

BOARD OF REGENTS
NEVADA SYSTEM OF HIGHER EDUCATION
Third Floor Rotunda
Frank H. Rogers Science & Technology Building
Desert Research Institute
755 E. Flamingo Road, Las Vegas
Thursday, October 2, 2008, 8:30 a.m.
Friday, October 3, 2008, 8:00 a.m.

ROLL CALL:

Mr. Michael B. Wixom, Chair	_____
Mr. Howard Rosenberg, Vice Chair	_____
Mr. Mark Alden	_____
Dr. Stavros S. Anthony	_____
Mr. Cedric Crear	_____
Dr. Thalia M. Dondero	_____
Mrs. Dorothy S. Gallagher	_____
Dr. Jason Geddes	_____
Mr. Ron Knecht	_____
Mr. James Dean Leavitt	_____
Dr. Jack Lund Schofield	_____
Mr. Steve Sisolak	_____
Mr. Bret Whipple	_____

NOTE: Below is an agenda of all items scheduled to be considered. Unless otherwise stated, items may be taken out of the order presented at the discretion of the chair. In accordance with the Board of Regents' Bylaws, Title I, Article V, Section 20, items voted on may be the subject of a motion to reconsider at this meeting. A motion to reconsider an item may be made at any time before adjournment of this meeting. Similarly, if an item is tabled at any time during the meeting, it may, by proper motion and vote, be taken from the table and thereafter be the subject of consideration and action at any time before adjournment of this meeting.

The Board of Regents, at its regularly scheduled meetings, meets concurrently with its Audit, Student & Academic Affairs, Budget & Finance, and Cultural Diversity & Security Committees. The Board's Audit, Student & Academic Affairs, Budget & Finance, and Cultural Diversity & Security Committee meetings take place in accordance with the agendas published for those Committees. Regents who are not members of the committees may attend the Committee meetings and participate in the discussion of Committee agenda items. However, action items will only be voted on by the members of each Committee, unless a Regent is temporarily made a member of that Committee under Board of Regents' Bylaws, Title 1, Article VI, Section 6. The full Board of Regents will consider Committee action items in accordance with the Board of Regents' agenda published for the current or for a subsequent meeting.

In accordance with the Board of Regents' Bylaws, Title I, Article V, Section 13, a quorum may be gained by telephone hookup.

In accordance with NRS 241.020(6), support materials that are submitted to the Board of Regents' Office and then distributed to the members of the Board of Regents after the mailing of this agenda but before the meeting, will be made available as follows: 1.) Copies of any such supplemental support materials are available at the Board of Regents' Office Reno, Nevada. A copy may be requested by calling (775) 784-4958, and 2.) Copies of any such supplemental support materials will be available at the meeting site.

Reasonable efforts will be made to assist and accommodate physically disabled persons attending the meeting. Please call the Board office at (775) 784-4958 in advance so that arrangements may be made.

CALL TO ORDER

8:30 a.m., Thursday, October 2, 2008

PLEDGE OF ALLEGIANCE

INVOCATION

1. INTRODUCTIONS

INFORMATION

2. CHAIR'S REPORT

INFORMATION

Chair Michael B. Wixom has invited Ms. Kathleen Boutin, Founder and Director of the Nevada Partnership for Homeless Youth, to provide information about the organization and its services.

Chair Michael B. Wixom, as part of the Chair's report, requests that the President of each hosting institution introduce one student and one faculty member to discuss a topic of the hosting President's choosing to help provide Board members with a focus on the reasons they serve as board members.

He will also discuss current NSHE events and his current activities as Chair.

COMMITTEE MEETINGS

Audit Committee, 9:00 a.m. (*3rd Floor Rotunda*)

Student & Academic Affairs, 9:00 a.m. (*Auditoriums North/South*)

Budget and Finance, 11:00 a.m. (*3rd Floor Rotunda*)

Cultural Diversity & Security, 11:00 a.m. (*Auditoriums North/South*)

3. CHANCELLOR'S REPORT

INFORMATION

Chancellor Jim Rogers will continue discussions regarding the Nevada System of Higher Education's progress with legislators in giving them the specifics on the damage to be suffered by the institutions if the budget cuts become a reality. He will also request new ideas from the Board of Regents regarding methods of communicating not only with legislators, but the public at large.

4. PUBLIC COMMENT

INFORMATION

Public comment will be taken during this agenda item. No action may be taken on a matter raised under this item until the matter is included on an agenda as an item on which action may be taken. The Chair of the Board of Regents may place reasonable limitations as to the amount of time individuals may address the Board. The Chair may elect to allow public comment on a specific agenda item when that item is being considered.

