. Regent Sisolak asked about the number of spaces allocated to the existing tenants. Mr. Jimm Groshong, Director, Plant & Facilities-TMCC, replied that the City of Reno's building code required one space per 275-sq. ft. of space (*164 spaces for 45,000-sq. ft.*). Regent Sisolak established there were 213 parking spaces for the 45,000-sq. ft. to be used by TMCC staff, faculty, and students. Dr. Huneycutt stated there were an additional 200 curbside parking spaces available. Regent Sisolak asked about the legality of counting curbside parking as allocated space. General Counsel Tom Ray replied that he was unsure what the City code provided. He related that the documents indicated that it satisfied City requirements for parking. Mr. Groshong stated that it could not be exceeded by more than 10%, so they actually had too many parking spaces at this time (*per City code*). Dr. Huneycutt stated that the option for the undeveloped acreage was intended to provide space for expansion and would provide over 200 parking spaces, which would exceed the City's code.

Regent Alden asked about current full time enrollment and population at TMCC. Dr. Huneycutt replied that 25% of TMCC's students attended Reno Town Mall. Regent Alden asked about the total FTE for the current semester. Dr. Huneycutt replied that TMCC has over 2,000 students, with approximately 700 FTE. Regent Alden asked about the current FTE and student population at WNCC. President Lucey replied that the headcount was approximately 6,000, with 2,200 FTE. Regent Alden asked who owned

13. Approved-Neil Road Property Purchase, TMCC – (Cont'd.)

the Neil Road property. Mr. Salaber replied that Mr. Rudolf Gunnerman owned the property, adding that he was an inventor with a corporation in Reno. Regent Alden asked about the realtors of record. Mr. Salaber replied that Pat Morrissey was handling the buy side. He did not know the realtor from the selling side. Regent Alden asked whether the appraisal was based on current use and revenues. Dr. Huneycutt replied that it was based on both current and future use and revenues. Regent Alden said he would not support the project due to lack of enrollments in the north.

Regent Kirkpatrick asked whether the incoming president had been thoroughly informed and whether he supported this project. Dr. Huneycutt replied that Dr. Ringle had toured the site, reviewed the material with her, and discussed the project with the faculty senate. She indicated that he was excited about the property, especially due to its proximity to the growing Hispanic/Latino population. Chancellor Nichols stated that Dr. Ringle had asked her to convey his plea to the Board not to miss this opportunity for TMCC. Regent Kirkpatrick asked whether General Counsel had thoroughly reviewed the documents. General Counsel Ray replied that one of the attorneys participated in drafting the purchase agreement, adding that he had reviewed it and found it acceptable.

Regent Rosenberg felt it was an ideal situation, where the perimeter could be secured leaving the inside courtyard open for students. He noted that Meadowood Mall was across the street and had always allowed others to park in their lot, particularly in the evening when the mall is not as occupied.

Regent Derby felt it was an excellent opportunity for TMCC, allowing them to move from their current Reno Town Mall location to a much better facility. She observed that the property was being acquired substantially below the assessed valuation. She thanked Mr. Rudolf Gunnerman and his company for making the property available and encouraged Board support for the motion.

Regent Gallagher indicated her support for the motion, adding that TMCC had upgraded considerably with these two buildings. She related that Mr. Gunnerman was a fine man, adding that he had done a great deal for DRI and the System. She gratefully acknowledged Mr. Gunnerman's efforts.

Regent Hill asked about concerns relating to cash flow. Mr. Salaber replied there were no concerns. Regent Hill asked how many parking spaces would be required if the building was entirely converted to classroom space. Mr. Salaber replied the requirements would be the same as reported.

Regent Sisolak expressed concern for avoiding code requirements. Mr. Salaber replied they were not. Regent Sisolak questioned the code providing for the same parking requirements with classrooms as with office space. Dr. Huneycutt stated that, if TMCC were building the Neil Road properties today, the City of Reno would require fewer parking spaces to be provided than federal, state, and local mandates. She stated that more spaces were provided than were needed. Regent Sisolak asked about federal guidelines for parking. Dr. Huneycutt replied there were many federal requirements for educational institutions. Regent Sisolak asked whether an asbestos abatement study had

13. Approved-Neil Road Property Purchase, TMCC – (Cont'd.)

been performed. Mr. Groshong replied that a Phase I environmental assessment had been performed and no hazardous materials were found.

Regent Alden asked whether the building was in the flight path of the Reno airport. Mr. Peter Dube?, The Dube? Group Architect, replied that many of the buildings in that area were. Regent Alden asked about the purchase price. Mr. Salaber replied it was \$9.4 million. Regent Alden asked about the state-approved bonds. Dr. Huneycutt replied they totaled \$8.5 million. Regent Alden asked about the difference. Mr. Salaber replied that Mr. Gunnerman had taken a personal note for 8 years at 7.5%. Tenant rent in the second building will provide the cash flow.

Regent Gallagher noted that the student population being served would not all arrive in automobiles, adding that the City also had a great bus service.

Upon a roll call voter the motion carried. Regent Alden voted no.

Dr. Huneycutt recognized former Regent, Mr. Dan Klaich, representing the owner; Mr. Reece Perkins and staff, who performed the real estate appraisal and consulting work; Mr. Pete Dube?, who performed the architectural and facilities work; and Mr. Pat Morrissey, real estate consultant.

14. Information Only-Proposed Capital Improvement Priorities - The Board reviewed categories of capital improvement projects and set criteria and priorities for the development of the 2003-05 biennial capital request.

Mr. John Amend, Director, Facilities Planning-UCCSN, reported that the Board would review the list of capital improvement projects and would attempt to:

- • Review the process for developing the capital budget.
- • Review campus capital priorities.
- • Review proposed guidelines to be used by the Chancellor and presidents to develop the priorities for Board consideration.
- • Consider recommended actions.

Mr. Amend stated that the presidents had already identified campus capital needs. The Board is then asked to identify the types of space to receive highest consideration. The Chancellor then proposes a list of capital projects to the Council of Presidents that responds to space needs and facility conditions. The Chancellor and presidents develop a prioritized capital list for Board consideration. The Board-approved capital request is then sent to the State. He noted that several categories of space are considered in the development of the capital budget:

- • New Space - Projects that respond to a shortage of specific types of space (*i.e., classrooms, class laboratories, research laboratories, libraries, physical education, general use, and physical plant*).
- • Renewal Projects - A number of campuses have submitted requests to renew their existing plant; renovation of space, which is not in condition to do what it should.
- • New Campuses – Projects to meet the needs of an unserved community.
- • Minor Repairs and Improvements – also referred to as deferred maintenance.

14. Information Only-Proposed Capital Improvement Priorities – (Cont'd.)

Mr. Amend reviewed the list of projects proposed by the presidents, totaling \$500 million (*\$340 million state funds*). He noted that the list did not include a project proposed by Regent Howard for a Millennium Bound Outreach Center.

- • **CCSN** - Top projects total \$44.1 million: Furnish and equip the telecommunications building; construction of the Health Science building.
- • **DRI** - Dandini Water Tank providing fire flow for DRI and TMCC; Maxey Building renovation and addition; interior renovations to NNSC.
- • **GBC** - Electrical and Industrial Technology; Relocate State Animal Disease Lab (*partner project with State Department of Agriculture*). May require moving the lab to another part of the campus.
- • **NSCH** - \$23,400,000 to furnish and equip the Academic and Student Services building requiring a \$10 million match prior to start of construction; remodeling funds for the Dawson building (*temporary facility*), adding eight classrooms and air conditioning to existing warehouse space.
- • **TMCC** - Dandini Water Tank; replace HVAC system in Red Mountain building.
- • **UNLV** - Science Engineering and Technology Center; Student Services addition and renovation; Greenspun College of Urban Affairs (*includes a private donation*). \$222.9 million includes a shared UNR/UNLV Academic Medical Center (*AMC*).
- • **UNR** - Science and Math Education Center (*new project*), campus renovation package (*including Getchell Library*).
- • **WNCC** - Carson campus parking.
- • **Systemwide Deferred Maintenance** - \$52 million backlog. Requesting an additional \$5 million from the state to supplement the \$15 million in HECC/SHECC funding.

Regent Hill expressed concern about the State's potential revenue shortfall. He acknowledged that each institution would require new buildings to handle student demand and growth. He was concerned that it appeared that some institutions were raising private money and providing campus contributions while others were not. He observed that UNR had a \$150 million capital budget (*without the AMC*) and UNLV had a \$160 million capital budget (*without the AMC*). He noted that UNR was pledging to raise \$56 million in private donations, while UNLV had pledged to raise \$9.7 million in private donations. He related that UNR had committed to raise more than five times the amount of private donations. He stated that WNCC was pledging to raise \$2.6 million in private funds, while CCSN had not committed to raising any private funds. He observed that DRI, GBC, and TMCC were not raising private funding for any of their capital projects. He observed that NSCH was required to raise \$10 million to build its first building. He felt the institutions should be required to raise private funds so that capital funds would stretch farther. Mr. Amend replied that the guidelines addressed that issue, adding there was significant leverage to bringing in private funds and creating more opportunities for the entire System. He suggested the Board could consider putting a higher priority on projects with private funds. Regent Hill agreed. He acknowledged that raising private funds for maintenance was not likely or realistic. He felt that standards should be set for the universities for raising private funds, and that a different standard should be provided for the community colleges. He suggested having the Chancellor explore different opportunities with the campuses. He observed that DRI had no alumni

14. Information Only-Proposed Capital Improvement Priorities – (*Cont'd.*)

to rely upon for donations and that there were extenuating circumstances for each institution.

President Harter stated that UNLV had built or acquired 18 buildings in 7 years, with \$125 million in non-state sources (*\$76 million state funding*). She observed that 8 buildings had been built using only private gifts. She explained that university sources had been carefully allocated to acquiring space and buildings for the campus, including \$18 million toward the Dental School and the ICON property. She reported that UNLV had pledged \$15 million to the Science and Engineering building. She felt it was important to realize UNLV's efforts to follow Regent Hill's suggestion, adding that she believed all the institutions had made that attempt. Regent Hill stated that he had not intended to denigrate the efforts of others, adding that the System would need to ask the legislature for funding in a tough funding year. President Harter related that, with the \$9.7 million allocated for planning the Science and Engineering building, UNLV has \$24 million in hand to start the project. She indicated that UNLV could promise to raise private funds as well. Regent Hill asked how much of UNR's \$56 million in private funding was in hand. President Lilley replied that almost all of it was planned to be raised in the future.

