

BOARD OF REGENTS
UNIVERSITY AND COMMUNITY COLLEGE SYSTEM OF NEVADA
Tam Alumni Center Tiberti Grand Hall
University of Nevada, Las Vegas
4505 Maryland Parkway, Las Vegas
Thursday-Friday, December 12-13, 2002

Members Present:

Mr. Douglas Seastrand, Chair
Ms. Marcia Bandera
Dr. Jill Derby
Mrs. Thalia Dondero
Mr. Douglas Roman Hill
Mrs. Laura Hobbs
Mrs. Linda Howard
Dr. Tom Kirkpatrick
Mr. Howard Rosenberg
Mr. Steve Sisolak

Members Absent: Mr. Mark Alden (excused)

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
President Paul Killpatrick, GBC
President Kerry Romesburg, NSC
President Philip Ringle, TMCC
President Carol Harter, UNLV
President John Lilley, UNR
Vice President Helaine Jesse, WNCC
Chief Administrative Officer Suzanne Ernst

Also present were faculty senate chairs Dr. Joan McGee, CCSN; Ms. Lynn Fenstermaker, DRI; Mr. Pete Bagley, GBC; Dr. Erika Beck, NSCH; Dr. Eun-Woo Chang, TMCC; Dr. Bill Robinson, UNLV; Ms. Bourne Morris, UNR; Ms. Winnie Kortemeier, WNCC; and Ms. Jennifer Pascoe and Mr. Brian Anzalone, System Administration. Student government leaders present included Ms. Kerri Hamrick, CCSN; Mr. Steve Houk, GBC; Ms. Janell Mihelic, NSCH; Mr. Kiyoshi "Teddy" Noda, TMCC; Ms. Monica Moradkhan, UNLV; Ms. Jocelina Santos, UNLV-GSA; Ms. Alicia Lerud, UNR; Ms. Marilou Woolm, UNR-GSA, and Ms. Michelle Badger, WNCC.

Chair Douglas Seastrand called the meeting to order at 11:30 a.m. on December 12, 2002 with all members present except Regent Alden who was excused.

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

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

Regent Sisolak moved approval of moving to a closed personnel session. Regent Dondero seconded. Motion carried. Regent Alden was absent.

The meeting recessed at 11:35 a.m. and reconvened at 1:05 p.m. with all members present except Regent Alden who was excused.

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

2. Introductions – President Harter introduced Dr. Stephen E. Rosenbaum, Dean, UNLV Honors College, and Mr. Tom Williams, an executive-in-residence on loan from the Department of Energy to lead UNLV's new research foundation. President Romesburg introduced Ms. Janell Mihelic, Student Body President for NSCH. Chair Seastrand introduced Regent

Marcia Bandera, who was appointed by Governor Guinn to fulfill retired Regent Dorothy Gallagher's unexpired term. He also introduced Regents-elect Dr. Stavros Anthony and Dr. Jack Lund Schofield.

3. Chair's Report - Chair Seastrand thanked President Harter and her staff for hosting the meeting. He expressed his belief that technology must play a significant role if UCCSN is to be more efficient and competitive as a system of higher education. Chair Seastrand has requested the creation of a task force charged with developing a 10-year technology roadmap for the UCCSN. He felt it was critical to identify the best investment of precious resources in order to ensure that UCCSN institutions are on par with or ahead of other comparable institutions. President Kerry Romesburg will lead the task force as it concentrates on the unique needs of each of the eight institutions. Other task force members will include student, faculty, and administrative staff from all eight institutions. The task force's charge is to focus upon:

- Students – Review methods to leverage technology both for convenience and for enhancing students' learning experiences, including improving distance education offerings.
- Faculty & Administration – Develop ways to work seamlessly, more efficiently, and collaboratively through knowledge sharing.
- Research – Uncover new methods to apply and use technology, and ensure that UCCSN research is not hindered by antiquated equipment. Technology is always changing; UCCSN must be prepared to change along with it. Research continues to provide the greatest return on investment and is the catalyst for economic development.

Chair Seastrand reported that November had been a busy month for the Board. Three new Regents were elected, while one legendary Regent retired.

Resolution 02-03

WHEREAS, Dorothy Sewell Gallagher served with distinction as Regent for the Nevada Board of Regents from January 1, 1980 through November 11, 2002; and

WHEREAS, Dorothy Sewell Gallagher previously served as the Chair of the Nevada Board of Regents from July 1989 through June 1991; and

WHEREAS, Dorothy Sewell Gallagher was instrumental in bringing baccalaureate programs to Great Basin College; and

WHEREAS, Dorothy Sewell Gallagher played a key role in the planning and development of a third tier of higher education, Nevada's first state college; and

WHEREAS, Dorothy Sewell Gallagher was one of the founders of the University and Community College System of Nevada's world-renowned research institution, the Desert Research Institute; and

WHEREAS, Dorothy Sewell Gallagher served as a staunch advocate for increasing access to quality educational opportunities and worked tirelessly to advance the mission of Nevada higher education; and

WHEREAS, Dorothy Sewell Gallagher has been a leading voice throughout her community, the University and Community College System of Nevada, and the entire state; now therefore be it

RESOLVED, that on this day, December 12, 2002, the Board of Regents extends its sincere appreciation and gratitude to Dorothy Sewell Gallagher for her exemplary service as Regent with the Nevada Board of Regents.

Chair Seastrand stated that Regent Gallagher's wisdom and experience would be missed.

Chair Seastrand then stated that Regent Laura Lopez Hobbs courageously stepped in to fill a void left by the resignation of the late Tom Wiesner.

Resolution 02-04

WHEREAS, Laura Lopez Hobbs served with distinction as Regent for the Nevada Board of Regents from February 1, 2002 through December 31, 2002; and

WHEREAS, Laura Lopez Hobbs accepted wholeheartedly the role of Regent when asked by Governor Kenny Guinn to complete a Regent's term, taking it upon herself to learn as much as she could about the System she would represent; and

WHEREAS, Laura Lopez Hobbs used her knowledge as a business executive and community leader to promote and strengthen the role of higher education throughout the state of Nevada; and

WHEREAS, Laura Lopez Hobbs served on the Board's Audit, Finance and Planning, and Investment Committees and worked diligently to help the entire University and Community College System of Nevada address the budgetary issues affecting the System; and

WHEREAS, Laura Lopez Hobbs has been a role model and community advocate for all students throughout the University and Community College System of Nevada, encouraging students throughout the state to take advantage of the opportunities higher education can provide; now therefore be it

RESOLVED, that on this day, December 12, 2002, the Board of Regents extends its sincere appreciation and gratitude to Laura Lopez Hobbs for her exemplary service as Regent with the Nevada Board of Regents.

Chair Seastrand thanked Regent Hobbs for her service to higher education and the state of Nevada.

Chair Seastrand noted that UNLV would graduate its first Millennium Scholar, Ms. Melissa Tishk. Approximately 1,000 students were expected to participate in the winter commencement ceremony. President Harter noted that Ms. Tishk also attended CCSN and was a fine representative of the System. She completed the program in 2½ years and has applied to UNLV's Boyd School of Law. Chair Seastrand then congratulated UNLV senior Ms. Kyler Elwell who recently received an award from the Rocky Mountain regional division of the American Chemical Society. Kyler is a sociology major pursuing minors in chemistry and biology. She received the award for the paper she presented on "Preparation and Characterization of Semi-Fluorous 2,2'-Bipyridines". The paper was selected as one of the top three in its category. The award was made at the 17th Rocky Mountain Regional Meeting of the ACS in Albuquerque, New Mexico.

4. Chancellor's Report – Chancellor Nichols provided an update on two System-wide compliance initiatives resulting from federal mandates:

- The new Health Insurance Portability Act establishes privacy requirements regarding the use and disclosure of protected health information. The requirements will impact UCCSN student health centers, medical school, dental school, counseling centers, and other departments. Implementation of new privacy procedures for patients and health records is required by April 14, 2003. The act requires System Administration to have a privacy/compliance officer, at least on an interim basis, by April 2003. Additionally, each impacted campus (UNR, UNLV, TMCC, and CCSN) should also have at least one privacy/compliance officer. Legal staff is in the process of identifying all offices and departments that may fall under HIPAA requirements. Another important component of compliance is to ensure the protection and privacy of health information stored on computers, requiring the appointment of security officers having the responsibility for increasing computer security, monitoring data storage, and other technical requirements. One security officer will be needed at the System level by July 1, 2003. It is unlikely that UNLV and UNR will require their own security officer in place by that date. The staff support needed to comply with HIPAA is a budget issue for the campuses, which will require serious review in the coming months.
- Another new federal act is the Campus Sex Crimes Act, which took effect on October 27, 2002. The act requires all higher education institutions to take "community notification" steps related to registered sex offenders who may be enrolled or employed at the institution. The act imposes a duty on campus police departments to provide notice to the campus community based upon three tiers of notification. The methods may include posting the offender's picture and a description of the crime on the institution's web site as well as more direct notice to students, faculty, and staff. Protocols have been established at the three institutions with police departments (UNR, UNLV, and TMCC) and a Chancellor's Memorandum is being issued this month with a description of the federal act and its requirements.
- Another System-wide initiative under way is an examination of institutional intellectual property policies and practices. Intellectual property includes inventions, patents, and copyrightable works. The study, led by Vice Chancellor Curry and the academic affairs officers, will review national trends, new federal and legal requirements, and distance education issues. It is planned to bring an amended System policy to the March or May 2003 Board meeting, followed by individual campus policies coming forward later for Board approval.
- Any increase in the UCCSN's 2003-05 budget that would allow for adequate funding and future growth in student numbers is dependent on revenue or tax increases in Nevada. Merely maintaining the System's current position, with a 3% cut in 2002's budget, would require a tax increase for a budget based on 79% of the formula. Governor Guinn's projected \$800 million deficit is based on only \$80 million for higher education (the amount required to maintain the System under funded and unable to provide the classes and services students need). Should the legislature not raise revenues beyond that level, UCCSN, students, and students' families will face very tough issues. Other states in similar situations have been forced to increase fees and tuition, cap admissions, cut classes at all institutions, place more emphasis on directing students to the least expensive option where appropriate, turn away qualified students from high demand programs, and cut some high cost/low enrollment programs. The Chancellor will bring forward an agenda item to begin such deliberations.
- Assembly Speaker Richard Perkins has announced that he is requesting a state audit of UCCSN, focusing on issues related to construction practices and energy retrofits. The audit will provide an opportunity for the state to gain confidence in higher education and provide an external perspective on the System's ability to be effective, efficient, and to spend state dollars well. The Speaker will be looking at both traditional audit questions and at a performance audit in certain areas. UCCSN requests that enabling legislation define particular areas of concern so that the audit is possible, given the time and resources available. A focus on effectiveness and efficiency issues to provide good direction is also requested. System costs will be carefully tracked. UCCSN is asking the state to pay for the audit given the lack of state funding and the decrease in investment income.
- The P-16 Council is asking UCCSN to review the possibility of requiring certain high school courses of all Millennium Scholars (courses known to predict success in college like algebra II and geometry). Feedback from the high schools

indicates that some students may be avoiding the courses they need to be successful in college in order to be sure they get a 3.0 GPA. Academic Affairs will examine potential Board recommendations on adding course requirements to the GPA requirements for the Millennium Scholarship, as allowed under NRS statutes. The study will include input from K-12 teachers, counselors, and administrators.

Chancellor Nichols then called for a report from President Harter.

