

BOARD OF REGENTS
UNIVERSITY AND COMMUNITY COLLEGE SYSTEM OF NEVADA
Rotunda, Third Floor
Frank H. Rogers Science & Technology Building
Desert Research Institute
755 East Flamingo Road, Las Vegas
Wednesday-Thursday, October 8-9, 2003

Members Present:

Dr. Stavros Anthony, Chair
Mr. Mark Alden
Ms. Marcia Bandera
Dr. Jill Derby
Mrs. Thalia Dondero
Mr. Douglas Roman Hill
Mrs. Linda Howard
Dr. Tom Kirkpatrick
Mr. Howard Rosenberg
Dr. Jack Lund Schofield
Mr. Douglas Seastrand
Mr. Steve Sisolak
Mr. Bret Whipple

Others Present:

Chancellor Jane Nichols
Interim Vice Chancellor, Finance & Administration Larry Eardley
Vice Chancellor, Academic & Student Affairs Richard Curry
General Counsel Tom Ray
Vice President Robert Palinchak, 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
President Carol Lucey, WNCC
Chief Administrative Officer Suzanne Ernst

Also present were faculty senate chairs Ms. Mitzi Ware, CCSN; Dr. Alan Gertler, DRI; Ms. Karen Schwand and Dr. Frank Daniels, GBC; Dr. Erika Beck, NSC; Ms. Bridgett Boulton, TMCC; Dr. John Readence, UNLV; Dr. Trudy Larson, UNR; Dr. Michael Hardie, WNCC; and Mr. John Tully, System Administration. Student government leaders present included Ms. Evelyn Flores, CCSN; Mr. Steve Houk, GBC; Ms. Janell Mihelic, NSC; Ms. Monica Moradkhan, UNLV; Ms. Jocelina Santos, UNLV-GPSA; Mr. Chul Hwan Yim, UNR; Ms. Jessica Muehlberg, UNR-GSA, and Mr. Billy Jennings, WNCC.

Chair Stavros Anthony called the meeting to order at 1:06 p.m. on October 8, 2003 with all members present except Regents Bandera and Whipple. It was noted that Regent Whipple was excused due to his appearance in a trial.

Regent Bandera entered the meeting.

Dr. Garth L. Rasmussen, Area Director, Church Education System, LDS Education Center, Las Vegas, offered the invocation.

1. Introductions – Dr. Robert Palinchak, Vice President, Academic Affairs-CCSN, explained that he was filling in for President Ron Remington. He then introduced CCSN's new Chief Technology Officer, Dr. Al Valbuena.

Chair Anthony related that the Board was in the process of purchasing a new sound system. He asked Board members to indicate their desire to speak with a show of hand.

2. Chair's Report - Chair Stavros Anthony identified some of the outstanding individuals who help make the eight UCCSN institutions so successful. Chair Anthony said that he was amazed at the number of UCCSN employees who regularly produce outstanding work, adding that he wanted to honor them in some manner.

He thanked President Wells and the DRI staff for hosting the dedication of the Frank H. Rogers Science and Technology Building the previous weekend, adding that he was very proud of the new building. He anticipated that valuable research and many new discoveries would occur in the new environment. President Wells thanked those who attended the festivities, adding that the building represented a nice partnership between private groups, the federal government and DRI.

Chair Anthony began his tribute to UCCSN's "unsung heroes". He noted that UCCSN employs 12,000 people and explained that he asked each institution president to submit the name of one outstanding employee.

Mr. Ron Eppley, CCSN – One of CCSN's 1,500 employees, Mr. Eppley displays an extraordinary work ethic and view on life. Employed at CCSN for 19 years, he currently oversees grounds and landscaping for the college's three main campuses. He recently designed an effective water and money saving xeriscape system for CCSN's main campuses.

Ms. Jeannie Rosenthal, GBC – GBC employs 400 people. Ms. Rosenthal is a grant writer/manager. She works closely with all departments and all branch campuses gathering data and facts to include in grant narratives. Ms. Rosenthal was instrumental in laying the groundwork for future grant opportunities such as the Title III grant, the TRIO grant, and the National Science Foundation grant. Since her arrival in 2001, GBC has received an average of \$1 million/year in grants to supplement their programs.

Mr. Paul Marsala, TMCC – One of TMCC's 700 employees, Mr. Marsala directs TMCC's Community Adult Basic Education/English as a Second Language program. The program provides a crucial first step to empowering people with low language study or life skills to prepare for college. Under Mr. Marsala's leadership, the program grew from 151 students (Spring 2001) to 1,589 students (Spring 2003).

Ms. Artis Briggs, WNCC – WNCC employs 500 people. Ms. Briggs has been a custodian at the Carson City campus for 5 years. She displays a pleasant and serene attitude. Recently, after noticing computing staff working late on a project, she purchased dinner for the employees with her own money. Ms. Briggs continues to go above and beyond the call of duty.

Mr. Lyle Smith, NSC – NSC currently employs 44 people. Mr. Smith is the sole counselor at NSC, yet also finds the time and energy to visit high schools and recruiting fairs throughout the valley. He advises student government, coordinates all student activities and organizations, assists with academic advisement, and administers all placement exams. Mr. Smith developed and initiated the college's Academic Success Initiative and is teaching five sections of the Academic Success course this fall.

Mr. Willie Cooper, UNLV – One of UNLV's 4,300 employees, Mr. Cooper began working at UNLV in 1989 as a custodian. He is a special employee with numerous letters of appreciation attesting to his workmanship. Currently employed as a Custodian Supervisor I, Mr. Cooper implemented sound changes for the dayshift and has been the driving force behind many of the compliments UNLV receives about the grounds.

Dr. Johnson Makoba, UNR – One of UNR's 4,100 employees, Dr. Makoba is an associate professor and Chair of the Sociology department. Raised in a peasant Ugandan family, Dr. Makoba's parents devoted their limited resources to educating their six children. Dr. Makoba earned his masters and doctorate degrees at the University of California, Berkeley. He enjoys helping his family and other Ugandans (the average income of a Ugandan is less than one-dollar per day). In 1993 he created the Foundation for Credit and Community Assistance, a non-profit organization that provides cash loans and education to rural Ugandan women. More than 17,000 women have been assisted to date.

Mr. Walter Shingles, DRI – DRI currently employs 350 people. Mr. Shingles' professionalism, work ethic, enthusiasm, and can-do attitude are legendary at the Southern Nevada Science Center. He began working at DRI in 1982 as a custodian. As a Facilities Supervisor, Mr. Shingles keeps the Las Vegas campus running smoothly, displaying great people skills. He was reclassified three times in recognition of his outstanding work. Mr. Shingles was responsible for much of the day-to-day coordination required with contractors for the new Frank H. Rogers Science and Technology Building, which opened on time and on budget.

Regent Sisolak suggested that System Administration employees be recognized as a group. Chair Anthony agreed.

Chair Anthony thanked Regents Bandera and Sisolak for their work on the Periodic Presidential Evaluation Committee. He also expressed his gratitude to Committee Chair, Dr. David Frohnmayer, and Committee members Mr. Kevin Page and Ms. Dianne Weeks.

Chair Anthony announced that the Faculty Workload and Health Education Task Forces had begun their work and announced future meeting dates. He noted that the Board Development Committee met the previous day and had scheduled a Formula Funding Workshop for October 24th.

Chair Anthony acknowledged a wager between the two university student body presidents regarding the results of a recent football game between the two institutions. Mr. Chul Yim, Student Body President-UNR, displayed a rival UNLV Rebel tee shirt, much to the delight of UNLV Student Body President-UNLV, Ms. Monica Moradkhan.

Regent Sisolak observed that the UNLV Rebel football team was ranked 29th in the country according to an article in USA Today. Chair Anthony consoled and congratulated President Lilley on a great defensive game. He noted there had been concerns about crowd violence prior to the game, adding that University Police Chiefs Garcia and Elique did an outstanding job controlling the crowd.

3. Presidents' Reports - Each UCCSN president presented a progress report on their institution's activities over the past year to meet the targets for Master Plan goal three, Opportunity for All, and their plans for continuing to meet this goal in the next year. (Ref. A on file in the Board office)

President Paul Killpatrick, GBC – Considering the college's five-county, 45,000-sq. mile service area, "Opportunity for All" is an important goal for Dr. Killpatrick personally, as well as for the college. The ethnic makeup of that area consists of:
GBC Student Population Elko County Population

- White 70.9% 77.4%
- Hispanic/Latino 14.8% 15.5%
- Native American 4.2% 2.4%
- Other 10.1% 2.4%

He related that GBC's student population mirrors the community makeup. Since beginning as president in July 2002, President Killpatrick has created two presidential advisory boards involving the Hispanic and Native American communities with the goal to improve the college's ability to recruit and retain more students of color. An immigration attorney has been invited to attend the meetings and the Catholic Church and the Elko County Superintendent of Schools have participated. Students from Wendover, Nevada were recently interviewed for information regarding what services the college can provide. President Killpatrick and GBC have also been involved in efforts with the Western Shoshone tribe, with meetings held once per month. Chancellor Nichols recently observed a community forum where she met members from both consortiums. System Administration has been invited to attend the intertribal council to be held the third week in October. Western Shoshone students are sent to GBC on a regular basis.

Regent Alden left the meeting.

GBC is also working with the Lumina Foundation on a grant to support program to assist students and parents in applying for financial aid. A future statewide initiative is planned. GBC also offers bilingual orientation prior to school starting and is working toward a presence with GONA (Gathering of Native Americans). The college does a lot of work with substance abuse counselors and attempts to retain students while they are still in school. Recently, the college hosted five Russian delegates to the Elko area as part of the One World program, a collaboration between the U.S. and Russian governments to review economic and educational development. The delegates expressed keen interest in the concept of being paid not to grow things. GBC and the Elko Chamber of Commerce are sponsoring and developing a leadership academy to train students and community members to accept leadership positions in the Chamber of Commerce and Rotary Club. The college is also interested in starting a Rotary program at the college level.

President Stephen Wells, DRI – DRI supports educational opportunity for underrepresented groups, from K-16 to the graduate level, through a variety of programs. A variety of strategies are employed including emphasis on rural communities and at-risk schools, scholarships for students in underrepresented groups, focus on students from groups with low rates of college eligibility, targeted recruitment of underrepresented groups, and recognition programs. Dr. Wells highlighted three programs exhibiting DRI's commitment to expanded educational opportunity.

- Mathematics Engineering Science Achievement (MESA) Program – MESA is an academic enrichment program serving educationally disadvantaged students with an emphasis on students with low rates of college eligibility. The program is funded by the National Science Foundation EPSCoR infrastructure grant to help students excel in math and science and attain math-based degrees from four-year institutions. Nevada MESA currently has a total of 140 students enrolled in eight schools.
- General Frederick Lander Scholarships for Native Americans – Consisting of annual awards of \$2,500 to American Indian or Alaskan Native students at UNR and UNLV, the scholarship program was established in memory of General Frederick Lander, a hero of the American Civil War, through an endowment from the estate of his niece, Anna Lander McDonnell. Since 1990, 21 students of Native American descent have received these scholarships.
- Peter B. Wagner Memorial Award for Women in Atmospheric Sciences – An annual award of \$1,250 is made to a woman pursuing a masters or Ph.D. in atmospheric sciences or a related program at a U.S. university. This award was established by the family and friends of Peter Wagner, a DRI scientist who was killed in a 1968 plane crash while conducting research.

President Kerry Romesburg, NSC – Due to the limitations of staff, the college concentrated on two main areas: Increasing participation rates and increasing the number of people who make it through NSC programs as efficiently and effectively as possible.

- The entire NSC faculty and staff visited high schools, college fairs, and financial aid workshops throughout the valley with the intent to increase the percentage of high school graduates continuing into postsecondary education.
- NSC participated in the GEAR-UP Program and hosted four GEAR-UP days directed at encouraging middle school students to plan for continuing their education to the college level, which would increase participation rates as well as increase participation of underrepresented groups.
- In an effort to better assist students and increase degree completion, NSC has adopted a mentoring program where every student is assigned a faculty or senior staff mentor. Every attempt is made to match language skills and interests between the student and mentor. The program is only in its second year, with a target to increase the percentage of students successfully completing bachelor's degrees in six years.
- Student financial aid programs have been made available to NSC students, including Pell Grants (Spring 2003), veteran's benefits (Spring 2002), Millennium Scholarships (2002-2003), and federal loan programs (Fall, 2003 through UNR), with the hope of increasing percentages of high school students continuing into postsecondary education, increasing general participation rates, and improving degree completion rates and times.
- Student support assistance is received through the TRIO programs at UNLV and through the student services offices at CCSN with a target for increasing participation rates and degree completion times.
- Plans for the current year include increasing student service staff and seeking grant assistance to initiate specific tutorial and assistance programs for students.

Regent Alden entered the meeting.

President Carol Harter, UNLV – UNLV has engaged in significant initiatives designed to increase the participation and success of Nevadans enrolling in higher education. A primary goal of the university is to create and sustain a student-centered learning environment. Much effort has been focused upon the recruitment and retention of qualified Nevada high school graduates. In spite of a tremendous increase in enrollment, the proportion of Clark County School District high school graduates enrolling as freshmen has remained about the same (19%). The number of new students admitted who have registered has increased by almost 20% over last year. This fall, UNLV will experience a 10.9% increase over last year in CCSN transfers to UNLV; 1,112 new students will transfer from CCSN to UNLV. While UNLV is providing an increased opportunity for 4-year bachelor's degree preparation for Nevadans, they are also in the initial phase of exciting new projects that promise to significantly raise the participation rate of high school graduates. Dr. Harter highlighted some of the more notable efforts:

- The Center for Academic Enrichment and Project GEAR-UP – The Center introduces postsecondary education as an option to middle and high school students from populations underrepresented in higher education because of income, social, physical, and cultural barriers. The Center was recently awarded \$2.23 million for two grants designed to significantly increase the number of low-income students who are prepared to enter and succeed in postsecondary education. More than 15,000 students will be served over the life of the grant.
- GEAR-UP is a partnership with six middle schools that is designed to create systemic change in those schools over a five-year period and strengthen support for students, their families, and those particular schools. The program begins with sixth and seventh graders to instill a desire to go on to college and includes over 5,600 participants.
- Comprehensive Recruitment and Retention Planning – UNLV contracted with Noel-Levitz enrollment consultants to assist in developing a comprehensive recruitment and retention plan. As part of the retention planning workshop in September 2002, specific retention and graduation rate targets were set and strategies for accomplishment were identified. Local students admitted in 2003 increased by 5.1% due in part to their recommendations.
- Office of Undergraduate Recruitment – The Office has set goals of increasing Hispanic and African American students by 9% and 7% respectively. UNLV's student body is currently just under 30% minority representation.
- Comprehensive Recruitment Data Base – UNLV has developed a comprehensive database of all high school juniors and seniors in local high schools to begin to track and study the factors contributing to their enrollment and retention.
- Project Upward Bound – This program provides fundamental support to typically first generation and low-income high school students as they prepare for college. Services include tutoring, mentoring, work-study, academic, and financial and/or personal counseling.
- Increased Financial Aid Incentives – Over the past 10 years, UNLV has increased the number of students receiving financial assistance from 29% to 56% (an increase from \$15 million to \$100 million). Opportunities for financial assistance include Nevada Student Access that assists about 250 students with a \$3,500 award, the Federal Work Study Program that provides up to \$5,000 to 150 financially needy students for part-time work on-campus, the America Reads/Counts program that supports students to tutor children in grades 1-3, and the Regents' Award Program that supports approximately 50 UNLV students. The number of Millennium Scholarship eligible students at UNLV has increased by 30% between Fall 2000 and 2002.

President Harter highlighted the following programs created to increase retention/graduation rates:

- Get Ready – This program offers basic math and writing courses, and a course on college success to freshmen before they enter. Between Summer 2002 and 2003, registrations increased from 19 to 149 students. The program includes a collaboration with DRI to offer 25 low-income entering students interested in science, math, and engineering customized experiences designed to better prepare them for course work in which they will later enroll.

- High School Based Instruction – Developmental English (English A) taught by UNLV faculty was offered at Clark High during Spring 2003. This course will be offered at seven high schools Spring 2004 based on interest expressed by the principals.
- A New University College – UNLV plans to establish a University College that will focus upon meeting the needs of those students who are interested in an interdisciplinary focus and may not possess the GPA necessary for traditional majors.

4. Public Comment – Regent Hill introduced Mr. Matt Williams, Director of Jam on It Basketball Academy. Regent Hill related that Mr. Williams received a bachelor's and masters degrees from UNR, was a former basketball player at UNR, and is 10th on the all-time scoring list. Mr. Williams said that he hoped to provide some perspective regarding what goes through the mind of a student athlete. He felt there was a responsibility to ensure that student athletes are not provided too many advantages. He related that student athletes face a tremendous amount of pressure. With regard to the special admit program, Mr. Williams related that he struggled in his sophomore year and later discovered that he had a reading disability. He said that completing his college education required significant self motivation and an excellent support system. He advised the Board to look at recruitment, retention, and after eligibility retention. He said that student athletes were often forgotten after their eligibility expired. He related that the institutions were not providing a service by bringing a young athlete to campus and forgetting about them after their eligibility expired.

Regent Kirkpatrick suggested Mr. Williams speak with Mr. Lonnie Wright at CCSN who developed a program that assists student athletes after their eligibility expires. Mr. Williams felt that student athletes were due this service and that seminars should be provided that show students how to properly take advantage of the system.

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

(1) Approved-Minutes – The Board approved the minutes from the regular meeting held August 14-15, 2003 and the ad hoc Executive Evaluation & Compensation Committee meeting held August 1, 2003.

(2) Approved-Rehire of PERS Retiree, UNLV – The Board approved President Carol C. Harter's request to rehire Michael S. Robison, a PERS retiree, as a one-year visiting professor due to a critical need shortage. Such hires are permitted, with Board approval, under legislation passed during the 2001 Legislature. The request was for a one-year appointment through June 30, 2004. (Ref. C-2 on file in the Board office)

(3) Approved-Tenure Upon Hire, UNLV – The Board approved President Carol C. Harter's requests for granting tenure upon hire to Mr. Charles D. O'Connor, Full Professor and Chair in the Department of Theatre in the College of Fine Arts, effective July 1, 2003. This request was previously approved at the Board's August meeting, but the information incorrectly identified the department as the Department of Art. (Ref. C-3 on file in the Board office)

(4) Approved-Tenure Upon Hire, UNLV – The Board approved President Carol C. Harter's recommendation for tenure upon hire for Dr. Stanley J. Nelson, DDS, Full Professor of Clinical Lab Sciences in the UNLV School of Dental Medicine, effective September 1, 2003. The tenured faculty voted unanimously to recommend appointment with tenure. (Ref. C-4 on file in the Board office)

(5) Approved-Tenure Upon Hire, UNR – The Board approved President John M. Lilley's request for approval of the tenure upon hire for the following individuals at the University of Nevada, School of Medicine:

- Anton P. Sohn, M.D., Chairman and Professor, Department of Pathology; (Ref. C-5a on file in the Board office)
- Roger S. Ritzlin, M.D., Professor, Department of Pathology; (Ref. C-5b on file in the Board office)
- Samuel D. Parks, M.D., Professor, Department of Pathology. (Ref. C-5c on file in the Board office)

These individuals possess excellent qualifications and experience as shown on their curriculum vitae and have served the medical school for the past 19 years. These appointments are supported by the Dean of the Medical School, by the Executive Vice President and Provost, and received unanimous support from the School of Medicine's Promotion & Tenure Committee.

(6) Approved-Extension of Membership to the Graduate Association to Serve on the Police Services Board of Professional Standards, UNR – The Board approved President John M. Lilley's request to extend membership to the Graduate Student Association (GSA) president or his/her designee to serve on the Police Services Board of Professional Standards at the University of Nevada, Reno. (Ref. C-6 on file in the Board office)

Regent Kirkpatrick moved approval of the Consent Agenda. Regent Dondero seconded.

Regent Alden asked whether the individual recommended for rehire (#2 Rehire of PERS retiree, UNLV) was currently working on campus. President Harter replied that he was, adding the position was funded by a grant. Regent Alden asked about the

individual's background. Regent Sisolak noted a point of order, questioning whether Regent Alden's comments were out of order. General Counsel Ray related that the item should be separated from the Consent Agenda in order for discussion to ensue. Regent Alden discontinued his line of questioning.

Motion carried. Regent Rosenberg abstained. Regent Whipple was absent.

6. Approved-Resolution 04-05, Concert Dance Company, CCSN – The Board approved Chair Stavros Anthony's request for a resolution in honor of the Community College of Southern Nevada Concert Dance Company for winning first prize for Contemporary Dance and first prize for Event Choreography at the international dance competition "Dance Grand Prix Italia." Under the direction of Professor Kelly Roth, the winning team included: Chelsie Adams, Christy Jeffers, Daniel Mendoza, Ann Pogozelski, Kelly Roth, Leslie Roth, James Varner, and Jaime Velilla. (Ref. B on file in the Board office)

Vice President Palinchak accepted the resolution on their behalf.

Regent Bandera moved approval of Resolution 04-05 in honor of CCSN's concert dance company. Regent Seastrand seconded. Motion carried. Regent Whipple was absent.