He stated that the State Public Works Board had a much stricter standard and would not allow construction to begin until the private funds were received. Regent Hill asked that the institutions employ a standard method for reporting private funds raised or to be raised so the Board could make a comparison. He asked that the Chancellor and the institutions report their capital projects in a similar format.

President Wells reported that 85% of the Southern Nevada Science Center, Phase II was covered by non-state funds (*bank loan and federal lease*). Knowing that the State is facing a shortfall, DRI and TMCC have discussed sharing a joint building, adding that DRI's northern site was completely full. He related that a previous request for an incubator had been denied. DRI has since begun a project of renovating their existing building to allow for the incubation process. He noted that DRI was working collaboratively with Sierra Nevada College on a building at Lake Tahoe with no state funds. He also hoped to resolve the Dandini Water Tank without it being DRI's #1 priority.

President Diekhans reported that, over the past 10 years, GBC's Foundation had raised over \$11 million to match building project funds. He stated that the Foundation was already committed to raising \$2.3 million for the dormitories. He related that the Foundation was actively raising funds to help support capital projects. Regent Hill acknowledged there were many other considerations. He still felt that the presidents should discuss priorities with the Chancellor.

Regent Rosenberg realized there were definite needs that must be addressed. He suggested providing the Board with a priority listing to identify the needs. He stated that UNLV desperately needed the Science and Engineering building. He hoped that UNR's campus renovation package included the Arts. President Lilley replied that it did. Regent Rosenberg asked whether needs should be addressed first, followed by possibilities. Chancellor Nichols replied that System Administration was trying to determine the Board's important issues. She asked whether meeting space needs for students was the Board's first priority, adding that it had been in the past. She explained that the Board

14. Information Only-Proposed Capital Improvement Priorities – (*Cont'd.*)

and the State had previously valued those projects with planning dollars. She related that, after listening to the Board's concerns, she would prepare a proposed list to be reviewed by the Council of Presidents. Following negotiation, a list will be developed for Board consideration on May 9. She explained that, in the past, lists had been categorized in either Tier 1 or Tier 2, with Tier 2 representing a blueprint for the following legislative session. She related that, if nothing changed with the State, very little money would be available for capital projects. System staff thinks there could be changes. Interest has been expressed about increasing the amount available for capital projects. She felt the Board should submit a list for legislative consideration. Regent Rosenberg clarified that the Board was determining the policy by which priorities would be set.

President Lilley observed the incredible need for endowments to fund scholarships and fellowships. He urged the need to save some capacity for building endowments.

Regent Alden asked about classroom utilization for CCSN, UNLV, and UNR. President Remington replied that CCSN held classes 6 days/week from 7:00 a.m.-10:30 p.m. President Lilley replied that UNR held classes 6 days/week from 7:30 a.m.-10:00 p.m. He related that he had warned the student body that classes would be held from 7:00 a.m.-10:00 p.m. with distinction made between day and night students. Regent Alden asked about use of school district or private buildings for classes. The presidents agreed. President Harter stated that UNLV was discussing holding laboratories on Sunday because they were out of time and space during the rest of the week. Regent Alden asked whether UNLV held classes 6 days/week from 7:00 a.m.-11:00 p.m. President Harter replied that they were. Regent Alden felt the campuses should use current assets efficiently. He felt the capital priority list should be pared down drastically and adjusted for what the three main campuses would contribute. He was opposed to asking the

legislature for such a large amount. He suggested the following, totaling \$80 million:

- • CCSN - \$28 million for the telecommunication and Health Science buildings, and campus infrastructure improvements.
- • NSCH - \$3.5 million for furnishings and equipment for the Academic and Student Services building, with the understanding that NSCH raises \$10 million privately.

- • UNLV - \$21 million for the Student Services addition and renovation and the Greenspun College of Urban Affairs, with a \$9.7 million gift from the Greenspun family.
- • UNR - \$25.7 million for the campus renovation package and the Biotechnology Teaching/Research facility, with \$50 million in private and campus contributions.

Regent Alden advised complete utilization of existing facilities and warned that the legislature would be unable to fund the existing capital project list. He urged the need for private funding.

Regent Seastrand observed that the Board agreed that priorities should be based on needs. He asked how the needs were established and how the equity space study applied to the list. Mr. Amend replied that System Administration was completing an update to the space inventory. Enrollment projections are used to determine institutional need based upon space standards, which will be provided to the Chancellor and the presidents.

14. Information Only-Proposed Capital Improvement Priorities – (Cont'd.)

Regent Seastrand observed that the equity space study provided a component to needs assessment. He observed the need for private dollars, adding that Regent Hill felt that those projects should be higher in priority. He stated that growth created needs as well. Mr. Amend stated that the equity space study included a future growth component. Regent Seastrand noted serious differences in the amount of space provided for the populations served. He said that he saw no reference to the Strategic Plan and how the capital expenditures related to that Plan. He felt that buildings should be the result of proper planning. He felt the Board required a needs index in addition to the campus priorities, adding that it was difficult for the Board to determine the areas of greatest need. Chancellor Nichols stated that staff was disappointed that the results of the space needs study were not available. She indicated it would be available for the May 9 meeting.

Regent Kirkpatrick stated that each institution's first priority totaled \$115 million, adding that UNR and UNLV comprised approximately 80% of the total, which was not fair. He observed that some institutions would likely not receive the necessary funding. He felt the Board and System required a method for determining the System's most important projects. He observed that UNLV was running out of space, and urged the need to consider multi-storied structures. He felt that System Administration should build a facility (*1-north and 1-south*) to avoid the rental payments in the southern office. He stated that long-range planning was necessary and agreed that determining priorities was difficult.

Regent Sisolak asked how UNR determined the amount of private contributions. President Lilley replied that the numbers were derived from their strategic planning process (*what was possible project-by-project*) based upon knowledge of UNR's benefactors and their interests. Regent Sisolak asked about the Fire Science Academy's ranking for fundraising. President Lilley replied that the FSA was not on the capital list, adding that the same knowledge was used to explain to the Board that, until the FSA had demonstrated its capability, no benefactors had been identified. He felt that people might be interested in the long-term. Regent Sisolak asked whether donor knowledge had been used in presentations for Manogue High School, the FSA, and the Thunderbird Lodge. President Lilley replied that he was not involved with the Manogue or Thunderbird Lodge discussions. Dr. Ashok Dhingra, Vice President, Administration & Finance-UNR, replied that UNR had received \$5 million from refinancing the pavilion bonds for the Manogue project. The university and bishops are working together to raise money to build a new high school for Manogue, at which time UNR will assume the old Manogue property. The \$5 million will be used for renovation. Regent Sisolak asked about the amount received in private contributions. Dr. Dhingra replied that the president was working with the diocese to raise money to build a new Manogue high school. In return, UNR will receive the Manogue property (*21 acres*). Regent Sisolak asked about the FSA. Dr. Dhingra replied that, once the facility is operating, UNR will seek interested buyers or contributors to help reduce the burden on the students. Regent Sisolak recalled a discussion regarding naming opportunities at the FSA. Dr. Dhingra said that he recalled that former Vice President Paul Page expressed the possibility of raising \$7 million in

14. Information Only-Proposed Capital Improvement Priorities – (Cont'd.)

naming opportunities for the seven buildings at the FSA. Regent Sisolak asked whether that figure had been based on benefactor knowledge. Dr. Dhingra replied that benefactor information had been used. Regent Sisolak asked whether the same knowledge was used to determine the donor information for the capital priorities. Dr.

Dhingra replied that it was.

Regent Gallagher stated that naming opportunities for FSA buildings occurred prior to the discovery of environmental problems. She recalled flying to the site with three (\$3 million) donors to the FSA.

President Harter stated that all of the presidents agreed on the importance of economic development, which she felt should also be considered when setting priorities.

Mr. Somer Hollingsworth, President and CEO, Nevada Development Authority, reported that the NDA was charged with diversifying southern Nevada's economy. Last year, 63 companies were recruited, creating over 7,000 jobs with average wages of \$22.00/hour. The economic impact to the community was \$709 million. He related that 45% of those companies were technology-based. Technology is relied upon to create higher paying jobs in southern Nevada. In order to attract technology company headquarters, NDA requires UNLV's involvement. He said that NDA had counted on showcasing the Science Engineering and Technology Center. He related that discussions with Georgia Tech revealed that this could not be accomplished without UNLV's involvement, adding that NDA had cultivated a relationship with UNLV for that purpose. He requested Board consideration of these issues, adding that it would affect the future of the community.

Regent Alden asked the Chancellor to provide the following:

- • CCSN/UNLV/UNR – Number of students attending, number of classes vs. the square footage of classroom utilization for the past two semesters.
- • UNLV/UNR – What is the expected impact of grant and contract money that will be received for the advancement of technology, based on the capital priorities.

The meeting recessed at 10:58 a.m. and reconvened at 11:10 a.m. with all members present except Regents Derby and Sisolak.

15. Approved-State Budget Request Priorities - The Board considered general budget issues and set priorities for the development of the 2003-05 biennial state budget request. Chair Dondero reminded Board members that the information presented was preliminary.

Vice Chancellor Miles reported that the operating budget request would be reviewed at the June meeting, with final approval in August. The budget is due to the governor by September 1st. He presented the 2003-2005 biennium operating budget priorities to provide a sense of the initial information as provided by the campuses to the Finance & Planning Committee. The governor has requested a flat budget, but agencies incurring a growth factor are allowed to submit funding requests for growth. The base budget totals \$1,064 million, not including enrollment growth. He related that a few adjustments would be necessary to include COLA (*Cost of Living Adjustment*) and other adjustments. The cost of new space for 2002-2003 will be annualized and included in the base budget. He

15. Approved-State Budget Request Priorities – (*Cont'd.*)

reported that the base budget from 2000 was very close to what the governor asked UCCSN to submit.