Regent Howard asked whether the state's internal audit would include a review of the System's internal structure. Chancellor Nichols replied that Speaker Perkins has announced plans to introduce a bill calling for an audit. The nature of the audit is unknown. Regent Dondero asked about the approximate cost. Chancellor Nichols replied that the cost would be unknown until the scope and nature of the audit was determined. Regent Dondero requested an estimate. Vice Chancellor Miles replied that the bill for the 1996 audit required \$70,000 in UCCSN funds to pay for the extra costs of the audit. He expected that those costs would be higher at this point.

President Harter stated that her report would focus on the research and creative activities of UNLV undergraduate students. The third goal in UNLV's planning documents states that UNLV will "continue to increase research, scholarly activities to become a nationally recognized research university". A major aspect of that goal is to "increase involvement of students in research at both the undergraduate and graduate levels". One of the most exciting programs at UNLV is the McNair Scholars Institute, named for Dr. Ronald E. McNair, an African-American who received his Ph.D. in laser physics from MIT at age 26. Dr. McNair was selected for the space shuttle program in 1978 and was killed in the Challenger explosion in January 1986. In order to be a McNair scholar, a student must qualify as a low-income student and a first-generation college student, or belong to a group that is traditionally underrepresented in graduate education. The program is committed to help diversify the ranks of American faculty and of research institutions by encouraging undergraduate students who are members of underrepresented groups to pursue doctoral studies. President Harter introduced one such student, Mr. Lorenzo Nichols II, a biology major with a 3.56 GPA, to speak briefly about the research he conducted as a participant in the McNair Scholars program. He worked with Lloyd Stark, an Assistant Professor of Biology. Lorenzo is a member of UNLV's Honors College.

President Harter reported that the EPSCoR program provides another superb opportunity for students to conduct research in conjunction with UNLV faculty. The UCCSN Young Scholars part of EPSCoR seeks to increase the participation in research, especially those from traditionally underrepresented groups. Each year, 8-10 students are selected on a competitive basis for the program. They receive a \$3,000 stipend to conduct research for a 10-week period during the summer. At the end of the summer there is a poster session to present the results. She introduced Ms. Amy Goodwin, another biology major with a 4.0 GPA, to discuss her experience in the program. Amy worked with chemistry professor Dr. Bryan Spangelo. Amy is a Las Vegas resident who was valedictorian at Durango High School and is now a member of UNLV's Honors College. After graduation she hopes to enter UNLV's dental school.

A third group of students had the unique opportunity to travel to Delphi last summer to participate in the production of Nobel Laureate Wole Soyinka's play, an adaptation of Sophocles' "Oedipus at Colonus". The European Cultural Centre of Delphi provided \$150,000 and UNLV provided \$30,000 through a planning initiative award. Three students offered their thoughts on the experience: Ms. Susanne Burns, Mundana Ess-Haghabadi, and Jonathan Schultz, who played Oedipus. President Harter stated that she was thrilled and amazed at the quality of students at UNLV. Students who conduct research in conjunction with faculty have a unique learning experience that can have a significant effect on their experiences as students and provide them useful skills for life after graduation.

The full Board meeting recessed at 1:55 p.m. and the Board convened as Members of the Corporation for the UCCSN institution Foundations' reports with all members present except Regent Alden who was excused.

5. Foundation Reports - The Board reviewed presentations from the institution Foundations. Order of Presentation: GBC, TMCC, WNCC, DRI, UNR, CCSN, NSCH, UNLV. (Minutes on file in the Board office).

The full Board reconvened at 3:35 p.m. on Thursday, December 12, 2002 with all members present except Regent Alden who was excused.

6. Public Comment – To expedite the process and provide everyone an opportunity to speak, Chair Seastrand suggested that comments be limited to 3 minutes per person and requested that remarks expressed by a previous speaker not be repeated.

Ms. Duana Heard, a Las Vegas business owner, expressed her support of Regent Linda Howard. She asked why the Millennium Bound Outreach Center was not being established by the System. Chancellor Nichols replied that the Board did not recommend inclusion of the Center in the budget request. The Board further recommended that existing outreach efforts by the individual institutions be continued. Ms. Heard asked why it was the only item cut from the budget. Chancellor Nichols replied that cutbacks were necessary due to the critical lack of funding.

Mr. Lonnie Wright, Interim Associate Vice President, Hospitality Institute-CCSN, expressed his feelings regarding institutionalized racism. He noted that he raised over \$250,000 for CCSN's Hospitality Institute without benefit of a budget or

staff. While at UNLV he initiated the UNLV Basketball Alumni Association. He lamented that UNLV did not recognize the group due to its minority makeup. He was upset that he was treated like a second-class citizen. He stressed that institutionalized racism does indeed exist within the System, adding that he felt the System was biased and prejudiced. He believed that the feeling carried over to poor treatment of Regent Howard and lamented that a new generation of racists was being educated. He blamed the local media, adding that foreign newspapers reported more balanced coverage.

Mr. Donald Hinton stated that he was proud to say that he was a friend of Regent Howard, adding that she was representing her district. He observed that when programs were cut it affected constituents from her district. He resented the fact that a student was allowed to vilify and embarrass a Regent. He felt that Mr. Hensen's article was arrogant. He reminded the Board that Mr. Hensen never fought for the rights he now freely enjoys. He felt the newspaper was biased and demanded that Regent Howard's programs be reinstated and that the dignity of her position be restored.

Former state assemblyman, Mr. Gene Collins, expressed concern for the treatment of an elected official. He was disturbed by the lack of Board response to the newspapers' coverage of Regent Howard, that the Board had allowed a student to refer to her as an idiot, and was now prepared to censure her. He was outraged that a Regent referred to a fellow Board member as an orangutan, the Board did not speak in her defense, and the message being sent to young people. He said that he would relay the Board's action regarding the Outreach Center to Reverend Al Sharpton. He too wanted Regent Howard's item restored to the budget request and encouraged the Board to do the right thing.

Mr. Khaiim Khovee, a graduate of New York University, spoke in support of Regent Howard. He noted the impending conflict with the Middle East. He urged the Board to unite as brothers and sisters. He felt that the student and Regent Howard should seek closure together. He urged closure of the matter and discouraged any in-fighting amongst all Americans.

Mr. John Stephens expressed his support for Regent Howard. He felt that she was good for the community, adding that the community loves her.

Mr. Thompson Gaines stated that he had witnessed the subtle ways that prevented minority students from receiving the same education as majority students. He noted that the law provides opportunities for African-Americans to alleviate long-standing inequities. He felt that subtle methods were employed to lower the quality of education for minorities. He expressed great empathy for Regent Howard, adding that the media had treated her unfairly. He felt that Regent Howard was only trying to do her job and used the information she retrieved to make education better for all children.

Ms. Geraldine Lewis, who works with deprived and underprivileged children, felt that press coverage of Regent Howard had been extremely negative. She related that she had personal experience with the selective editing practices of the newspapers. She felt that Regent Howard was being silenced, adding that she was not pleased with use of the word "orangutan". She felt the media was attempting to frighten people into silence. She cautioned that minorities would take back what is theirs and encouraged Regent Howard to persevere in the face of adversity. She related that, in spite of Regent Alden's apology, the words had still hurt. She felt that society was moving backwards and was its own worst enemy. She felt that Regent Howard was trying to encourage people coming together and that the Board was dehumanizing her. She felt that Blacks had been denied an education since they first arrived in U.S. She felt the offenders should apologize to Regent Howard and that she should be made to feel welcome on the Board.

Mr. Gary Peck, Executive Director, ACLU-Nevada, expressed concern for the deeper and broader issues of privacy. He urged the Board to note the anger and frustration expressed by a segment of the population for what appeared to be censorship of ideas and speech, particularly at the institutions' student newspapers. He felt it was wrong to censor ideas (even offensive ones) at the universities and colleges. He was also deeply disappointed with the manner in which the Board handled the credit card issue. He stressed that it is wrong to sell information without providing students a choice. He felt that the proposed language relating to access to student records (by Regents) was a good first step. He felt that access to student records by faculty, staff and student organizations was also wrong. He encouraged the Board to be proactive and urged a review of privacy interests, development of guidelines and regulations, and ensuring that the rules are part of in-service training for all System employees.

Mr. Isaac Barron, a high school teacher, stated that Regent Howard had always supported educational issues for everyone within the community. He noted the need for more young people to have access to higher education. He felt it would be more logical to spend money to recruit students. He felt the Outreach Center should not be removed for political reasons and encouraged the Board to reconsider its action. He suggested that high schools could help provide space for the Centers. He observed that some young people need a little push in the right direction and that the Outreach Center would help with efforts to counsel, recruit, and retain students.

UNLV law student, Ms. Chelsie Campbell, president of the student organization for Latinos and president of Youth Organizations United (a network of over 20 student-based organizations with over 500 students), spoke in support of Regent Howard. She said that she would never think of calling anyone, let alone an elected official, an idiot. She felt that no one has the right to humiliate or degrade anyone. She said that her organizations supported the Outreach Center and felt it would be beneficial for people of all races.

Community member, Ms. Elenor Morgan, said that she could not understand the Board's opposition to Regent Howard. She said that Regent Howard is a loving person who wants to help all people, especially children. She urged the name-calling to cease, adding that her family was offended by it and surprised by the retaliation against Regent Howard. She expressed her appreciation for Regent Howard's efforts for all people in the community. She urged the Board to realize that Regent Howard is the only African-American on the Board, adding that she has good intentions. She encouraged the media to stop misrepresenting Regent Howard's actions and making her look like a bad person.

Rancho High School student, Mr. Enrique Hernandez, stated that he hopes to keep his grades up so he can receive a Millennium Scholarship and go to college. He noted that language is the largest barrier. He asked the Board to continue to help students with Millennium Scholarships. He related that more students would have spoken, but they could not miss their classes. He expressed a desire for opportunities for all students trying so diligently.

Chair Seastrand acknowledged the presence of Assemblyman Wendell Williams and applauded the public for appearing in support of higher education.

Mr. Hubert Henson reported that he had not written that "all Blacks are stupid" in his newspaper column. He related that his comments regarding access to student records had never been a racial issue, but rather a student journalist's opinion about raising the entrance GPA requirements. He expressed sorrow that others perceived it as racial tension. He felt that if Regent Howard had apologized instead of creating excuses, the issue would have died long ago.

Ms. Geraldine Lewis expressed her support of Regent Howard and the Board as a whole. She noted that humans have a lot of work to do. She felt it was past time to begin communicating with one another, ensuring understanding, and respecting one another. She felt that people should be respected as humans instead of recognized by race. She expressed the need to get past the color issue. She felt that September 11, 2001 should have taught everyone a lesson to view one another as human beings so important work could be accomplished.

Chair Seastrand thanked the members of the public for attending.

7. Approved-Academic, Research & Student Affairs Committee Recommendations and Report – Chair Jill Derby reported the Academic, Research & Student Affairs Committee met December 12, 2002. Ms. Pam Gallion from the Cannon Center for Survey Research continued the presentation of findings from the Faculty Climate Survey commissioned by the Board. Dr. Fred Lokken, Director of Distance Education-TMCC, presented a System-wide report on distance education activities in the UCCSN. The report identified critical issues, outlined growth in distance education among campuses, highlighted existing programs, and summarized new or proposed programs. Regent Derby requested Board action on the following Committee recommendations:

- New Program Proposal, BS, Public Administration, UNLV – the Committee approved the proposal (Ref. ARSA-2 on file in the Board office).
- Classified Staff Climate Survey – the Committee directed staff to continue the development of the survey instrument and to delay implementation until the end of the legislative session.
- Criteria for Community College Proposals for a Baccalaureate Degree – the Committee directed System staff to place criteria in Handbook format and include the process for proposal development and review (Ref. ARSA-7 on file in the Board office).