7. Approved-Appointment, Director of the University of Nevada Press – The Board approved Chancellor Jane Nichols' recommendation for the appointment of the Director of the University of Nevada Press. Contract terms were presented at the meeting.

Regent Alden moved approval of the appointment of the director of the University of Nevada Press. Regent Dondero seconded.

Regent Sisolak asked about the contract terms. Chancellor Nichols asked the Board to approve the appointment of Ms. Joanne O'Hare, who has been serving as Interim Director since January 1, 2003. The recommendation came as the result of a national search. Chancellor Nichols stated they had a good pool of candidates. Ms. O'Hare emerged as the preferred candidate. A salary of \$82,000 was recommended. Per the salary schedule, the minimum salary is \$75,000; the median is \$101,000; and the maximum is \$128,000. No perquisites are associated with the position. Board members were mailed a copy of her resume. Regent Sisolak asked about the length of the appointment. Chancellor Nichols replied it was a standard one-year contract.

Motion carried. Regent Whipple was absent.

8. Approved-Three-Year Contract for Vice President for Government and Business Relations, DRI – The Board approved President Stephen G. Wells' request to provide a three-year employment contract to Dr. J. Scott Hauger to hire him as DRI's Vice President for Government and Business Relations (VPGBR). The contract would be effective January 1, 2004 through December 31, 2006 at a starting annual salary of \$164,000. (Ref. C on file in the Board office)

President Wells related that Dr. Hauger was the finalist following a national search for DRI's first VPGBR. He related it was a key position for the Las Vegas campus. Dr. Hauger will be working with various federal agencies and corporate businesses in developing state and national activities for DRI. Dr. Hauger is currently the director of the Science and Engineering Policy Practice Group for the American Association for the Advancement of Science. He has held that position since 1997. He also worked in private industry serving as president of Applied Research Concepts.

Regent Rosenberg moved approval of the three-year contract for DRI's Vice President for Government and Business Relations. Regent Hill seconded.

Regent Howard asked why the Board was approving a vice presidential appointment. Chancellor Nichols explained that no president could grant a 3-year contract without Board approval. Regent Howard established that the contract was for 3 years funded with soft money. President Wells agreed. Regent Hill asked whether Dr. Hauger would be stationed in Las Vegas. President Wells replied that the Las Vegas campus would be the primary site for Dr. Hauger, adding that he would also work at the Reno campus. His primary office and residence will be in Las Vegas.

Regent Alden asked whether the position's primary duties would include working with Washington, D.C. to secure federal monies and working with private industry to secure grants and contracts. President Wells agreed. Regent Alden established that the position would not be another person in Carson City looking for money. President Wells related that the position would help the president with legislative affairs, but would not act as a lobbyist. The position will primarily focus on federal programs.

Regent Sisolak asked whether Dr. Hauger would not go to Carson City. President Wells replied that he would only if there was a specific need for him to do so. Regent Sisolak asked whether DRI used a private lobbying firm in Washington, D.C. President Wells replied that DRI uses Van Scoyoc Associates. Regent Sisolak asked about the value of that contract. President Wells replied that it was approximately \$130,000/year. Regent Sisolak established that Dr. Hauger's salary would be paid in addition to the contracted amount with the lobbying firm. President Wells agreed. Regent Sisolak asked where DRI

would get the money to pay Dr. Hauger's salary. President Wells replied there was a commitment from DRI's Research Foundation for part of the salary because they felt strongly about the need for this position. The remainder will come from indirect cost recovery. Regent Sisolak asked about the amount being committed to by the Foundation. President Wells replied it amounted to approximately \$40,000/year for three years.

Regent Rosenberg observed that this position was essential for DRI, adding that the money would be well spent.

Motion carried. Regent Whipple was absent.

9. Approved-Honorary Doctorate, UNLV – The Board approved President Carol C. Harter's request to bestow the honorary Doctor of Laws degree upon Anthony M. Marlon, M.D., at UNLV's Winter Commencement on Wednesday, December 17, 2003. (Ref. D on file in the Board office)

Regent Dondero moved approval of the honorary doctorate for UNLV. Regent Hill seconded.

Regent Dondero observed that Dr. Marlon had been in the area for a number of years, adding that she was thrilled with the recommendation.

President Harter started that Dr. Marlon started as a cardiologist and is now the CEO of Sierra Health Services, one of the largest managed care companies in Nevada. He has generously offered to help fund the Science and Engineering building for \$1,350,000.

She requested approval of bestowing the honor due to his great leadership as a CEO and his generosity.

Motion carried. Regent Whipple was absent.

10. Approved-Academic, Research & Student Affairs Committee Recommendations - Chair Jill Derby reported the Academic, Research & Student Affairs Committee met October 8, 2003 and heard the following reports:

- The estimated and actual enrollments and budgets for recently approved new programs.
- The developing work agenda of the UCCSN Remedial/Developmental Task Force.
- The work that System staff will do to meet the Legislature's mandate concerning a core curriculum for Nevada Millennium Scholars.
- The unique and well-funded Nevada research collaboration among DRI, UNLV, and UNR at the Nevada Desert Research Center.

Regent Derby requested Board action on the following Committee recommendations:

- New Unit Proposals – The Committee reviewed the following new unit proposals:
 - Institute for Latin American Studies, UNLV – The Committee approved the proposal for a new Institute for Latin American Studies in the College of Liberal Arts. Among its activities, the Center will sponsor research and teaching projects and conduct outreach projects. (Ref. ARSA-2 on file in the Board office)
 - Asian Studies Center, UNLV – The Committee approved the proposal for a new Asian Studies Center in the College of Liberal Arts that will foster interdisciplinary, collaborative projects in teaching and research.. (Ref. ARSA-3 on file in the Board office)
 - Evaluation and Assessment Center, UNLV – The committee approved the proposal for a new Evaluation and Assessment Center in the College of Education that will function as a service and research center, training graduate students interested in acquiring evaluation and assessment skills. (Ref. ARSA-4 on file in the Board office)
- Committee Discussion of New ARSA Agenda Items for 2003-2004 – The Committee discussed ideas for priority projects for academic year 2003-2004.
 - Textbook Cost – Request was made for information on how campuses can facilitate textbook access to students.
 - Quality Education/Instruction – Request was made for information on the peer review process and other actions that maintain quality assurance.

Regent Derby related that, during New Business, the Committee heard from a student concerning the availability of a Biomedical Engineering degree program. The program is in the UNLV approval process and resolution of the student's concern will be expedited.

Regent Derby moved approval of the Committee recommendations and acceptance of the report. Regent Sisolak seconded.

Regent Bandera asked whether written reports had been prepared for the reports on remedial education and the core courses. Vice Chancellor Curry replied they had not. The reports merely provided the landscape for the initial efforts in both

cases. Regent Derby related that, in both cases, more work was to be done, adding that further reports were expected in the future.

Regent Sisolak stated that Regent Seastrand's suggestion to bring forth the aforementioned study was extremely helpful. He also commended Committee Chair Derby and Vice Chancellor Curry for attempting to resolve the student's problem during the Committee meeting. Vice Chancellor Curry stated that approval would be forthcoming at the Board's December meeting.

Motion carried. Regent Whipple was absent.

11. Approved-Audit Committee Recommendations - Chair Douglas Roman Hill reported the Audit Committee met October 8, 2003 and received follow-up responses for seven internal audits presented previously to the Committee. Ms. Denise Baclawski, Executive Director, Fire Science Academy-UNR, presented the Fire Science Academy Business Plan for fiscal years 2004-2008. An updated marketing assessment was completed for the plan. Under the current plan, it is estimated the FSA will become self-supporting in 2007. At that time, the accumulated deficit of the FSA is estimated to be \$10.5 million. Mr. Scott Nash, Johnson Consulting, presented different scenarios on how the debt would need to be retired if the FSA were to be sold. He indicated there are tax implications if the FSA were to be sold. Ms. Baclawski stated that continued marketing efforts were key to the Academy's success. Mrs. Sandi Cardinal, Director of Internal Audit, reported on the current status of the Legislative Counsel Bureau audit. Areas that are currently being reviewed by the LCB auditors are Investments, Intercollegiate Athletics, Enrollment, Capital Construction and Statewide Programs. Mr. Tony Flores, Vice President, Finance-UNLV, reported on the UNLV telephone investigation. Mr. Tom Judy, Associate Vice President, Business and Finance-UNR, reported on the status of the University of Nevada School of Medicine Practice Plan. The net profit of the Practice Plan is \$702,000 as of August 31, 2003. The Letter of Credit debt has been reduced to \$292,000. Regent Hill requested Board action on the following Committee recommendations:

- Internal Audit Report – The Committee reviewed the following Internal Audit report: (Ref. E on file in the Board office)
 - Special Review of Admissions, UNLV. (Ref. A-2 on file in the Board office)
- Audit Department Work Plan – The Committee discussed and approved the Internal Audit Department work plan for the year ending June 30, 2004. (Ref. A-10 on file in the Board office)

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

12. Approved-Finance & Planning Committee Recommendations - Chair Mark Alden reported the Finance & Planning Committee met October 8, 2003 to review three budget reports for fiscal year 2003 and 2004, approve accountability reports for fiscal years 2002 and 2003, and to review an annual report of operational efficiencies implemented by the UCCSN campuses and units. The Committee reviewed the Fiscal Year 2002-2003 State Operating Budget, Budget to Actual Report. This report compares the Board approved budget for fiscal year 2003 to actual revenues and expenditures. The Committee also reviewed the First Quarter Fiscal Year 2003-2004 Self-Supporting Budget Revisions Report. Board policy requires revisions of budgets exceeding amounts established by policy be approved by System Administration and reported to the Board. The Committee reviewed a report on the Fiscal Year 2003-2004 First Quarter Budget Transfers within state supported budgets. Board policy requires that transfers of budget spending authority between functions of state appropriated funds greater than \$25,000 be approved by System Administration and reported to the Board. The Committee was presented a report on institutional operational efficiencies for fiscal year 2003-2003. The report provides a brief overview of some of the institutional activities being implemented by the campuses and units of the UCCSN to increase productive efficiency by finding better methods of performing various operations and reducing waste and costs. Regent Alden requested Board action on the following Committee recommendations:

- FY 2002-2003 Accountability Report-Board of Regents' Approved Budget to Actual – The Committee approved the Fiscal Year 2002-2003 Accountability Report. This report is prepared to satisfy the requirements of a Legislative Letter of Intent and compares the Board of Regents approved operating budget to the actual year-end revenues and expenditures. The report identifies and explains differences between the approved budget and actual outcome. (Bound Report on file in the Board office)
- FY 2003-2004 Accountability Report-Legislative Approved to Board of Regents' Approved Budget – The Committee approved the Fiscal Year 2003-2004 Accountability Report. This report is prepared to satisfy the requirements of a Legislative Letter of Intent and compares the legislatively approved budget with the Board approved budget for fiscal year 2003-2004. The report highlights and justifies differences between the budget approved by the legislature and that approved by the Board. (Bound Report on file in the Board office)

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

Regent Hill left the meeting.

13. Approved-Board Development Committee Recommendations - Chair Thalia Dondero reported the ad hoc Board Development Committee met October 7, 2003 to review their charge and various educational options. Members supported an open-ended survey of all Regents to determine their interests and concerns. The Committee examined an overview of the two workshops the Committee will co-sponsor with the Budget and Finance Committee. The Formula Funding Workshop will be held October 24th and the Operating Budget Process will be addressed January 10, 2004. General Counsel Tom Ray then advised the Committee about holding an ethics seminar. He introduced Dean Richard Morgan of UNLV's Boyd School of Law. Dean Morgan had chaired the Clark County Ethics Task Force and distributed a copy of the task force's report. Discussion followed regarding the impact of the report, with Dean Morgan recommending the Committee consider holding an ethics workshop on an annual basis, which was also one of the recommendations of the task force for Clark County elected officials. The Committee considered future meeting dates for an afternoon meeting on November 17th or 18th. Regent Dondero requested Board action on the following Committee recommendation:

- The Board Development Committee will sponsor an ethics workshop of 1-2 hours at the May 7, 2004 meeting in Mesquite.

Regent Dondero moved approval of the Committee recommendation and acceptance of the report. Regent Schofield seconded.

Regent Derby complimented Regent Dondero's idea for canvassing Board members about the issues they want to address. She encouraged Board members to provide their suggestions in a timely manner.

Regent Kirkpatrick established that the Board Development Committee would sponsor three workshops and their projected meeting dates.

Regent Hill entered the meeting.

Regent Howard asked whether Dean Morgan's appearance was in response to her request for the dean to speak with Board members about the Ethics Task Force's recommendations. Regent Dondero replied that the Committee had already planned on having the dean make an appearance. Chair Anthony stated there would be a discussion on ethics and policy. Regent Dondero related that either Dean Morgan or General Counsel Ray would conduct the ethics seminar. Chancellor Nichols related that Regent Howard had asked whether Dean Morgan could talk to the Board about the work done by the Clark County Task Force (reviewing the ethical standards and policies) that would be recommended to the Clark County Commission. Chancellor Nichols said that she forwarded that request to the Chair of the Board Development Committee, who in turn, asked Dean Morgan to speak before the Committee. A portion of time has also been set aside for the Board's May workshop to further discuss ethics and state law. Chancellor Nichols asked whether Regent Howard wanted Dean Morgan to address the full Board. Regent Howard indicated that had been her original request and found it interesting that he had already spoken to Committee members. Regent Derby clarified that two hours of the Board's workshop had been devoted to ethics, which would not preclude Dean Morgan from addressing the Board at that time. Chair Anthony established that Regent Howard wanted Dean Morgan to address the full Board.

Motion carried. Regent Whipple was absent.

Chair Anthony related that the following agenda items were the result of work performed by the Executive Evaluation and Compensation Committee, which was chaired by Regent Sisolak. He thanked Regent Sisolak and the Committee for the good work they produced.

14. Approved-Evaluation Procedures, UCCSN Chancellor and Chief Administrative Officer -

As a result of the deliberations of the ad hoc Executive Evaluation and Compensation Committee, the Board approved revised procedures for the annual and periodic evaluation of the UCCSN Chancellor and written procedures for the annual evaluation of the Chief Administrative Officer of the Board of Regents

Chancellor Nichols expressed her appreciation to Regent Sisolak and the Committee members for dedicating their time and effort to this important task. Chancellor Nichols asked that the Board vote on these two issues separately.

- A. Revised procedures for the annual and periodic evaluation of the UCCSN Chancellor. (Ref. F on file in the Board office)

Chancellor Nichols stated that the revised procedures reflect minor changes in wording to reflect current practice. The responsibility for the Chancellor's annual evaluation is vested with the Board Chair and Vice Chair, who bring an evaluation to the full Board. The Board discusses the evaluation and makes a final recommendation. A committee of the Board is formed to perform the periodic evaluation of the Chancellor, which occurs in the next-to-last year of the Chancellor's contract. The committee is comprised of 5 members (current Chair, past Chair, Vice Chair, plus two Regents named by the Chair). Chancellor Nichols noted that the 5-member committee was established when there were 11 Board members. She said the Board could choose to expand the committee membership at this time. She then highlighted the changes:

- An extensive periodic evaluation is to be conducted in the next-to-last year of each contract period by an evaluation committee of the Board. The Chair may be assisted by the Vice Chair as needed for both the annual and periodic evaluations.
- Senior system staff reporting to the Chancellor will provide invited input.
- A copy of the written evaluation, signed by both the Board Chair and the Chancellor, is retained in the Chancellor's personnel file, along with a copy of the Chancellor's annual self-evaluation report. (Annual & Periodic)
- The evaluation committee shall consist of up to five members, including the Chair, Vice Chair, and immediate past Chair. No more than two additional members may be appointed by the Chair.
- The constituencies may include, but are not limited to, Regents, Vice Chancellors, other System executive staff and directors, Presidents, Faculty Senate Chairs, Student Body Presidents, Legislators, and members of the Governor's staff.
- The evaluation committee will conduct focused interviews with a representative sample of major constituencies....
- The evaluation committee will prepare a confidential written report to the Board. The Board will meet in a closed personnel session with the Chancellor to discuss the contents of the report and other matters believed pertinent to the Chancellor's evaluation.

Chancellor Nichols related that the most substantive recommendation was holding the Chancellor accountable for implementing UCCSN Master Plan Vision and Goals under the 10 itemized performance areas for review (Ref. F, Page 5 of 5 on file in the Board office).

Regent Hill suggested changing the wording (Section D) to allow up to 5 members to participate on the periodic evaluation committee with no restriction on the number of additional members that can be appointed by the Chair. He related there may not always be an immediate past Chair, which would reduce the size of the committee if only two additional members could be appointed by the Chair. No objections noted.

Regent Bandera suggested increasing the number of committee participants to 6 members, which would increase the involvement of the number of Regents participating in the process.

Regent Sisolak asked whether increasing the number of participants would reduce some of the workload on the participants. He related that he was shocked at how much work the periodic presidential evaluation had been. Regent Bandera replied that it would reduce the individual workload of each committee member. She felt that greater involvement by the Regents was important. No objections noted.

Regent Sisolak moved approval of the proposed evaluation procedures for the Chancellor with the changes noted. Regent Rosenberg seconded. Motion carried. Regent Whipple was absent.

B. Written procedures for the annual evaluation of the Chief Administrative Officer of the Board of Regents.
(Ref. G on file in the Board office)

Chancellor Nichols reported that the Committee recommended that evaluation procedures be established for the Chief Administrative Officer. She explained that System staff prepared what they believed to be a reasonable set of procedures and performance areas for review for the CAO. She noted that this was the first time the Board was reviewing these procedures.

Regent Alden moved approval of written procedures for the annual evaluation of the Chief Administrative Officer of the Board of Regents. Regent Bandera seconded.

Regent Seastrand asked whether the performance areas for review were listed in an order of priority or importance. Chancellor Nichols replied there was no intention to put them in any particular order. She said the recommendations came from some AGB material. Regent Seastrand wanted it to be clear that they were not presented in any particular order and that all of the performance areas were important. Chancellor Nichols agreed.

Regent Bandera clarified that there was nothing precluding the use of a written instrument. Chancellor Nichols agreed.

Regent Kirkpatrick asked which procedure outlined how the evaluation would be presented to the Board. Chancellor Nichols replied that Ref. G, Page 2 of 3 explained the procedure.

Motion carried. Regent Whipple was absent.

The meeting recessed at 2:57 p.m. and reconvened at 3:19 p.m. with all members present except Regent Whipple.

15. Approved-Annual and Periodic Evaluation Procedures, UCCSN Presidents – The Board approved revised written procedures governing the annual evaluation of the UCCSN presidents, resulting from the deliberations of the ad hoc Executive Evaluation and Compensation Committee. (Ref. H on file in the Board office)

Chancellor Nichols highlighted the options and changes:

- Ref. H, Item 3), Page 3 of 9 – The Chancellor meets with the president to review the written evaluation and to agree on 5-10 personal and institutional goals for the following evaluation period. This becomes extremely important because the Committee recommended specific, measurable performance goals for the presidents on which merit can be based.
- Ref. H, Item 4), Page 3 of 9 – The Chancellor provides a confidential summary of the evaluation findings and the new evaluation goals to the Board of Regents. Two options were provided and Chancellor Nichols recommended approving both options. No objections noted.
- Ref. H, Challenges and Opportunities, Item 2), Page 4 of 9 – List 5-10 evaluation goals you propose for yourself and your institution for the next year. These goals should focus on, but are not limited to, meeting institutional and System-wide strategic goals.
- Ref. H, Periodic Evaluation, Page 4 of 9 - Clarifies that the periodic evaluation occurs in the next-to-last year of each contract period and adds: “on measurable performance criteria assessed over a period of time...”
? Ref. H, Page 5 of 9 – New language was added to reflect current practice for periodic evaluations.

Regent Kirkpatrick asked why presidents were allowed to submit a list of potential individuals to the Chancellor for consideration for the interviews conducted during the periodic evaluation. Chancellor Nichols replied that it was current policy and the process followed in the recent past. She related that she performed checks to determine the relationship that exists between those individuals. Generally, she has been able to select from the lists provided. She felt the presidents acted with integrity when providing the list.

Regent Rosenberg observed that a similar process was used for promotion and tenure. Chancellor Nichols agreed. Regent Kirkpatrick felt that the person being evaluated would not submit the name of a person who would provide an unfavorable review. He felt the Board should strive for as objective an evaluation as possible and asked that the statement be removed. Regent Alden agreed. Chair Anthony asked whether there was any disagreement. Chancellor Nichols said that she had no problem with the current practice.

Regent Rosenberg observed that it provided an additional means for obtaining information on the presidents.

Regent Derby felt it might be helpful for the Chancellor to have the opportunity to go beyond the list, but that having the presidents provide such a list could be beneficial.

Regent Hill said that he was interested in hearing from the presidents. He asked whether it was implicit that the list provided by the presidents was not the only list that would be used. Chancellor Nichols said that she would also consider other people. She said she might not find anyone on their list that she considered acceptable. She said that it was difficult to get a qualified president to provide two days of their time for UCCSN evaluations. She said the System asks a lot of them, adding that they also write the report that is forwarded to the Board. She said it was not always easy to find someone who could agree to participate.

Regent Bandera said that she was in favor of leaving the sentence in. She suggested the sentence could be changed to read: “the Chancellor may consider a list submitted by the president of potential people...”