Vice Chancellor Miles reported that, after the base budget was developed, the funding formula would be applied. The enrollment factor is a weighted average of the actual growth rate for the last three years. He related that his office had just received the new average annual FTE figures. Under the new formula, some flexibility has been granted in that the entire budget will be funded at a certain percent. The state has never been able to fund UCCSN's budget at 100% of its formula. The current budgets are funded at 81% of the formula. A hold harmless provision is included in the formula, similar to K-12. If after running the formulas, a campus budget calculates to less than the current year, the campus will be allotted the current year's budget. Four campuses are currently in a hold harmless situation. The formula based on growth will be added to the maintenance category of the state budget. Budget enhancements are added after that (*i.e. new programs*). Mr. Miles related that it was too soon to determine the enrollment growth, but a quick estimate projected \$87 million in formula funding.

Mr. Miles related that UCCSN was currently funded at 81%. The governor had recommended an 85% funding

level, which would have eliminated the hold harmless conditions. When the Economic Forum provided their forecast, a reduction in the governor's budget was made. UCCSN was asked to absorb a sizeable portion of that reduction.

Regent Sisolak entered the meeting.

Mr. Miles reported that UCCSN would attempt to restore the 85% funding levels. He indicated that some campuses were trying to move to a higher level of funding. As the funding ratio rises, other needs could be addressed (*i.e. police study recommendations*).

Mr. Miles stated that the estate tax would soon be eliminated. He reminded the Board of their approval of the Estate Tax Committee recommendation to seek approval for endowing the balance of the account at the end of the biennium and to limit expenses to the statutory \$2.5 million/year. He reported that \$75 million would be spent on essential programs in the current biennium. UCCSN will ask the governor and legislature to replace estate state tax expenditures with state funds. The governor and the Governor's Task Force on Tax Policy have been notified.

Mr. Miles reported that some equipment needs were addressed under the new formula. Provisions exist for funding new positions and replacement of equipment. Nothing in the formula addresses extraordinary equipment expenses. To cover those expenses, the legislature appropriated \$20 million in 1995, \$17 million in 1997, \$4.5 million in 1999, and \$2.5 million in 2002 (*for System Computing Center upgrades*). All of the campuses have requested that equipment money be provided (\$29.5 million non-formula). The Dental School will have a \$5 million requirement for equipment. Most campuses need funding to support technology for distance education, technicians, and equipment.

Regent Derby entered the meeting.

15. Approved-State Budget Request Priorities – (*Cont'd.*)

Vice Chancellor Miles reported an estimated \$8.9 million for part-time faculty salaries, which would be phased in (*half-1st year of biennium/half-2nd year*). The System will wait for the governor's recommendation before determining support staff salaries. The faculty COLA (*3%-first year/4%-second year*) totals \$24.7 million. Mr. John Patrick Rice stated that the faculty senate entertained a long discussion about the COLA, enlisting the help of former members from the Joint Compensation Committee. He reported that a fair proposal would be a 5% COLA increase for each of the two years in the biennium because faculty has fallen behind the CPI over the last 10 years. The faculty has requested 3% and 4% in light of the stringent budget constraints. He said that Chancellor Nichols had provided some assurance that, if the request fell behind the remainder of the state, it could be adjusted.

Vice Chancellor Miles identified a number of items grouped under the \$47.7 million request for Economic/Workforce Development, including an estimated \$12.1 million for the legislative mandate for AB378 (*nursing program capacity*). He related that the request for indirect cost recovery (*25% normally returned to the state*) would total \$7 million over the next biennium.

Mr. Miles reported \$11.4 million in Diversity Challenges, including \$0.6 million for a Millennium Bound Outreach Center. The \$8.8 million requested for recruitment and retention included specific program requests/enhancements at UNLV and UNR as well as a proposal to devote 5% of the campus budgets to recruitment of underrepresented groups.

Mr. Miles then reviewed a listing of Other Budget Initiatives totaling \$20.4 million, which included public safety issues, Athletics/gender equity, the Business Centers (*north & south*), and other specific campus requests. The potential UCCSN request totals \$1,436.3 million, or a 40% increase over the previous budget request.

Regent Gallagher asked whether the 25% indirect cost recovery to the state was committed to a specific area. Mr. Miles replied that it would be returned to the state, thereby reducing the general fund. Regent Gallagher asked whether DRI funds for weather modification were returned to the Interim Finance Committee in dry years.

President Wells replied that DRI requested the funds in anticipation of having a normal year. If they are unable to seed the clouds, the money is returned to the state. He related that a portion was retained for staff, equipment, and rental space.

Chair Dondero asked about the 5% dedicated to education under the 1998 Public Lands Act. Vice Chancellor Miles replied that K-12's budget included a revenue item for federal land sales. He indicated that the state formerly received 50% of land sales and royalties from mining operations on federal land that was devoted to K-12. Chair Dondero felt that some of those funds should be returned to support research. Mr. Miles replied that he would research that.

Chancellor Nichols requested a sense of direction from the Board, adding that it would be foolish to request a 40% funding increase. She asked to hear the Board's priorities.

15. Approved-State Budget Request Priorities – (Cont'd.)

Regent Rosenberg stated that he was most concerned about the System Computing Center. He felt that those items affecting all of the campuses should be considered first.

Regent Seastrand said the Board was fortunate to have Mr. Miles' legislative experience. He established that the proposed base budget was equivalent to FY 2003's, which would then be expanded for two years. Mr. Miles explained that enrollment-driven costs would be included in the maintenance section of the budget and were considered allowable adjustments to the base budget. Regent Seastrand asked about future reductions to the base budget. Mr. Miles replied that it would depend upon the state's financial condition, adding there were many worthy projects that were difficult to prioritize because of their importance. Regent Seastrand requested a list of all items included in the entire budget, with explanation of priority and applicability to existing projects. He observed that the Board wanted to implement a Millennium Bound Outreach program, but he was unaware of the amount of current expenditures for that effort, or what percentage increase it represented. He asked whether certain items were ever eliminated from the base budget. Chancellor Nichols replied that the governor was taking a serious look at which programs could be eliminated or reorganized for cost savings. She said that she had asked UCCSN presidents to do the same. She said it would result in a more efficient and effective manner of conducting business (*i.e. beginning new programs with existing dollars*). She related that UCCSN would need to provide evidence to the legislature that they had undertaken a similar review.

Regent Gallagher recalled that line-item budgeting had been very difficult, (*i.e. libraries with no books and buildings with no windows*). She related that the base budget constituted the ongoing cost of turning on the lights and opening the doors. She said that the Board had not been successful adding items to the base budget in the past. She cautioned against upsetting the legislature to the point of a return to line-item budgeting.

Regent Derby supported the Chancellor's comments regarding the importance of bringing evidence of cost saving efforts to the legislature, adding that it was important to include such evidence with the budget request. She agreed that the Board required some sense of campus priorities and ongoing efforts. She stated that part-time faculty salaries was a very important item, adding that it was long overdue. She expressed hope that it would not be cut from the budget request.

Regent Kirkpatrick agreed that part-time faculty salaries should be one of the Board's top priorities. He observed there was very little that could be cut from the budget request. He desired assurance that CCSN's new athletic program would not require base budget funding. He asked what items would be eliminated from the budget. Chair Dondero replied that the Board had asked the Chancellor and presidents to develop that budget. Chancellor Nichols explained that staff was seeking Board priorities, and would review the Master Plan and campus priorities, to set a reasonable budget proposal for Board approval. She related that COLA was not included in the budget request of the two previous bienniums, (*although a recommendation for no less than other state workers was included*). She explained that Board comments would be considered with the Master Plan and campus priorities to determine the budget proposal.

15. Approved-State Budget Request Priorities – (Cont'd.)

Regent Alden observed that the Wisconsin Board of Regents had voted to cap enrollments due to state funding levels, adding that, 2 weeks later the legislature agreed to fund higher education. He stated that capped enrollments and local, governmental funding for the community colleges should be considered. Chancellor Nichols stated that staff had included a recommendation for local funding of community colleges in a report to the governor's office. She said that capping enrollments was key to the Board's consideration for when it could no longer provide the services for the amount funded. When falling below a percentage of the formula funding, UCCSN cannot adequately provide the quality of services to the number of students. She related that the System had relied upon Estate Tax funds in the past, but would be unable to in the future.

Regent Kirkpatrick observed that locally-funded community colleges were governed by local boards. He felt it would be difficult to justify local support for the current Board structure of control.

16. Information Only-Personnel Session – The Board held a closed personnel session.

16.1 Approved-Closed Session - In compliance with NRS 241.030, a closed session will be held for purposes of discussion of the character, alleged misconduct, professional competence, or physical or mental health of certain executive employee(s) of the UCCSN.

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

The meeting moved to a closed session at 12:00 noon and reconvened at 1:15 p.m. with all members present except Regent Derby.

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

17. Approved-Financial Aid Policy Waiver, NSC – The Board approved to allow Nevada State College at Henderson to use institutional methodology to meet the 90% need-based requirement (*Board of Regents' Handbook Title IV, Chapter 18, Section 17.2*) for Nevada Student Access in the absence of federal methodology for the academic year 2002-2003. Upon receipt of approval from the Department of Education to implement federal financial aid programs, the federal methodology will be implemented. (*Ref. E on file in the Board office.*)

Ms. Lori Tiede, Director of Financial Aid-NSC, requested a special waiver for using federal methodology for federal funds. Until the institution is accredited, they cannot participate in any federal loan programs, and have no access to federal calculations. She asked the Board to waive federal methodology until the institution became eligible for the program.

Regent Rosenberg moved approval of the financial aid policy waiver for NSCH. Regent Alden seconded. Motion carried. Regent Derby was absent.

18. Approved-Interim Appointment, Vice President, WNCC – The Board approved the appointment of Dean Connie Capurro as Interim Vice President of Academic and Student Affairs at Western Nevada Community College. (*Ref. F on file in the Board office.*)

Regent Sisolak moved approval of the interim appointment for WNCC. Regent Hill seconded.

President Lucey reported that WNCC division chairs endorsed the appointment.

Motion carried. Regent Derby was absent.