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

8. Approved-Audit Committee Recommendations and Report - Chair Steve Sisolak reported the Audit Committee met December 12, 2002 and received a follow-up response for one internal audit report presented at the April 2002 meeting. Mrs. Sandi Cardinal, Director of Internal Audit, reported that the institution bank reconciliations were up-to-date. Mr. Tom Judy, Associate Vice President for Business & Finance-UNR, reported on the status of the University of Nevada School of Medicine Practice Plan. The Practice Plan is reporting a net profit of \$667,000 through October 31, 2002. Ms. Denise Baclawski, Executive Director, Fire Science Academy-UNR, reported on the financial status of the Fire Science Academy. She indicated the revenues, expenses and student enrollment were on target with the projections in the business plan for this fiscal year. Regent Sisolak requested Board action on the following Committee recommendations:

- External Audit Reports – The Committee reviewed the following External Audit reports presented by PricewaterhouseCoopers: (Bound Reports on file in the Board office).
- Consolidated Financial Statements, UCCSN.
- Financial Statements, UNR.
- Financial Statements, UNLV.
- Financial Statements, System Administration.
- Financial Statements, DRI.
- Financial Statements, TMCC.
- Financial Statements, CCSN.

- Financial Statements, WNCC.
- Financial Statements, GBC.
- Office of Management and Budget (OMB) Circular A-133 Report.
- Internal Audit Reports – The Committee reviewed the following Internal Audit reports: (Ref. A on file in the Board office).
- Lake Tahoe Music Camp, UNR (Ref. A-12 on file in the Board office).
- Consolidated Students of the University of Nevada, Las Vegas, UNLV (Ref. A-13 on file in the Board office).
- Associated Students of the Community College of Southern Nevada, CCSN (Ref. A-14 on file in the Board office).
- Purchasing Department Operational Audit, CCSN (Ref. A-15 on file in the Board office).
- Fallon Campus, WNCC (Ref. A-16 on file in the Board office).

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

9. Approved-Finance & Planning Committee Recommendations and Report - Chair Douglas Roman Hill reported the Finance & Planning Committee met December 12, 2002 to review three budget reports for Fiscal Year 2002 and 2003 and to review student association revenue expenditure reports for fiscal 2002. The Committee reviewed the fiscal 2002 Self-Supporting Budget to Actual comparison. This report compares the approved budgets for FY 2002 to the year-end actual revenue and expenditure activity. Actual revenues in these accounts were \$212.7 million for the year with \$209 million in expenditures resulting in a \$3.7 million increase in fund balance. The Committee also reviewed the first quarter FY 2003 All Funds Report. This report depicts the status of fund sources by quarter. Revenue and expenditure activities through the first quarter are operating normally and no material variations from last year were noted. The Committee also reviewed the first quarter exceptions report. This document reports accounts with material deficits or negative cash balances. The only account in deficit currently is the UNR Fire Science Academy. All campuses are also reporting net revenue shortfalls as a result of the budget reductions imposed by the governor for fiscal 2003. The Committee reviewed revenue and expenditure reports from each of the student associations. Recent additions to the Board Handbook require annual reports to the Board of all student association revenues, expenses, and fund balances. These reports, the first under the new policy, described activity in fiscal 2002. Regent Hill requested Board action on the following Committee recommendation:

- IFC Approval for Additional Student Fee Collection, Fiscal Year 2002-03 – The Committee reviewed and approved going forward to the Interim Finance Committee to request authority to expend student fee revenues in excess of those budgeted for those campuses experiencing increased enrollment. Requests totaling some \$6.8 million dollars have been received from UNLV, UNR, the Medical School, CCSN, TMCC, and WNCC. Additionally, the State Health Laboratory seeks the same authority for its excess lab fees and UNR requests authority to expend excess recharge revenues attributable to utility expenses assessed against non-state supported auxiliary enterprises. (Ref. FP-6 on file in the Board office).

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

10. Accepted-Board Orientation Committee Report - Chair Howard Rosenberg reported the Board Orientation Committee met November 20, 2002. The meeting began with introductions of System office staff and General Counsel members and a brief tour of the Las Vegas System office. Regents Derby and Seastrand presented an introduction to and a discussion of the role and responsibilities of being a Regent. All participants introduced themselves with a short biography and their reasons for becoming a member of the Board. The conversation continued during which a number of ideas, concepts, and points of view were discussed. It was a spirited conversation with particular issues discussed from a variety of possible approaches. Regent Derby attended to the broad overview, while Regent Seastrand concentrated on the impact these issues have on the UCCSN's situation. This spirited conversation extended to a working lunch. General Counsel Tom Ray discussed a number of items including the Open Meeting Law, conflict of interest, rules, regulations, ethical considerations, and the nepotism policy. Chief Administrative Officer Suzanne Ernst reviewed an updated orientation manual with particular emphasis on the day-to-day procedures Regents follow (i.e., mail, travel, e-mail, publications, subscriptions, supplies, host accounts, Board calendar, etc.). Participant responses indicate that it was a productive and valuable experience. Chair Rosenberg recognized staff members Mrs. Dobyns, Mrs. Martinovic, Mrs. Palmer, and Mr. Kuhlman for their invaluable assistance.

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

Regent Bandera expressed her appreciation for the work involved and the materials provided, adding that it had been very helpful.

Motion carried. Regent Alden was absent.

11. Accepted-Investment Committee Report - Regent Steve Sisolak reported the Investment Committee met November 21, 2002. Mr. Lindsay Van Voorhis, Cambridge Associates, reviewed the asset allocation and performance for the pooled endowment and pooled operating funds of the UCCSN for the quarter ended September 30, 2002. Endowment investments

returned -8.3% for the quarter (compared to the -8.6% benchmark) and -9.4% for the calendar year (compared to the -11.2% benchmark). The total return for the pooled operating funds was -2.2% for the quarter (compared to the -2.6% benchmark) and -1/7% for the calendar year (compared to the -2.3% benchmark). The Committee reviewed the current status of the operating pool reserve. The reserve was at -\$16 million as of November 20, 2002. The Committee will review the reserve again at its next meeting and set the payout rate for fiscal 2004. The Committee discussed the absolute return managers, including the allocation to this asset class, its role in the portfolio, the risks, and the performance. The Committee acknowledged that the absolute return managers had helped performance and should remain in the portfolio.

Regent Sisolak moved acceptance of the report. Regent Dondero seconded. Motion carried. Regent Alden was absent.

12. Approved-Chancellor Evaluation Committee Recommendations and Report- Chair Douglas Seastrand reported the Chancellor Evaluation Committee met November 21, 2002. Consultant Dr. Bob Woodbury participated by telephone. He reported on his discussions with various Committee members concerning the evaluation. He agreed to travel to Reno and Las Vegas on December 9-11 to meet with Regents, Presidents, System officers, faculty and community representatives. He will discuss the Chancellor's performance based on her self-evaluation and the principles outlined by the Committee. He will complete the draft evaluation report by January 10, 2003 and provide it to the Committee for review. It will then be presented to the Chancellor. The report will be presented to the full Board on January 30, 2003 at 9:00 a.m. for the Chancellor's periodic evaluation.

Regent Seastrand moved acceptance of the report. Regent Sisolak seconded. Motion carried. Regent Alden was absent.

13. Approved-Consent Agenda – The Board approved the Consent Agenda.

(1) Approved-Minutes – The Board approved the minutes from the regular meeting held October 9-10, 2002.

(2) Approved-Tenure Recommendation, UNLV – The Board approved President Carol Harter's request for tenure of Dr. Rebecca Nathanson, an Assistant Professor in the College of Education. The request was the result of a reconsideration process. (Ref. C-2 on file in the Board office).

(3) Approved-Tenure with Hire, UNLV – The Board approved President Carol Harter's request to hire Dr. Biswajit Das, Associate Professor of Electrical and Computing Engineering, with tenure. The tenured faculty of the department voted unanimously to hire Dr. Das with tenure. (Ref. C-3 on file in the Board office).

(4) Approved-Handbook Amendment, Construction and Purchasing - At the October 2002 meeting, the Board approved amendments to the Handbook (Title 4, Chapter 10, Section 1) related to purchasing and construction. A request was made to add a reference in this section to the Chancellor's Memorandum on contract policies. The Board approved this additional amendment. (Ref. C-4 on file in the Board office).

(5) Approved-Handbook Amendment, Dropping Courses, UNR – The Board approved President John Lilley's request for Handbook language (Title IV, Chapter 16, Section 13) revising the policy on dropping courses at the University of Nevada, Reno. In June 2002 the Board approved a change in System-wide policy allowing students to drop courses in exceptional circumstances and receive a refund through the end of the semester. UNR's policy on dropping courses without a refund was brought in line with the new System-wide policy with this revision. (Ref. C-5 on file in the Board office).

(6) Approved-Modifications to P-16 Council Membership – The Board approved two modifications to the previously approved membership of the P-16 Council. The first modification was the addition of Mr. Moises Denis of Las Vegas, Nevada. Mr. Denis will represent the Nevada PTA. This position was previously approved by the Board of Regents, but only recently had the representative been identified. In addition, a previously identified member representing the Boys and Girls Clubs of Nevada, Ms. Debbie Verges, has left the state. Mr. Robert J. Ranney, Interim Executive Director, was identified to replace Ms. Verges. (Ref. C-6 on file in the Board office).

Regent Sisolak moved approval of the Consent Agenda. Regent Dondero seconded. Motion carried. Regent Rosenberg abstained. Regent Alden was absent.

14. Approved-Handbook Amendments, General Policy Statements – The Board approved amendments to the Board of Regents' Handbook (Title IV, Chapter 1) to add provisions related to the legal and ethical responsibilities of members of the Board as well as inspection of files. (Ref. B on file in the Board office).

Chair Seastrand stated that the Board's governing role provided great authority over the institutions, students, faculty, and employees, adding that the Board must take care that the authority was used responsibly. He felt it critical that the Board of Regents have integrity in the eyes of Nevadans at the conclusion of the meeting. Without that integrity, the Board does not have the respect of the public, the governor, the legislature, its students, faculty, or employees. He said that the Regent's constituents needed to know that the Board had put these issues behind them and had become a better Board as a result. He believed that Board efforts should be centered on building an exceptional System of higher education.

Chancellor Nichols reported that the Board Chair instructed her to ensure that the policy was reflective of Board concerns and that Regents were not held to a higher standard than the policies governing System employees. Knowing that Mr. Gary Peck would raise issue of others accessing files, the personnel directors have reviewed existing policies and practices. In January 2002, the Board approved a policy affirming that personnel and payroll files are confidential. The study of those campus policies and practices related to personnel and student files will continue. A recommendations will be provided in the future.

Chancellor Nichols then outlined the substantive changes:

- Section 2 – Title change to “Ethical Code of Conduct for Regents”.
- Section 2.1.b – “Primary role” of a Board member identified as policy making and not administrative.
- Section 2.1.h – New section relative to treating all UCCSN employees and students with respect, cognizant of the power inherent to the office of Regent and not using that power to intimidate, influence, or gain unwarranted privileges.
- Section 2.1.i – New section relative to upholding the public trust in the office.
- Sections 2.3.c, e, g – Elimination of a gender reference for the Chancellor.
- Section 3.1 – “Statutory and Policy Prohibitions for Members of the Board of Regents”; an affirmation of existing policies and statutes now in one place for easy Regent access.
- Section 3.2 – An option, supported by the campuses, for the Board to adopt relative to an annual disclosure statement for Board members.