Regent Howard expressed concern that the chair of the periodic presidential evaluation committee came from outside the UCCSN and Nevada. She asked whether there was a requirement for them to be from outside of Nevada. Chair Anthony asked the Board to complete discussion on Regent Kirkpatrick’s question first.

Regent Sisolak felt the Chancellor should either pick from the list or not. He felt it would not be fair to use the list for one president and not for another. He felt the practice should be consistent. Otherwise it could appear that preferential treatment had been extended. Chancellor Nichols acknowledged that the perception of unfairness could exist. If the Board wished to change the language, she asked that the language clearly state that the Chancellor may use the list provided by the presidents as well as adding other individuals as appropriate.

Regent Alden supported Regent Kirkpatrick’s request to remove the sentence. He agreed that no lists should be submitted by the president because the evaluation must be an independent evaluation in order to get the proper perspective.

President Romesburg stated that he routinely asked presidents to submit names for use on an advisory basis. He advised against removing the sentence, noting that the Chancellor was free to select from the list as well as contacting other individuals.

Regent Kirkpatrick felt that people could be alienated by not using the list provided. He felt that Chancellor Nichols knows a great number of people across the country and would not have difficulty in selecting someone from a peer institution. He felt her biggest problem was finding someone willing to take the time for the evaluation. He asked whether presidents participating on the evaluation committee were paid. Chancellor Nichols replied that they are paid for their service.

Regent Kirkpatrick moved approval of removing the second sentence (Ref. H, Periodic Evaluation, Item 3), Page 5 of 9). Regent Alden seconded.

Regent Sisolak asked whether the System could be sued if the Chancellor selected from the list for one president and not for another. General Counsel Ray acknowledged that disparity could be alleged. He noted that the policy was not part of the contract, so it would not constitute a breach of contract. If disparity were claimed, it would need to be based upon some discriminatory motive or it would not be actionable. Regent Sisolak felt that allegations could be made and that the System was setting itself up.

Regent Bandera stated that the position under discussion was simply the team leader of the group. There are other members of the group that would outnumber this particular person. The report is prepared, brought to the committee for review and accuracy. If the committee members felt that this person was going off in the wrong direction, they could fix that. The report is then brought to the Board as a whole. She felt that this one individual was of lesser significance than the full Board's consideration of the evaluation. She did not see a problem with the Chancellor having some discretion for whom she selected from a peer institution to be the team leader. Regent Sisolak observed that the team leader writes the report. Regent Bandera agreed, but felt that the Board would review it thoroughly and would correct any discrepancies.

Regent Seastrand observed that deleting the sentence would not preclude the Chancellor from requesting a list from the presidents. Regent Kirkpatrick agreed.

Regent Alden agreed with Regent Seastrand, but felt that leaving the sentence in gave the perception that the fox was in the hen house. Regent Rosenberg disagreed.

Regent Derby said that the sentence was put in for a reason. It allows the presidents to submit a list from which the Chancellor may choose to select or not.

Upon a role call vote, no action was taken. The vote was tied. Regents Alden, Hill, Howard, Kirkpatrick, Seastrand, and Sisolak voted yes. Regents Anthony, Bandera, Derby, Dondero, Rosenberg, and Schofield voted no. Regent Whipple was absent.

Regent Howard questioned why the Board would go out-of-state for the chair of the committee, adding that the Board would have no way of knowing whether they are an ally of the president or not. Chancellor Nichols said that she checked extensively to determine the extent of the relationship. She said it would be unusual for them not to know one another professionally. Philosophically, the Board has desired someone who understands the job and, through their own experience and understanding, can help the president and committee to evaluate and understand the problems. She felt it was appropriate to go outside the UCCSN since this person brings expertise to the committee. She observed that Nevada is so small that using an in-state chair increased the likelihood that they would know the president well. Regent Howard asked why the outsider was permitted to vote. Chancellor Nichols related that it was more of a discussion and that everyone contributed their own background, expertise, and what they have heard. Their contribution is interpreting what they've heard and relating it to similar experiences as an institution president.

Regent Kirkpatrick suggested increasing (Ref. H, Periodic Evaluation, Item 4), Page 5 of 9) to 3 members of the Board. No objections noted.

Regent Alden asked whether these changes would affect ongoing evaluations. Chancellor Nichols replied that the Board could specify its intent with the motion. General Counsel Ray stated that the policy would take effect once it was approved by the Board. He recommended not applying the changes to evaluations currently underway since the process had already started. Chancellor Nichols clarified that one evaluation was nearing completion while the second evaluation was in the early stages. Chair Anthony related that three Regents would be used for the evaluation committee meeting in November. All members agreed.

Regent Sisolak felt it would be helpful if the other two members of the committee represented the institution in different capacities. In the most recent periodic evaluation, two UNLV alumni representatives were chosen. Chair Anthony acknowledged that he was unable to identify anyone else who could serve.

Chancellor Nichols continued her review of the changes:

- Ref. H, Periodic Evaluation, Item 6) – Appropriate accommodations will be made for conducting interviews at institutions with multiple campus sites.
- Ref. H, Periodic Evaluation, Item 7) – Regarding the list of potential interviewees, the list shall normally consist of individuals external to the institution who may provide knowledgeable input about the president's performance.
- Ref. H, Periodic Evaluation, Item 8) – A representative sample of vice presidents, deans, academic and administrative department heads, faculty students, and community and alumni leaders will be interviewed by the committee.

- Ref. H, Periodic Evaluation, Item 8) – No anonymous materials will be accepted nor will the committee circulate questionnaires to be completed by members of the various constituencies.

Regent Sisolak said that it did not seem fair that stakeholder groups accept anonymous input, but the Board committee could not. Chancellor Nichols explained that the faculty senate and student body officers are asked to facilitate the evaluation by collecting input. Some groups choose to use a questionnaire. There has never been a policy regarding other groups using a questionnaire or accepting anonymous input. Regent Sisolak was concerned that the people responding to the questionnaires thought that he would see the comments, which he did not.

Dr. John Readence, Faculty Senate Chair-UNLV, said that he was part of a faculty senate committee that conducted a survey for a presidential evaluation. He described the survey makeup and directions. The directions stated that the survey data would be analyzed by the Cannon Research Center, summarized and given to the committee, who would write the summary. Open-ended comments were sent directly to the president. They followed the same procedure used in 2000.

Chair Anthony felt the Board had no control over surveys conducted by the faculty senate. Regent Sisolak observed that the comments were anonymous, which violated the Board's proposed policy. He said that faculty members thought the committee would see the responses. Chair Anthony stated that the faculty could determine how to conduct their own survey. Regent Sisolak asked why the Board would not accept other anonymous comments. Chair Anthony asked whether the policy required clarifying language that would allow submission from a survey.

Regent Bandera agreed with Regent Sisolak about the confusion and felt that clarifying language was needed.

Regent Hill acknowledged it was a difficult issue. He felt that allowing a faculty senate survey was acceptable. He said that most Regents would be fairly knowledgeable about the issues, would review the results and compare that with what they already know, or they would discount it. He was not concerned with receiving faculty surveys, but he did object to allowing anonymous letters.

Regent Rosenberg stated that every faculty member is evaluated by their students. The faculty member does not know what is said or who states it. He said he would not want to curtail a means for receiving information.

Regent Derby observed that the faculty has an arrangement for performing an anonymous survey, which is used as an instrument of feedback for the president. She was not clear on how it affected the evaluation process. She felt the existing language was fine.

Chair Anthony asked Dr. Readence to explain the process. Dr. Readence again described the survey and instructions. The instrument consisted of two parts. Faculty responded to questions regarding the president's goals and her accomplishments by choosing from a provided range. The second part consisted of three open-ended questions for faculty comments and opinions. The two sections were separated. The results of the survey portion were sent to the faculty committee, who then worked toward an objective summary, which was sent to the president, the evaluation committee, and circulated on campus. Written comments were submitted directly to the president. Regent Derby observed that the evaluation committee did not receive anonymous comments, but rather a summary from the faculty process.

Ms. Evelyn Flores, Student Body President-CCSN, asked when consideration would be given to using student surveys. Chair Anthony felt the language should specifically state that information from faculty senate and/or student body surveys could be submitted to the evaluation committee. Regent Sisolak asked about including other stakeholder groups. He noted that the System also sent a letter seeking input. Chancellor Nichols explained that a general letter was sent to community leaders and everyone at the institution. Regent Sisolak observed that those people became confused. They thought they were responding to the same thing.

Dr. Trudy Larson, Faculty Senate Chair-UNR, stated that the faculty senate chairs were discussing this issue as a result of Code changes under review. Their suggestion was to allow an exception for a formal survey because it would be conducted under the auspices of a survey format that could provide generalized information. Regents Derby and Sisolak questioned the definition of a formal survey. Chancellor Nichols said that the faculty senate supported acceptance of a well-constructed, scientifically valid, reliable instrument (survey). She felt it constituted baseline criteria for the survey. The other issue is that faculty thought the raw data and comments would go directly to the committee. She felt that when surveys are conducted it needs to be very clear what information will be sent to the periodic evaluation committee.

Chair Anthony suggested including this as a specific agenda item for the December meeting. Chancellor Nichols asked that (Ref. H, Periodic Evaluation, Item 9), Page 5 of 9) be removed from consideration with the motion.

Regent Sisolak moved approval of deleting (Ref. H, Periodic Evaluation, Item 9) from consideration with the motion. Regent Bandera seconded. Motion carried. Regent Alden voted no. Regent Whipple was absent.

Regent Howard asked whether committees had ever conducted their own surveys, allowing respondents direct input to the committee. Chancellor Nichols replied that it had not occurred during her System experience. The state of Utah was used as

a model for the current process, which has only been in place approximately 6 years. Regent Howard said that the information needs to get to the committee in some manner.

Regent Derby stated that the evaluation committee spent 2 days interviewing representatives from many different groups. Having the committee perform its own survey would be very time consuming and would encumber the committee. She did not feel it was necessary for the committee to undertake a survey given the wide range of constituencies who are asked to respond. She felt it would only add an extra burden.

Regent Sisolak asked whether an individual could speak to the committee. Chair Anthony replied that they could as part of Public Comment. Regent Sisolak asked whether an individual could participate in the interview portion and asked how they would be notified. General Counsel Ray replied that the public is notified via the normal public posting of the agendas. Regent Sisolak asked whether a member of the university community could come forward and talk to the committee. Chair Anthony again replied that they could do so during Public Comment. Regent Sisolak said that he was referring to the interview session. He observed that people had been squeezed in and asked how that had been accommodated. Chancellor Nichols replied that it was different for every evaluation and was often a reflection of the committee process and options on the campus. A letter is always sent to all campus employees explaining the two days of interviews. The letter allows for written comments to be submitted. Open time will be provided for the next evaluation at each of the three campuses. No one has ever been turned down.

Dr. Mike Hardie, Faculty Senate Chair-WNCC, related that he participated in the periodic review for WNCC's president. He requested time to speak to the committee and was permitted 10 minutes. He felt it was an excellent process.

Regent Howard expressed concern for those people who do not appear in public out of fear of retribution. Chair Anthony said that he wanted to table the item to the next meeting and asked the Board's cooperation.

Chancellor Nichols continued her review of the changes:

- Ref. H, Periodic Evaluation, Items 1-17, Page 6 of 9 – New language provided reflecting current practice.
- Ref. H Performance Criteria, Page 9 of 9 - Substantive change made to the criteria for the periodic evaluation of presidents requiring evidence of progress toward the master plan goals as recommended by the Committee.

Regent Hill moved approval of the annual and periodic evaluation procedures for UCCSN presidents with the changes noted and the exception of (Ref. H., Periodic Evaluation, Item 3)'s second sentence and Item 9), Page 5 of 9). Regent Derby seconded.

Regent Derby noted a point of order, establishing that the Board had already voted to take no action on removing the second sentence (Ref. H, Periodic Evaluation, Item 3), Page 5 of 9). Regent Hill explained that his motion intended to adopt the entire proposal, include both options (Ref. H., Annual Evaluation Item 4), Page 3 of 9), delete the second sentence included in (Ref. H, Periodic Evaluation, Item 3), Page 5 of 9), with the intent to address it at the December meeting when the Board addresses (Ref. H., Periodic Evaluation, Item 9), Page 5 of 9). He thought that at the next meeting, with 13 Regents present, the Board may be able to agree upon action that it was unable to at this meeting.

General Counsel Ray stated that Regent Hill wanted to delete the sentence (Ref. H, Periodic Evaluation, Item 3), Page 5 of 9), which the Board already voted upon and failed. To remove the sentence would require a motion to reconsider made by someone on the prevailing side. Regent Hill noted a point of order, stating that the Board was in the process of adopting the entire matter at this time. General Counsel clarified that a specific motion was made to address that specific question, indicating that it had been addressed. Without a motion to reconsider, General Counsel Ray felt it would be inappropriate to remove the sentence. Regent Hill respectfully disagreed since the Board had never voted on passing the entire proposal. He felt the previous vote constituted a straw vote on whether or not to include the sentence.

Regent Sisolak agreed with Regent Hill, adding that the first motion was specific to that sentence alone. The current motion encompassed the entire proposal. Regent Anthony agreed with General Counsel Ray who indicated that the sentence had already been voted upon. Chair Anthony indicated that the sentence in question could not be part of the current motion. Regent Hill stated that the Board had never voted to put the sentence in or take it out. Chancellor Nichols stated that the sentence was part of the whole proposal.

Regent Hill amended his motion to accept the proposal with both options, changes to the number of committee participants, and the exception of (Ref. H, Periodic Evaluation, Item 9), Page 5 of 9). Regent Derby seconded.

Regent Seastrand suggested changing "Academic Administration" (Ref. H, Challenges and Opportunities, Item 2)) to "Academic Advancement". Chancellor Nichols did not object to the suggestion. Regent Hill accepted the change. Regent Derby asked whether the change would omit anything critical. Chancellor Nichols said that academic administration would fall under academic advancement. Regent Seastrand felt that "administration" related more to budgetary and personnel management. Ms. Nancy Flagg, Deputy to the Chancellor-System Administration, clarified that the terminology proposed for

the annual evaluation was parallel to the areas under review for the periodic evaluation. It was an attempt to draw the two evaluations closer together.

Regent Alden requested clarification of the motion and a roll call vote. He established that the second sentence in Periodic Evaluation Item 3) would remain intact.

President Harter stated that academic administration represented the duties of the provosts and deans (i.e., elaborately creating the curriculum and programs, taking it through the entire academic review process, and working with the faculty senate on graduation criteria and prerequisites). She said there was a great deal of administration involved with mounting academic programs in addition to academic advancement and vision, to which she felt Regent Seastrand was referring. She said the two terms were not mutually exclusive and did not want to underestimate what it takes to perform first-rate academic administration

President Lilley observed that page 7 of 9 made reference to academic administration and academic planning, indicating an attempt to link the two functions. He suggested using that language instead. Regent Seastrand said that he wanted to see more about what the presidents are planning to do and what they have accomplished. Chair Anthony suggested adding "academic advancement" to the list of Challenges and Opportunities, which was agreed to by the makers of the motion

Upon a roll call vote the motion as re-amended carried. Regents Anthony, Bandera, Derby, Dondero, Hill, Howard, Kirkpatrick, Rosenberg, Schofield, Seastrand, and Sisolak voted yes. Regent Alden voted no. Regent Whipple was absent.

16. Approved-Handbook Revision, Executive Salaries and Perquisites – The Board approved amendments to the Board of Regents' Handbook (Title IV, Chapter 3, Sections 18-23), resulting from the deliberations of the ad hoc Executive Evaluation and Compensation Committee. The proposed changes seek to revise and clarify the procedures for the ongoing review and approval of executive salaries and perquisites. In addition, the amendments propose a new Handbook section that sets guidelines for executive salary increases and a new Handbook section related to other salary supplements. (Ref. I on file in the Board office)

Regent Alden moved approval of the Handbook revision concerning executive salaries and perquisites. Regent Seastrand seconded.

Regent Alden left the meeting.

Chancellor Nichols reviewed the changes:

- The initial salary for the Vice Chancellors, General Counsel, and the Director of the University of Nevada Press shall be recommended by the chancellor and approved by the Board.
- The initial salary for the Chief Administrative Officer shall be set by the Board.
- Two options were provided for annual presidential and System executive staff salary adjustments. Option 1 allowed the Chancellor to provide the Board with a rationale for the salary adjustment, including information on the manner in which the president's performance exceeded his or her performance program and goals. Option 2 required Board action on the Chancellor's recommendation. The Committee recommended it be delegated to the Chancellor.
- A change was made to eliminate the need for two appearance before the Board for salary adjustments.

Chair Anthony suggested allowing the Chancellor to determine merit. No objections noted. Regent Rosenberg asked for the Chancellor's recommendation. Chancellor Nichols felt the Board had installed many safe guards, including limiting the amount of merit the Chancellor can grant. Any large recommendations would still require Board approval. She felt it was difficult for the Board to vote upon a merit increase. If the Board has decided to continue closed presidential sessions, the Chancellor would get a good idea of the Board's input and whether an increase was appropriate. She recommended that annual increases be delegated to the Chancellor, but not the periodic evaluation. She felt the Board would take a hard look at salary and contract at that point in time.

Regent Hill asked which option the Chancellor preferred. Chancellor Nichols said that she preferred Option 2 with deletion of Option 1.

Regent Hill moved approval of Option 2 (Ref I, Section 20, Subsection c. Presidents, page 4 of 8) and deletion of Option 1.

Chair Anthony clarified there was an existing motion on the table and asked the Board whether there was any disagreement to accepting Option 2. No objections noted. General Counsel Ray suggested the motion be withdrawn and that a new motion be made to this effect. Regent Alden was not in the room. General Counsel Ray suggested amending the motion.

Regent Hill moved approval of amending the motion to accept Option 2 (Ref I, Section 20, Subsection c. Presidents, page 4 of 8) and delete Option 1. Regent Seastrand seconded.

Regent Sisolak said he was not comfortable with having the Chancellor address issues the Board really should be and did not support the motion. He felt the Board should award merit and be willing to accept the responsibility and possible criticism associated with it.

Regent Kirkpatrick observed that UCCSN was often criticized for the large salaries paid to presidents, adding that the media influenced the public a great deal. He felt the Board should be involved whenever a presidential salary change or approval was addressed in order to send a message to the community. He said he would not support Option 2.

Upon a roll call vote the motion carried. Regents Anthony, Bandera, Derby, Dondero, Hill, Rosenberg, and Schofield voted yes. Regents Howard, Kirkpatrick, Seastrand, and Sisolak voted no. Regents Alden and Whipple were absent.

Chancellor Nichols continued her review of the new language:

- Ref. I, New Section 21, Page 6 of 8 – New guidelines for executive salary increases.
- Ref. I, New Section 21, Item 3, Page 6 of 8 - Option included preventing the award of increases in salary for meritorious performance across the board to executives governed by this section.

Chair Anthony requested a motion to determine inclusion/exclusion of the option presented (Ref. I, New Section 21, Item 3).

Regent Alden entered the meeting

Regent Rosenberg moved approval of including the option in the proposed language (Ref. I, New Section 21, Item 3). Regent Dondero seconded.

Regent Seastrand did not like the language used. He felt it did not make sense to require that not everyone could receive a bonus. He felt the executives should be evaluated on their own performance and not in comparison to one another. He suggested omitting the statement.

Regent Hill objected to the requirement in Item 3 because he felt the Chancellor would then be forced to choose which executive would not receive an increase. He felt the Board should determine which executives should receive merit if there was a preclusion for across the board awards. He felt it was unfair to the saddle the Chancellor with that option. He acknowledged that across the board merit increases might not occur, but felt the Board should either give the Chancellor the right to hire and fire without Board input or the Board should handle such matters.

Regent Sisolak stated that the Committee had struggled with this issue, adding that it had been quite controversial. Community members of the Committee had very strong feelings about merit. They felt there is a perception that merit is awarded without benefit of meritorious performance. Merit was intended for outstanding, meritorious service. The community impression is that the presidents are already well paid and receive merit for no additional effort. He agreed that it would put the Chancellor in a difficult position.

Regent Kirkpatrick asked if Regent Hill thought that eliminating Item 3 would allow everyone to be awarded merit. Regent Hill said he did not. He felt that leaving the sentence in meant that at least one would not receive merit, possibly more. Regent Kirkpatrick did not object to such a restriction. He observed that only two-thirds of the faculty received merit and that it was fair to treat administrators similarly. He observed that the Board pays the Chancellor well to make such decisions.

Regent Derby agreed with Regent Hill and suggested eliminating the sentence in Item 3. She agreed with allowing the Chancellor to make the decision. To be truly based upon merit, the requirements would need to be left open-ended. While she could appreciate the public's perception, she could not agree with making the process unworkable for the Chancellor.

Regent Sisolak asked whether all faculty qualified for merit. Chancellor Nichols replied that merit was granted via multiple methods. The community colleges provide merit to everyone below the salary cap unless they receive an unsatisfactory evaluation. There are two different systems in place at the universities. UNLV faculty apply for merit, while all UNR faculty are considered for merit. The percentage of recipients varies each year and is not 100%. Regent Sisolak asked whether merit could be awarded across the board. Chancellor Nichols said there was no rule preventing it, but it never happens.