19. Approved-Handbook Revision, UCCSN Code, Academic Freedom – At the March 2002 meeting, the Board approved a report from the UCCSN Part-time Faculty Task Force. One of the recommendations in the report was an amendment to the UCCSN Code chapter on Academic Freedom (*Title II, Chapter 2*), which by Board

policy required two readings. The Board approved the Code amendment. (*Ref. G on file in the Board office.*)

Regent Sisolak moved approval of the Handbook revision concerning Academic Freedom. Regent Alden seconded.

Regent Howard requested an explanation. Chancellor Nichols explained that the Code addition clarified part-time faculty receiving the same rights to academic freedom as those afforded to full-time faculty.

Motion carried. Regent Derby was absent.

20. Approved-Handbook Revision, Leave Policies – The Board approved a request from the UCCSN Personnel/Benefits Council regarding amendments to the Board of Regents’ Handbook pertaining to leave policies for members of the professional staff. (*Ref. H on file in the Board office.*)

- • Title IV, Chapter 3, Section 8, Leave of Absence Without Salary.
- • Title IV, Chapter 3, Section 9, Sabbatical Leave.
- • Title IV, Chapter 3, Section 12, Sick Leave.
- • Title IV, Chapter 3, Section 16, Judicial Leave.

Regent Alden moved approval of the Handbook revision concerning leave policies. Regent Rosenberg seconded.

Ms. Marsha Lindeken, Director, Human Resources-TMCC, reported that the Personnel Benefits Council had determined that the recommendations reflected current campus’ practices and had been reviewed by the Faculty Senate and Council of Presidents.

Motion carried. Regent Derby was absent.

21. Information Only-Handbook Revision, UCCSN Code, Notice of Termination– The Board considered a request from the UCCSN Personnel/Benefits Council for the first

21. Information Only-Handbook Revision, UCCSN Code, Notice of Termination– (*Cont’d.*) hearing of an addition to the UCCSN Code (*Title II, Chapter 5, Section 5.9.3*) pertaining to notice of termination after exhaustion of leave. Final action will occur at the June meeting. (*Ref. I on file in the Board office.*)

Ms. Lindeken reported that the revision would eliminate the need to employ the complex process of termination for cause (*Title II, Chapter 6*) .

Regent Seastrand asked whether a specific event had precipitated the request. It was explained that the change pertained to revisions approved for sick leave policy (*item #20*) . It provided a method for terminating employment, rather than resorting to the Chapter 6 method. System General Counsel recommended the clarification. Previous methodology required termination (*for cause*) of employees too ill to return to work after exhausting all leave.

22. Approved-Handbook Revision, Community College Summer Term Salary Schedules – The Board approved a Handbook revision (*Title IV, Chapter 3, Section 27*) to make Board approval of summer session salary schedules follow the same process for all institutions. (*Ref. J on file in the Board office.*)

Dr. Richard Curry, Vice Chancellor, Academic Affairs-UCCSN, reported that the community colleges would report Summer Term salary scheduled annually (*as do the universities*) .

Regent Rosenberg moved approval of the Handbook revision concerning Community College Summer Term Salary Schedules. Regent Hill seconded.

Regent Kirkpatrick asked about minimum class size requirements for Summer classes. President Lucey replied that summer schools were self-funded (*no state dollars*) , and very important to small, rural communities. She said

it provided a vital community service (75% of revenue).

Motion carried. Regent Derby was absent.

23. Approved-2003-2005 Tuition and Fee Proposals – The Board approved the tuition and fee proposals for the 2003-05 biennium. Discussion included the distribution of the tuition and fee revenues. (*Ref. K on file in the Board office.*)

Chancellor Nichols requested Board approval of the following:

- • Approve proposed formulas for calculation of tuition and fees.
- • Approve 2003-2005 tuition and fees for in-state students and the distribution of the increased fees.
- • Approve non-resident rates and differential tuition rates (*in principle*).

Chancellor Nichols explained that Options 2, 3, and 4 would entail recalculation of non-resident fees. The recommended new formula provides for fee increases over time and internal consistency. Special fees would be tied to basic fees and would automatically increase over time. It provides a long-range plan for universities to reach targets tied to

23. Approved-2003-2005 Tuition and Fee Proposals – (*Cont'd.*)

the WICHE median (3 year lag). UCCSN community colleges have kept pace with western institutions under the old formula.

Option 1 – (*increase proposed at March meeting.*) First year-2004:

- • University undergraduate increase \$6.50
- • University graduate increase \$8.50
- • State College/GBC (*upper div.*) increase \$4.50
- • Community College increase \$2.00

Option 2 - \$0.50/year reduction in university and state college/GBC increases and \$0.25 reduction in proposed community college increases.

Option 3 - \$1.00/year reduction (*university and state college/GBC*) increases and \$0.50 reduction in proposed community college increases.

Option 4 - \$1.50/year reduction in undergraduate (*university*); \$2.50/year reduction in graduate (*university*); \$1.00/year reduction in undergraduate (*state college/GBC*); and \$0.50/year reduction in community college registration fees.

The effect would steadily decrease the increase. Option 4 was similar to the old formula (*universities slightly higher*) and would move the System toward the targeted WICHE median.

Regent Alden favored the current system of periodic increases over dramatic increases. He expressed a desire to remain with the old formula. He acknowledged that Option 4 was very similar. He favored the COLA, but felt the need to ensure the legislature that the System and students were sharing in the cost.

Regent Rosenberg lamented the increase. He established a \$3.00 difference between Option 1 and Option 4 (*\$45.00/15-credit load*) and requested student input. He asked that whatever increase imposed would provide some student benefit. Chancellor Nichols reported that student government representatives were working with the institution presidents. Board action regarding the distribution of total fees would occur in June with proposals for student activities/scholarship considerations.

Regent Gallagher asked why four options had been provided. Chancellor Nichols replied that she had presented four workable options and hoped to achieve Board approval of either Options 2 or 3.

Ms. Michelle Lacerda, student body president-TMCC, discussed the students' feasibility report (*249 sample size; 11,000 students*). The majority of TMCC students felt that the \$2.00 increase would not negatively affect them. However, 61% of their students transfer to either UNR or UNLV, and would be tremendously affected. Many could not afford the increase. She related that the students could not support Option 1. If the students can be shown how the funds are used, they could support Option 4. The students recognize the need for an increase. She cautioned against a large increase, which would exceed students' ability to continue their education (*many*

students are minimum wage casino workers).

Ms. Alicia Lerud, student body president-UNR, reported that students would never favor paying more for their education. Majority feedback indicated that an increase was acceptable, as long as students know where their money was going. Increased need-based scholarships were encouraged, as well as a greater return to student government

23. Approved-2003-2005 Tuition and Fee Proposals – (Cont'd.)

organizations. She related that students sit in overcrowded classes now due to the shortage of funds to pay additional professors. Funds are unavailable for increasing the university's infrastructure, in spite of increased enrollments. Students understand the need for an increase and feel the consequences would be greater with no increase.

Ms. Jamie McDonald, student body secretary-WNCC, agreed that students understood the need for a fee increase, but wanted to know how the funds were spent. She requested the money remain locally, with decisions made locally.

Mr. Paul Moradkhan, student body president-UNLV, stated that the Chancellor had polled student response. He urged the need for both need- and merit-based scholarships. He said that students understood the need for an increase and expected one. Student government worked closely with the administration to achieve better funding of student government.

Ms. Rana Koran, graduate student body president-UNLV, reported that graduate students felt similarly. She expressed concern for losing control over deciding how increased fees were spent. She agreed the Chancellor had done a wonderful job of including student opinion and concerns. She acknowledged that no one could afford an increase and that Option 4 was the least expensive.

Regent Alden observed that only the Board could impose a fee increase. Chancellor Nichols replied that the legislature would reduce System budgets if a fee increase was not incurred.

Ms. Marilou Woolm, graduate student body president-UNR, reported that her constituents supported the increase. She observed that student government fees had not increased in over ten years. A serious housing shortage exists for graduate students, in spite of a 25% increase in housing costs. She said that more money was required for student's fees, acknowledging that one way of obtaining them would be a fee increase. She said that students were working with Dr. Lilley to reallocate student fee funds to cover a \$50,000 deficit.

Regent Kirkpatrick asked about the portion of the total and/or operating budget comprised of student fees. Vice Chancellor Miles replied that approximately 20% of the operating budget came from student fees. Estate tax and other minor revenues supplement the budget. The state accounts for 77% of the funding. Regent Kirkpatrick asked whether 20% would still be allocated to the operating budget if tuition were doubled. Vice Chancellor Miles replied that the legislature would not necessarily increase their effort. He was unsure they were seeking a specific increase, but they did expect some increase. He said that they would expect some portion of the increase to be returned to the state budget. Regent Kirkpatrick observed that some portion of the increase would be used to decrease the state obligation. Vice Chancellor Miles stated that was not necessarily true because the System request would also increase. He thought the legislature would look at whether the System was keeping pace with the overall increases in the budget. Regent Kirkpatrick stated that Senator Raggio had suggested an increase in tuition. Mr. Miles replied that the legislature would compare the System with WICHE averages (*Nevada is very low*) and with other states. Regent Kirkpatrick did not want the

23. Approved-2003-2005 Tuition and Fee Proposals – (Cont'd.)

students to feel the brunt of the increases. Chancellor Nichols stated that Dr. Lilley was working with the graduate students to obtain an increase (*in the fee distribution*) for them. She explained that the per credit amount had not increased.

Chancellor Nichols stated that staff was aware of the students' desire to know what they were getting for the fee

increase, as well as the need to increase need-based financial aid. UCCSN will ask that a portion of the increase be returned to System Administration for need-based financial aid. Board policy mandates that half of all increases be used for scholarships, which resulted in a very small portion for the state. A different methodology was used to keep the capital on campus. The capital was removed first. Then financial aid and state general funds were divided evenly. Reductions provided in Options 1-4 were subtracted from financial aid. She said the Board could determine to reduce the amounts for both state and financial aid.

Chancellor Nichols then discussed non-resident tuition rates:

- • Rates based on the WICHE median (*using a 3-year lag*) times 120%.
- • Part-time non-resident (*pay per credit*) pays the basic fee times 110%.
- • Good Neighbor non-resident tuition equals the basic fee plus 60% of the fee (*community colleges*), and the basic fee plus 110% of the fee (*universities*).
- • Children of Alumni pay the basic fee times 60%.
- • Distance Education basic fee plus 50% of the fee.