Regent Kirkpatrick observed that the objective for a disclosure statement was to convey to the public that Board members were not engaging in inappropriate activities. Chancellor Nichols agreed, adding that it also provided an alert to each Board member to ascertain whether a conflict of interest exists. Regent Kirkpatrick asked about the statement format. Chancellor Nichols replied that a form would be created modeled after the one used by the state.

Chancellor Nichols continued her review of the changes:

- Section 4.1 – “Inspection of Files” includes both paper and electronic records. Limits inspection to reasons germane to the performance of Regent duties. Student health records and faculty research files are not subject to inspection.

Regent Hill asked about including “personal gain or retribution” to the policy. Chancellor Nichols replied that “retribution” was not implicitly included and could be included by the Board. Regent Hill clarified that the policy in no way affected internal audit, legal counsel, or the chain of command for having proper access to such files.

Chancellor Nichols agreed that the policy would not affect institutional or System access to files for legitimate business purposes.

Chancellor Nichols continued her review of the changes:

- Section 4.2 – A formal process for requesting access to files.

Regent Sisolak expressed concern for maintaining a permanent record of the request. Chancellor Nichols replied that the campuses kept a record of access to confidential files, adding that it could also be done at the System office. Regent Sisolak asked that such a record be kept.

Chancellor Nichols continued her review of the changes:

- Section 23 – In order to comply with FERPA, a clear definition of a “school official” and “a legitimate educational interest” was provided.

Regent Hill clarified that the definition included policy-making and oversight. The Chancellor agreed.

Regent Hill moved approval of adoption of the policy with one change to include “or retribution” in Section 4.1. Regent Sisolak seconded.

Regent Howard questioned a contradiction with the term “administration” in Section 1.2 and Section 2.1.b. Additionally, she asked that “distinguishing” replace the word “discriminating” in Section 2.1.b. Chancellor Nichols replied that the term was currently used in the Handbook, adding that the maker of the motion would need to accept the change in wording. She explained that the Board was charged with the governance and administration of the System, but had delegated the administrative function to the Chancellor, institution presidents, and other System officers. She related that the Board could determine whether to delegate that function or to do it themselves. Regent Howard felt it was contradictory. Chancellor Nichols replied that the Board was ultimately responsible in spite of delegating the authority to others. Regent Howard questioned how a Regent would not use their office for political gain (Section 2.4.3). Chancellor Nichols replied that the statement represented current Board policy and existing Handbook language.

Regent Sisolak noted a point of order asking what had been determined with Regent Howard's first request. Regent Hill replied that wording in Section 2.1.b would be changed from "discriminating intelligently" to "distinguishing intelligently".

Regents Hill and Sisolak agreed to the change in wording.

Regent Derby praised the efforts of staff for creating and clarifying clear policy guidelines for the Board, adding that she did not believe that Regents intentionally broke any rules. She felt it was important for the Chancellor and legal staff to be empowered to provide guidance to Regents who want to follow-up and exercise their oversight duties. She felt it would be enormously helpful to Regents to be able to exercise their authority within appropriate boundaries and would help make them a better board. She was pleased that Section 2.1.h had been added regarding intimidation of employees or students to gain privileges.

Regent Rosenberg was comfortable with the language in 2.3.c so long as Dr. Nichols was Chancellor. He wondered about future Chancellor recommendations. Chancellor Nichols replied that the language did not infer that Board members had to follow the Chancellor's recommendation. She related that she was required by Board policy to bring a recommendation to the Board, but she expected the Board to modify or go against her recommendation at times.

Regent Kirkpatrick observed that, if the Board disagreed with the Chancellor, current policy required two Regents to bring an item before the Board. He asked why Regent Hill wanted to include the term "retribution", which seemed punitive. Regent Hill replied that he was attempting to convey that it was inappropriate to access a personnel or student file in an attempt to hurt them.

President Romesburg felt that it was a good policy. He suggested eliminating the phrase "in which the Regent has a financial interest" in Sections 2.1.h and 4.1 as it could be interpreted that such behavior would be acceptable in those areas where they do not have a financial interest. He felt it was an unnecessary qualifier.

Regents Hill and Sisolak agreed to the change in wording.

Regent Howard asked about the reasoning for including that language. Chancellor Nichols replied that the language was modeled after the Nevada Revised Statutes. She agreed with President Romesburg's assessment that the phrase was unnecessary.

President Lilley asked whether the motion included the option for annual disclosure outlined in Section 3.2. Regent Hill replied that it did, adding that he was open to the Board's will.

Dr. Joan McGee noted a minor clarification to Section 4.1, stating that if the term "Chancellor" was to replace "institutional president" that the institutional president should be notified. Chancellor Nichols stated that the change had been made. She expressed unanimous faculty senate chair support for the revisions including Regent Hill's inclusion of the term "retribution".

Dr. Bill Robinson stated that the UNLV faculty senate and faculty leadership supported Section 4. He asked whether information from a personnel file could be copied and about the record retention status of information provided to Regents. Chancellor Nichols replied that Section 4.2. stated that the files shall not be removed from the office, which was intended to infer that the information must be inspected at the campus/System Administration site.

President Harter suggested adding "files shall not be copied or removed from the institution or System office" to Section 4.2. Regent Hill did not feel the addition was necessary. Regent Sisolak accepted the clarification.

Regents Hill and Sisolak agreed to the change in wording.

Chair Seastrand thanked Chancellor Nichols, her staff, and the presidents for their effort.

Motion carried unanimously. Regent Alden was absent.

Regent Kirkpatrick noted that the ACLU had indicated that the policy should encompass more than just the Board. Chair Seastrand said that the Chancellor would bring forward a recommendation in the future.

Regent Howard said that the policy should include electronic records.

15. Approved-Public Apology Concerning Conduct of Board Members – The Board discussed the actions of certain members of the Board of Regents with regard to involvement in UCCSN personnel matters, accessing student and personnel files, and remarks about individual regents. The Board considered action related to the conduct of:

- Regent Mark Alden
- Regent Linda Howard
- Regent Howard Rosenberg

Chair Seastrand again stated that it was critical for the Board to have integrity in the eyes of Nevadans and the respect of the public, the governor, the legislature, its students, faculty or employees. He believed that every Regent on the Board was most concerned with what is best for higher education. He related the Board would attempt to draw a line between what is and is not appropriate oversight by Board members. He related the Board would have the opportunity to raise concerns, respond to questions and, clear the air. He asked Board members to remain objective during discussions, adding that they would discuss actions and not personalities. He related that he would rule out of order any commentaries or assaults on someone's character. As required by the Open Meeting Law, the discussion must be limited to those Regents identified in the agenda and served with notice that their conduct may be discussed at the meeting. He related that each Regent would be heard in the posted alphabetical order. He asked that remarks be addressed to the Chair and not to one another. He said they were all looking for closure after thoughtfully and intelligently examining this item. It was his expectation and directive that the discussion would bring an end to these issues. He reminded those present that Regent Mark Alden was recovering from surgery and could not be present. He related that Regent Alden had provided a written statement offering an apology for his comments (on file in the Board office). Chancellor Nichols read Regent Alden's statement.

Regent Sisolak moved that the Board of Regents as a whole acknowledge that student and/or employee files might have been inappropriately accessed; that inappropriate or overzealous behavior might have occurred; that offensive name-calling might have occurred; all by individual members of the Board; and that the Board as a whole sincerely apologize to all of those who might have been affected and/or harmed; and further, that the Board as a whole had taken action to establish and implement policy assuring everyone that this type of behavior does not reoccur. Regent Dondero seconded.

Regent Hill felt that a unanimous vote would be necessary in order for the Board as whole to acknowledge the motion. Regent Sisolak felt that a Board majority would suffice, but was hopeful for a unanimous decision.

Chair Seastrand noted that the motion attempted to address all of the issues the Board was trying to accomplish.

Regent Derby spoke in support of the motion, adding that it helped the Board move on. She stated that the Board was not a court where individual culpability was discussed and she urged members to take personal responsibility for the Board's collective reputation.

Regent Kirkpatrick asked whether approval of the motion would end discussion of the matter. Regent Sisolak replied that he intended his motion to do so.

Regent Hill said that he did not necessarily oppose the motion, but felt that it would need to pass unanimously for the Board as a whole to settle the matter. He said that for the Board as a whole to acknowledge that there had been inappropriate or overzealous behavior it would require a unanimous vote. He said that he was impressed by Regent Alden's apology, adding that more than one Board member had indulged in name-calling, yet he had only heard Regent Alden's apology. He felt the Board would need to vote unanimously in order to end the issue.

Regent Sisolak said that it was his hope that the vote would be unanimous. Chair Seastrand said that it would be desirable and preferable if it were unanimous.

The motion carried unanimously. Regent Alden was absent.

The meeting recessed at 5:40 p.m. and reconvened at 8:13 a.m. on Friday, December 13, 2002 with all members present except Regent Alden who was excused.

16. Approved-Handbook Amendment, UCCSN Code, Appointment of Administrators – The Board approved final action on a proposed amendment to the UCCSN Code (Title II, Chapter 1, Section 1.6) to amend the process by which administrators are approved for appointment. Two options were presented for consideration. The Board approved Option 1. (Ref. C on file in the Board office).

Chancellor Nichols explained that Option 1 would amend the Code by delegating approval of vice presidential appointments solely to the Chancellor. Option 2 would provide delegation to the Chancellor unless the recommended salary was higher than the median salary for the position on the approved salary schedule. Such appointments would require Board approval. She related that the Board must decide whether or not to give the president primary responsibility for the appointment of vice presidents, with the oversight of the Chancellor, and hold the president responsible, adding that the likelihood of the Board rejecting a vice presidential appointment following a search was remote.

Regent Hill moved approval of adopting Option 1 of the Handbook amendment concerning the appointment of administrators. Regent Derby seconded.

Regent Hill felt the Board should not involve itself in discussions regarding vice presidential salaries, adding that everyone in business realized that the market dictates the level of salary required to attract qualified candidates. He felt the Board should not handicap the presidents by determining who they can/cannot hire, and should allow the presidents to do their job. He

observed that the Board could notify the president during their annual review if they felt the president was exhibiting irresponsible conduct.

Regent Derby agreed with Regent Hill's remarks. She felt that Board involvement with approving/disapproving vice presidential appointments was the worst form of micromanagement since the Board held presidents accountable. She felt it would be inappropriate to handicap a president by not allowing them to hire a particular candidate. She noted that the leadership team selected by the president was critical to the success of managing their campus.

Regent Dondero agreed it was a presidential decision. Chancellor Nichols established that a salary schedule was in place for System vice presidential positions, which was subject to Board approval and periodically updated. She explained that the Board established the schedules as well as the related hiring policies.

Regent Howard agreed with Regents Hill and Derby that presidents should have the discretion to hire their vice presidents. She also had some concerns about the level of salaries being paid.

Regent Kirkpatrick observed that a great deal of time during his first year on the Board had been spent addressing funding inequities. He felt the most recent vice presidential appointment could be another area where inequities may be developing. He acknowledged that the market determines the salary, but felt it was unfair to long-time employees. He estimated that only three of the past twenty vice presidential appointments had been questioned. He felt the Board should continue to review vice presidential appointments since they represented the second level of command at each institution, adding that he would prefer waiting for input from the new Regents in January.