President Harter clarified that the dollar amounts for merit are on a sliding scale up to \$4,500. The legislature funds merit at 2.5% of the salary pool for the total merit pool. Allowing awards of up to \$4,500 does not allow every person to receive an award. If the merit awards were smaller, everyone could receive one. UNLV's faculty and staff have created a sliding scale system that makes it impossible for everyone to receive an award. Regent Sisolak asked whether all administrators receive merit. President Harter replied they did not, adding that they too have the same \$4,500 maximum. Approximately the same number of administrators receive merit as faculty. Regent Sisolak asked why it should be different for presidents. Chair Anthony replied that the Board was in the process of deciding that.

Regent Seastrand noted that the Board had added language changing the conditions for awarding merit. With these new requirements, not everyone will qualify. He did not feel the Board should pit the presidents against one another. Rather, they

should compete against themselves and the goals the Board has outlined. He did not see a need for Item 3 since the new requirements would limit the number of recipients.

Regent Hill said that, since the Chancellor is supervising the presidents to some degree with some Regent interaction, it was unfair to have her decide which president would not receive merit. He did not have a problem with the Chancellor limiting the number of recipients, but felt that she should be totally in charge of the presidents, with no end runs to or from Board members.

Regent Kirkpatrick reminded the Board that the Committee had been adamant about not allowing all presidents to receive merit. He felt that following the recommendations in Item 1 would ensure that not all presidents would qualify for merit.

Regent Rosenberg noted that, as a department chair, he does not have enough money to award merit to all faculty in the department. He did not believe that only one president would be singled out to not receive merit. He felt it was a decision for the Chancellor to make. He said that care needed to be taken when considering meritorious performance, noting that employees are paid for doing their jobs.

Regent Howard felt that merit was unfair and questioned why it exists. Chair Anthony stated that many organizations employ merit increases for those employees who go above and beyond normal expectations. He felt it was more a matter of who should receive merit. Regent Howard asked whether there were other ways to reward meritorious performance. Chancellor Nichols replied there was not. Chair Anthony stated that merit increases were part of the Board's standard protocol and it would not be eliminated. He reminded the Board that the issue was to determine who would provide the merit increase. Regent Howard asked why the System uses merit. Chair Anthony replied that merit was used to reward people for outstanding service. Regent Howard said that she hears a lot of complaints about the same people receiving merit each year. She felt that it also reduced morale.

President Romesburg asked when the presidents last received merit. He was under the impression that merit just did not happen for presidents. Chancellor Nichols replied that the presidents had not received merit in a very long time. Due to budgetary woes, it has been difficult for the Board to grant merit to the presidents. She approximated that it was 3-4 years ago when presidents last received merit. She related that merit was tied to the public perception of available dollars which must also be considered. She noted that presidents also suffer loss of morale when not receiving merit pay. She related that System staff had attempted to set very clear criteria on which to base merit. The UCCSN would be unable to keep its salaries competitive nationally if the state did not provide funding for merit. She related that merit was equivalent to the classified step increases and that presidential and executive merit is not paid for by the state.

Regent Schofield observed that merit is awarded to employees who take the time to be nice to people.

Regent Bandera clarified that the group of executives under discussion included other executives besides the presidents, adding that they too would be precluded from receiving merit. She agreed with Regent Rosenberg that if the criteria for awarding merit was causing the problem it should be addressed and fixed instead of denying everyone merit.

Regent Kirkpatrick said that when the legislature allocated money for merit they did not include administrators. Administrators receive merit by using money from unfilled positions. Chancellor Nichols said there was no money included in the merit pool for administrators above the dean's position.

Regent Sisolak observed that merit awards were then rolled into the base pay. He related that Mr. Keith Lee convinced the Committee that not providing merit to the presidents was a good idea. He observed that merit criteria was subjective and unquantifiable, which was one of the arguments he used against providing merit. Regent Sisolak asked about the last time a president was not recommended for merit in spite of merit not being funded. He felt that most presidents received recommendations for merit.

Regent Derby said that deleting Item 3 would not infer that all presidents should receive merit. It would instead provide the Chancellor some flexibility in case each president met the criteria for merit.

Regent Sisolak noted a point of order, asking where it stated that the Chancellor would make that determination. Chair Anthony stated that the Board had agreed to allowing the Chancellor to grant merit increases. He felt that putting a restraint on the number of merit recipients defeated the purpose after the Board agreed to allow the Chancellor to award merit. He felt there was no reason for the sentence.

Regent Alden stated that the Board hires, fires, and determines the salary of the Chancellor and the presidents. He felt the Board should have ultimate control over deciding merit both periodically and annually for the presidents and Chancellor. He felt the Chancellor could recommend merit, but he did not support her granting merit without Board approval.

Regent Seastrand understood Regent Sisolak's concerns about subjective criteria. He felt it was critical to include objective criteria. With the proposed changes, specific goals have been identified that must be achieved in order to qualify for merit.

Chancellor Nichols said that the Board would only want to give this authority to the Chancellor if clear, measurable criteria had been established. She said the process would be phased in over time.

Upon a roll call vote the motion to include item 3 carried. Regents Alden, Dondero, Howard, Kirkpatrick, Rosenberg, Schofield, and Sisolak voted yes. Regents Anthony, Bandera, Derby, Hill, and Seastrand voted no. Regent Whipple was absent.

Chancellor Nichols continued her review of the changes:

- Ref. I, Section 21, Item 4 – Due to previous Board action, the option provided was no longer viable. The Chancellor will approve salary increases in accordance with the provisions contained in Section 20 of the chapter.
- Ref. I, Section 22, Executive Perquisites – Chancellor Nichols asked the Board to consider the options provided in Section 22 as a whole. All dealt with a Committee recommendation that the Board have some flexibility in the perquisites offered upon hire and on a case-by-case basis.

Regent Rosenberg moved approval of the proposed changes in renumbered Section 22. Regent Bandera seconded.

Regent Kirkpatrick left the meeting.

Regent Hill objected to the wording. He acknowledged that the Board would likely be forced at some time to look to the foundations for assistance with presidential salaries.

Regent Sisolak noted a point of order, asking to which item Regent Hill was referring. Regent Hill apologized for his confusion due to the lateness of the day.

Motion carried. Regents Kirkpatrick and Whipple were absent.

Chancellor Nichols continued her review of the changes:

- Ref. I, Section 23, Other Salary Supplement – The section clarified that the Board may allow a salary supplement contributed from private sources in addition to the base state funded compensation. All privately funded salary supplements must be approved in advance by the Board.

Regent Kirkpatrick entered the meeting.

Regent Hill said that he believed that foundation support would be used to supplement presidential salaries in the future. He was concerned about foundation control and the foundation possibly withdrawing its support. He suggested amending the language slightly making the support irrevocable for the president's tenure. He felt that, if the Board accepted financial assistance from the foundation, they must commit to providing the support for the president's tenure.

Regent Hill moved approval of amending (Ref. I, New Section 23, Other Salary Supplement) to include a statement making the financial support irrevocable for the president's tenure. Regent Seastrand seconded.

Regent Alden asked whether the Board would need to approve supplements to a president's salary. General Counsel Ray replied that they would. Regent Alden clarified that a foundation would need to commit to not withdrawing their financial commitment for the duration of the president's tenure. General Counsel Ray agreed, adding that he would recommend the stipulation be included in a contractual agreement with the foundation in order to clarify that it was the foundation's financial obligation.

Regent Derby clarified that the support would not be renewed contract-by-contract, but rather for the duration of the president's tenure. Regent Hill agreed.

Regent Rosenberg clarified that the motion under discussion was to approve the language and not approval for foundations to provide such support. Chair Anthony clarified that foundations would be able to provide financial support with Board approval.

Regent Sisolak noted a point of order, stating that the Board was voting on an amendment to the proposed language. The amendment made the financial support irrevocable for the tenure of the president. A vote had not been taken on the entire language.

Regent Hill noted a point of order, stating there had not been a motion on this particular provision, so he was adopting the provision with the amendment.

Regent Alden felt the Board was treading on dangerous water.

Upon a roll call vote the motion for approval of Section 23 carried. Regents Anthony, Bandera, Derby, Dondero, Hill, Kirkpatrick, Schofield, Seastrand, and Sisolak voted yes. Regents Alden, Howard, and Rosenberg voted no. Regent Whipple was absent.

The motion to accept the entire package carried. Regent Alden voted no. Regent Whipple was absent.

17. Information Only-Handbook Revision, Board Bylaws, Officers of the Board and Officers of the University – The Board considered amendments to the Board Bylaws (Title I, Article IV and Article VII) resulting from the deliberations of the ad hoc Executive Evaluation and Compensation Committee. The purpose of the proposed changes is to clarify in the Board Bylaws the general contract terms and evaluation procedures for the Chief Administrative Officer, the Chancellor, and the Presidents. The changes mirror more detailed language and procedures that are proposed for the Board Policy Statements (Title IV) in other items on the Board's agenda. Because Bylaw amendments require two hearings, final action on this proposal would be taken at the December 2003 meeting. (Ref. J on file in the Board office)

Chancellor Nichols reported that the proposed changes represented codification of current practices. Any changes to the proposed material resulting from Board action will be reflected at the next Board meeting when the Board will take action on the item.

The meeting recessed at 5:34 p.m. and reconvened at 8:12 a.m. on Thursday, October 9, 2003 with all members present.

18. Approved-Investment Committee Recommendations - Chair Bret Whipple reported the Investment Committee met August 22, and September 25, 2003. On August 22nd, 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 year ended June 30, 2003. Endowment investments returned 10.6% for the quarter (compared to the 11.0% benchmark) and 3.9% for the fiscal year (compared to the 4.8% benchmark). The total return for the pooled operating funds was 5.4% for the quarter (compared to the 5.1% benchmark) and 6.5% for the fiscal year (compared to the 4.6% benchmark). The Committee had a lengthy discussion about the importance of asset allocation and its impact on performance. The Committee reviewed the current status of the operating pool reserve, which was at -\$7.1 million on August 21, 2003.

At the September 25th meeting, the Committee discussed the current structure of the Investment Committee and decided to recommend changes to the Board of Regents' Bylaws and Handbook changing the size of the Committee from 3 to 6 members to 4 to 6 members. This item will be brought forward at the December meeting for its first reading. The Committee also discussed appointing a public member to the Investment Committee. This would be an advisory position, have no vote, and have no conflict of interest with the System. The intent is to add an individual with investment experience that could bring their knowledge and experience to aid the Committee in making well-informed decisions. The Committee will bring this forward to the Board of Regents at a future date. The Committee discussed and approved issuing a RFP for consultant services.

Regent Whipple moved acceptance of the report. Regent Alden seconded. Motion carried.

19. Denied-Rescinding Handbook Revision, Student Union and Recreation Center Fee, UNLV -

A. The Board of Regents considered whether to rescind its prior action approving a student fee to support the renovation and expansion of the Moyer Student Union and construction of a new student recreation center. This action was taken at the August 2003 meeting.

Chair Anthony provided a brief synopsis of the history of events leading up to the agenda item's appearance. He reported that the Board first considered this item at the March Board of Regents' meeting. At that time, the Board voted in concept to approve the construction of a student union building as well as a recreation center. There was a discussion of the fee schedule and the Board directed UNLV to return with a fee schedule for Board consideration. At the August Board meeting, the fee schedule was presented. Following a lively discussion, the Board voted to approve the fee structure and, thus, approved the construction of the student union as well as the recreation center. Three Regents requested reconsideration of this item on the current agenda. He then opened the item for discussion.

Regent Sisolak moved to reconsider prior Board action. Regent Alden seconded.

Regent Sisolak stated that in order to open the item for discussion there should be a motion. Chair Anthony stated that he had a motion to reconsider the Board's previous decision.

General Counsel Ray stated that it was technically a motion to rescind. Regent Sisolak noted a point of order, stating that discussion would not be allowed without a motion to rescind. He observed there had already been some discussion, which he felt was improper. Chair Anthony noted receipt of a motion and second to rescind prior Board action.

Motion and second changed to move approval of rescinding prior Board action.

Regent Kirkpatrick noted a point of order, asking whether Regent Sisolak could make the motion since he had not been on the prevailing side. General Counsel Ray replied that was the difference between reconsideration and rescission. The Bylaws require notice be given prior to the meeting, which was done by written memorandum. He said that it did not matter, anybody could make the motion.

Regent Hill noted a point of information, asking a question of procedure. He noted the Board had a motion to rescind. He asked whether a motion for reconsideration was necessary prior to a motion to rescind. General Counsel Ray replied that one was not necessary. Regent Hill established that this was the correct motion. Regent Hill said that he assumed there were people present to speak on the issue and asked whether they would be allowed to speak now or whether it was a matter that must be taken up, and if it were voted up, then it was rescinded, or if it were voted down, then it was over. General Counsel Ray replied that would be within the discretion of the Chairman as to how he wants to handle it.

Regent Alden thought the proper way to do it would be to go ahead and rescind and then enter in, so the Board does not discuss it twice, and then enter into discussion on the item in a diplomatic way. Chair Anthony said that, if there were no objections from the Board, and then recognized Regent Howard.

Regent Howard said that she thought the whole purpose for Regent Sisolak initially proposing that this be added to the agenda was to allow the students in southern Nevada to be able to be heard. That was her understanding. Otherwise, she did not feel that it served any purpose for the Board to even have it on the agenda.

Regent Alden called for the vote.

Chair Anthony said that he would like to vote on the matter and, depending upon the outcome of the vote, the Board could then have further discussion. Chair Anthony then asked whether any Board member objected to taking the vote and no objections were noted. Chair Anthony said that he noted no objections.

Regent Hill clarified that a "no" vote would not rescind action. General Counsel Ray verified that was correct.

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

Regent Alden said that he was in total shock. He said it was a travesty of justice. He said he would bring the matter back again to have the discussion. He said he would keep bringing it back. He said there were students present and the Chair had ignored them. He said it was absolutely undemocratic and wrong. He said, "We are not in Russia, this is not a Communist state." Regent Hill noted a point of order.

Chair Anthony said there was a podium present and he did not see anybody walk up to the podium to speak, so he assumed that nobody wanted to speak on the motion.

Regent Sisolak noted a point of order, stating that no one was given the opportunity to speak. Regents Alden and Howard agreed. Chair Anthony said that he also did not see anybody walk up there. He noted that the motion failed and that ended item number 19.

Regent Alden left the meeting.

4. Public Comment (Cont'd.) – Mr. Michael Schaffer suggested the Board consider adding a student Regent as practiced by the University of California system. He observed there is no policy governing the naming of streets that abut System property. He related there are numerous opportunities to memorialize someone that affect property held by both "town and gown". He asked the Board to consider a policy, governing all campuses and System property whenever a memorial involving both public and System property occurs, that the System defer to the wishes of the City and County.

3. Presidents' Reports - (Cont'd.) President John Lilley, UNR – Due to the university's land-grant mission, statewide outreach is very important. Last year, over 7,000 Nevadans were served by UNR's professional development programs (i.e., gaming management, paralegal studies, human resources management, and medical administration). Approximately 70% of all incoming freshmen at the university come from Washoe or Clark Counties. The number of high school graduates attending the university as freshmen has increased:

- Washoe County – by 11% since 2000.
- Clark County – by 14% since 2000.
- All other Nevada Counties – by 16% since 2000.

The university is attempting to increase the percentage of Nevada's general population who participate in some form of higher education, whether through coursework, workforce training, certificate programs, lifelong learning, or degree programs. From January 2001 to December 2002, enrollments in Extended Studies programs increased by 10% (35,687 to 39,248). The

university offers an independent learning program as well as a Credit Across Nevada program, which allows learning from any location. The Cooperative Extension program now has a presence in all seventeen counties and has experienced immense growth. There are many programs serving at-risk youth. The university's largest challenge is bringing participation in higher education by underrepresented racial and ethnic groups into parity with the Caucasian population in Nevada. In 2002-2003, 15.6% (2,365/15,093) of all students at the university were students of color, the largest number in the university's history. Many programs reach out to middle and elementary school students trying to encourage young people and their parents to begin preparing for college. Currently, UNR's student population is comprised of:

UNR Student Population Washoe County Population

- Native American 1.2% 1.5%
- Asian/Pacific Island 6.4% 4.6%
- Latino 5.9% 16.5%

President Lilley acknowledged there was still progress to be made, adding that they were pleased with the progress made thus far. Over the past 9 years, there has been growth in all racial categories, ranging from a 55% increase in Native American students, 59% increase in African American students, 81% increase in Asian/Pacific Islanders, and more than doubling the number of Latino students. He thanked Vice President, Student Services-UNR, Dr. Shannon Ellis, and her colleagues for their good work in this area. He congratulated Board members for including an assessment factor in the System Master Plan, which he and his colleagues find very helpful. It is the university's goal to improve the 6-year graduation rate through a coordinated retention effort by both academic and student services professionals. The six-year graduation rate for undergraduates has varied between 46% and 49% for the last three years. The most recent (1996) six-year graduation rate was 47%. This rate varied by ethnicity and showed improvements for many students over the prior (1995) six-year graduation rates. President Lilley reported that the university faced major challenges ahead, but affirmed that he and his colleagues are committed to meeting those challenges and are grateful for the opportunity to be of service.

Regent Derby asked about programs making efforts to reach the Latino population. Dr. Ellis replied that UNR offers programs in both the academic and student services arenas. Programs include summer camps and institutes for elementary, middle, and high school students, particularly for students of color, low-income students, and inter-ethnicities. Programs are also offered in the Sciences and Humanities which partner with academics. The Upward Bound program recently received a 3rd grant allowing the university to reach out to underrepresented students in the Truckee Meadows. The most effective programs reach out to Latino parents. Bilingual staff has been hired in recruitment, admissions, financial aid, and student services. Programs continue to reach out to parents through efforts in the middle and high schools. In November, UNR will conduct a two-day program for Latino middle school students to spend a day on campus discussing careers and career links to higher education that will also incorporate parents.

President Carol Lucey, WNCC – WNCC is attempting to increase the number of full-time, degree-seeking students and enhance student success. The college has experienced a substantial increase in financial aid awards for students. Over the past three years, the college has nearly doubled its financial awards. Student scholarships have tripled over the same time period. The bulk of financial aid awards represent need-based Pell grants. There has been a dramatic increase in the number of students attending WNCC who receive need-based financial aid. President Lucey reported that the college is attracting more students who may not have otherwise chosen to go to college. The number of first-time, full-time, recent high school graduates continuing on to higher education has also increased, due in part to the Millennium Scholarship. Since the advent of the Millennium Scholarship in Fall 2000, WNCC has tripled the number of Millennium Scholarship recipients on campus. President Lucey reported that the majority of Millennium Scholars are full-time students each taking an average of 11.5 credit hours. WNCC has a service area in which the largest underrepresented group is Hispanic. The college has set a goal for an 11% Latino student population. WNCC's current Latino student population is 8%, a 30% increase.

Regent Howard said that she had some concerns about underrepresented groups being referred to as Latino and Native American. She wanted to know what is going on with the African American population. President Lucey replied there is a very small number of African Americans in western Nevada. She said that WNCC's African American student population was reflective of the state population. She offered to provide precise data, but estimated a 2-3% African American student population at WNCC. Regent Howard said that future presentations providing such statistics should include every group. President Lucey said that the number of Native Americans attending had been growing. She related that programs the college has put in place have been focused on all underrepresented students.

Regent Howard then asked President Killpatrick about the African Americans at GBC. President Killpatrick replied that the numbers are very small. The number of African American students has doubled since Fall 2001 going from 7 to 19 (171%).

Regent Schofield asked President Killpatrick about the total African American population in the Elko area. President Killpatrick replied there are 50 African American families in Elko. Some of those families have been there since the 1930's.

Vice President Robert Palinchak, CCSN – CCSN is currently educating more than 47% of minorities who are enrolled in higher education in the state. The college continues to provide effective programs that increase the overall participation and success of Nevadans enrolling in higher education. CCSN has taken a proactive posture by instituting the Office of School

District Relations, which is helping to create a more seamless process for students transitioning from high school to college. The highly successful community college high school is an example of effective collaboration between the school board and the college. The Office of School District Relations has also been instrumental in bringing about key counterparts in the school district and the college for constructive dialogue, policy review, and program collaboration. A Counselor to Counselor collaboration has been formed that is making the high school-to-college transition easier for students. The collaboration ensures that both high school and college counselors have accurate and up-to-date information as well as develop professional working relationships necessary to facilitate high school-to-college access for graduating seniors.

CCSN's dual credit programs and Tech Centers located on high school campuses also help to ensure progress for first-time college students. Specific scholarship programs are now being aimed at students registering in college for the first time. These efforts specifically enhance progress toward high school-to-college target populations. High school-to-college enrollment trends have shown a significant increase rising from one-third to one-half of all graduating seniors in less than one decade (1992 = 32.8%, 200 = 48.84%).

CCSN has implemented programs to help those students already in the educational pipeline, and to provide opportunities for those who had not previously enrolled in college. A number of student-success-related programs and initiatives have been implemented, which are designed to maximize the rate at which currently enrolled students achieve their goals:

- Math Science Resource Centers have been located at all three campuses bringing together faculty, tutors, and student coaches to help students who are taking math and science courses.
- E-Alert, CCSN's academic early warning system is a program that allows faculty to identify students who are in trouble, and alerts the Office of Student Retention to extend a safety net of services. Requiring mandatory counseling (students taking 6 or more credits) also provides an important safety net, which helps to improve the educational attainment rates of students.
- Title I Training Program – Last year, 150 teachers' aides participated in the program, which provided the opportunity to work toward completion of their associate's degree. Many of the teacher's aides are first-generation, bilingual college students who continue to make slow but steady progress toward their first college degree.