Regent Howard asked about fee distribution options for the state college/GBC as compared with the community colleges. Chancellor Nichols stated that the university undergraduates would generate \$3.5 million in need-based scholarships, while the community colleges would generate \$199,000 (*first year*) and \$422,000 (*second year*) with Option 4 (*\$621,000/biennium*). Regent Howard asked why the community college figures were significantly lower. Chancellor Nichols replied that those fees did not require an increase to reach the WICHE median. She related that UCCSN had a policy for maintaining low community college fees.

Regent Rosenberg moved approval of the 2003-2005 tuition and fee proposals presented in Option #4, with no change to the fee distribution and formula. Regent Seastrand seconded.

Regent Sisolak related that he had received conflicting information from student representatives. He was concerned that the previously imposed \$4 technology fee would never sunset. He felt that students were buried by their fees, adding that lab, housing, meals, and parking fees represented additional costs. He noted that parents complained about frequent changes in book requirements. He acknowledged that UCCSN tuition was reasonable. He stated that some parents were working two jobs or refinancing their homes to afford their children's education. He felt the increases were significant to the students and urged Board awareness that tuition was only one component of students' costs.

23. Approved-2003-2005 Tuition and Fee Proposals – (*Cont'd.*)

Regent Hill requested presidential feedback. President Harter felt it was a real dilemma for all of the presidents, emphasizing the real concern for students. She agreed that each option provided increased funding for need-based financial aid. She expressed her concern for the System's credibility with the legislature and encouraged Board support for Option 1. Dr. Lilley agreed, adding that Option 1 provided the most need-based student support and constituted the best public policy. President Lucey stated that students expressed the most concern for maintaining control over the increased fees. She felt that Option 1 provided the most need-based aid and additional resources for students requiring financial aid. Presidents Remington, Huneycutt, and Diekhans agreed. President Huneycutt observed that Option 1 provided the most access support.

Regent Hill requested an explanation for states with higher tuition higher having higher enrollments. He felt that Option 1 addressed Regent Sisolak's concerns (*more money for need-based scholarships*), adding that Nevada had the lowest college continuation rate in the nation. Chancellor Nichols replied there was a correlation between the availability of need-based scholarship aid and college attendance. She said it was a major deterrent that Nevada lacked sufficient need-based scholarship aid. She explained that the cost of education was a consideration factor. A recent national study revealed that the largest barrier was the public's perception about the cost of a college education. Most first-generation college families believe it is unaffordable. They do not apply for financial aid or test prior to starting college. States with low tuition have a culture that does not value or support higher education. She related that UCCSN had maintained low fee rates for many years, yet it had not contributed to the college going rate.

Regent Hill stated that cost was also an indicator of the value of education. He feared that Nevada was sending the message that higher education was not worth much. He observed that Mississippi used to be the worst in every statistical category, adding that Nevada now had the worst college continuation rate, while Mississippi ranked 20th. He felt that a higher tuition rate was the only method available for those who genuinely care about education, students attending school, and parents mortgaging their home. He said he would not support Option #4, but would support Option #2.

Regent Rosenberg proposed a friendly amendment to the motion. He moved approval of the 2003-2005 tuition and fee proposals presented in Option #2, with no change to the fee distribution and formula.

Regent Seastrand asked about the percentage increase represented by each option. Chancellor Nichols provided percentage increases for the first year of the biennium:

| | <u>Option 1</u> | <u>Option 2</u> | <u>Option 3</u> | <u>Option 4</u> |
|----------------------------|-----------------|-----------------|-----------------|-----------------|
| Universities Undergraduate | 8% | 8% | 7% | 6% |
| Universities Graduate | 8% | 7% | 7% | 6% |
| State College | 7% | 6% | 6% | 6% |
| Community Colleges | 4% | 4% | 3% | 3% |

Chancellor Nichols reported that a poll was conducted regarding other western states' proposals for tuition increases: Idaho-12%, Washington-14%, Utah-10%, and Montana-

23. Approved-2003-2005 Tuition and Fee Proposals – (Cont'd.)

13%. Regent Seastrand asked about the second year of the biennium. Chancellor Nichols provided percentage increases for the second year of the biennium:

| | <u>Option 1</u> | <u>Option 2</u> | <u>Option 3</u> | <u>Option 4</u> |
|----------------------------|-----------------|-----------------|-----------------|-----------------|
| Universities Undergraduate | 8% | 7% | 7% | 6% |
| Universities Graduate | 8% | 7% | 7% | 6% |
| State College | 7% | 6% | 5% | 5% |
| Community Colleges | 4% | 4% | 3% | 3% |

Regent Seastrand acknowledged there was not much difference between the options. He stated that the larger difference was in student access and the amount returned to the state.

Regent Seastrand accepted the friendly amendment.

Regent Rosenberg agreed that Regent Sisolak had raised valid points. He related that books become outdated almost as soon as they were printed because new knowledge was discovered so quickly. Once the book is outdated, it is difficult to sell back. He agreed that all educational costs were increasing. He related that it was becoming increasingly more difficult to provide the materials and paper for art classes without raising the \$35/semester lab fee. He noted that each department tried to supplement need-based scholarships, adding that UNR's Art department provided \$16,000 in scholarships to twenty-five students.

Chancellor Nichols reported that Option 2 would generate \$6.4 million in need based assistance, while Option 4 would generate \$3.5 million.

Ms. Alicia Lerud, student body president-UNR, clarified that the students were most concerned about the student access fees. She related that Option 4 would not provide the necessary means of assistance. She suggested distributing the increased fees in Option 2 in the following manner: \$2-Capital Improvements, \$2-Student Access, and \$2-State General Fee Fund. Regent Rosenberg agreed. Chancellor Nichols stated that she would support that if the Board desired.

Regent Kirkpatrick noted that it would cost an additional \$210/year in 2005 for students to go to college. He related that it would be difficult to keep pace with skyrocketing tuition and fees for public and private institutions.

Regent Hobbs said that she did not relish increasing student tuition. She observed that the state funded

approximately 80% of the cost. She related that subsidized students had no other way to afford college and it created a more competitive environment for those already attending. She expressed concern that, if fees were not increased, the legislature would cut other programs.

Regent Alden asked about percentage increases to the existing formula. Chancellor Nichols replied that under the existing formula:

- • Undergraduates = \$82 (*first year*) and \$85 (*second year*) .
- • Graduate - \$112 (*first year*) and \$117.50 (*second year*) .
- • State College = \$65 (*first year*) and \$68 (*second year*) .

23. Approved-2003-2005 Tuition and Fee Proposals – (*Cont'd.*)

- • Community Colleges = \$47 (*first year*) and \$48.50 (*second year*)

Regent Alden said he would only accept the existing formula, and was opposed to raising tuition and fees.

Regent Rosenberg said that he too did not like raising tuition. He related that the state was unable to fund education at the level required. He expressed concern for the continued ability to provide quality education, adding that shared expense provided the only answer.

Ms. Ernst clarified that the motion included acceptance of the new formula, proposal Option 2 with the new fee distribution ($\$2/\$2/\$2$) . Chancellor Nichols asked whether the motion included out-of-state. Regent Rosenberg replied that it did. Ms. Ernst stated that the motion included acceptance of non-resident tuition, etc.

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

24. Approved-2003-2005 Tuition and Fees, School of Medicine – The Board approved a second hearing on recommended tuition and fees for the 2003-05 biennium for the University of Nevada School of Medicine. Discussion included the distribution of Medical School tuition and fee revenues. (Ref. L on file in the Board office.)

Dr. Carol Ort, Vice Provost-UNR, reported that a meeting was held with representatives of the SOM, SOM student body, and campus representatives. The recommendation made was intended to keep tuition in line with other medical schools in the WICHE area (*4%/year increase*) .

Regent Gallagher left the meeting.

Regent Rosenberg moved approval of the 2003-2005 tuition and fee proposals for the School of Medicine. Regent Hill seconded.

Regent Kirkpatrick asked about residency requirements for undergraduates. Dr. Ort replied that students beginning as an out-of-state student (*SOM or undergraduate*) had to pass certain tests after living one year in the state:

- • Must be financially independent.
- • In the state for at least 1 year.
- • Establishing residency via: voter registration, driver's license, car registration, occupation, home, spouse with a job.

Most out-of-state students in the medical school are able to establish residency after one year. Undergraduates are generally not financially independent. Regent Kirkpatrick asked about the percentage of medical school graduates that remain in Nevada to practice. Dr. Ort replied that she did not have that data, but it could be provided. Regent

24. Approved-2003-2005 Tuition and Fees, School of Medicine – (*Cont'd.*)

Kirkpatrick asked whether UCCSN was subsidizing physicians for other states. President Lilley replied that out of 52 freshman in the SOM, only 5 were from out-of-state by agreement. Dr. Stephen McFarlane, Interim Dean-SOM, replied that 50% of the residents remained in the state to practice. Dr. Ort stated that a maximum of 5 out-of-state students were accepted from Montana, Wyoming, Alaska, and Idaho.

Regent Howard asked about the purpose of the increase. Dr. Ort replied that the tuition increase would not change the fee distribution, adding that the majority went to the State general fund, which was used to produce the SOM's budget. A small portion would go to general improvement, capital improvement, and activities & programs. Regent Howard asked for specifics. Dr. Ort replied that general improvement and capital improvement fees were used for physical operation, infrastructure, equipment, repairs, and renovation. The activities & programs fees were used to support student support within the SOM (*scholarships and advising*). Regent Howard asked why students would need financial support if they were financially independent. Dr. Ort clarified that, in order for a student to qualify as a resident, they must be financially independent and not listed on someone else's income tax. Admissions & Records has determined they must earn between \$8,000-9,000/year.

Regent Hill felt that out-of-state students should maintain their out-of-state status.