Regent Kirkpatrick moved approval of tabling action indefinitely. Regent Sisolak seconded. Upon a role call vote the motion to table indefinitely failed. Regents Dondero, Howard, Kirkpatrick, and Sisolak voted yes. Regents Bandera, Derby, Hill, Hobbs, Rosenberg, and Seastrand voted no. Regent Alden was absent.

Regent Sisolak moved approval of tabling action until the January Meeting. Regent Kirkpatrick seconded.

Regent Hill said that he was tired of the ugliness and lengthy debates and wanted to put the matter to rest.

Regent Rosenberg suggested the Board consider the second option.

Regent Derby agreed with Regent Hill regarding postponement, adding that it made sense for the Board to take action since the subject had been discussed at length. She related that she could also support the second option.

Regent Bandera said that she felt comfortable making a decision (in spite of not hearing the debate) since reading the Board's past minutes regarding this issue.

Regent Hill explained his reasoning for supporting Option 1. He felt the institutions were equitably funded and that the question related more to how the president chose to allocate their funds. If the Board puts the president in charge while limiting salary offers, they are micromanaging. He was concerned that Option 2 would use money as an excuse for Board debate, adding that he would not support Option 2.

Chair Seastrand reminded the Board that discussion should be limited to the motion to table.

Regent Sisolak was greatly concerned and offended by any intent to remove vice presidents from the reporting line and circumventing NRS 281.210. Regent Hill noted a point of order stating that debate was limited to the motion to table. Regent Sisolak requested a legal interpretation of the effect such action would have on NRS 281.210. Regent Hill noted the same point of order. Chair Seastrand requested an interpretation of the legal relevance. General Counsel Ray replied that the statute cited related to the state nepotism law preventing the appointing authority from hiring relatives. Under existing policy, a Regent's relative could not be a vice president if the Board was the appointing authority. Changing the policy would permit a Regent's relative to be a vice president, which would not be considered evading the law, but rather an indication of the president's appointing authority.

Regent Kirkpatrick expressed pride in his position regarding the appointment of vice presidents, adding that his opposition had been based upon their merits. He felt that the new Regents would live with the Board's decision, adding that he did know their position on the issue. He observed that nearly a quarter of the Board would be new at the next meeting. He wanted to provide them an opportunity to vote on the matter.

Regent Derby recommended the Board take action, adding that new members would accept decisions rendered by the prior Board.

Upon a role call vote the motion to table action to the January meeting failed. Regents Dondero, Kirkpatrick, and Sisolak voted yes. Regents Bandera, Derby, Hill, Hobbs, Rosenberg, and Seastrand voted no. Regent Howard abstained. Regent Alden was absent.

Dr. Joan McGee spoke on behalf of the faculty senate chairs' unanimous support of Option 1, adding their support of the process for selecting vice presidents. She felt the Board should have faith in the presidents' hiring decisions.

Regent Derby spoke again in favor of the motion, adding that her support of Option 2 was predicated on the Board's inability to accept Option 1.

Upon a role call vote, the motion for accepting Option 1 carried. Regents Bandera, Derby, Dondero, Hill, Hobbs, and Seastrand voted yes. Regents Kirkpatrick, Rosenberg, and Sisolak voted no. Regent Howard abstained. Regent Alden was absent.

Chair Seastrand noted that the Board had entrusted a tremendous amount of confidence and authority in the presidents and would hold them responsible.

17. Approved-Handbook Amendments, NSCH – The Board approved President Kerry Romesburg's and Chancellor Jane Nichols' request for amendments to the Board of Regents' Handbook (Title IV, Chapters 3, 4, 5, 10, 14, 17, and 18) to incorporate provisions related to the state college as well as other selected changes to update Handbook language where deemed advisable as amended. (Ref. D on file in the Board office).

Chancellor Nichols reported that staff was concerned that the Board Handbook did not accurately reflect current practices. Several housekeeping matters were addressed simultaneous to this change. She noted a change relative to the Board approving executive salaries at one meeting rather than two. In light of the creation of the Board's Executive Compensation Committee, she withdrew the change, referring it to the Committee to be included as part of their recommendation, at Committee Chair Sisolak's request.

Chancellor Nichols then explained the changes:

- Section 2b (Title IV, Chapter 3, Standards for Defining the Professional Staff) – New section “b” providing a definition of academic faculty. Section 2.b.(2) changed final word to “and”, matching existing definitions at the other institutions.
- Section 19.1 (Title IV, Chapter 3, Professional Salary Schedule) – Removed redundant language represented in the Code.
- Section 19.2 (Title IV, Chapter 3) – Initial placement of employees on the salary schedule made by the presidents or the Chancellor. The Cost of Living Adjustment does not require Board approval.
- Renumbered Section 20 (Title IV, Chapter 3, Executive Salary Schedule) - Removed redundant language represented in the Code.
- Section 20.2 (Title IV, Chapter 3, Initial Placement on Executive Salary Schedules) – Staff will make language congruent with Board action taken on item #16. Recommendations for placement of a vice president at a level higher than Q2 will no longer require Board approval.
- Sections 20.2.a and b (Title IV, Chapter 3) – Specifies the Board sets the initial salaries for the Chancellor and Board executive staff.
- Section 20.3.a (Title IV, Chapter 3 Annual Review of Executive Salaries) – Proposed salary adjustments for deans will be made by the president and reported to the Chancellor. Recommendations outside of the Board-approved salary range must be approved by the Chancellor.
- Section 20.3.b (Title IV, Chapter 3) – Proposed salary adjustments for vice presidents will be made by the president and reported to the Chancellor. Recommendations outside of the Board-approved salary range must be approved by the Chancellor. Reporting lists would no longer be sent to the Board for information. Chancellor Nichols advised the Board to include a request to continue the reports in their motion if they wished to continue to review those lists.
- Section 20.3.d (Title IV, Chapter 3) – Proposed salary adjustments for Board executive staff or the Chancellor requires Board approval.
- Section 20.3.f (Title IV, Chapter 3) – Removed request for new hire salary requests to be determined at one meeting.
- Section 28.3 (Title IV, Chapter 3, Section 28, Part-time Salary Schedule) – New section 3 added to establish a minimum of \$500 per credit hour for NSCH, congruent with existing language for other institutions. Chancellor Nichols related that a different salary schedule had been approved for all of the institutions (contingent upon funding) that had not been included in the Handbook. The language will be adjusted once the legislature has made their decision.
- Ref. D, Pages 8-9 comprised editorial changes adding the state college.
- Section 9 (Title IV, Chapter 14, UCCSN Policy on Student Assessment) – Language added for periodic reports to the Board regarding assessment and measures of student persistence and performance.
- Ref. D., Pages 10-11 comprised editorial changes adding the state college for distance learning. Service area for NSCH defined as the southern portion of the state. Distance Education reports will be provided regularly to the Board.
- Section 10.14 (Title IV, Chapter 14, Guidelines for Distance Learning) – Language relative to distance education rates deleted since it appears in a different section.
- Section 11 (Title IV, Chapter 14, UCCSN Articulation Board) – Mandatory requirement changed to discretionary due to efforts of Common Course Numbering Committee.
- Ref. D, Pages 13-20 comprised editorial changes reflecting the addition of the state college as well as corrections to references and names when necessary.

Chair Seastrand established that only Clark County would have access to distance education offerings from NSCH until another state college was developed. Chancellor Nichols replied that the Board could decide differently, adding that the entire state was accessible for on-line offerings at NSCH. Chair Seastrand observed there was no reason to divide the service area until another state college was developed. Chancellor Nichols related there had been discussions regarding sharing courses with northern institutions. This policy would not allow NSCH to share courses with northern community colleges' upper division work (i.e., TMCC, WNCC, and GBC).

President Romesburg explained there were currently no interactive video offerings from NSCH, adding that exceptions could be requested in the future.

Regent Rosenberg moved approval of the Handbook amendments as presented and amended. Regent Hill seconded.

Regent Kirkpatrick suggested the removal of a redundancy in Section 20.3.b (Title IV, Chapter 3, Renumbered Section 20). Chancellor Nichols agreed.

Regents Rosenberg and Hill accepted the amendment.

Regent Derby suggested the Board revise the language once NSCH developed interactive video capability. Chair Seastrand replied that an amendment to the motion was not necessary.

Regent Hill was concerned that language on page 17 of 20 addressed upper- and lower-division courses, while the System had yet to determine a definition of the difference between the two. He observed there were numerous complaints about the institutions disagreeing about the classification of upper- and lower-division courses. He urged development of a mutually agreeable definition, defined in Board policy. He felt it was a mistake to allow any institution to unilaterally define upper- and lower-division courses. Chancellor Nichols stated that staff would work with the academic officers and presidents to develop a definition for Board approval. She noted progress made by the common course numbering committee.

Chair Seastrand asked whether other systems or institutions had defined the terms before. Chancellor Nichols replied that research had not yielded a universal/national/shared definition. She felt that Nevada would need to create its own. Chair Seastrand replied that it would be a worthy, but difficult goal.

Regent Rosenberg noted progress made with the common course numbering system, adding that the departments had collaborated in determining the proper content requirements.

Chancellor Nichols clarified that the intent of the motion was to approve what had been recommended (not necessarily written) in addition to the changes introduced. Chair Seastrand ruled that it was understood. He applauded the efforts made toward common course numbering and expressed his gratitude to the faculty for their efforts.

Motion as amended carried. Regent Alden was absent.

18. Approved-Handbook Amendment, Environmental Health & Safety Statement – The Board approved the UCCSN Safety, Health and Environmental Protection Advisory Committee's (SHEPAC) recommendation for an amendment to the Board of Regents' Handbook (Title IV, Chapter 10, Section 25) to update the System's official environmental health and safety statement. (Ref. E on file in the Board office).

Dr. Larry Tirri, UNLV-SHEPAC, reported that changes recognized the fact that environmental, health and safety issues had increased in number and complexity. Campus growth requires the appointment of a person on each campus to address these issues. Changes were also made to address emergency preparedness/response, business continuity, and recovery in light of September 11th. SHEPAC is developing programs in concert with the campus communities. SHEPAC also feels strongly that it is important to work closely with the regulatory agencies in a collaborative manner.

Regent Rosenberg moved approval of the Handbook amendment concerning an Environmental Health and Safety statement. Regent Hill seconded. Motion carried. Regent Alden was absent.

19. Approved-Handbook Amendment, Loan/Gift Policy - In response to a request made at the October 2002 meeting, the Board approved an amendment to the Board of Regents' Handbook (Title IV, Chapter 10, New Section 3) regarding gifts or loans to external entities. (Ref. F on file in the Board office).

Regent Hill moved approval of the Handbook amendment concerning a loan/gift policy. Regent Rosenberg seconded. Motion carried. Regent Alden was absent.

20. Information Only-Handbook Amendments, UCCSN Code, NSCH – The Board considered President Kerry Romesburg's request for amendments to the UCCSN Code (Title II, Chapters 1 and 5) to incorporate provisions related to the state college. Because Code amendments require two hearings, final action will be taken at the January 2003 meeting. (Ref. G on file in the Board office).

President Romesburg reported that many of the changes were editorial to incorporate the state college into the Handbook.

Regent Sisolak questioned the references to multiple state colleges. Chancellor Nichols replied that the Master Plan addressed the possibility of Nevada having more than one state college. Chancellor Nichols offered to change the reference to the one state college. Regent Sisolak objected strongly to references of multiple state colleges.