Vice President Palinchak reported that the results of these efforts were significant. Retention and persistence rates have increased dramatically from 68% to 72% in two years. The persistence rate has increased from 55% to 61% during the same period (2000 to 2002).

CCSN closely mirrors the ethnic makeup of the city and school district, actively recruits minority students in the high schools, and has now taken steps to assist minority students at the middle school level. The Students First program specifically targets high school graduates from predominantly minority high schools and provides an orientation and first year experience to help minority students succeed in college. The Guiding Coalition for Diversity is the spearhead committee of CCSN's diversity efforts. The coalition has succeeded in laying the groundwork and procuring funding for the Office of Diversity, changing the student intake process to ensure student success, ensuring input from classified employees in the decision-making process, and ensuring that equity exists between and among CCSN campuses. As the college undergoes internal reorganization, the coalition is playing an important guiding role to ensure that the organization of the college facilitates the achievement of educational parity for minorities in Nevada.

CCSN has made financial commitments with minority organizations such as the Latin Chamber of Commerce to provide matching scholarship funds for promising minority students. While lower than desired, retention rates for minorities are close to achieving educational parity. African American and Latino students are retained at 72% compared to Caucasians who are retained at about 74%. Asian students had the highest retention rate at approximately 78%.

Vice Chair Bandera requested a copy of Vice President Palinchak's remarks.

President Philip Ringle, TMCC – TMCC provides many services, activities, and programs to ensure that all students have the opportunity to succeed. Providing such opportunity requires a broad array of services to attract, recruit, and retain students, as well as eliminate as many barriers as possible to their success. TMCC's mission reflects its understanding that people come to the college for many reasons in addition to earning a certificate or degree, including: to upgrade job skills, to prepare for transfer to a university or state college, to remediate deficiencies in preparation for college courses, and to pursue vocational interests. TMCC is proud of the work it has accomplished in reaching out to students traditionally underrepresented in higher education. While TMCC enrollment has increased 22% in the past 6 years, minority enrollment increased 41% during that same time period. With the exception of Hispanic students, TMCC's percentage minority population is greater than the minority population in the county it serves.

TMCC Student Population Washoe County Population

- Asian 6% 5%
- African American 4.5% 4%
- Native American 3% 2%
- Latino 5.9% 16.5%

President Ringle then highlighted three programs addressing three unique populations:

- **Re-Entry Center** – The Re-Entry Center's sole mission is to increase educational opportunities to underserved populations and individuals with barriers to education, training, and employment. Those helped by the Re-Entry Center include single parents, displaced homemakers, economically and educationally disadvantaged students, students with disabilities, students pursuing non-traditional opportunities, and students with significant educational barriers. The Center has served over 3,000 women in transition since its inception. In the past 4 years, the Center has expanded its focus to now assist other special populations facing significant barriers. The Center has provided financial assistance for educational and vocational training costs for over 1,800 low-income single-parents and displaced homemakers. 82% of Re-Entry students had an overall cumulative GPA of 3.0 or higher. Four of the last eight TMCC Regents' Scholars and TMCC valedictorians were Re-Entry students. The Re-Entry program also sponsors several highly successful community programs including the first Northern Nevada Women's Summit on November 8, 2002, which brought together diverse entities from the community to establish a network for advancing the economic, social, and educational status of women, particularly low-income women. This year, the Re-Entry program became an active partner in the ReTRAC Project in cooperation with the City of Reno and numerous other groups in the community, in an effort to assist women and minorities to enter the trades through apprenticeship programs.
- **Veterans Upward Bound** – Nevada has the highest percentage of veterans in its population in the country. Northern Nevada has over 55,000 veterans who lack a baccalaureate degree, and nearly 20,000 are low-income. These veterans experience a multitude of barriers that limit their access to education and hinder their successful attainment to a college degree. Funded through the Department of Education, TMCC's Veterans Upward Bound program serves as a vital intervention for disadvantaged veterans providing them the skills and assistance necessary for access to and success in postsecondary education. The program serves a minimum of 120 low-income, first-generation college students each year with the purpose of increasing their participation in higher education. 85% have continued on to enroll in postsecondary education. The program has demonstrated success in recruiting and serving the educational needs of a very diverse veteran population, with 31% minority, 14% female, and 35% disabled and handicapped.
- **ESL/GED/Literacy Programs** – Washoe County has a great number of individuals with the desire to access higher education, but cannot because they did not complete their high school diploma, lack basic skills in the English language, or both. These individuals also represent a good mix of racial and ethnic minorities. The program has experienced major growth over the past three years. There were 171 students enrolled in fiscal year 2000, while 1,816 enrolled in the past fiscal year. The grant-funded programs open doors for students and provide opportunity to students who might have thought that higher education was beyond their reach.

President Ringle related that one dedicated student walked 12 miles so as not to miss his class during a recent transit strike in northern Nevada. Another student reveled in the joys of reading the U.S. Constitution. When told about this student, Congressman Gibbons presented the student with a copy of the U.S. Constitution and Declaration of Independence signed by the congressman.

20. Approved-Handbook Revision, Board Bylaws, Board Standing Committees– The Board approved Board Chair Stavros Anthony's request for final action on proposed revisions to the charges of the Board Standing Committees. This request had an initial hearing at the August 2003 Board meeting, and the reference material reflects changes requested at that meeting. (Ref. K on file in the Board office)

Regent Kirkpatrick moved approval of the Handbook revision concerning standing committees. Regent Rosenberg seconded.

Regent Hill asked that the Board adopt item 4 and delete item 5 (Ref. K, Section 3(b), Audit Committee). He agreed with having the Audit Committee monitor the bank reconciliations, but felt it should not be listed separately since it fell under the remainder of the Committee's charge. Chair Anthony asked if there were any objections. No objections noted.

Regents Kirkpatrick and Rosenberg agreed to the amendment. Motion as amended carried. Regent Alden was absent.

Regent Bandera left the meeting.

21. Approved-Handbook Revision, Carryover Enrollment Reporting – The Board approved Vice Chancellor Richard Curry's request for a proposed change to the Board of Regents' Handbook (Title IV, Chapter 14, Section 24). The proposal would change enrollment reporting dates and eliminate the need for carryover enrollment. (Ref. L on file in the Board office)

Vice Chancellor Curry reported that recent practice has been that Fall semester enrollments are collected on October 15th, and Spring semester enrollments on March 15th. Any enrollments occurring after the collection dates are not reported for that semester. Those enrollments are carried forward and are reported in the following semester. This method has left the UCCSN with semester reports that consist of enrollments from more than one semester. While not large numbers, the information has been difficult to manage, validate, and report. In July 2002, the Council of Presidents approved a proposal to change the manner in which UCCSN handles carryover enrollment. They did not request the change last year because it was the second year of a biennium and it would have been awkward to mix and match methodologies. The official enrollment count dates would change from October 15th and March 15th to the end of each semester. UCCSN enrollment figures would

then consist entirely of numbers pertaining to the single semester under consideration. Mid-semester enrollment counts would still be made available. Vice Chancellor Curry related there were no negative consequences of the proposed changes to either federal enrollment reporting processes or to the System's utilization of the enrollment information in the state budgeting process.

Regent Hill moved approval of the Handbook revision concerning carryover enrollment reporting. Regent Rosenberg seconded.

Regent Seastrand asked about the consequences for delaying approval and whether preliminary numbers would be available. Vice Chancellor Curry replied that UCCSN would continue to use the October 15th and March 15th dates to produce preliminary numbers.

Motion carried. Regents Alden and Bandera were absent.

22. Approved-Handbook Revision, Part-Time Faculty Salary Schedules – The Board approved Chancellor Jane Nichols' request for an amendment to the Board of Regents' Handbook (Title IV, Chapter 3, Section 28) to include the salary schedule for part-time faculty that was recommended by the UCCSN part-time Faculty Task Force in 2002. Although the Board approved the Task Force final report at its April 2002 meeting, the recommended salary schedule contained in the report was not added to the Handbook at the time, pending action by the Legislature on the UCCSN's request for enhancement funding to cover the additional salary costs. Because separate funding was not provided by the Legislature, the Chancellor is recommending that the salary schedule be added to the Handbook to reinforce the UCCSN's commitment to reaching the target salaries over an established time period. (Ref. M on file in the Board office)

Chancellor Nichols reported that one of the recommendations was to create a unified, System-wide salary schedule that would reflect the COLA (Cost of Living Adjustment) to be given to faculty. The schedule was approved, but was never added to the Handbook because it was contingent upon funding, which was not received. The salary model is indexed to the salary for a full-time university instructor and establishes a minimum part-time faculty salary for each type of institution. It will reflect future COLA increases. Targets have been established (minimum per credit figures for the universities, state college and community colleges). The presidents have made a commitment to begin working on that salary schedule. She related that the targets would increase with each COLA.

Regent Bandera entered the meeting.

Chancellor Nichols requested Board approval for adding the part-time faculty salary schedule into the Handbook as a good-faith commitment to the part-time faculty. The institutions will try to phase in the new payment methodology as funding permits, with full compliance by 2010. She said that UCCSN would continue to seek enhancement funding to meet the salary targets at a faster pace.

Regent Hill moved approval of the Handbook revision concerning part-time faculty salary schedules. Regent Derby seconded.

Regent Derby said that this action was long overdue considering the System's enormous reliance upon part-time faculty. She encouraged Board support of the motion.

Regent Seastrand agreed with Regent Derby, adding that it represented a good compromise considering all of the factors involved. He asked whether the targets were realistic or whether a common target for the state would be more realistic. President Killpatrick said that salary related to location, economies of scale, and fiscal resources available. GBC needs to employ incremental improvements. The college felt that the part-time faculty deserved as much as they could afford to pay them.

Dr. Frank Daniels, Faculty Senate Chair-GBC, agreed that the target would be difficult to meet. Faculty have been advocating for increases for quite some time. The college is in the process of implementing increments and efficiency elements to speed up the delivery.

Regent Seastrand asked about the reasoning for establishing a statewide target. Chancellor Nichols replied that all UCCSN salary schedules are statewide by institution, adding that UCCSN has never differentiated by cost of living or geographic area. The System is one employer and it is important to treat all employees in the same manner.

Regent Schofield indicated his support for the motion. He reported that one of his sons teaches in UNLV's math department. He felt the increase was appropriate.

Regent Whipple left the meeting.

Regent Kirkpatrick felt the increase for adjunct faculty was long overdue. He recalled that a procedure for offering health insurance had recently been implemented. Chancellor Nichols replied that part of the Task Force's recommendation (and the

number one issue for part-time faculty) was access to health insurance. UCCSN's personnel officers made a commitment to locate a group package for them. They have been successful in getting the company to offer that coverage.

Ms. Carla Henson, Director, Human Resources-System Administration, stated that the policy secured allows for dependent coverage and can also be converted into a private policy if/when they leave. Fees are paid directly to the company, which also handles all of the paperwork.

Regent Sisolak questioned how UNR was able to secure a higher percentage increase than the other institutions. President Lilley explained that, during the planning process, the salary increase was made a high priority and funds were reallocated. Regent Sisolak was pleased that UNR was able to find the money, adding that he wished it had been as large a priority for the other institutions. He felt that part-time faculty is grossly underpaid. President Lilley related that most part-time faculty in engineering, computer science, and other areas were well in advance of this recommendation. UNR did not have a large cohort that required the increase like UNLV has. Regent Sisolak commended President Lilley for identifying a 15% increase for part-time faculty.

President Romesburg reported that NSC was on a shorter schedule for meeting the targets. Since faculty had been told about the schedule, the college honored the commitment. Because NSC is small, the cost was not unbearable.

President Harter reminded the Board that UNLV has \$9 million in part-time faculty. A 4% increase equates to \$200,000, which is equivalent to four full-time positions. With each 4% increment, UNLV does not fill full-time positions that were allocated by the legislature. Part-time faculty teach 35% of the course work because historic underfunding has not permitted hiring the number of full-time faculty UNLV desires. She said it was a high priority, but that it was also a huge number compared to any institution except CCSN. Regent Sisolak gave credit to UNR for recognizing the value of part-time faculty.

Regent Kirkpatrick asked whether UNLV would reduce the number of part-time faculty and increase the number of full-time faculty now that UNLV was better funded. President Harter replied that UNLV was attempting to develop a model that would allow them to do so. UNLV grew 18% in the last biennium and had no new faculty positions allocated. UNLV still does not have enough full-time faculty to teach all of the students enrolled.

Motion carried. Regents Alden and Whipple were absent.

23. Information Only-Institutional Reports - NSC President Kerry Romesburg and DRI President Stephen Wells presented reports on their institution's plans for the coming year.

President Kerry Romesburg, NSC – President Romesburg itemized the areas of emphasis for the institution over the next year:

- Continue developing academic programs and services with special emphasis on student services, student recruitment, and student retention.
- Maximize the use of the facility. NSC is leasing the facility for \$1.00/year. They just added four classrooms, a nursing lab, and a science lab.
- Work diligently to achieve independent candidacy accreditation status. President Romesburg expressed sincere appreciation for UNR's assistance thus far.
- Continue developing the digital student portfolio associated with NSC's ability-based assessment program.
- Continue working on the land transfer. 600 acres of land has been successfully transferred from the federal government to the City of Henderson. Efforts are now concentrated on transferring the property to the University System. The college is working on a Master Plan to determine the location of future buildings. He hopes to bring NSC's Master Plan for the property to the December Board meeting.
- Continue fund raising. The first priority is securing funding for the first building. The college is working on grants for this purpose.
- Work collaboratively with UNLV, CCSN, UNR, TMCC, WNCC, and GBC to coordinate joint 4-year programs on 2-year campuses. Students will have access to baccalaureate degrees where they are used to attending and familiar with the surroundings.

Regent Schofield said that he envisions a fantastic, beautiful campus that is second-to-none with that amount of land; one comparable to Michigan State or Michigan. He felt it was a wonderful opportunity.

President Stephen Wells, DRI – DRI's plans for the coming year include financial planning, programmatic management, and facilities to address DRI's 10-year vision, institutional planning, and tie those in with the UCCSN Master Plan. He addressed the following key issues:

- Leadership at the Institution – The institutional goals developed address the most crucial issues in environmental research over the next decade. President Wells has been working diligently with DRI's search committees to fill two critical positions: Vice President of Research (Dr. Chris Maples from Indiana University) and Vice President of Government and Business Relations (Dr. J. Scott Hauger, American Association for the Advancement of Science).

Dr. Maples will provide the crucial leadership internally overseeing hiring strategies for the institution as a whole. DRI strives to improve its interaction with the corporate world and research activities. Last year, DRI grew from slightly over \$1 million to \$5 million of corporate activity. This is viewed as a major target area for growth. Dr. Hauger will develop fundamental corporate relationships for the Institute.

- Initiating a New Center of Integrated Sciences – Part of DRI's vision was to have the Institute bring together interdisciplinary programs. Most environmental problems are not solitary disciplines, but require different disciplines to work together. Thanks to a gift from Mr. Jim Rogers, DRI now has the Frank H.
- Rogers Center for Environmental Management and Remediation. This is DRI's first endowed program, which will build on DRI's long-standing program in environmental remediation monitoring public health protection with experience gained from working with the Department of Energy. Under the leadership of the new director, Dr. David Shafer, the Center will establish priorities in the areas of natural attenuation, reactive transport, bioremediation, long-term stewardship, water purification in developing countries, and regional/worldwide remediation and monitoring.
- Federal Initiatives – Dr. Wells has a personal goal for becoming more effective with DRI's federal appropriation process. Nevada has a remarkable delegation led by Senator Harry Reid that works to bring research and education dollars back to the state. DRI has tried diligently to become more active in that area and has hired a new firm, Van Scoyoc Associates. New initiatives include bringing new technologies and capabilities to the state. One initiative involves the construction and support of a laboratory called a "cave", a virtual reality center. If built, it would be only the third in the nation and the seventh in the world. Essentially a six-sided cave, the unit models various environmental conditions (i.e., forest fire, a desert storm) three dimensionally. The \$9 million effort would be privately funded. DRI has already received \$3 million from Nevada's delegation. The operation would run 24 hours per day/7 days per week and would benefit many industries (i.e., the efficiency of energies in casinos, gold mining). DRI is in the second year of a federal initiative to develop technologies for predicting desert terrain conditions for the military. This will aid the army with battlefield equipment and help in the protection of personnel working under extreme conditions in deserts. Their mobility, flexibility, and the rapid deployment of forces require the ability to predict diverse conditions. DRI is starting on a prototype pair of goggles that accent and highlight the desert conditions allowing the wearer to see surface and subsurface conditions. This could be used for predicting where to bring tanks and helicopters without creating dust storms.

Regent Schofield said that Frank Rogers was one of the finest men he ever knew.

24. Approved-UCCSN Values Statement – The Board considered a final draft of a statement of values for the UCCSN. Chancellor Jane Nichols reported on feedback to the draft from the UCCSN institutions. (Ref. N on file in the Board office)

Chair Anthony reported that the values statement would establish the culture and behavior for UCCSN's 12,000 employees. He praised the values statement prepared by staff from suggestions made at the previous meeting.

Chancellor Nichols related that System Administration distributed the values statements to the campuses for feedback. A minimal amount of feedback was received. There was a general sense that this was a Board of Regents' prerogative. Feedback included:

- Add "Innovation" as a 6th goal.
- Match the values more closely to each of the Master Plan goals.
- Reorder the statements with "Accountability" first.
- Change the introductory statement to "The UCCSN is committed to:".

Regent Derby suggested the Board consider imbedding the values in a statement of purpose (i.e., The UCCSN is committed to advance student learning to the highest possible level, foster the expansion of knowledge through research, enrich and diversify the lives of our students, our communities, our state, and our nation. To that purpose, at the heart of our enterprise are the following values:). Chair Anthony asked whether the item could be tabled and worked on for one hour. Regent Derby was agreeable.

Regents Howard and Sisolak left the meeting.

Regent Hill agreed with Regent Derby, though he thought the changes would require more than just one hour. He compared Regent Derby's suggestion to the preamble of the U.S. Constitution and felt the Board required more time to view it from that perspective. He felt that this is one of the most important things the Board addresses and that it was important to provide a starting point with the Board. He observed that integrity in an organization starts at the top and flows down. He said that, if the Board did not have and exhibit integrity, they could not expect it from their employees.

Regent Seastrand felt that a preamble was a good idea. He expressed a preference for having "Excellence" appear higher on the list. Chair Anthony said that he did not view the list as presenting a specific order.

President Wells felt that "Integrity", "Excellence", and "Accountability" should comprise the top three values.

Regent Schofield observed that the Board of Regents sets the example and tone for the entire System.

Regent Derby suggested that staff return with a draft for the next meeting. Regent Seastrand concurred and asked whether "Creativity" and "Innovation" were necessary. Regent Derby felt that they were. Chair Anthony said that he too thought the terms were the same. Chair Anthony suggested tabling action to the December meeting.

Vice Chair Bandera suggested the Board adopt the words presented at this meeting and re-order the list and determine the preamble at the next meeting.

Regent Bandera moved approval of the six UCCSN values proposed. Regent Schofield seconded.

Regent Seastrand requested further discussion regarding the difference between creativity and innovation. Chancellor Nichols stated that UNLV had provided the suggestion. President Harter said that the suggestion came from UNLV's faculty and cabinet group. She asked Dr. John Readence to respond, but he was not present at the time. Dr. John Filler, Senior Advisor to the President-UNLV, related that UNLV personnel viewed it as a matter of emphasis. He said that innovation should be used as a yardstick in planning and moving ahead. Chair Anthony asked whether Dr. Filler recognized a difference between the two words. Dr. Filler felt the two words are related but not necessarily the same. He felt that creativity would refer to the arts, but that innovation was a broader term which applied to a broader area.

Regent Rosenberg observed that one could be innovative without being particularly creative, adding that creativity involves a much higher level. Regent Seastrand felt the discussion had been helpful and that there was enough of a distinction to adopt both words.

Motion carried. Regents Alden, Howard, Sisolak, and Whipple were absent.

The meeting recessed at 9:58 a.m. and reconvened at 10:20 a.m. with all members present except Regents Alden, Dondero, and Whipple.

Regent Dondero entered the meeting.

25. Information Only-Oversight Committees for Athletics - Staff reviewed research on the use of oversight committees for athletics by higher education governing boards throughout the United States. (Ref. O on file in the Board office)

Vice Chancellor Curry reported that staff gathered materials and conducted research regarding the practices of system governing boards with respect to athletics. There are 18 states with higher education governing structures similar to Nevada. The majority do not address matters related to athletics through ad hoc or standing committees. Most states delegate such matters to the institution level or bring major issues before the full board. Two states have ad hoc committees on athletics (Idaho and Iowa). Mississippi has a standing committee, while Rhode Island recently eliminated theirs. Fifteen states surveyed indicated that the boards in their states have not considered or created an ad hoc or standing committee on athletics. SHEEO responses paralleled the findings of the 18 states surveyed. Vice Chancellor Curry then introduced Senior Research Analyst, Ms. Crystal McGee.