Regent Sisolak asked how much of the SOM's capital improvement fees were devoted to the Fire Science Academy debt. President Lilley replied that only undergraduate and graduate fees were devoted to the FSA. Regent Sisolak asked why medical school fees would not also be used. Dr. McFarlane replied that there was a legislative mandate for the SOM, which prevented that from happening. The medical school is considered a separate line item with restrictions. Regent Sisolak asked why a portion of the increases would not be directed to the FSA. President Lilley replied that Dean McFarlane had indicated the university was unable to do so. Dr. Ort stated that the proposal presented involved only tuition and not fees, which were a separate issue. Dean McFarlane stated that the medical school tuition was directed back to medical school programs and not to the state coffers. He noted that medical school students paid a flat fee and not per credit. Regent Sisolak felt that it would be fair if all students paid a share.

Regent Sisolak asked how much the state was subsidizing out-of-state students. Dr. Ort replied that the intent of the calculation was for the state to not subsidize any out-of-state tuition, adding that it was a very difficult calculation. Regent Sisolak asked whether state money would be required if every student was charged the same amount. Dr. Ort replied that would cover the cost of instruction at the medical school. It would not cover a variety of items (*outreach, scholarships*) not directly charged to students through tuition. Regent Sisolak established that out-of-state tuition and fees entirely covered the cost of education. Dr. Ort replied that it was the intent of the formula. Regent Alden suggested dividing the total medical school budget by the number of students. Vice Chancellor Miles replied that it was his understanding that the School of Medicine calculates the instructional cost, which is covered by out-of-state tuition. He said there were other costs not related to instruction that might not be included. Regent Sisolak requested assurance that the state was not subsidizing any out-of-state students. Dr. Ort stated that the cost of

24. Approved-2003-2005 Tuition and Fees, School of Medicine – (*Cont'd.*)

instruction included faculty salaries. She said it would be different to add in the cost of a building. She said that the School of Medicine's non-resident tuition was comparable to other western schools (*University of Washington-\$25,000; University of New Mexico-\$25,800; and University of Hawaii-\$27,000*). She reported there were 8 schools in the WICHE area. The average tuition (*not including Nevada*) was \$28,927, while Nevada charged \$24,669. Regent Sisolak observed that Nevada was 15% below the average for out-of-state tuition. Dr. Ort replied that Nevada was close to the \$25,800 median. She observed that the University of Colorado charged \$59,597. Regent Sisolak asked whether the SOM could fill the out-of-state vacancies if tuition were increased by \$10,000. Dr. Ort replied that other medical schools were filling their slots, but Nevada reserved a limited number of out-of-state slots available. Regent Sisolak asked about increasing out-of-state tuition. Regent Dondero observed that those students would become residents after one year. Regent Sisolak agreed with Regent Hill that out-of-state students should maintain their status.

Regent Alden noted that the SOM's budget of \$19.6 million/year with 208 students resulted in a cost of \$90,000/student.

Motion carried. Regents Derby and Gallagher were absent.

25. Approved-2003-2005 Tuition and Fees, William S. Boyd School of Law – The Board approved a second hearing on recommended tuition and fees for the 2003-05 biennium for the William S. Boyd School of Law. (*Ref. M on file in the Board office.*)

Regent Hill moved approval of the 2003-2005 tuition and fee proposals for the William S. Boyd School of Law. Regent Rosenberg seconded.

Regent Sisolak observed that the cost for out-of-state tuition at the medical school was significantly higher than for the law school. President Harter replied that law was a much cheaper education, with the most expensive items being the law faculty salaries and the library. More students are taught with fewer clinical laboratory costs than those associated with a medical school. Regent Sisolak noted that no increase was proposed. He observed there were many more applicants than available spots. He asked about the number of in-state vs. out-of-state students. President Harter replied there were 21 out-of-state and 121 in-state students in the class of 2001 (*15% out-of-state*). Regent Sisolak asked about a maximum number of non-residents. President Harter said there was no maximum, but rather, an understanding to not go above 20%. She related that UNLV was at the top of WICHE states for both in-state and out-of-state tuition. Regent Sisolak asked why UNLV was at the top and UNR was below the median. President Harter replied that the two most recently developed schools were developed with a sense that professional school tuition should be higher and that out-of-state tuition should be substantial. She attributed it to the time period in which the schools were developed.

Regent Kirkpatrick asked about the percentage of out-of-state students that became residents the following year. President Harter replied that she did not know, adding that state law would not allow the university to prevent them from establishing residency. Regent Kirkpatrick asked about modifying the second, third, and fourth year tuition fees

25. Approved-2003-2005 Tuition and Fees, William S. Boyd School of Law –(*Cont'd.*)

similar to the medical school. President Harter replied that more students remain in the out-of-state category in law than in other disciplines. She related that the dean of the law school also raised considerable private money to supplement the law school budget.

Regent Alden asked about the number of students in the law school. President Harter replied they had 422 students. Regent Alden noted a cost of \$20,000/student with a \$7.9 million/year budget. He established that the law school tuition covered most of the costs, with additional costs covered by donated funds.

Regent Howard asked what the tuition and fees would be used for. President Harter replied that the three professional schools have line item budgets. Their budgets are comprised of tax-generated state dollars and tuition dollars, which cover salaries, lectures, library books, equipment, and scholarships. Regent Howard asked about the frequency for increases. President Harter replied there was not a request for an increase because the law school tuition was already at the top of the western states.

Motion carried. Regents Derby and Gallagher were absent.

26. Approved-2003-2005 Tuition and Fees, Dental School – The Board approved a second hearing on recommended tuition and fees for the 2003-05 biennium for the Dental School. (*Ref. N on file in the Board office.*)

Regent Rosenberg moved approval of the 2003-2005 tuition and fee proposals for the Dental School. Regent Hill seconded.

Regent Kirkpatrick asked about the number of minority dental school applicants. President Harter replied there were 41 out-of-state students and 40 in-state students in the first class. Of the 81 students who have accepted enrollment, 20 are minorities (*2-African American, 6-Hispanic, and 12-Asian/Pacific Islander*). Regent Kirkpatrick expressed concern about spending more money than originally intended, as well as subsidizing out-of-state students to become dentists. President Harter stated that the state portion of the dental school budget was very small. The recommended fees are at the very top of professional schools across the country. She said they were attempting to achieve high tuition, private practice fees support, and modest state support. Vice Chancellor

Miles replied that the FY03 budget was approximately \$3.6 million/year. Regent Alden observed that 75 students yielded a \$48,000/student cost. President Harter observed that the first year included startup costs.

Regent Sisolak asked about the number of out-of-state applicants. President Harter replied there were 1,200 out-of-state applicants, with 40 acceptances. UNLV Provost Ray Alden reported there were 1,260 total applicants, with only 68 from Nevada. Regent Sisolak suggested that the tuition could be increased significantly due to the demand. President Harter stated that she would be willing to increase tuition by \$2,000 in 2004 -2005 to \$30,000. She observed the dire need for dentists in Nevada, adding they would

26. Approved-2003-2005 Tuition and Fees, Dental School – (Cont'd.)

remain here to practice and UNLV would rather not extort them. She noted that dental school students have the highest debt of all the professional schools.

Regent Alden proposed a friendly amendment to increase the tuition to \$30,000 in 2004-05. Regents Rosenberg and Hill accepted.

Regent Rosenberg observed that, for many years, Nevada did not have a dental school and Nevada students attended out-of-state. Had those schools not been willing to take them for a reasonable rate, there would be no dentists in Nevada.

Regent Seastrand proposed an agenda item regarding residency (*how to establish residency and remaining a non-resident*). He requested justification for the out-of-state tuition figures. Chancellor Nichols stated that this discussion would build upon an agenda item scheduled for the June meeting, adding that the item would be expanded to include Regent Seastrand's issues.

Regent Howard noted that Senator Neal had requested the ethnic makeup of the dental school student population. She requested the information be provided in writing to Senator Neal and Board members. She then requested the breakdown of the minority population. President Harter replied that 81 students had accepted an invitation to enroll. Twenty of those students are minorities (*2-African American; 6-Hispanic; 12-Asian/Pacific Islander*). President Harter clarified that an invitation to enroll had been extended to 120 students, with 81 students accepting. UNLV will not know until August whether those students have enrolled.

President Lilley stated that African American students from Nevada do apply to the School of Medicine and are accepted. Many do not come to UNR because they are able to obtain full scholarships from other colleges (*i.e. Stanford*). He said there was a real need for scholarships, adding that tuition increases would only further aggravate the situation. Dr. Lilley stated that other universities had more prestige and offered more scholarships. Regent Howard requested the ethnic breakdown of the SOM student population. President Lilley replied that, in 1997, 5 African Americans applied, 1 was accepted, and none came. Regent Howard asked for current figures. President Lilley replied that 6 African Americans applied, 5 were admitted, and it was unknown how many would enroll. Regent Howard asked about the Hispanic student population. President Lilley replied that he did not have that information, but he would provide it later. Regent Howard asked whether out-of-state tuition could be increased for the medical school as well. Regent Sisolak and President Lilley replied that it could be.

Motion as amended carried. Regents Derby and Gallagher were absent.

27. Approved-Handbook Revision, Salaries for Resident Physicians and Dentists– The Board approved an amendment to the Board of Regents' Handbook (*Title IV, Chapter 7, Section 2.3*) to update the Resident Physician and Resident Dentist salaries for the 2002-2003 academic year. (*Ref. Q on file in the Board office.*)

27. Approved-Handbook Revision, Salaries for Resident Physicians and Dentists– (Cont'd.)

Dr. Ort reported the salaries for resident physicians and dentists. These salaries are set through negotiations with the hospitals and their budget considerations, so UNR has very little control. When the budgets are finalized, UNR expects that no increases will be provided due to budget constraints. The present projection is for salaries to remain unchanged.

Regent Rosenberg moved approval of the Handbook revision concerning salaries for resident physicians and dentists. Regent Hill seconded. Motion carried. Regents Derby and Gallagher were absent.

28. Approved-Handbook Revision, Millennium Scholarship – The Board approved revisions to the Board of Regents’ Handbook (*Title IV, Chapter 18, Sections 18.10 and 18.11*) to clarify costs for which Millennium Scholarships may be used. (*Ref. P on file in the Board office.*)

Regent Hill moved approval of the Handbook revision concerning the Millennium Scholarship. Regent Howard seconded. Motion carried. Regents Derby and Gallagher were absent.