21. Information Only-Handbook Amendment, Board of Regents' Bylaws – The Board considered amendments to the Board of Regents' Bylaws (Title I) which are required to accommodate the addition of two new Regents in January 2003. Because Bylaw amendments require two hearings, final action will be taken at the January 2003 meeting. (Ref. H on file in the Board office).

Chancellor Nichols reported that changes would enable the Board to operate with 13 Regents. She noted that it would need to be the Board's first item of business at the next meeting. She reported the following changes:

- Quorum changed from 6 to 7 members.
- 2/3 majority (required to suspend the Bylaws) changed to 9 members.

Regent Hill requested removal of the plural reference to the Board(s).

Chancellor Nichols continued her review of the changes:

- Number required to call a special meeting of the Board (quorum minus two) increased to 5 members.
- Number required to place an item on the agenda increased from 2 to 3 members.
- Maximum number of Regents on a standing committee increased to six (committees must be smaller than a quorum).

Regent Hill expressed concern about changing the number of Regents required to bring forward an agenda item, adding that, if two Regents desired an item, it should be discussed.

Regent Sisolak expressed a similar concern. He observed that in requiring three Regents, a member could approach "polling" the Board when encountering sufficient declinations. General Counsel Ray cautioned that discussion should be limited to the fact that an agenda item is requested without discussing the merits.

Regent Derby observed that Nevada's Board was practically a national exception in allowing so few Regents to put an item on the agenda. She felt it would be a mistake not to raise the requirement given the Board's busy schedule. She recommended increasing it even further.

Chair Seastrand indicated his support for increasing the number to 3.

22. Approved-Appointment, Executive Vice President and Provost, UNR – The Board approved President John Lilley's request for the appointment of Dr. John H. Frederick to Executive Vice President and Provost at the University of Nevada, Reno. His salary will remain at \$167,960 until June 30, 2003 when his annual salary will increase to \$175,000. Dr. Frederick has served as Interim Executive Vice President and Provost since August 2001 and been a member of the faculty since 1988. The effective date of this appointment coincided with the date of approval by the Board of Regents. (Ref. I on file in the Board office).

Regent Dondero moved approval of the appointment for UNR. Regent Kirkpatrick seconded.

Regent Derby felt that Board action would be inappropriate given its prior action to allow presidential appointments of vice presidents. General Counsel Ray established that action could be taken at the will of the Board. He recommended the Board take action since the recommendation had been made under the prior policy.

Regent Sisolak asked whether built-in salary increases were typical. President Lilley replied this was an attempt to save funds during a time of severe budget cuts. Regent Sisolak asked whether it equated to a deferred compensation. President Lilley replied that Dr. Frederick would not receive an increase during the current year. Regent Sisolak asked whether presidents could approve built-in salary increases. Chancellor Nichols explained that the salary recommendation for Provost was \$175,000, which falls within the range and below Q2. Due to budget concerns, the appointment is being made immediately, while the salary increase is deferred until July 1, 2003.

Regent Rosenberg requested Chancellor Nichols recommendation. Chancellor Nichols replied that she would approve the appointment.

Regent Hobbs clarified that Dr. Frederick would not receive his salary increase at the point of promotion, but rather at the beginning of the new fiscal year, due to the current budget dilemma.

Motion carried. Regent Alden was absent.

Regent Hill noted a point of order asking Regent Rosenberg whether voting on the item constituted a conflict of interest. Regent Rosenberg replied that he did not perceive a conflict.

23. Approved-Appointment, Acting Director of University of Nevada Press – The Board approved Chancellor Jane Nichols' request to appoint Joanne O'Hare as Acting Director of the University of Nevada Press, effective January 1, 2003, at a salary of \$60,996. (Ref. J on file in the Board office).

Chancellor Nichols reported that the current Director was stepping down effective December 31, 2002. She introduced Ms. O'Hare, adding that she had been Editor-in-Chief with the Press. A search will be initiated for the permanent position.

Regent Dondero moved approval of the appointment for the University of Nevada Press. Regent Bandera seconded. Motion carried. Regent Alden was absent.

24. Approved-Naming of Building, CCSN – The Board approved President Ron Remington's request to name the Telecommunications Building at the Cheyenne Campus, "Morse Arberry Junior Telecommunications Building". As Chairman of the Ways and Means Committee, Assemblyman Arberry was instrumental in obtaining funding for various buildings and facilities at CCSN. Further, Mr. Arberry's commitment to higher education, and CCSN in particular, has made the difference in the lives of an entire generation of southern Nevada students. (Ref. K on file in the Board office).

Chair Seastrand noted that the Board allowed each institution one exception for sitting politicians. President Remington acknowledged the exception.

Regent Howard moved approval of the building name for CCSN. Regent Rosenberg seconded.

Regent Sisolak asked about a time-certain on the exception policy. Chancellor Nichols replied that this meeting represented the final time that a building could be named for a sitting politician.

Motion carried. Regent Alden was absent.

25. Approved-Naming of Buildings, GBC – The Board approved President Paul Killpatrick's request to name the following Great Basin College facilities: (Ref. L on file in the Board office).

- Dorothy S. Gallagher Health Sciences Building.
- Reviglio Child Center Building

President Killpatrick expressed Great Basin College's desire to honor former Regent Dorothy Gallagher for her 22 years of service to higher education, the state, and her support of GBC. Additionally, GBC wanted to honor Tom and Jack Reviglio for their generous financial support in building the Child Center, fondly referred to as, "the house that Tom and Jack built".

Regent Bandera moved approval of the building names for GBC. Regent Kirkpatrick seconded. Motion carried. Regent Alden was absent.

26. Approved-Naming of Research Park, UNLV – President Carol Harter provided an update on the recent gift of federal land for a UNLV Research Park and the Board approved her request to name the research park in honor of Senator Harry Reid. (Ref. M on file in the Board office).

President Harter reported that Senator Reid spent several years trying to obtain land for UNLV to develop a research and technology park. She related that UNLV wanted to honor Senator Reid's career-long commitment to research and economic development for the state by naming the research and technology park the "Harry Reid UNLV Research and Technology Park".

Regent Derby moved approval of the research park name for UNLV. Regent Derby seconded.

Regent Howard felt it was a good move to name the park in honor of Senator Reid. She noted the importance for having a policy limiting the number of buildings named for sitting politicians, adding that two buildings were currently named for the same individual.

Regent Dondero observed that Senator Reid had accomplished much for the state of Nevada as well as for UNLV.

Regent Kirkpatrick asked about the cost to develop a research park. President Harter replied that UNLV was in the process of developing a master plan for the research park. UNLV is hiring a national consultant and will use some of the federal dollars to develop a master plan for development of the research park. Regent Kirkpatrick observed that it would cost many millions of dollars. President Harter agreed. Regent Kirkpatrick suggested delaying the naming to attract a donor. President Harter replied that UNLV could name buildings/facilities/spaces in the future after a major donor. She was hopeful the Board would approve naming the park for the person responsible for ensuring that UNLV received the land.

Regent Sisolak established that this was UNLV's one exception (to the building naming policy). He asked about the location of the facility. President Harter replied it was located between Durango/Buffalo and Sunset/Warm Springs. Regent Sisolak asked whether he had a conflict, adding there was some homeowner objection to this near his own home. General Counsel Ray did not feel that Regent Sisolak had a conflict with naming the park. He related that Regent Sisolak must decide whether he was influenced or not.

Regent Howard said that she was hopeful that the Board was not sending out a message that says just because a politician does the right thing by contributing to higher education that a building will be named for them. She did think that Senator Reid had done a lot and deserved the honor.

Motion carried. Regent Alden was absent.

The meeting recessed at 9:40 a.m. and reconvened at 10:00 a.m. with all members present except Regent Alden who was excused.

27. Approved-Resolution 02-05, University Debt Refinancing – The Board approved Resolution 02-05 concerning the solicitation of bids to refinance UNR and UNLV bonds, loans and leases where interest rate savings are available. Authorization to issue any refunding bonds, loans and leases will be brought to a future Board of Regents' meeting. (Ref. N on file in the Board office).

Vice Chancellor Miles reported that existing debt would be examined to determine whether refinancing at a lower interest rate would be beneficial to the System. Preliminary review by financial consultants indicates some savings could be realized. Each proposed refinance would be returned to the Board for final approval.

Regent Hill moved approval of Resolution 02-05 concerning the refinancing of university debt. Regent Sisolak seconded.

Vice Chancellor Miles reported there were some limitations on the bonds with the dates coming due in Spring 2003. Regent Sisolak commended those responsible for taking the effort to save a significant amount of money.

Chair Seastrand asked whether waiting for Board approval could hinder such efforts. Vice Chancellor Miles replied that it could potentially be a hindrance. In this case, two series of bonds cannot be refinanced before April 1st, leaving the March meeting for Board approval. Should interest rates suddenly change, making it no longer financially viable, the transaction would be halted. Chair Seastrand said that he would not want Board policy preventing the System from taking advantage of similar opportunities. He requested a review of the procedures.

Mr. Scott Nash, Johnson Consulting Group, reported that the bonds under discussion could not be refunded prior to April 1, 2003 (federal limitation), adding that they were moving as quickly as possible. He related that the Board had refunded bonds in prior years when opportunities were available. He related that other bonds were eligible but the savings were not significant enough to justify refinancing. Chair Seastrand thanked those responsible for watching for these opportunities.

Regent Sisolak asked about the possibility of borrowing the System's money at favorable rates. Vice Chancellor Miles replied that he did not know about prohibitions governing such action. He agreed to research the matter. Regent Dondero agreed that it represented a large savings.

Motion carried. Regent Alden was absent.

28. Approved-Debt Refinancing Request, TMCC – The Board approved President Philip Ringle's request for Truckee Meadows Community College to solicit a bank or other lending institution loan or loans totaling approximately \$2,700,000 for the purpose of refinancing the current Bank of America bank loan and the Gunnerman Note. The new loan is to be paid from the Capital Improvement Fee account. (Ref. O on file in the Board office).

President Ringle explained that refinancing would take advantage of favorable interest rates.

Regent Rosenberg moved approval of the debt refinancing request for TMCC. Regent Derby seconded. Motion carried. Regent Alden was absent.

29. Approved-Resolution 02-06, Sale of Bonds, Residence Hall, UNLV – The Board approved President Carol Harter's request to sell up to \$24 million worth of revenue bonds designated for student housing. (Ref. P on file in the Board office).

President Harter reported that UNLV faced increasing demand for student housing with 1,500 students currently living on campus. UNLV felt there was sufficient demand to justify the request.

Chair Seastrand stated that the key issues for him were a demonstrated demand and identification of a sufficient revenue stream. Dr. Rebecca Mills, Vice President, Student Services-UNLV, reported that living on campus is a wonderful experience recommended to Millennium Scholars. UNLV has hired a national consulting firm to prepare a 10-year master plan for

housing, which will fit with the university's master plan. A market analysis revealed a need for housing and a push for "campus community". Campus housing occupancy has averaged 98% for several years. The request assumes only 95% occupancy. Waiting lists of more than 100 have existed every year since 1996 (except in 2000 when Tonopah Hall opened). She thanked UNLV's Vice President for Finance Mr. Tony Flores and his staff for their assistance with the financial information. She also acknowledged Mr. Scott Nash for his assistance with the bond resolution. The project will cost \$23,520,000 million (\$21 million-construction; \$2.5 million-bonding). The bond payment at 5.7% would be approximately \$1.7 million. Housing fees would provide the revenue stream as with other housing bonds. A surplus of approximately \$16,000 is estimated with the projected occupancy and bond rating; 98% occupancy would yield a \$74,000 surplus. Chair Seastrand asked about the effect to current housing rates. Vice President Mills replied that UNLV would request an increase in the spring due to increased utility and operating costs regardless of whether the residence hall was approved.