Regent Hill said that he did not initially believe that such a committee was necessary. After his discussion with Mr. Matt Williams and reviewing athlete graduation rates, he said that he was quite concerned about the universities' graduation rates. He felt the Board needs to emphasize that graduation is important. He acknowledged that he did not know what the universities are facing and that there is criticism for the manner in which the NCAA counts graduates. He felt it would be helpful to have a committee review what is being done at the two universities (primarily focusing on the two universities and CCSN) and compare that with what is being done at other institutions throughout the nation. He said that he did not want any NCAA rules violated. He suggested the committee report back to the Board for a better understanding of what is going on and whether the Board can do anything to help the institutions or emphasize the Board's concern about graduation rates.

Ms. McGee noted that the two states with ad hoc committees did not have a specific charge. The committees were kept as small and flexible as possible to avoid having to publicly notice their meetings. Major issues (i.e., NCAA violations, Title IX issues) were brought before the full board.

Regent Hill asked whether Dr. Curry or Ms. McGee had any reaction to a committee with a specific charge to study and report back to the Board regarding graduation, athletes, current status, and ideas for future directions. He acknowledged that the committee would not have authority to dictate anything, but would rather educate the Board. Vice Chancellor Curry said that he could visualize the Board addressing this through existing structures. He suggested a special initiative for the Student Affairs Council that could be brought before the full Board or a review conducted by the ARSA Committee. Regent Hill felt that forming a separate committee might be useful for fact gathering.

Regent Derby acknowledged there were some real concerns, adding that the full Board would benefit from having more information. She felt that current structures could handle such a charge with a full report to the Board. She felt the Board could benefit from a workshop or some other designated program and that the Board Development Committee could provide an educational program for the full Board. She felt the reason there are so few athletic committees throughout the country

was because it is an area for campus administration and not an appropriate subject matter for the Board. She said the goal of educating the Board could be accomplished by a subcommittee of the Board Development Committee.

Regent Schofield clarified that he was not interested in forming a committee for controlling athletics in any manner. He praised President Harter's efforts in raising the level of academics at UNLV and expressed a desire to return to the "glory days" when UCCSN athletic teams filled stadiums with cheering fans. He felt the Board should support, and not micromanage, the athletic programs as well as ensure that student athletes attain their degrees. He felt the creation of such a committee would provide a means of support for the athletic departments and that successful athletic programs would entice students to attend UCCSN institutions. He said that it was important for athletes to graduate. He felt that a subcommittee of another committee would not address the matter adequately. He felt the Board should form an athletic committee only if they felt they required one.

Regent Dondero said that she would be happy to have the Board Development Committee review the matter.

Regent Howard agreed that athletics are important to the institutions. She felt that athletics should interface more with academics. She observed that athletes have a great influence over youth and very often become role models. She felt that more work with athletics was necessary in order to ensure that the proper messages are being sent in order to set the right example. She felt that more discussion was necessary.

Regent Schofield felt that successful athletes who graduate and go on to play professionally represent a good source of potential donors for the institutions.

Regent Kirkpatrick advised the Board to proceed cautiously, noting the importance of NCAA compliance. He felt the Board should hold the institutions accountable for meeting NCAA requirements and otherwise not involve itself with athletics. He agreed that great athletic programs bring attention to the institution, but he was not in favor of an oversight committee. He did not want to infringe upon the institutions' responsibility for meeting NCAA requirements.

Regent Rosenberg agreed with Regent Kirkpatrick, adding that if the Board was uncomfortable with graduation rates they should address that issue with the presidents. He did not feel the need for a Board committee.

Regent Schofield said that a committee was not necessary if the presidents and athletic directors know the Board is passionate about successful programs and was watching closely. He said he favored forming such a committee if the need were to arise, mainly for support. He said that the people of Las Vegas were excited about returning to the "glory days" and donating money to athletics. He observed a need for receiving contributions with no conditions placed on how the funds are spent. He observed the institutions need to be careful not to violate NCAA rules. He said that, if the Board could demonstrate its support without forming a committee, he was agreeable.

Regent Seastrand asked about the committee charge. He noted that graduation rates, game attendance, and athletic fundraising were all concerns expressed. He observed that the Foundations are charged with fundraising and asked whether the Board should send a charge or direction to the Foundations (i.e., making graduation rates a priority). He felt that forming a committee would be outside the scope of the Board's purview.

Regent Howard suggested employing an advisory board to the Foundation or an advisory committee.

Regent Hill felt the Board required more information about graduation rates and what is being done to improve them. He acknowledged the criticism of the methodology, but felt that UCCSN graduation rates trailed national comparisons terribly. He felt the Board should devote some attention to the matter.

Regent Dondero suggested hearing a report from the two athletic directors present.

Mr. Chris Ault, Director, Intercollegiate Athletics-UNR, stated that he was interested that the Board was spending its valuable time discussing university athletics. He related that graduation is the ultimate achievement of student athletes. He felt more attention should be paid to the retention of student athletes from one year to the next and progress toward graduation. NCAA requirements mandate that each student athlete must demonstrate 24 hours/week in progress towards graduation. When students exhaust their eligibility they should be close to graduation. Some students finish their eligibility and elect to return home to complete their degree. When that occurs, the institution does not get credit for that graduate. The NCAA is currently undergoing a restructuring process for academic progress and graduation rates. Institutions not meeting the retention requirements will lose scholarships and post-season play opportunities. He felt the NCAA was finally telling coaches that they are expected to present teams with integrity as well as meet mandates demonstrating student athletes' progress towards graduation. Mr. Ault related that Intercollegiate Athletics currently has five oversight committees to which they can express their needs and desires. He reported that the NCAA requires very stringent mandates in order for an institution to recertify that student athletes are making progress toward graduation. He related that when student athletes exhaust their eligibility, the athletic departments can provide and pay for all of their academic requirements if they are within a year of graduation. He affirmed that this issue was important to the athletic directors.

Mr. Mike Hamrick, Director, Intercollegiate Athletics-UNLV, related that not many people realize what student athletes encounter. He felt the athletic directors should inform the Board and the presidents about the challenges they face in trying to graduate athletes. He acknowledged that he had an outstanding record for graduating athletes at a previous institution. He has assembled a Graduation Rates Task Force that is trying to develop a strategy for improving graduation rates at UNLV. He felt it was important to have a high rate of graduation for those athletes who have exhausted their eligibility (after 4 years). UNLV's graduation rate is currently 77%, while UNR's is close to 70%. He felt those figures indicated that the institutions are not just using student athletes to compete and win championships. They are also graduating. He suggested the chair of UNLV's Task Force could report to the Board on its progress. He also suggested having a student athlete share the trials and tribulations of being a student athlete with the Board. He affirmed that student athletes at UNLV do graduate, adding that he would like to see the graduation rate improve to 100%.

Regent Hill expressed concern for recruiting people who do not stand a chance of making it through to graduation. He felt the institutions have the responsibility for not recruiting them or ensuring that they make it through to graduation. He felt the issue was important enough to justify the Board knowing more about the matter.

Regent Howard agreed with Regent Hill that it is a critical issue. She noted that athletes bring prominence to the university and make it more attractive for all students. She felt that counseling should be provided to athletes and that something was necessary to hold someone accountable for graduation rates. She acknowledged that the percentages sounded good, but felt the issue required further review. She said that she was aware of many former UCCSN and professional athletes who have no relationship with their institution. She felt those athletes could be good friends to the institution and that student athletes should not be exploited.

Regent Dondero suggested the Board hear a report from UNLV's Task Force prior to determining the need for a special committee.

Regent Kirkpatrick felt that success was dependent upon the emphasis that the presidents, athletic directors, and coaches placed on graduation rates. He observed that the university presidents had served in high-ranking NCAA positions. He felt the majority of the changes made had been to move in the direction of increasing graduation rates.

Regent Schofield observed that the Board had just reviewed the core values. He noted that one was "Accountability" and one was "Excellence". He said that each Board member was accountable to their constituents. He felt the Board could not ignore the constituents' desire to have UCCSN teams playing at a "glory days" level, adding that the Board could set the tone.

Chair Anthony thanked Regent Schofield for bringing the matter before the Board. He agreed the Board needs to stay on top of the issue. He said he would take the matter under advisement to determine what, if any, committee charge was necessary. If at some time in the future the need for such a committee should arise, the Board will be ready to take action.

26. Information Only-Student-Athletes' Graduation Data - UNLV President Carol Harter and UNR President John Lilley reviewed data on graduation rates for student-athletes at UNLV and UNR for the period 2001-2003. (Ref. X on file in the Board office)

President Harter reported that she is and has been a member of the NCAA Board of Directors in two different conferences in Division I, as well as one conference in Division III. She related that she has entertained exhaustive discussions of these issues with leaders from major U.S. institutions. As the NCAA board becomes more focused upon trying to ensure student success in educational programs, they are also recognizing the flaw in the federal methodology of calculating graduation rates. She related that it was a major problem. Transfer students are not counted as successful graduates for an institution. The same is true with the federal rate for any student who leaves an institution in good academic standing to attend elsewhere and graduate. Nevada has students who attend both universities that do not count as graduates for either institution. The normal pattern of counting, based upon traditional assumptions of attendance (i.e., students 18-22 years, taking 4-6 years to graduate) are now only 1/6 of the total university students in the U.S., yet the federal government continues to count in this antiquated manner. She related that those assumptions have very little to do with modern life. She estimated that UNLV's graduation rate will never be more than 40% when half of the students come from the community colleges. Using the same criteria to count athletes will only lower the rate. She reported that simply counting the number of students who fulfill their eligibility and remain with an institution yields a much higher graduation rate than the federal methodology. She acknowledged that a graduation rate of 67-70% was not acceptable due to the many supports in place to help student athletes graduate. Institutions with a higher federal graduation rate, like East Carolina University, are very traditional universities where most athletes start, live at, and remain at the institution where they began their post-secondary education. Many of Nevada's students enter the universities as transfer students. Students recruited into professional sports after exhausting eligibility do not count in the graduation rate, even if they leave the institution in good academic standing. President Harter reported that the universities are doing better than the federal rate would indicate, but not as well as they would like to. She observed that counting students who have exhausted their eligibility increased the rate significantly. She said that she has been making this point with the NCAA for twelve years. Given the new standards they will require, the NCAA met with the federal government to discuss changing the methodology only to be declined. The NCAA is going to adopt a new methodology before it puts the more stringent requirements into effect.

President Lilley introduced Dr. Chris Exline, Faculty Athletic Representative-NCAA and Chair of Intercollegiate Athletic Board-UNR. Dr. Exline agreed the methodology is flawed. In previous years, at the start of the 3rd year student athletes needed to have 25% of their degree program completed; 4th year-50%; 5th year-75%. Those numbers have increased to 40%, 60%, and 80% respectively, indicating that retention is the new issue. Both UNR and UNLV have made significant changes in student support structures and availability for help. The effects of those changes will not appear in the data for another 3-4 years (another flaw in the methodology). He related that reviewing the running 10-year average was a much better indicator. He assured the Board that both institutions were working diligently to improve the graduation rates, adding that President Lilley had been very supportive.

President Harter said that the NCAA also collects the preferred calculation data over a 10-15 year period. She said that the data was not publicly understood or shared in the manner it should be. Dr. Exline agreed, adding that there had been good cooperation between the two universities on recent issues.

Regent Hill acknowledged the methodology and 6-year lag were problematic, but still felt that Nevada's institutions seriously trailed national data. He was terribly concerned the issue would never be addressed because of these excuses. He asked about the availability of internal counts of how many students began as freshmen and went on to graduate. Dr. Exline replied that the information exists with no comparison to national counts. Regent Hill asked whether anyone believed that Nevada was doing a better job than the national average. Dr. Exline replied there were other factors to consider that adjusted Nevada's figures somewhat more favorably. He said the institutions were working hard to improve their graduation rates. Regent Hill said that Nevada's figures were no where near the national results. He felt it was important for the Board to know what is being done. He also felt the institutions should reevaluate what they are doing and determine if something better can be done. He said that he was very concerned about the graduation rates and felt the institutions should be as well.

Regent Rosenberg reported that athletes are followed all the way through the program. He was troubled there was no means for ascertaining whether the athletes who leave UCCSN institutions actually do graduate somewhere else. President Harter related that a new clearing house now registers about 92% of all institutions in the U.S., which would allow some tracking. It is hoped that eventually UCCSN will be able to track all of its students and whether they graduate. Ms. Kari Coburn, Director, Institutional Analysis and Planning-UNLV, said that UNLV has recently participated with a national clearing house originally organized to track students for financial aid purposes. A new process has been initiated which allows institutions to track students beyond the campus level. Regent Rosenberg observed that the institutions had done more than any oversight committee could hope to. He suggested the Board let the athletics personnel do their job.

Regent Seastrand thanked everyone for the information, adding that he was convinced that the available data was not helpful to the Board. He observed that the student athletes take certain paths while in the UCCSN. He suggested that help might be provided to some of those students while improvement is made on some of those paths. He requested a report on the cohorts and the paths they take, including how they arrive, how they do while here, and how they exit. He felt those statistics could prove helpful for the Board in identifying the cohorts that can be helped. He also requested the institutions provide a list of things the Board can do to help the institutions achieve improvements in those cohorts.

President Harter said that FERPA requirements prevent revelation of certain data. The small basketball cohort prevents revealing certain information. She said it was a complicated process and asked for time to produce the report. Regent Seastrand said he did not require the report by the next meeting. He hoped the exercise would help identify areas for improvement and recommendations for areas where the Board can help. He estimated 20 possible paths, adding that he felt it should be closely tracked.

Chancellor Nichols clarified that the Board was requesting information that provided a better picture of what is going on than the official data provided. She asked the Board to allow her to work with the presidents to prepare the report.

Regent Schofield felt that this was long overdue and that the information was very important. He noted the System had been improving the level of its academics, and felt that attention should also be paid to athletics.

27. Information Only-Approved-Recommendations for the Instructional Space Utilization Model – The Board approved Chancellor Jane Nichols' request for the proposed recommendations concerning the UCCSN instructional space utilization model and reporting process. Mr. John Amend, Director of Facilities Planning, presented the proposed recommendations. (Ref. P on file in the Board office)

Chancellor Nichols asked that no action be taken as it was still a work in progress.

Mr. John Amend reported that instructional space utilization compares room use (number of times used) and the room fill (number of students) with Board standards established for classrooms and class labs. The UCCSN model presents utilization for classrooms/class labs only for credit-producing and regularly scheduled courses, which is presented to the Board every two years. Classrooms and class labs comprise 22% of the universities' space and 53% of the community colleges'.

Mr. Amend presented the following conclusions:

- Continue to use the current instructional space utilization formula and report for comparative data on the before-and-after results of the 2003 institutional plans to improve instructional space utilization.
- Use extensive narrative to account for non-credit, irregularly scheduled, or non-instructional uses of those spaces.
- Do not require the quantification of all non-credit, irregularly scheduled, non-instructional uses of instructional space, which is already accounted for in the current Regents' standards and utilization formula.
- Use the information as a campus management tool to assess scheduling effectiveness, not as a tool for predicting space needs or longitudinal comparisons of campuses.
- Assure that all campuses have adequate technology necessary to collect and manage the utilization data, class scheduling, and space inventory systems.
- Review campus-by-campus and System technology needs as they pertain to scheduling space utilization, space classification and inventories, and space condition. Assess what each UCCSN institution has accomplished with space management systems and whether a centralized or distributed model should be established.
- Continue to use the 1999 space needs model as a predictive tool for capital request development with modifications to reflect the differing missions of the institutions. Use instructional space utilization as a check for validating classroom and class lab space needs identified in the model and any subsequent capital request recommendation.
- Regular review of System policy, processes and procedures as they pertain to space utilization space classification space inventories and space condition and the UCCSN space-needs model.
- Review the basis of the current funding formula for O & M Plant and assess the added O & M costs for increased utilization of facilities.

Regent Bandera asked about the composition of the ad hoc committee. Mr. Amend replied that the committee was comprised of representatives from each institution, who at the time were designated for accumulating that information. Regent Bandera asked about the committee members' backgrounds. Mr. Amend replied there was a broad mix from facilities and institutional research and planning. Regent Bandera asked whether faculty had been included. Mr. Amend replied they were not. Regent Bandera asked that faculty be included next time.

Regent Rosenberg related that the art department has a huge space dedicated for sculpture. No one else can use the space due to liability concerns with the machinery. He asked how that could be indicated so it was not perceived as wasted space. Mr. Amend replied that the model was structured to account for the fact that room use is a very small percentage of the potential use of the room. It should also be discussed in the narrative portion of the report.

28. Information Only-Personnel Sessions – The Board held closed personnel sessions.

28.1 Approved Moving to Closed Sessions - In compliance with NRS 241.030, closed sessions were 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 Rosenberg moved approval of moving to closed sessions. Regent Derby seconded. Motion carried. Regents Alden and Whipple were absent.

The meeting recessed at 11:52 a.m. and reconvened at 1:47 p.m. with all members present except Regents Alden, Bandera, and Whipple.

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

29. Information Only-School of Dental Medicine Long-Term Gift/Pledge Authority, UNLV – The Board heard a report regarding a long-term gift/pledge of private funds to the School of Dental Medicine at UNLV. (Ref. R on file in the Board office)

Chair Anthony related that it was no longer necessary to request the Board's approval for authority to be given to Chancellor Nichols. Chancellor Nichols and President Harter will negotiate a contract which will be brought to the Board's December meeting.

President Harter reported that UNLV was proposing an advanced education program in orthodontics. The opportunity involves a major gift to UNLV, as well as a long-term contract commitment between UNLV and Orthodontic Education Company. More than 30% of Nevada's children require orthodontic care, while care availability in Nevada is 1 orthodontist to every 58,000 population. The national average is 1:32,000. The national need is also increasing. Within the next 12 years, 50% of all practicing orthodontists (9,000 in the U.S.) will retire. Predictions indicate that orthodontists will need to handle 700 new cases per year (three times the normal caseload). Only 280 new orthodontists are produced each year in the U.S., and very few are minorities. This program would enhance the number of people entering the field as well as enhance diversity.

Regent Bandera entered the meeting.

President Harter reported that the company chairman was dedicated to bringing more people into the profession than ever before. Dental school graduates typically have fairly significant debt. People from modest means and minority groups are rarely able to go on to a residency training program. This company tries to provide the support for students in the orthodontics residency program by providing the tuition as well as a reasonable living stipend. In exchange, the student would work for the company as an orthodontist upon graduation. Such a practice on the UNLV campus would make services available to low-income people that they cannot now afford. The total commitment to the university would represent the largest gift/commitment over a 30-year period in UNLV's history, well in excess of \$40 million. The program would fulfill significant needs of the university and community. The company would give UNLV \$3 million to start by hiring a director and a couple of faculty members. The company then pledges \$1,250,000/year for thirty years, which includes the stipend and tuition for eight of the twelve students to be enrolled in the program. Four of the twelve students would pay their own fees. The remainder of the gift would be dedicated to building a facility to house the students and faculty of the residency program. UNLV's commitment is to provide the land on which the facility would be built. President Harter reported there are 8 hospital residencies in dentistry. This program would provide an additional residency for the School of Dental Medicine as well as an enhanced clinical and research facility. The program would fulfill many of the UCCSN Master Plan goals and provide service to the community. She assured the Board that the university would control all of the academic issues of the program.

UNLV Provost, Dr. Ray Alden, reported that UNLV would maintain sole control over admissions criteria; faculty hiring and retention; the curriculum; who is admitted; how they are graded; who remains in the program; who graduates; as well as which vendors, suppliers, and equipment are used. Students face a 7-year commitment working for the company in return for full tuition, fees, and stipends. Graduates are guaranteed a salary of \$150,000/year for the first several years, as well as profit sharing. Students utilizing the opt-out provisions would be required to repay the fees invested. The ADA Commission on Dental Accreditation has validated this particular partnership at the first university, Jacksonville University. Colorado's accreditation is expected in the near future. Tuition of \$30,000/year for the self-supporting programs is quite expensive. The gift represents a 30-year commitment of over \$40 million. The initial gift would be used to set up the endowment which would pay part of the debt service on the building. The revenue stream from the program would be assigned to a Phase I building plan encompassing 20,000-sq.ft. of clinical and research facility. The yearly pledge would be used for a separate endowment to pay for a Phase II building and/or faculty chairs for the program. A revenue stream including tuition and fees, endowment income, clinic revenues, as well as the net gift commitment (not including fellowships), totals an anticipated \$2 million. Expenses, based upon best practices elsewhere, total \$1.5 million, for a yearly net gain of approximately \$375,000, which could be put towards an endowment for long-term advancement of the program. UNLV also explored the possibility of the corporation withdrawing the gift after a few years. Once the \$3 million gift establishes the program and the endowment, the program could be self-supporting. Provost Alden explained that UNLV was hoping to proceed with negotiations which will be returned for Board approval at a future date.

Dr. Patrick J. Ferrillo, Dean, School of Dental Medicine and Vice President, Division of Health Science-UNLV, offered to answer any questions. He said that he was familiar with the process of developing advanced education programs from his work at a previous institution. He also mentioned that he had served on the Commission of Dental Accreditation for four years and had also acted as a consultant to the Commission.