29. Approved-Handbook Revision, Records Retention Policy – The Board approved a Handbook policy for meeting tapes (*Title IV, Chapter 1, New Section 24*). Tapes for regular, special, and closed meetings will be retained seven years. Committee tapes will be retained for one year. (*Ref. Q on file in the Board office.*)

Ms. Ernst urged approval of the item, adding that the Board office had meeting tapes from the 1960’s and needed approval to destroy them.

Regent moved approval of the Handbook revision establishing a records retention policy. Regent Hill seconded.

Regent Howard asked why the retention period was less for committee tapes. Ms. Ernst replied that the tapes were deteriorating, adding that committee business was discussed during the Board’s main meeting. Regent Howard asked whether minutes had been transcribed. Ms. Ernst replied that they had.

Regent Kirkpatrick asked about legal requirements pertaining to tape retention. General Counsel Ray replied that the 7 year retention was selected to match the retention requirement for closed sessions, special meetings and litigated personnel matters. Regent Kirkpatrick asked about liability for destroying tapes after 7 years. General Counsel Ray replied there was a 6-year statute of limitations on contract actions. He added that hard copies of the minutes had been archived.

Motion carried. Regents Derby and Gallagher were absent.

30. Approved-Accessible Space, Inc. Agreement, CCSN – The Board approved a downscaled disability rehabilitation center, and revised lease and operating agreement, at the Community College of Southern Nevada’s West Charleston Campus. The Board previously approved, with revisions, a more comprehensive project that included a residential care facility. The downscaled project will eliminate the residential care facility from the project. (*Ref. S on file in the Board office.*)

President Remington explained that the original proposal included a residential component, which had been eliminated from this proposal. He introduced Mr. Robert Hogan, Executive Director, Nevada Community Enrichment Program; Dr. Joe Cracraft, Physical Therapy Assistant Program Director-CCSN; Mr. Bob Gilbert, Planning/Design/Construction-CCSN; and Mr. Bart Patterson, Assistant General Counsel-UCCSN. He recommended Board approval.

Regent Kirkpatrick moved approval of the Accessible Space, Inc. agreement for CCSN. Regent Howard seconded.

Regent Kirkpatrick thanked President Remington for making the Board’s decision easier.

Motion carried. Regents Derby and Gallagher were absent.

31. Approved-UCCSN Medical Malpractice Insurance - Staff provided a report to the Board regarding the status of medical malpractice insurance coverage for all UCCSN medical/health care related programs. The presentation included a discussion of possible options available to the UCCSN. Options included requesting

authority to seek additional funds from the Interim Finance Committee to pay for the increased cost of malpractice insurance, and/or authority to study the possibility of establishing a fund to self-insure against medical malpractice claims for UNSOM and all other UCCSN health care related programs. The results of the study, including actuarial analysis of insurance options, and further recommendations will be reported to the Board at the June meeting.

General Counsel Ray related that discussion applied to all health care clinical practices within the System, however the majority related to the medical school and applied to all practices, with the exception of the dental school. The dental school's current malpractice policy runs to mid 2003. The principle policy is with St. Paul and expires June 30, 2002. They will not renew the policy. The current premium is approximately \$1.2 million/year. An RFP was issued with a requested return date of April 30, 2002. Estimates indicate that the premium increase will be 2-3 times the current premium. The medical school lacks sufficient funds to meet the increase. Three sources provide funding for the premiums: state funds, clinical practices, and the hospitals where the physicians practice. The medical school is negotiating with various hospitals seeking assistance to increase their share. No firm quote has been received. If an acceptable quote is not received, other alternatives must be explored. A primary issue is "tail coverage", a standard clause in malpractice policies, where acts and claims must occur within the period of coverage. If a claim was submitted after June 30th it would not be covered. If the school obtains other insurance, the policy will be retroactive to 1978 to provide the necessary tail coverage. The ideal preference is to find other, affordable insurance. Other

31. Approved-UCCSN Medical Malpractice Insurance – (Cont'd.)

options include the governor's plan, which the school is exploring, but it does not provide tail coverage (approximately \$2 million). The governor's plan is also not capitalized, so there is not a large reserve fund to pay claims. Participants could be assessed 100% of the losses. The governor has indicated that this plan is not a long-term solution, but merely a temporary measure until the next legislative session. Another alternative is self insurance, which is similar to the governor's plan. The UCCSN Risk Manager has engaged an actuary to identify the amount required on deposit for tail coverage as well as projected current claims. Regardless of the alternative selected, additional financial assistance will be required. The School of Medicine is seeking permission to approach the IFC for additional funding of the state portion.

Dr. McFarlane stated that two companies (*that insured 60% of the physicians in Nevada*) had withdrawn from the state. Regent Rosenberg asked whether an in-state carrier was required. Mr. Jon Hansen, UCCSN Risk Manager, replied there were two kinds of companies: admitted or non-admitted. The distinction is that the guarantee funds do not apply to non-admitted companies. He related there are a limited number of malpractice insurance companies in the country and UCCSN was now in a crisis-driven situation. Regent Rosenberg asked whether the medical school would close if a carrier could not be located. Mr. Hansen felt they would locate a carrier prior to June 30th. President Lilley stated that the school could not operate without insurance. Mr. Hansen explained that medical malpractice typically had infrequent, but very large claims. The self insured option would expose the System to a great deal of potential loss. Dr. McFarlane affirmed that insurance was required in order to be viable. He stated that financial assistance would be required due to the expected increased premiums.

Chair Dondero asked whether UMC was supportive. Dr. McFarlane stated that the hospitals had agreed to help with the residents' portion of the cost.

Regent Rosenberg moved approval of requesting authority to seek additional funds from the Interim Finance Committee to pay for the increased cost of malpractice insurance, and/or authority to study the possibility of establishing a fund to self-insure against medical malpractice claims for UNSOM and all other UCCSN health care related programs. Regent Kirkpatrick seconded.

Regent Sisolak stated that the insurance companies took advantage of the market situation. Mr. Hansen replied that St. Paul lost \$1.1 billion last year and decided to get out of the business. President Lilley observed that September 11th had also contributed to increased insurance costs.

Motion carried. Regents Derby and Gallagher were absent.

32. Approved-Request for Permission to Obtain Appraisal and Enter into Negotiations with Washoe County, UNR – The Board approved for UNR to obtain an appraisal and to enter into negotiations with the Washoe County Parks and Recreation Department. The Washoe County Parks and Recreation Department has expressed an interest in purchasing an 11-acre parcel of vacant land located in Pleasant Valley, south of Reno. (*Ref. U on file in the Board office.*)

Regent Rosenberg moved approval for UNR to obtain an appraisal and to enter into negotiations with the Washoe County Parks and Recreation Department. Regent Hill seconded.

Regent Kirkpatrick clarified that this was a request to obtain an appraisal.

Regent Sisolak suggested that some of the money could be used to retire the Fire Science Academy debt. President Lilley replied that these funds were limited to the Mackay School of Mines and could not be used for any other purpose.

Motion carried. Regents Derby and Gallagher were absent.

33. Approved-Capital Improvement Fee Funds, CCSN – The Board approved the use of \$825,000 in Capital Improvement Fee funds for placement of a temporary structure to accommodate additional student classrooms at the Charleston Campus. At present, this campus has reached a maximum utilization of space, and a critical need exists to respond to increasing student demands. This temporary structure of approximately 7,500-sq. ft. will house six large general-purpose classrooms as well as appropriate restroom facilities and a utility room. Also included within the scope of the project are classroom furnishings, necessary security systems, and a parking area.

President Remington explained that the temporary structure would be a permanent building on the campus. He related that CCSN required additional classroom space and had a plan to accommodate six, large general classrooms. He believed the facility could be converted for Operations & Maintenance use after fulfilling its classroom function.

Regent Kirkpatrick moved approval of the Capital Improvement Fee request for CCSN. Regent Rosenberg seconded.

Regent Sisolak observed a cost of \$110/sq. ft. Mr. Bob Gilbert replied that the construction costs were \$85/sq. ft. Also included is \$100,000 for furniture, fixtures and equipment; \$25,000 for security; and \$50,000 for permanent parking. Regent Sisolak asked about the structure. Mr. Gilbert replied that they were looking at a metal building.

Regent Kirkpatrick expressed concern about not knowing the type of structure. Mr. Gilbert replied that they were considering a metal, prefabricated building with a 50-year life cycle. Once the design is complete, a more permanent structure may be selected if the cost is not prohibitive. Regent Kirkpatrick asked about the proposed location. Mr. Gilbert replied they proposed to put it behind the Central Plant building currently under construction with the Science building. He related that the classroom space would not be

33. Approved-Capital Improvement Fee Funds, CCSN – (*Cont'd.*) needed after the Science building was built. The structure would then be used for Operations & Maintenance. Regent Kirkpatrick asked how much capital improvement fee funds were available. President Remington replied there was close to \$2 million and CCSN really needed the expansion.

Regent Rosenberg asked whether the building would have a mold problem. Mr. Gilbert replied it would not. Regent Alden stated that he did not want to incur the same problems as UNLV had with its Bubba (*Campus Services*) Building.

Motion carried. Regents Derby and Gallagher were absent.

34. Approved-Request to Draw on Loan, GBC – The Board approved a request to draw \$1,000,000 on the loan approved at the December 2001 Board meeting and place the money in the bank to await approval of a property purchase at the Board's June meeting. (*Ref. V on file in the Board office.*)

Regent Sisolak moved approval of the request to draw on a loan for GBC. Regent Alden seconded. Motion carried. Regents Derby and Gallagher were absent.

35. Information Only-Bill Drafts for 2003 Legislature - A preliminary discussion was held on potential bill drafts that Regents or presidents want submitted to the 2003 legislature. Final action on bill drafts will need to occur at the May 9th meeting of the Board.

Chancellor Nichols reported that all bill drafts were due to the governor by June 1st. Joint sponsorship with the State Board of Education (*P-16 Council and potential data sharing*) is expected, but has not yet been received. Another bill draft will entail a request to carry forward funds from one fiscal year to the next. She was open to Board suggestions.