Regent Kirkpatrick asked about the estimated completion date. Vice President Mills replied the hall would open in August 2004. Regent Kirkpatrick observed that other projects had been over budget and asked whether sufficient funding had been requested. Dr. Mills replied that the last residence hall was completed under budget and early. President Harter said that UNLV would request local management of the project, adding that UNLV's only overruns had been on State Public Works Board projects. Chair Seastrand asked about the fee increase. Dr. Mills replied that it would be a significant increase, but she did not have actual figures. She noted that the issues were separate. Chair Seastrand asked whether the cost of the requested bond would contribute to the increase. Dr. Mills replied that the other residence halls would not be affected differently as a result of building the new residence hall. Dr. Mills established that a housing increase would be requested in March whether or not the new residence hall was built.

Regent Rosenberg moved approval of Resolution 02-06 concerning the sale of bonds for a residence hall at UNLV. Regent Derby seconded.

Regent Sisolak asked about the occupancy per room. Dr. Mills replied that the figures were based upon two students per room. Regent Sisolak observed the cost was approximately \$100,000 per room (with 233 rooms). He suggested building the facility higher. President Harter observed there were airport restrictions. Vice President Mills related that UNLV was attempting to keep the building to a manageable size in terms of a student living environment. Regent Sisolak wondered about the savings that could be realized by building a larger facility. Mr. Andy Glennie, Construction Consultants, Inc., reported that doubling the size of the project in height would not realize economies of scale. The project was intentionally limited to less than six stories to avoid the cost and complications of high-rise construction. Regent Sisolak asked whether there was a means of reducing the cost per room and making it more economical to service the debt. Mr. Glennie replied that he believed the proposed scheme was the most efficient. President Harter related that UNLV was unsure about the demand for housing 1,000 students at this time. Regent Sisolak asked whether sufficient land existed to build two 3-story buildings. President Harter replied that the 10-year plan for residence hall facilities allowed for growth at the projected rate with facilities of this size.

Chair Seastrand asked about the number of bids received. President Harter replied that UNLV asked the planners the same question. The master planners view the campus as better off not building massive, high-rise structures. Chair Seastrand clarified that the Board was approving a bond based on cost estimates. He asked whether UNLV had requested bids. President Harter replied they had not.

Motion carried. Regent Alden was absent.

30. Approved-Code of Honor and Responsibility, William S. Boyd School of Law, UNLV – The Board approved President Carol Harter's request for the William S. Boyd School of Law Student Code of Honor and Professional Responsibility. (Ref. Q on file in the Board office).

Regent Kirkpatrick moved approval of the Code of Honor and Responsibility for the William S. Boyd School of Law at UNLV. Regent Rosenberg seconded.

Regent Kirkpatrick asked about penalties for students refusing to vote in approval of the code. Vice President Mills replied that no penalties were provided in the code. She related that the students and faculty had voted on the version being proposed. Students, faculty, and/or administration will be able to vote on future changes that may be proposed.

Regent Kirkpatrick observed that accreditation had been recommended for the Boyd School of Law. Chair Seastrand noted that the law school was believed to be the quickest in achieving accreditation. President Harter attributed the success to Dean Dick Morgan. Chair Seastrand asked about any anticipated problems. Vice President Mills replied that none were anticipated.

Motion carried. Regent Alden was absent.

31. Approved-Sale of Property and Easement Approval, UNLV – The Board approved President Carol Harter's request for a Grant of Easement and sale of 1,514.5-sq. ft. of vacant land adjacent to the existing Tropicana Avenue/Maryland Parkway Citizen's Area Transit bus stop to Clark County. Clark County wants to buy the property for the Regional Transit Authority to

construct a bus turnout at that location. The Grant of Easement is required to permit the County to begin site preparation work while the sale is executed. Clark County offered \$15,900 (\$10.50/sq. ft.) based on an appraisal prepared by Gary H. Kent, Inc. for UNLV. The Grant of Easement will be executed for the sum of \$1.00. The Grant of Easement was requested to allow the County to begin site preparation work while the sale processes. (Ref. R on file in the Board office).

Regent Rosenberg moved approval of the sale of property and easement for UNLV. Regent seconded.

Regent Sisolak asked about the cost-per-foot of the Boy Scout land. President Harter replied that it was very expensive, adding that location played a key role in the price. A discussion ensued regarding the exact location of the property. Regent Sisolak wanted to ensure that UNLV received a fair price and asked what McDonald's paid. Vice President, Administration-UNLV, Dr. Juanita Fain replied that the cost was based on the appraisal.

Regent Kirkpatrick asked about giving the property to the county in recognition of the large federal donation.

Regent Rosenberg thought that a grant of easement equated to the right to use the property without actually selling the property. Dr. Fain replied that the request was for both the grant of easement as well as the sale of land.

Motion carried. Regent Alden was absent.

32. Information Only-Facilities Master Plan Update, UNLV - President Carol Harter presented a UNLV Facilities Master Plan update to the Board of Regents. Representatives of Smith Group, JJR, the consultants with whom the University has contracted, provided an informational briefing on the progress made to date. (Ref. S on file in the Board office).

President Harter reported that UNLV held campus discussions regarding the directions in which UNLV should consider growing. Student population has increased from 19,000 to 25,000 during her presidential term. The rapid rate of growth prompted UNLV to plan for a larger, efficient, and esthetically pleasing campus. UNLV's real estate committee recommended maximizing the current main campus rather than developing regional campuses in other parts of the city. Smith Group, JJR, evaluated UNLV's 335 acres on the central campus with a focus on growing the campus to accommodate 35,000 students. A yearly 5.5% growth rate would yield 35,000 students in 7 years. President Harter observed that UNLV did not currently have the capacity to house that many students.

Chair Seastrand felt this was an important Regent function, applauding UNLV's master planning efforts. President Harter replied that the Chancellor had planned a System master planning retreat, adding that UNLV viewed this as an integral part of the planning.

Vice President Fain reported that UNLV began the process in March 2002. The 20-month project will establish the general concept for campus development during the next 10-15 years in order for UNLV to achieve its research goals. She introduced Mr. Tom Hagge, Associate Vice President, Facilities Management & Planning-UNLV; Ms. Susan Hobbes, Director, Planning & Construction-UNLV; and Mr. Bill Wood, Assistant Director, Planning & Construction for Real Estate and Business-UNLV. The consultant's approach incorporated coherence and flexibility. They familiarized themselves with the campus, understand UNLV's mission and aspirations, and allowed flexibility for change. They elicited active community participation, including campus participation as well as input from surrounding neighbors. The Smith Group communicates via a website they established and e-mail. UNLV has completed Phase I (discovery phase). The next stage will address plan refinement. A final version is expected by Fall 2003. Dr. Fain then introduced representatives of the Smith Group: Mr. Steve Troost, Vice President-Smith Group; Mr. Tim Rorvig, Director of Design; and Mr. Doug Kozma, Project Manager.

Mr. Troost reported that UNLV could attain status as a premier metropolitan research institution with quality as a central value. The quality of the campus' physical environment is a direct reflection of the ability of the institution to achieve excellence. A critical issue for a landlocked institution is to assess and quantify the campus' ideal development capacity. An open process of participation in consensus building has been conducted with the campus advisory committee, a community concerns committee, and an overview committee comprised of President Harter and her cabinet. Alternative organizational strategies were explored seeking to optimize the creation of "campus".

Principles:

- Strategically develop the academic core. Center academic development in and around the Lied Library.
- Extend and reinforce the malls and open spaces.
- Provide a multi-modal circulation system. Managing the movement of people to/from the campus rather than the movement of cars. Builds on initiatives proposed by the Regional Transportation Commission. Provides the opportunity for the last link of the monorail system linking McCarran Airport and UNLV with the community.
- Strengthen image and identity with quality. Four main gateways to the campus.
- Optimize development capacity. Utilize limited resources to full capability. Balance buildings with open space to create comfortable human environs with a mix of uses. Utilizing the land optimally.

Mr. Troost reported that a campus population of 26,300 with 4 million gross square feet of physical plant provided 152-sq. ft./person. Smith Group recommends aspiring to 200-sq. ft./person. UNLV requires approximately 3 million gsf (at the 220-sq. ft./person target) in order to accommodate 35,000 students in seven years while maintaining its quality. The master plan could achieve that vision with the addition of 7 million gsf at a cost of \$1.5 billion. Mr. Kozma provided an animated view of the campus improvements.

President Harter related that it was a very creative and expensive plan for the campus.

Chair Seastrand asked about plans for the former Paradise school. Mr. Troost replied that Smith Group would continue to address it as an auxiliary site. President Harter stated that UNLV had not asked the planners to address the Paradise school or the Shadow Lane facilities. She felt those were good locations to house semi-autonomous programs, adding that UNLV wants to discourage foot traffic on the major thoroughfares. UNLV is also discussing future combined needs with the RTC (i.e., bridges over main roads) regarding joint requests for major transportation bills. Chair Seastrand observed that some areas depicted in the plan were not Board owned/controlled. Mr. Troost replied that the plan accommodated future growth on land currently owned by the Board. President Harter agreed that contiguous property, as well as property within the campus footprint, was owned by others. UNLV's Foundation board has a keen interest in acquiring that property as quickly and economically as possible. Acquiring property at a reasonable cost is a major challenge for UNLV's future. Chair Seastrand asked about plans for the proposed major entrances to campus. Mr. Troost replied that multiple points of entry were planned with signage, landscaping, and parking to encourage pedestrian traffic on campus.

Chair Seastrand asked about the monorail's involvement. President Harter replied that UNLV was working with RTC. Mr. Troost did not know the predicted timeframe for the last leg. Chair Seastrand asked whether the monorail would enter the campus. Mr. Troost replied that the Smith Group proposed a stop at the Thomas & Mack Center. A rapid transit bus system is planned for Maryland Parkway.

Regent Derby applauded the vision and the plan, adding that it would serve the community well. She acknowledged the work required in private fundraising and partnerships to support the effort.

Regent Dondero asked about plans for phasing each stage of development. Mr. Troost replied that it comprised the next step of the project. He related that, with the focus of development around the Lied Library, they wanted to see the university making initial investments to prepare the area for development. President Harter stated that the project was so massive it would require every available resource or UNLV would be forced to cap enrollments due to lack of facilities.

Regent Dondero asked about plans for the state motor pool. Vice President Fain replied that an alternative space had been identified that UNLV is leasing from the county. The county has indicated they require a fair market value for the site, which was not economically feasible for the university or the state.

Chair Seastrand asked about the campus support area. Mr. Troost replied that the plan proposed keeping areas requiring daily campus access within the boundaries of Swenson Avenue.

Regent Sisolak asked about the height of existing residence dorms. Vice President Fain replied they were 5-story buildings. Regent Sisolak asked about the location of the proposed new residence hall. Mr. Troost replied that a mix of uses was proposed for that corner (i.e., dining, athletics). Regent Sisolak asked why the proposed new building was only 2-stories when existing buildings were 5-stories. Mr. Troost replied that the building referenced was envisioned as the dining hall. Vice President Mills clarified that the 2-story building previously depicted represented plans for an additional dining commons. It has since been determined to be too expensive.