Chair Anthony called upon Regent Sisolak, who said that he would defer his comments until copies of a press release were ready for distribution. Dr. Ferrillo clarified that Provost Alden's presentation had included a portion of a press release from the ADA Commission on Dental Accreditation, which was released after they reviewed the Jacksonville program for its accreditation status. He said it was not a statement from the American Association of Orthodontists.

Regent Hill said that the program looked very interesting and asked whether there would be a difference between in-state and out-of-state tuition. He assumed that a tremendous number of students would come from out-of-state. Dr. Ferrillo said that the model that Provost Alden presented was based on the program sustaining itself using only revenue generated by the program and the initial gift. All residents would be charged the same amount of tuition. Regent Hill assumed the rationale was that, since no state funds or state support would be used, there would be no break for in-state students. Dr. Ferrillo agreed. Regent Hill asked him to consider any obligation the System may have to in-state dentists wishing to attend the program. Dr. Ferrillo replied that in-state students accepting the scholarship would pay nothing. He noted that eight students in the program would have their tuition paid by the gift, so they would not incur any debt. He said there was no guarantee those would all be in-state students. Regent Hill observed that it was a different situation because it was part of the financing. The remaining four students would conceivably be paying their own way. He asked whether there would be a difference between in-state and out-of-state tuition. Dr. Ferrillo replied there was no difference established in the model used. Regent Hill asked whether he anticipated that anything presented to the Board would be the same way. Dr. Ferrillo replied that no changes were anticipated. He said it was not unusual in many practices when entering a specialty program vs. a pre-doctoral, undergraduate dental degree. Regent Hill observed that 12 students/year would be admitted. Dr. Ferrillo agreed. Regent Hill asked whether it was a 2-year program. Dr. Ferrillo said that it would be a minimum of 2 years, adding that there was some discussion about whether to conduct a 24-month or 30-month program. Regent Hill surmised that two classes would be conducted at any time, even with a 30-month program, with a rolling admittance. Dr. Ferrillo replied that accepting 12 students/year for a 30-month program would actually yield 36 students for a 6-month period. He clarified that the conservative program model was based upon a 24-month program. The numbers would change if a 30-month program were conducted because of additional tuition and clinical revenue. He said the university had not made the decision yet. Regent Hill was pleased that UNLV would have sole control over admissions criteria. He presented a hypothetical situation with 30

applicants, where none of the top twelve selected chose to enter into the contractual model with the corporation. He asked how that would affect the relationship with the donor. Dr. Ferrillo replied that it was important to consider the admissions requirements. He said that often it was not necessarily the top twelve who were considered. He said that other selection criteria were also considered. He related that the applicant pool for this particular specialty is usually the top ten in the class. Due to the tremendous demand and need for these programs, he felt the applicant pool would meet the needs of this type of an agreement. Regent Hill said that one of the litigation issues that institutions of higher learning get into is when they select people below the top 12 because they would be more likely to accept the contract with the donor. He asked about the consequences if eight of the top twelve students did not take advantage of the offer. Dr. Ferrillo said that it would not matter from the funding standpoint because, without full funding, nothing would be built. In managing the revenue of the program, it would not make a difference if all eight slots were not filled. Regent Hill acknowledged that the initial donation would provide the start and asked how that would affect the contract. President Harter said that she believed that it provided UNLV that flexibility. If students drop out or it does not fulfill the contract, UNLV can fill the class with the remaining people. Dr. Ferrillo observed that not filling eight slots would reduce the \$1.2 million gift. He said the university would still be able to meet its expenses. President Harter observed that the tuition side would increase. Regent Hill said that he was very interested in seeing the contract and how the university planned for all of the contingencies. Dr. Ferrillo said that UNLV had considered many scenarios. Regent Hill assumed that if the program held true to the model, with eight graduates signed up with the donor for the contractual 7-year period, that the most that would be likely staying in-state would be 4 students. Dr. Ferrillo said that he did not know. Regent Hill asked whether the donor has a practice in Nevada. Dr. Ferrillo replied they did not. Regent Hill observed that eight graduates would be leaving the state if they signed the contract. Dr. Ferrillo observed that would be the case if the donor did not establish a practice by the time the students graduated. He estimated the first class would graduate in July 2007. President Harter said that the company was considering creating and having practices in the Las Vegas area. Dr. Ferrillo said that UNLV residents would provide services to a needy segment of the population as part of their training. Regent Hill cautioned UNLV to review the financial position of the corporation/donor to be able to fulfill their commitment. President Harter replied that UNLV had done so fairly extensively. She related that UNLV Foundation Vice President John Gallagher, who conducts donor research on a regular basis, had conducted extensive research on this company and the previous company of which the donor was chairman. She said it was very solid financially.

Regent Rosenberg said the proposal looked great. He asked about the consequences if the company went bankrupt after the initial gift and there were students in the program. He asked whether their stipend would cease. He asked whether UNLV could continue minimally with just getting those students through the program. Dr. Ferrillo said that the model considered such a possibility. UNLV would not begin until the \$3 million gift cleared. Many worst-case scenarios were considered. UNLV's chief concerns are the residents and UNLV's commitment to them. He noted that they are adults. He said that UNLV would have approached the Board at some time in the future, with or without the gift, to address how to create these programs. The model indicates that the program can stand on its own and generate funds as well. President Harter said that UNLV would be able to continue the support of the students already in the program. The financial model assumed an endowment income that would help carry the students already in the program with that set of expectations and commitments. Regent Rosenberg asked about the value of the stipend for the student once accepted into the program. Dr. Ferrillo replied that the model was based on a \$30,000/year stipend plus \$30,000/year in tuition. Regent Rosenberg asked how much it would cost to buy oneself out of the program. Dr. Ferrillo replied that, like any contract or business deal, the costs would be itemized by year (for 7 years). He said there were options available and that the students would understand what they are. He said it was no different than entering into private practice (buying a private practice or becoming a partner), they would understand upfront what the costs are. Regent Rosenberg said he was trying to understand the circumstances of the students' obligation following graduation. Dr. Ferrillo said that the loan equated to \$30,000/year in stipend plus the \$30,000/year in tuition. Regent Rosenberg asked about the cost for setting up a practice. Dr. Ferrillo replied the cost would be between \$200,000 and \$300,000. He said that most dental students come out of school at a minimum of \$100,000 in debt. Most students have to then pay for graduate school, which adds an additional \$100,000- \$150,000 in debt prior to starting a practice. He explained that most socio-economically deprived students could not afford such expenses and have been excluded from the profession. He said that this program would allow more people to choose to enter the profession. President Harter stated that all of their costs are covered when they enter the company practice. Dr. Ferrillo reminded the Board that graduates were guaranteed a minimum of \$150,000/year with the company practice.

Regent Dondero asked who would be the dean of the program. Dr. Ferrillo replied that a director would report to him. Regent Dondero established that Dr. Ferrillo would be the dean and oversee all of the activity and finances. Dr. Ferrillo said that the director would report to him. He said that he would oversee the accreditation portion. Regent Dondero established that it would be known as the University of Nevada, Las Vegas School of Dental Medicine advanced education program in orthodontics.

Regent Sisolak asked about the legality of disclosing a name in a press release. General Counsel Ray said that it was his understanding there had been reference to a donor. He did not know whether the donor had consented to having his name published. If no consent was received, he recommended that the name be kept confidential as consistent with the statute. Chair Anthony asked Dr. Ferrillo whether the donor had consented to having his name published. Dr. Ferrillo said that he did not have his direct consent, but acknowledged an obvious, logical connection between the company and him. Chair Anthony asked whether UNLV had his consent to release his name. Dr. Ferrillo said that the concern with releasing his name was that once another dental school dean found out about the potential deal (no signed contract exists), they may approach him to negotiate a similar deal. Chair Anthony said that if UNLV could not affirm the donor's consent he would assume there was

none, adding that this would be a matter of public record. President Harter said that, because they were not sure, they would prefer not to. However, they would reveal the donor's name when they return for approval of the contract. Regent Sisolak said that the name was given to him by the orthodontic community and a professor in Washington. He wanted to talk about a complaint that was filed with the Department of Education. He asked whether he should just omit the names. General Counsel Ray said that it was difficult to advise him. All he could tell him is what the law provides. The law provides that a donor's name, or information relating to a donor, is confidential unless the donor has authorized the release.

Regent Kirkpatrick requested a copy of the press release. Chair Anthony said that the Board should respect the man's wishes, adding that if he had not given his consent the Board needed to respect that. He asked Regent Sisolak to discuss the matter without naming the donor. He asked that Regent Sisolak release the material after the meeting to any Regents interested. Regent Kirkpatrick observed that it was a matter of public record. Regent Sisolak said that he would provide a copy to Regent Kirkpatrick.

President Harter said that Dean Ferrillo understood the situation being referred to and could respond without naming the person.

Chair Anthony again asked Regent Sisolak to present the information without naming the donor. Regent Sisolak said that he was very concerned. The matter was first brought to his attention by two local orthodontists. Then a faculty member from a dental school in Washington called him and faxed a copy of the complaint to him. Regent Sisolak said that this company has initiated this program at two universities; Jacksonville University in Jacksonville, Florida and one in Colorado. The complaining group is the American Association of Orthodontists. Their intent is to assure accreditation standards are followed and to increase the number of orthodontic specialists that are graduated. He noted that standard 1.1 of the accreditation standards for the advanced specialty education programs in orthodontics provides that, "It is the responsibility of the sponsoring institution to ensure that financial support from entities outside of the institution do not compromise the integrity of the program or the professional options of the students and/or graduates. Regent Sisolak said that this was part of the basis for the complaint. Students' options are compromised because of the 7-year commitment. The complaint holds that the integrity of the Jacksonville University program is brought into question by the reliance upon these scholarships, as it appears that the company will have a significant role in recruiting students into the JU program. Regent Sisolak said that he spent an enormous amount of time with orthodontists (nationwide) who have expressed concern about this issue. He explained that there are two separate pools for admittance. One is a pool from which four students will be selected and one is a pool from which eight students will be selected. The students chosen from the pool of eight will go to work for this company. Regent Sisolak observed that state funds would be used to pay Dr. Ferrillo's salary, as well as O&M on the building. He said it was a dangerous area when state funds would be used to compete with private industry. He felt it was incumbent upon the Board to seek input from the orthodontic community. He observed that the association wanted more orthodontists, but the profit motive was glossed over. He expressed concern for making a mistake similar to the Fire Science Academy. He did not want future Board members to question this Board's actions on this issue. He said there was a tremendous amount of information available and that he was hesitant to go further, because it did deal with the individual donor. Regent Sisolak felt the Board should embrace the orthodontic community and request their input. He could understand why local orthodontists would oppose the competition that a new clinic would provide. He reported that the AAO as a group opposes this practice because they feel it changes the standards. He felt that all of the information should be made available and suggested the Board invite the local orthodontic community and/or AAO to come forward and speak to this issue. He said that, if the Board had performed its due diligence at the time, UNR might not be in the situation it currently is.

Chair Anthony anticipated the item would be brought back for the December meeting and asked whether the person's name would be included on the agenda. President Harter replied that it would. Chair Anthony asked whether there was anyone present that wished to speak to the issue. Regent Sisolak asked whether Dr. Ferrillo sought the input of the local community. Dr. Ferrillo said there was an organized demonstration within the state. They approached him after it was leaked to the public. He tried to respect the donor's wishes. When the information was leaked, he met with the president of the State Dental Society. His Executive Associate Dean met with the immediate past president of the State Dental Society. He said the orthodontists have known about this for two weeks and had not contacted him.

Chair Anthony clarified that the item would be on the Board's December agenda with the person's name and specialty. He encouraged Regent Sisolak to reach out to the public and notify them that they can come forward during the meeting to discuss their concerns.

Regent Kirkpatrick noted a point of order, stating that this would occur when the Board would be considering approval of the contract. Chair Anthony replied that the Board was not obligated to approve anything. Regent Kirkpatrick again stated that the Board would be considering the contract at that point. He suggested that the Board might not want a contract if they had additional data and information.

Dr. Ferrillo said that the release date of the complaints filed at the DOE preceded much of the data from August 1, 2003. Some of the complaints were filed in the summer. The DOE determined that it is in the hands of the Commission on Dental Accreditation. The Commission is accredited by the Department of Education. A team of orthodontists was appointed by the Commission to visit the Jacksonville program. They wrote a report. Jacksonville responded to the report. It was reviewed in

a subcommittee by the Commission on Dental Accreditation of Orthodontists. The Commission approved the Jacksonville program, which was the August 2003 statement included in Provost Alden's presentation.

Regent Derby felt that it represented an opportunity. She said it was not unusual to have local practitioners resistant to programs representing competition. It was a concern when the law school was being planned. Yet, the Board is proud of the law school, which is serving the state well. The same concern was raised by the local community when the dental school was proposed. She felt the Board made a good decision in approving the dental school. It made a profession available to Nevada students while also providing a valuable service to the community. Orthodontia is a fairly select group. This opportunity would open the profession up to people from a lower economic stratus. As state funds shrink, UCCSN is asked frequently to seek public-private partnerships. She felt the program would provide an opportunity and service that is not available to many people. She saw no parallel with the Fire Science Academy. She said the Board should review the matter carefully, but also recognize the opportunity that it represents.

Regent Seastrand said that it appeared to be an interesting opportunity. He asked whether most orthodontia was elective. Dr. Ferrillo replied that a certain element was elective, but there were also elements that are required. Medicaid will pay some orthodontia costs if there is a medical problem.

Regent Howard left the meeting.

Regent Seastrand asked whether the patients would be mostly medical orthodontia or elective. Dr. Ferrillo replied that the patients coming to the residency training program would be those with no insurance, low-income, and no means of providing care for their children. He related that esthetics was also an emotional/psychological factor for children. Children without perfect smiles are often emotionally traumatized.

Regent Howard entered the meeting.

Dr. Ferrillo said the program would offer a quality of life to lower-income people at, essentially, no cost to the tax payers. Regent Seastrand asked about the economic status of the patients. Dr. Ferrillo replied that the program was designed for the children of the working poor who have no insurance and cannot afford to provide orthodontia. The program would address a segment of the population with a significant need. One of the top ten issues for the Las Vegas community is dental care. Regent Seastrand asked who would own the building. Dr. Ferrillo replied that the Foundation would own the building.

Regent Howard asked how long the corporation had been in business. Dr. Ferrillo replied that the donor owned a previous corporation. He broke away from that corporation and started a new corporation (OEC). President Harter said there was a corporation prior to the current one that originally founded the program at Jacksonville. The new corporation subsequently took over that program. Regent Howard asked for Regent Sisolak's help. Regent Sisolak stated that OEC is publicly traded. Dr. Ferrillo stated that OCA (the previous company) was, but OEC is not yet publicly traded. Regent Sisolak asked whether other companies that did this went bankrupt. It was unknown. Regent Sisolak said that he was not objecting to producing orthodontists. He felt the arrangement would be similar to requiring that two-thirds of the law school graduates work for a particular law firm.

Regent Howard asked how long the corporation had been in business. Dr. Ferrillo reported that the donor retired from OCA in 2001 to form this new company. Regent Howard asked about the number of complaints filed. Dr. Ferrillo was only aware of the one complaint filed by the American Association of Orthodontists to the DOE. He said that he would provide a complete response in the future. Regent Howard said that she would like to have the information prior to the next meeting. Regent Howard asked whether UNLV had a letter from the DOE expressing their opinion of this corporation and the status of their standing. Dr. Ferrillo thought that the letter that responds to the complaint would answer most of those questions. He did not believe the DOE would make a comment particularly about a private company. Regent Howard felt they would provide an answer if Dr. Ferrillo asked their opinion about whether or not it was a good relationship for the university. President Harter said she did not believe so. Dr. Ferrillo agreed, adding that the Commission was attempting to say that they were not going to get into the business. They are aware that schools need to explore alternative methods of funding. The Commission's concern and responsibility is to protect the public (students in the program and the public). So long as the arrangement does not compromise quality, the Commission will be satisfied. He said that he would pose the questions to the Commission. Their concern is the quality of the program and protection of the students. He related that the Commission had already made that determination. He said the details of the press release would be presented at the next meeting.

Regent Schofield related there had been opposition to other opportunities in the past. He felt it would be ludicrous not to accept the gift, adding that he did not consider this proposal similar to the Fire Science Academy.

Regent Kirkpatrick said that he initially had some concerns. He felt the Board should at least review the information presented by Regent Sisolak. He acknowledged that the situation may have been rectified, but felt the Board should find out before it takes action. He said the Board approved the dental school based upon information and assurances that were not true and advised caution on this matter.

Regent Hill said that he still had concerns about the contract, adding that he was not particularly concerned about complaints from the orthodontic community. He asked that all of the information be revealed at the next meeting. He was very concerned there be no deviation from the proper admittance procedure. He wanted assurance about the integrity of UNLV's procedures for admitting students would be totally and completely uncompromised by any relationship with any outside organization. Dr. Ferrillo assured him that he too wanted that, adding that it would need to be so because the Commission would not tolerate it.

Regent Kirkpatrick asked whether the 8 stipend recipients would be identified before or after they apply or were accepted into the program. Dr. Ferrillo replied that they would be identified in the pool. The pool will be comprised of those people with a desire to enter into the contract. That would not mean that the university would accept them. If they don't meet the criteria they will not be accepted.

Regent Sisolak established there are two separate pools; one from which four students will be selected and one from which eight will be selected. Dr. Ferrillo stated that it would not be considered two separate pools. There will be one pool from which the university will accept the students. If it happens to be those eight who agree to the contract, they will be in the program. Regent Sisolak said that UNLV would have to take 8, if they are available, that agree to go into the program. Dr. Ferrillo said that they would need to take 8 if they met the same admissions qualifications as the other 4. Regent Sisolak estimated that, with a requirement for being in the top ten of the class, only 2-4 students would apply. Dr. Ferrillo stated that some in the top pool would not apply due to the prohibitive cost. There are qualified people who do not apply because they make an economic decision that they cannot afford the program. He felt the pool would increase in size with this particular model. Regent Sisolak said that he encouraged producing more orthodontists, adding that it was the other issue that concerned him. He said that he was worried about one private enterprise benefiting to the exclusion of other private enterprises.

Regent Schofield asked whether the problem could be addressed after the school was operational. Regent Sisolak replied that the problem was that the complaint alleged that the standards were reduced in order to meet the requirement for getting 8 students to agree to the contract. He said there would be no problem with accepting 12 students and determining which 8 would agree to the contract when they completed the program, but UNLV was entering into negotiations for a different deal. Dr. Ferrillo said that the Commission looked at this issue and concluded that the Jacksonville University Orthodontics program is in compliance with the accreditation standards, including standard 1.1 regarding financial support from entities outside the institution. He said that, theoretically, every dental school graduate should be eligible to enroll in the orthodontics program. Only 290 are chosen from 6,100 applications nationwide.

Chair Anthony asked the Board to consider what had been discussed. He clarified that UNLV would negotiate the contract and would provide the contract two weeks prior to the next meeting. President Harter agreed. Vice Chair Bandera asked whether the Board would also have an opportunity to review the materials being discussed or in response to what was discussed. She suggested using the web as an information source. Regent Sisolak requested a time certain for the item, feeling that it would be helpful for the professionals who may wish to appear.

Regent Hill left the meeting.

Chancellor Nichols said that, in light of the questions raised related to risk, she asked the legal staff to provide a legal opinion on the admission process before the next meeting. General Counsel Ray said that Board members were entitled to the information provided by Regent Sisolak. He clarified that he could not distribute the information in this forum. He assured the Board the information would be provided.

Regent Kirkpatrick wanted to ensure that the Board knows what the admissions process is and whether lower-ranked candidates were accepted into the program over higher-ranked individuals because they were willing to enter into the contract. Dr. Ferrillo said that the only issue on the admissions was that UNLV would establish a guideline for the next meeting, but observed that the future director would have some say in the process.

30. Approved-Gift-In-Kind, Davis Observatory, WNCC – The Board approved President Carol A. Lucey's request on behalf of the WNCC Foundation to grant to the UCCSN Board of Regents the Jack C. Davis Observatory as a gift-in-kind. (Ref. S on file in the Board office)

Regent Sisolak moved approval of accepting the Jack C. Davis Observatory as a gift-in-kind. Regent Bandera seconded.

Vice Chair Bandera felt that it was a great operation, a wonderful gift, and commended President Lucey and her staff for putting it all together.

Motion carried. Regents Alden, Hill, and Whipple were absent.

31. Approved-Transfer of Water Rights to Wolf Run Golf Course, UNR – The Board approved President John M. Lilley's request that the Board of Regents rescind its prior action approving the transfer of 100-acre feet of water rights to Washoe

County in exchange for equivalent water service and, in lieu thereof, approved the transfer of 100-acre feet of water rights directly to the Wolf Run Golf Course. This action was taken at the January 2003 meeting. (Ref. T on file in the Board office)

Regent Rosenberg moved approval of rescinding the Board's prior action. Regent Kirkpatrick seconded.

Regent Seastrand asked whether there were any implications, financial obligations, or contractual concerns from the Board's action. Mr. Ron Zurek, Special Assistant to the President for Finance-UNR, replied there were none.

Motion carried. Regents Alden, Hill, and Whipple were absent.