Regent Seastrand asked about funding summer session or changing to a year-round term. Chancellor Nichols replied that summer session funding was not a bill draft issue, but rather a budget issue. There is no legislation prohibiting the state from funding summer FTE. In the nursing proposal, a pilot program to fund summer school has been proposed for nurses. Regent Seastrand observed that most government systems provided no incentive to save money. He was hopeful that incentives could be derived to make UCCSN more effective and efficient.

36. Approved-Academic, Research & Student Affairs Committee Report – Regent Rosenberg reported the Academic, Research & Student Affairs Committee met April 18, 2002. The Committee's discussion of remedial education in the UCCSN continued with reports from WNCC, UNLV, and CCSN representatives regarding current practices in assessment and placement, and ongoing efforts to examine programs in remedial education. Dr. Curry suggested that national data be presented at the next meeting and that further discussion of key policy questions be continued. The following emphases of

36. Approved-Academic, Research & Student Affairs Committee Report –(*Cont'd.*)

the Associate of Applied Science, Business have been eliminated at TMCC due to lack of student enrollments:

- Economics
- Accounting
- Small Business Management
- Real Estate
- Accounting Technology
- Management

Regent Rosenberg requested Board action on the following Committee recommendations:

- • Faculty Recognition and Reward for Effective Academic Advising – Dr. Shannon Ellis, Vice President, Student Services-UNR and Chair of the Student Affairs Council, presented a recommendation regarding recognition and rewards for faculty at all UCCSN campuses that provide effective academic advising. (*Ref. ARSA-2 on file in the Board office.*)
- • New Program Proposals – The Committee considered the following new program proposals:
 - ✓ • MS, Physical Education, UNLV. (*Ref. ARSA-4 on file in the Board office.*)
 - ✓ • MA, Teaching of History, UNR. (*Ref. ARSA-6 on file in the Board office.*)
 - ✓ • MA, Social Psychology, UNR. (*Ref. ARSA-7 on file in the Board office.*)
 - ✓ • AAS, Histology Technician, CCSN. (*Ref. ARSA-8 on file in the Board office.*)
- • New Unit, Engineering Geophysics Laboratory, UNLV. (*Ref. ARSA-5 on file in the Board office.*)
- • New Program Proposals, NSCH – The Committee considered the following new program proposals for NSCH: (*Ref. ARSA-10 on file in the Board office.*)
 - ✓ • Bachelor of Science in Public Administration
 - • Major: Law Enforcement

- ✓ · Bachelor of Science
 - · Majors: Biology (*also w/concentration in Secondary Education*) , Environmental Science (*also w/concentration in Secondary Education*) , and Nursing.
- ✓ · Bachelor of Arts
 - · Majors: English (*also w/concentration in Secondary Education*) , History (*also w/concentration in Secondary Education*) , Psychology, Elementary Education (*also w/concentration in Bilingual and Special Education*) .

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

Regent Kirkpatrick indicated that he would abstain from voting due to items related to NSCH.

Regent Sisolak noted a point of order, observing that Regent Kirkpatrick had seconded the motion and could therefore not abstain from voting.

Regent Hill seconded the motion.

36. Approved-Academic, Research & Student Affairs Committee Report –(*Cont'd.*)

Regent Alden asked about providing a math emphasis. Dr. Chairsell replied that, it would likely be presented at the June meeting. Regent Alden noted the need for math teachers in Clark County.

Regent Howard said that she would like to see more information from CCSN when requesting new degree programs. She noted there was a large demand for bachelor degrees for community college students. President Remington replied that he and the Chancellor had discussed the matter. Provided an agreement can be reached, it will be brought before the Board for approval. Chancellor Nichols stated that implementation of the Master Plan included offering select baccalaureate degrees at the community colleges, adding that it would require much study. Regent Howard asked why. Chancellor Nichols replied that it would change the nature of the institution for accreditation purposes. She said that CCSN would be treated in the same manner as GBC. Regent Howard said that she would like to be on that committee. Chancellor Nichols replied that no committee had been formed at this time.

Motion carried. Regent Kirkpatrick abstained. Regents Derby and Gallagher were absent.

37. Approved-Audit Committee Report - Chair Steve Sisolak reported the Audit Committee met April 18, 2002 and received follow-up responses for five internal audit reports presented at the October and December 2001 Committee meetings. Mrs. Sandi Cardinal, Director of Internal Audit, reported that the institution bank reconciliations were up-to-date. Dr. John Lilley, UNR President, reported on the status of the University of Nevada School of Medicine Practice Plan. A committee has met and is moving forward on the evaluation of whether operations of the Practice Plan will be inside or outside the operations of the medical school. Dr. Lilley will report the results of the evaluation at a future Audit Committee meeting. Ms. Denise Baclawski, Executive Director, UNR Fire Science Academy, reported on the status of the FSA. She indicated that revenues and expenditures were on target with the FSA business plan. FSA personnel continue to pursue opportunities to perform offsite consulting. Regent Sisolak requested Board action on the following Committee recommendations:

- · Internal Audit Reports – The Committee reviewed the following Internal Audit reports: (*Ref. X on file in the Board office.*)
 - ✓ · Continuing Education, UNLV (*Ref. A-2 on file in the Board office.*)
 - ✓ · Purchasing Department (*Operational Audit*) , UNLV (*Ref. A-3 on file in the Board office.*)
 - ✓ · Presidential Exit Audit, NSCH

Regent Sisolak moved approval of the Committee recommendations and acceptance of the report. Regent Alden seconded. Motion carried. Regents Derby and Gallagher were absent.

38. Approved-Campus Environment Committee Report - Chair Doug Hill reported the Campus Environment

Committee met April 18, 2002. Staff presented a report to the Committee regarding graduation rates by gender and ethnicity. Staff also provided an

38. Approved-Campus Environment Committee Report – (Cont'd.)

update on the implementation of the full-time administrative and academic faculty survey. A total of 3,897 individuals will receive the survey and the final report is anticipated in mid-July 2002.

Regent Hill moved acceptance of the report. Regent Kirkpatrick seconded. Motion carried. Regents Derby and Gallagher were absent.

39. Approved-Finance & Planning Committee Report - Chair Tom Kirkpatrick reported the Finance & Planning Committee met April 18, 2002 to review two budget reports, the 3rd Quarter Fiscal Year 2001-2002 Self Supporting Budget Revisions Report and the 3rd Quarter Fiscal Year 2001-2002 State Operating Budget, Budget Transfers Report, and to discuss the possibility of requiring semi-annual or annual reporting of institutional resource reassignment/allocation between institutions and units of the UCCSN. The Committee first reviewed the Self-Supporting Budget Revisions Report. The Board of Regents' financial policy governing budget revisions requires revisions of Self-Supporting budgets exceeding ten percent (10%) of planned expenditures for budgets up to \$500,000, or \$50,000 or greater for budgets exceeding \$500,000, be approved by System Administration and reported to the Board. Budget revisions for the 3rd quarter of FY02 were reported by six appropriation areas totaling \$249,898. The Committee also reviewed the Budget Transfers Report. The Board of Regents' financial policy governing budget transfers requires that transfers of budget spending authority between state-appropriated functions exceeding \$25,000 must be reviewed and approved by System Administration and reported to the Board. One appropriation area, WNCC, reported budget transfers between functions totaling \$235,584. The budget transfers were necessary to hire vacant positions due to increased student enrollments, to fund needs assessment for academic programs and to purchase scheduling software. Regent Kirkpatrick requested Board action on the following Committee recommendation:

➤ • Institutional Resource Reassignment/Allocation – The Committee discussed requiring semi-annual or annual reporting of institutional resource reassignment/allocation between institutions and units of the UCCSN and requested the issue be brought back to the next Committee meeting after the campuses had an opportunity to review the resource allocation data presented at the meeting.

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

40. Approved-Health Care Education Committee - Chair Doug Seastrand reported the Health Care Education Committee met March 15, 2002. Ms. Doreen Begley, MS, RN, Nurse Executive for the Nevada Hospital Association, and Dr. Julie Johnson, RN, Director and Professor of the Orvis School of Nursing-UNR, presented a draft of *The UCCSN Board of Regents' Plan to Double the Capacity of the Programs of Nursing within the System*. UNLV Provost Ray Alden reported that the UNLV dental school had received more than 1,200

40. Approved-Health Care Education Committee – (Cont'd.)

applicants. Regent Seastrand requested Board action on the following Committee recommendation:

➤ • Doubling the UCCSN Nursing Programs – The Committee approved in concept the draft report from the Nursing Task Force on doubling the capacity of UCCSN nursing programs called for in A.B. 378.

Regent Seastrand moved approval of the Committee recommendations and acceptance of the report. Regent Hill seconded. Motion carried. Regents Derby and Gallagher were absent.

Chair Dondero reported that she and members of the Committee accompanied Mayor Oscar Goodman to an Academic Medical Center affiliated with the University of California, San Francisco. She indicated that Mayor Goodman would very much like to have such a facility close to UMC and the downtown government center. She related that it was a wonderful program and that it had been interesting hearing about San Francisco's programs and the number of students served. She reported they visited a new site where earthquake debris had been used to fill in a bay. President Lilley reported that he had asked the mayor to be patient.

Regent Seastrand said that he was amazed they had turned unusable land, with environmental concerns, into a useful venture. He felt that their situation was very similar to Nevada's. Most participants left believing that an Academic Medical Center was possible for Las Vegas.

41. Public Comment – President Wells reported that Mr. Bruce James had stepped down from his evaluation committee due to his presidential appointment to head the nation's printing office.

Chancellor Nichols reported that she had received a petition passed by UNR's ASUN related to need-based financial aid. She said that she would provide copies to Board members, Vice Chancellor Curry, and President Lilley.

Ms. Rana Koran expressed her appreciation to the Board, adding that her term as GSA Student Body President-UNLV was coming to an end. President Harter stated that Ms. Koran and Mr. Moradkhan had been wonderful student leaders.

Mr. Paul Moradkhan, Student Body President-UNLV, thanked the Board for the experience. He also thanked President Harter and her administration for their support with many student projects.

42. New Business – Regent Alden suggested a thorough review of State Public Works Board projects at all of the campuses.

The meeting adjourned at 4:30 p.m.

Suzanne Ernst
Chief Administrative Officer to the Board