Chair Seastrand asked about the proposed capacity of the campus. Mr. Troost replied that the planners estimated the gross square footage as well as the number of people that could be accommodated. Chair Seastrand asked about the maximum capacity with the 200-gsf/person target. Mr. Troost replied that 35,000 students could be accommodated at that target, including the faculty and staff to support that number. President Harter observed that 200-gsf/person was considerably lower than similar institutions. Mr. Troost reported that the national average was closer to 300-gsf/person.

President Harter then clarified that the proposed new residence hall was 4-stories tall.

Regent Dondero asked about the length of time estimated to reach 35,000 students. President Harter replied that 7 years was estimated at 5.5% growth per year, though UNLV has grown 9.5% per year over the last two years.

Chair Seastrand established that the 35,000 students represented headcount. He expressed appreciation for the plan. He noted that parking was always an issue and asked about denying motor access through the campus. Mr. Troost replied that one of UNLV's best assets was its strong pedestrian core. He observed that the road system was currently at capacity. The plan is to enter the campus via a gateway, park, and become a pedestrian, thereby providing areas for students and faculty to come together.

Regent Dondero mentioned that parking would be provided for rapid transit riders (off campus). Mr. Troost stated that the rapid transit system would also provide opportunities to link to other areas. A separate parking structure was also proposed adjacent to the bookstore.

Mr. Rich Romer, Orth-Rodgers, & Associates, reported that RTC had indicated it would begin the environmental process for the southern portion of the monorail next year. Regent Dondero asked about the timing on the rapid transit system. Mr. Romer replied that it was on their wish list, adding that passage of Question 10 and enabling legislation could provide answers to those options.

Chair Seastrand asked about the length of time required to walk to most places. Mr. Troost replied there was a 5-minute walking radius from the library. Chair Seastrand asked what was considered "too far". Mr. Troost replied that work at the University of Wisconsin attempted to achieve parking decks within a 15 minute walk.

Chancellor Nichols noted that plans were preliminary, adding that the Board would have the opportunity to approve all campus physical master plans, which had been delayed due to budgetary considerations. All campuses are updating their physical master plans for final approval no later than January 2005.

33. Withdrawn - Information Only-Personnel Procedures, UNLV – The item was withdrawn at the request of Regent Howard.

34. Information Only-Report: Measuring Up 2002 - Chancellor Nichols reviewed the national Measuring Up 2002 Report, providing a description of the grades given Nevada, an explanation of the factors that drive the grades, and an overview of how the UCCSN Master Plan will address each of the areas of performance that are graded.

Chancellor Nichols reported that the report was conducted by the National Center for Public Policy and Higher Education. The first report was issued in 2000. The report is primarily the state's grades for education and was created for policymakers at the state level. There is nothing comparable to the report in higher education. Chancellor Nichols affirmed that it was not a grade of the individual institutions.

Nevada's Grades:
2000 2002

	2000	2002
Preparation	D+	D
Participation	D+	C+
Affordability	B	D+
Completion	F	F
Benefits	C-	C-
Learning	I	I

(Nevada is the only U.S. state receiving an "F".)
(All states rated incomplete due to the lack of acceptable student learning measures.)

Chancellor Nichols reported that grading is on the curve and provides the measure of a state's performance in relation to other states' performance. The 2002 grades were generally based on 1999 and 2000 data. The Center uses only data collected by existing entities (i.e., federal government, national entities) and is usually delayed two years. Improvement from work currently underway in Nevada will not appear until the 2006 report. Improvement is based upon the total state response and state policy.

Preparation - Chancellor Nichols reported that Nevada had improved in high school completion, adding that K-12 course taking also affects Nevada's grades. The state is not performing as well as it could in getting students through high school. Chancellor Nichols provided a comparison of Nevada's data with the data from states receiving an "A" grade. Not enough Nevada 9th-12th graders are taking at least one upper-level math and/or science course. Nevada has also experienced a decrease in the number of 8th graders taking algebra. She noted that the Clark County District Superintendent was urging all 8th graders to take Algebra I. She related that higher education needed to consider methods of influencing and helping those patterns of course taking. Part of

Nevada's preparation grade is determined by K-12 student achievement (8th graders scoring at or above proficient on national assessment exam). Nevada compares woefully lower to states receiving an "A" when measuring the areas of math, reading, science, and writing, further emphasizing the importance of improving the performance of all K-12 students.

Regent Dondero felt the Chancellor's discussion was pertinent to the Board's joint meeting with the State Board of Education and should be repeated for that group. Chancellor Nichols replied that they had a very full agenda, adding that she hoped

members would come early to hear the presentation.

Chancellor Nichols reported that other contributing factors to Nevada's preparation grade included the number of low income 8th graders scoring at or above proficient in math, the number in the top 20% nationally on SAT/ACT (per 1,000 high school graduates), and the number of students receiving scores of 3 or higher on AP subject tests (per 1,000 high school graduates). Many high school juniors do not engage in the kind of behavior that would prepare them for college. It is not Nevada's performance on the ACT/SAT, but rather the small number of students taking the tests per 1,000 high school graduates. Chancellor Nichols reported that each UCCSN institution was working to help K-12 in every manner possible, as indicated in the UCCSN Master Plan.

Participation - Chancellor Nichols then reviewed the areas of performance contributing to the state's grade in participation. Nevada needs to improve its college going rate as well as its high school graduation rate. In spite of increases in this area, Nevada still compares woefully lower than national averages for young adults. Nevada's working-age adults (25-49 enrolled part-time in higher education) compare favorably to states receiving an "A" grade. Chancellor Nichols related that UCCSN's Master Plan included a goal to increase the overall participation and success of Nevadans enrolling in higher education at all levels of education and in all ethnic groups.

Affordability - Chancellor Nichols reviewed the areas of performance contributing to the state's grade in affordability. She noted that Nevada's tuition and fees were considered low on the national scale. She related that the measurement of a family's ability to pay was affected by the amount of financial aid available. Since Nevada only has one private 4-year institution, Nevada State College's tuition drives this measure (family ability to pay) by one third. The Millennium Scholarship does not count towards the affordability measurement because it is not targeted at low income families. Nevada should see some improvement with the Board's decision to set aside a portion of fee increases for need-based financial aid. Chancellor Nichols noted a reduction in Nevada's reliance on loans. The measurement did not identify the number of graduate vs. undergraduate students considered. She related that the Master Plan advocates a shared responsibility model between the Regents, its colleges and universities, the State of Nevada, and students to support higher education. Keeping Nevada's tuition low and financial aid high requires state support.

Completion – Chancellor Nichols reviewed performance measures contributing to Nevada's failing grade. She indicated that two different data sources were used for the performance measures, which contributed to the illogical outcome of the percentage of first time, full-time students completing a college degree within 5 and 6 years of high school. She explained that Nevada's failing grade was due to students postponing college and taking longer to complete the degree. She related that Nevada could improve its grade, adding that the impact of the Millennium Scholarship was beginning to be realized. The Master Plan includes a goal for increasing the percentage of students who successfully complete bachelor's degrees in 6 years and associate degrees in 3 years.

Benefits – Chancellor Nichols reviewed the areas of performance contributing to Nevada's "C-" grade. The first performance measure considered the percentage of population (25-65 years) with a bachelor's degree or higher. Nevada's percentage improved to 22%. Chancellor Nichols noted that persons over the age of 65 were excluded from the survey so as not to skew data for those states with a high number of retirees. Chancellor Nichols reported a correlation between the level of education attained and whether or not a person votes. It is felt there is a civic benefit from higher education because well educated individuals tend to donate more to charity and to volunteer more. She related that impacting the adult skill level measurement (adults demonstrating high-level literacy skills) would be a very long-term goal shared with K-12. The Master Plan includes a goal that higher education in Nevada will be instrumental in advancing society's objectives and enriching the lives of Nevada's citizens.

Learning – Chancellor Nichols reported that every state had received an incomplete in the final measure. UCCSN will develop an assessment plan and effective measures of student learning outcomes at each institution and for each academic program. Additionally, effective measures of institutional performance will also be developed.

Chancellor Nichols reported that other measures were included in the report, which was shared with Nevada's legislators and governor. She related that predictions indicated that Nevada would have more students to educate with even less state funds. She noted 13% of Nevada children in poverty (compared to 17% nationally), 17.2% of Nevada's population with less than a high school diploma or equivalent (compared to 15.9% nationally). She explained that the new economy index was a measure of the extent to which a state is engaged in knowledge-based industries. Nevada ranked 55.7 compared with 60.3 nationally. Chancellor Nichols reported there was a direct and inescapable link between the state wealth and prosperity and the state's level of education. Nevada's grades are collective measures of the state, Nevadans, and their investment in higher education, resources, students, and practices. Nevada's grades can be improved by putting in place resources and policies which ensure that Nevadans complete high school, take the right courses, complete a college degree or credential, and have adequate financial aid for the needy.

Regent Derby observed that the report had been mistakenly interpreted as a reflection of UCCSN institution performance. She felt it was helpful to realize that the report was created for state policy makers and was a reflection of the state's response.

Chair Seastrand thanked the Chancellor for an excellent report, adding that she, her staff, and the institutions had a lot of work ahead of them.

35. New Business – Regent Hill felt the Board might require an attorney general's opinion regarding System employee representation on the Board of Regents. He requested a Board agenda item for the next agenda to ask the Attorney General to define the parameters regarding what a Regent (who is also an employee) can and cannot vote upon.

Regent Sisolak stated that he had been inundated with phone calls from students having trouble registering for classes in January. He asked whether something (other than lack of resources) was responsible for the situation. President Harter replied that UNLV was in the worst possible budget situation in eight years. Spring pre-enrollments are extremely high. UNLV currently has 4,000 unfunded students, with early indications for enrollment to increase by 10–11%. She related that UNLV simply did not have money to teach everyone. She felt that Provost Alden had done a remarkable job of stretching the money as far as he could. Regent Sisolak stated that he was unsure what to say to the students and parents. President Harter suggested that he tell them to support increased taxes to provide more money for System budgets. Provost Alden stated that UNLV had attempted to increase the part-time instructor budget by 8%. Some programs are growing at a rate of 12%. He felt it had been a remarkable endeavor by UNLV's deans and cabinet to try to take the pain from the students. Regent Sisolak commended their efforts. He asked whether the problem was as prevalent in Reno. Provost Alden felt the matter should be sent to the legislature. President Harter stated that she was working with NSCH and President Romesburg to find ways to increase qualifications for admission to certain heavily-impacted majors. She was hopeful that those students not qualifying for entry to some of UNLV's programs would choose to attend NSCH. Regent Seastrand asked whether the 8% increase had been spread evenly throughout the disciplines. Provost Alden clarified that Fall enrollment increases were assumed for the Spring. Some disciplines are growing so much faster than 8% that they have "hit the wall" earlier than other disciplines had. Regent Rosenberg observed that northern institutions were facing similar problems. He asked Board members to encourage students to speak with their advisors. Often alternative courses can be selected to fulfill requirements.

Regent Seastrand noted there were advantages and disadvantages to signing up for classes via a website. He asked about the students' ability to "opt-out" online. President Harter replied that students could request a printed schedule from the registration office. Chancellor Nichols replied that the online option for "yes" or "no" would be available to students by Fall 2003. President Lilley stated that he would prefer that students not have the online option available, requiring them instead to speak with an advisor about the effect of their choices.

The meeting adjourned at 12:15 p.m.

Suzanne Ernst
Chief Administrative Officer to the Board