Regent Rosenberg moved approval of the transfer of 100-acre feet of water rights directly to the Wolf Run Golf Course. Regent Sisolak seconded. Motion carried. Regents Alden, Hill, and Whipple absent.

Regent Hill entered the meeting.

32. Approved-Property Acquisition, Bishop Manogue Catholic High School, UNR – The Board approved President John M. Lilley's request to purchase Bishop Manogue Catholic High School (land and improvements) for \$5 million (\$5,000,000) with State General Obligation Bond proceeds as authorized in Senate Bill 507. (Ref. U on file in the Board office)

Regent Rosenberg moved approval of the property acquisition of Bishop Manogue Catholic High School for UNR. Regent Derby seconded.

Regent Kirkpatrick asked about any differences between the current information and that presented at the previous meeting. Mr. Zurek replied it was exactly the same plan outlined at the previous meeting. He related that a donor gift made through the AAU and state funds would be used to acquire the Manogue property to be used for support of Title IX gender equity. Regent Kirkpatrick asked about the total amount. Mr. Zurek replied that it totaled \$7.5 million. Regent Kirkpatrick established that General Counsel had reviewed the matter.

Regent Seastrand asked whether there was any new information the Board should know. Mr. Zurek replied that a site assessment indicated two underground fuel tanks located on the property. Further investigation revealed one water tank and a railroad car fuel tank. The cost to remove and dispose of the storage tank is \$47,100. If there is any soil remediation, there is a state fund available that will pay up to 90% of the remediation. Regent Seastrand asked about the entity from which remediation costs could be recovered. Mr. Zurek replied that it would be a UCCSN concern. Regent Seastrand asked whether there was sufficient bond funding to cover those costs. Mr. Zurek replied there was.

Regent Sisolak asked whether UNR would remove the buildings. Mr. Zurek replied that UNR intended to leave the gym and locker rooms. The remainder of the buildings will likely be demolished. Regent Sisolak asked about asbestos and other hazardous materials. Mr. Zurek replied that an environmental study was conducted for asbestos, mold and other materials. They are included in the demolition costs. Regent Sisolak asked whether the buildings that would remain had been analyzed. Mr. Zurek replied that they had. There is some asbestos in the floor tiles and ceilings. Costs would be part of the remediation. Regent Sisolak asked whether all costs were included. Mr. Zurek replied that they were.

Regent Howard asked whether insurance costs were included in the \$7.5 million. Mr. Zurek replied that the diocese will continue to operate the high school on that site until the new high school is opened. We have been named on that policy. After occupation, it becomes a piece of property covered by UCCSN's blanket insurance. Regent Howard asked about the cost. Chancellor Nichols replied it would be an incremental amount on an existing policy that would not be substantial.

Motion carried. Regents Alden and Whipple were absent.

33. Information Only-Report on Community College High Schools - CCSN Vice President Robert Palinchak and TMCC President Philip Ringle presented a report on the Community College High Schools located at their institutions.

President Philip Ringle, TMCC – Both TMCC and the public school system believe that TMCC High School is a model cooperative effort that increases effectiveness and efficiency, and provides an alternative education for students. Founded in 1997, TMCC High School is part of the county school system and is located on TMCC's Dandini Campus. It is open to incoming juniors who turn 16 by September 30th, with a 2.0 GPA, a good attendance record, and self-discipline. The principle describes the school as one for students desiring a greater academic challenge and who are looking for an alternative to the traditional high school. The size is smaller and the atmosphere is more adult. Students may take up to 3 college courses per semester. The school district pays the fees for those courses with a few limitations, including those classes approved to keep students in the number of classes (high school plus college) required to maintain their fulltime status. Juniors need 6 classes, seniors need 4 classes. Students enrolling in more than the approved number of courses must pay their own fees. Enrollment varies from year to year. This year, 161 students are enrolled. Last year's graduating class completed 2,046 credits at the college. Two students completed their high school diploma and an associate degree within a week of one another. The students outperform their Washoe County peers in almost every category. Their average daily attendance was the highest of all high schools in the county, 99.5%. 78% of the graduates earned Millennium

Scholarships. The high school had the highest percentage of all county high schools in the number of students enrolled in advanced science and math classes. In 2001, 100% of the students passed the reading, writing, and math proficiency exam. They had the least number of student suspensions and expulsions for violence, drugs, alcohol, or weapons violations. They also had the least number of graduates enrolled in remediation courses when they transferred to the college. They had a slightly higher retention rate in courses compared to the campus average and a higher persistence rate than other students. TMCC's capture rate for all of the county high schools is about 24%. For TMCC High School, 52% go on to attend TMCC. Another 14% went on to UNR. Over three-quarters of the students received A's, B's, or C's in their college-level courses. He encouraged Board members to attend the graduations.

Regent Howard asked whether the employees were also a separate entity from TMCC. President Ringle replied that employees of the high school are school district employees.

Regent Kirkpatrick encouraged board members to attend the graduations, adding that they were very impressive.

Vice President Robert Palinchak, CCSN – The CCSN High School opened in January 1996. The stated mission was to facilitate the successful transition of students from high school to postsecondary education. The unique program accepts juniors and seniors. Students schedule their high school classes in the format of either Monday-Wednesday-Friday or Tuesday-Thursday-Friday. Students are permitted to take 2-4 college classes for dual credit. The high school and college classes are free to the student with the proviso that Clark County School District pay for up to 12 credits per semester for each student taking college courses. The students buy their own text books and the college pays all utilities and custodial services in buildings currently provided by the school district. Most students take general education courses, but many also pursue certificates in culinary arts, automotive technology, air conditioning, and other transfer areas. All students have access to high school and college counselors for personal, academic, and career counseling. Students also provide their own transportation and are eligible to join any club or student organization on the college campus. They have their own year book, prom, and graduation ceremony. Many students belong to the National Honor Society and also have representation on the college student government association. Courses are taught at three locations. There are 221 students at the Charleston Campus, 191 students at the Cheyenne Campus, and 122 students at the Henderson Campus for a total of 534 students currently enrolled in the high school. CCSN could accommodate approximately 10% more up to 600 students. 78% of the students are female and 35% are minorities (78 African American, 54 Asian/Pacific, 48 Hispanic, and 5 American Indian). Graduation rates averaged 99% over the last four years. Credits earned by graduating seniors varied from a high of 49 college credits at the Charleston Campus to 31 at Cheyenne, and 17 at Henderson. Admittance is determined by a faculty committee from the secondary school district, which reviews academic performance, rigor of high school courses, attendance patterns, conduct, teacher recommendations, essays, and a math performance quiz. Most students work. The first state Millennium graduate was also a graduate of the community college high school in Henderson, completed a bachelor's degree at UNLV, and is now attending law school. Two students received both high school and college diplomas at the same time. The youngest graduate was 14 and had been home-schooled. The unique arrangement is a collaborative venture between the school district and CCSN. CCSN desires to take in more students, which would require more room and likely a higher tuition paid by the school district.

Regent Seastrand noted that his daughter attends one of the high schools, adding that she is really enjoying the experience.

Chair Anthony applauded the efforts of Mr. Michael Montoya, Multimedia Manager-CCSN, Mr. Greg Hampton, Multimedia Specialist-CCSN, and Mr. Andrew McJimson, Electronics Technician II-CCSN.

34. Information Only-2003D State Refunding G.O. Bond Savings - Director of Banking and Investments, Kathleen Payne, reported on the savings from refunding the 1993 State General Obligation Bonds. (Ref. Q on file in the Board office)

Ms. Payne reported that the bonds were refunded for interest savings on September 3rd for eight years at a rate of 2.73%. The total savings amounted to \$1,070,713 after all expenses.

35. Information Only-UCCSN Name Change - Chair Stavros Anthony requested discussion on a name change for the University and Community College System of Nevada in order to reflect the inclusion of the state college in the System. Included was a discussion of any legal and fiscal issues related to a potential name change as well as a feasible timeline.

Chair Anthony said that, since one of the values included in the Board's recently passed values statement was inclusiveness, he felt it would be appropriate to include all UCCSN institutions in the System's name.

Chancellor Nichols reported that the System's legal name is "University of Nevada" as established by the constitution. In 1969, it was broadened to doing business as "University of Nevada System" when Nevada Southern University became UNLV. In December 1991, the name was changed to "University and Community College System of Nevada", which was not approved by the Nevada Legislature until 1993. Examples of names used by other systems include: Montana University System, Utah System of Higher Education, Higher Education System of Idaho, University System of Maryland, Alaska Board of Regents, Iowa State Board of Regents, Mississippi Board of Trustees of Institutions of Higher Education, Oklahoma State Regents for Higher Education, State College and University System of West Virginia, Minnesota State Colleges and University System, Massachusetts Board of Higher Education, Arkansas State Board of Higher Education,

New Jersey Commission on Higher Education, Washington Higher Education Commission, and Delaware Higher Education Commission. Chancellor Nichols related that those groups using the work “commission” were coordinating entities.

Chair Anthony said that one concern had been the cost for undertaking this. He observed that it could be phased in over a long-term period for business cards and letterhead. He said, if there were no objections, he would like input from Board members.

Regent Rosenberg suggested University and College System of Nevada.

Regent Schofield said that he has been bothered by the System’s name since he began his campaign. He said that the name was confusing and that he spends a great deal of time explaining what he does. He suggested Nevada University System and asked the Board to consider simplification.

Regent Sisolak expressed concern for the fiscal impact. He asked whether the \$42,000 cost estimate included employment of cost reduction strategies. Mr. John Kuhlman, External Relations Associate-UCCSN, explained that \$17,000 was attributed to University of Nevada Press, System Administration, and System Computing Services and was based on a 1-year phase in period. It included letterhead, business cards, and signage. Regent Sisolak was opposed to the name change and asked the Board to remember that it was spending tax payer money.

Regent Hill said that he was also concerned about the cost. He felt that the only mandatory additional cost would be attributed to signage. He felt that, if the name were changed, that DRI should be included. He suggested Nevada University, College and Research System.

Regent Derby spoke in favor of changing the name. She suggested University and College System of Nevada, adding that she also liked Nevada State Regents for Higher Education.

Regent Howard liked Regent Derby’s suggestion. She felt that Regents for Higher Education would include everyone, adding that she also liked University and College System of Nevada. She acknowledged that it would leave DRI out, but was not sure of the need to include DRI because they are in a class by themselves.

Regent Schofield said that he did not object to not including an institution in the name because each institution is listed on the letterhead. He was more concerned with the Board’s identification with the System.

Regent Kirkpatrick assumed the change arose because of the addition of the state college. He observed that DRI had never been included in the System’s name, which after 40 years, he felt was a travesty. He advised against excluding one institution. He felt the public was becoming used to “UCCSN” and he did not want to change it.

Regent Bandera disagreed. She felt the name should be inclusive and that the public is not getting used to “UCCSN”. She favored a name that would include the university, college, and research reference, yet preferred something simple. She suggested Nevada Higher Education and Research System.

Regent Derby favored University and College System of Nevada or University, College, Research System of Nevada.

Regent Schofield felt that the name should be changed.

Regent Sisolak recalled the amount of time spent on naming the state college. He was not sure that this was the most productive use of the Board’s time.

President Lilley suggested consideration of Nevada System of Higher Education.

Chair Anthony said he would ask staff to return with recommendations for the next meeting.

36. Approved-Master Plan Goal #3 Targets - Staff presented information on System-wide progress toward reaching the targets set forth in Goal #3, Opportunity for All, in the UCCSN Master Plan. The Board took action on updating benchmarks and adjusting targets for this goal. At the conclusion of the presentation, a brief discussion on unifying targets and performance indicators took place. (Ref. V on file in the Board office)

Mr. Tyler Trevor, Assistant Vice Chancellor, Academic Affairs-UCCSN, reported that his presentation would analyze the progress the System has made toward reaching targets set forth in goal #3 of the Master Plan, as well as make minor changes to the targets to bring them into better alignment with System-wide performance indicators.

Mr. Trevor explained that each Master Plan goal had 4-5 associated targets. Some of the targets have benchmarks which can be measured. All of the targets in goal #3 have measurable outcomes.

Goal #3 – Opportunity for All – Nevada’s system of higher education will increase the overall participation and success of Nevadans enrolling in higher education at all levels of education and in all ethnic groups.

Principle – All students should be given the opportunity to be successful and to complete a degree or credential if that is their goal.

Target #1 – Raise the percentage of Nevada’s high school graduates who continue into postsecondary education. Progress will be measured against the 2001 WICHE (Western Interstate Commission on Higher Education, which includes 15 western states) median as an initial benchmark.

Mr. Trevor reviewed Nevada’s college continuation rate from 1992-2002, which tracks the percent of recent Nevada high school graduates enrolled as first-time, degree-seeking students in the Fall semester immediately following graduation. The 2000 WICHE median was 49.6%, while Nevada’s was 47%. Mr. Trevor suggested changing the target to raising the percentage of Nevada high school graduates continuing to UCCSN institutions rather than all Nevada high school graduates, who may opt to attend private or out-of-state schools or schools that do not regularly report information to the federal government. Progress would be measured against the percent of recent high school graduates enrolling in UCCSN in Fall 2000.

Regent Howard asked why the college continuation rate decreased between 2000 and 2002. Mr. Trevor replied that the overall college continuation rate of students to postsecondary education declined from 47% to 45% during that time period. He observed that the decline in students continuing to UCCSN institutions declined by only 0.1%. Mr. Trevor also observed that the data only measured degree-seeking students. Regent Howard requested a copy of the presentation.

Regent Rosenberg asked whether the data was also affected by the high school graduation rate. Mr. Trevor replied that it was not affected by the rate, but rather by the number of students that do graduate.

Target #2 – Increase the percentage of Nevada’s general population who participate in some form of higher education, whether through coursework, workforce training, certificate programs, lifelong learning, or degree programs (participation rate). Continuous improvement toward the national averages for educational attainment, based on 2000 census data, will serve as Nevada’s benchmark.

Mr. Trevor reviewed Nevada’s participation rates from 1990-2002. He noted that this data reflected the percent of the population enrolled in credit courses. He related that Nevada’s population growth has outpaced UCCSN’s ability to expand and meet the demand. He recommended no changes to the target, but suggested the benchmark be changed to measure progress against the Fall 2000 participation rate of Nevada’s population (18 years+) and to monitor progress toward national averages for education attainment.

Target #3 – Bring participation in higher education by underrepresented racial and ethnic groups into parity with the Caucasian population in Nevada. Progress will be measured against Nevada census data and UCCSN enrollment statistics.

Mr. Trevor suggested changing the target language to having minority enrollment distributions within the UCCSN meet or exceed the minority population distributions within the state of Nevada, as well as having minority graduation rates meet or exceed the rates of White/Non Hispanic. He also suggested including comparisons of graduation rates by race/ethnicity to the benchmark.

Target #4 – Increase the percentage of students who successfully complete bachelor’s degrees in six years and increase the percentage of community college students who complete associate degrees in three years. Progress will be measured against the 2001 WICHE median as an initial benchmark.

Mr. Trevor reviewed Nevada graduation rates for the universities and community colleges. He noted that this data represented the percent of first-time, full-time, degree-seeking students graduating with a degree (bachelor’s at the universities; associate’s at the community colleges) in 150% of the expected time (6 years universities; 3 years community colleges).

Regent Howard observed that, while CCSN has the largest student population, it also has the lowest graduation rate.

Mr. Trevor recommended no changes to the target, but suggested that the benchmark measure progress within institutions against WICHE averages from similar institutional types. Mr. Trevor explained the System could do this by using the data warehouse and going outside of the federally defined graduation rates.

Regent Bandera requested clarification. Mr. Trevor said that System Administration has the ability to provide an expanded version of graduation rates. A student can be tracked from one institution to another within the System. Those students who do not graduate or leave an institution can be matched to the national clearinghouse. With time and effort, all students in an entering cohort can be tracked. Regent Bandera felt that was essential to providing a longitudinal profile. She noted the Board had heard about graduation rates for athletes and whether those figures were accurate. In the public education system, GED’s are not counted. She felt that the best information possible was necessary for discussions concerning graduation rates. Mr. Trevor agreed. He recommended staying with the federally defined definition for graduation rates until a

system can be developed that can consistently and reliably measure this. Previously, there has not been the ability to track students on such a broad range. Regent Bandera asked that the Board be notified when the reliable system had been developed and was ready for use.

President Romesburg said it was very important to be able to track students, especially within UCCSN. He observed that graduation rates at CCSN may not be a meaningful number, adding that students who attend for a year or so and then transfer to another institution are not counted, which gives the appearance of an abysmal success rate.

Regent Howard noted that some students begin at UNLV and then go to CCSN.

Mr. Trevor then provided a summary of his recommendations.

President Lilley asked about the reasoning for focusing on tracking Nevada high school students to UCCSN institutions and measuring progression over time. Mr. Trevor replied that getting Nevada students into Nevada higher education was a common theme with the Master Plan. The rates that are reported for national college continuation rates are reliant upon students going to private schools, which do not regularly report to IPEDS, which create inconsistencies in the data.

Regent Derby felt that both sets of data would be useful. Mr. Trevor agreed, adding that he would always present those data together. He said the target could be changed to include a breakout reflecting Nevada high school graduates who continue to UCCSN institutions. President Lilley felt that would be a better choice. Chancellor Nichols said that the other advantage was that UCCSN could immediately retrieve data for Nevada students, adding that there was at least a two-year lag on data for students who go out-of-state.

Regent Bandera said that she wanted both of those pieces of information. She felt that if there were a lag, it should be documented so the public understands what numbers are counted. It could otherwise look very bad for the public education system. Mr. Trevor agreed, adding that different college continuation rates would be realized depending upon who was reporting them.

Regent Seastrand agreed with having both pieces of data as well as including where the students who leave the state go. Mr. Trevor said that could be accommodated with the new student clearinghouse. Regent Seastrand felt it would help UCCSN understand why they are leaving.

Regent Kirkpatrick asked about the time lapse between the date they finish high school and the date used as continuing to postsecondary education. Mr. Trevor replied that it was either the Summer or Fall immediately following high school graduation. Regent Kirkpatrick asked about the percentage of CCSN's student body that was enrolled in certificate/lifelong learning programs. Vice President Palinchak estimated 20-30%. Regent Kirkpatrick noted that could impact CCSN's graduation rate considerably.

Regent Howard observed that students in certificate programs often go on to get their associate's degree. President Lilley observed that some students in certificate programs do not go on for a degree.

Mr. Trevor completed the summary of his suggested recommendations.

Regent Derby moved approval of updating the benchmarks and adjusting the targets for Master Plan Goal #3, Opportunity for All. Regent Dondero seconded. Motion carried. Regents Alden, Sisolak, Whipple were absent.

Regent Bandera thanked Mr. Trevor for presenting the information in a manner that was easy to understand.

37. Approved-UCCSN Performance Indicators – The Board approved Vice Chancellor Richard Curry's request of the UCCSN Performance Indicators for inclusion in the first edition of the UCCSN Accountability Report. (Ref. W on file in the Board office)

Vice Chancellor Curry reported that the performance indicators had been reordered and included input from the June Board meeting. It is anticipated that the first report will be available for the January Board meeting. Vice Chancellor Curry said the core of sub-indicators would align with the targets and most could be measured.

Regent Seastrand moved approval of the UCCSN performance indicators. Regent Howard seconded.

Regent Derby felt it was a shame that this item came before the Board near the end of the agenda, when they were overly fatigued. She hoped that everyone would read the information, adding that it represents a huge leap forward in the Board's ability to measure the progress the UCCSN is making. Vice Chancellor Curry thanked her. He said that an introductory essay and an executive summary would be provided with the report. The report will be generated at approximately the same time each year on a regular basis. Regent Derby asked that the information be presented to the Board a little earlier in the meeting the next time.

Motion carried. Regents Alden, Sisolak and Whipple were absent.

38. Information Only-Institutional Report - UNR President John Lilley was scheduled to present a report on his institution's plans for the coming year. Given the lateness of the day, the item was tabled to the next meeting.

39. New Business – Regent Seastrand congratulated the presidents for remaining until the end of the meeting. He requested that the new director of the University of Nevada Press provide a brief presentation to the Board regarding the Press' functions.

Regent Schofield suggested the director of the University of Nevada Press could explain to the Board how they could publish their own material. Chancellor Nichols said that it was a competitive process. An editorial board reviews and makes recommendations on the books to be published. She related that any Regent had the right to submit a book to the Press for consideration.

Regent Kirkpatrick said that he was not happy with the recent appointments to the Committee to Study Higher Education. He felt the three appointees, who have less than one year of Board experience, did not reflect the attitude, knowledge, experience, or history of the Board. He felt that either Chair Anthony or Vice Chair Bandera should participate, as well as a person with lengthy Board experience (i.e., Regent Derby) and a person with moderate Board experience (i.e., Regent Howard). He asked the Chair to reconsider his appointments, adding that if the Chair would not reconsider the appointments, he would request an agenda item to this affect for the next meeting.

Regent Howard observed that an advertisement for the University of Phoenix appeared on the back cover of a 1998 UNLV student directory and asked whether UNLV was still running those advertisements. President Harter hoped that the practice had been stopped. Regent Seastrand said that it conveyed the message that UCCSN is not afraid of competition

The meeting adjourned at 4:36 p.m.

Suzanne Ernst
Chief Administrative Officer to the Board