INFORMATION/ACTION

5. CONSENT AGENDA **INFORMATION/ACTION**

Request is made for approval of the Consent Agenda. ([Consent Agenda](#))

6. DISCUSSION OF 2009-2011 NSHE BIENNIAL BUDGET **INFORMATION/ACTION**

The Board will discuss the 2009-2011 NSHE Biennial Budget Request that was submitted to the Governor. The Regents, institutional presidents and staff will discuss various options for the development of future contingency plans in the event that the 2009-2011 NSHE budget as submitted is not fully funded. As part of the deliberations, the Board may consider suggestions for modifications to Board policy or for modifications to applicable state policies to be supported by the Board that will assist in addressing any fund reductions. Based on the discussion, the Board may issue directions to staff and the institutions on strategies to be included or addressed in drafting future contingency plans to meet the anticipated potential funding reductions.

7. BANK FINANCING FOR THE TROPICANA PARKING FACILITY, UNLV **INFORMATION/ACTION**

The Budget & Finance Committee will make a recommendation regarding UNLV President David B. Ashley's request for approval of a resolution to allow the Nevada System of Higher Education, on behalf of the University of Nevada, Las Vegas, to issue a 30-year fixed rate, tax exempt revenue bond in an amount to net \$13.5 million to finance the construction of the Tropicana parking structure. ([Ref. BF-6](#))

8. FIRE SCIENCE ACADEMY (FSA), PROGRESS REPORT, UNR **INFORMATION/ACTION**

UNR President Milton D. Glick will present for information a progress report on the Fire Science Academy as directed by the Board of Regents at the August 7-8, 2008, Board meeting. Based on the discussion, the Board may provide direction on the future of the FSA that could include closing the FSA at the end of the current season, continuing the efforts to partner with client customers and industries to obtain financial assistance for the next five years to cover operating shortfalls, or other action with respect to improving the financial and operating condition of the FSA.

9. NON-TRADITIONAL NO MORE: POLICY SOLUTIONS FOR ADULT LEARNERS **INFORMATION**

Ann McDonough, UNLV Dean of University College and Academic Success Center and Professor and Director of Gerontology, and Vice Chancellor Jane Nichols will present to the Board an update on Non-traditional No More: Policy Solutions for Adult Learners. This two-year grant includes all NSHE institutions and is led by Western Interstate Commission for Higher Education (*WICHE*) and funded by the Lumina Foundation. Nevada is one of three states selected to participate, and institutional leaders will focus on strategies to increase college degree attainment for Nevada's adult learners. ([Ref. A](#))

10. PREPAID TUITION STUDENTS AND NSHE SUMMER SCHOOL **INFORMATION/ACTION**

The Board of Trustees of the College Savings Plans of Nevada requests that the Board of Regents discuss and consider action to clarify the basic summer school fee to be covered under the Nevada Prepaid Tuition Program. This differential fee amount creates fiscal, administrative, and actuarial issues for the Nevada Prepaid Tuition Program. Two potential solutions are presented for discussion and potential action, although other related solutions may be discussed and considered for action. ([Ref. B](#))

PERSONNEL

11. EMPLOYMENT CONTRACT, HEAD SOFTBALL COACH, UNR **INFORMATION/ACTION**

UNR President Milton D. Glick requests approval of a five-year employment contract for Matthew Meuchel as Head Softball Coach, effective July 1, 2008, at a base salary of \$70,000 annually plus compensation benefits up to 50% of his monthly base salary per round for post-season play and an additional \$1,000 for winning Conference Coach of the Year, and a courtesy car, including all associated registration fees. ([Ref. C](#))

12. CONTINUATION OF PERS RETIREES, UNLV INFORMATION/ACTION

UNLV President David B. Ashley requests recertification of the following positions within the UNLV College of Education for which a critical labor shortage continues. Board re-designation of these positions is required to continue employment.

- Dr. Jerry Hughes, Associate Faculty-in-Residence, Sport Administration; ([Ref. D](#))
- Mr. Michael Robison, Associate Professor-in-Residence, Educational Leadership; ([Ref. E](#))
- Ms. Pamela Salazar, Assistant Dean/Associate Professor-in-Residence, Educational Leadership. ([Ref. F](#))

13. HIRE OF PERS RETIREE, UNR INFORMATION/ACTION

UNR President Milton D. Glick requests approval of the hire of Walter Nicks, PERS retiree, by the Nevada Seismological Laboratory, University of Nevada, Reno. ([Ref. G](#))

PROCEDURES

**14. *HANDBOOK* REVISION, INFORMATION/ACTION
BYLAWS, UNR**

UNR President Milton D. Glick requests approval of amendments to the Bylaws of the University of Nevada, Reno, including the renumbering of the bylaws, revisions to the general bylaws and provisions governing grievance committees, evaluations and application for tenure and promotion (*Title 5, Chapter 7*). ([Ref. H](#))

**15. *HANDBOOK* REVISION, EXTENSION OF INFORMATION
PRESIDENT'S AUTHORITY TO APPROVE
EMPLOYMENT CONTRACTS FOR
LAW SCHOOL FACULTY**

UNLV President David B. Ashley requests amendment of the NSHE Board of Regents *Handbook (Title 2, Chapter 5, Section 5.4.2)* to permit the UNLV president to offer contracts of employment with terms of up to five years to non-tenured faculty in the Boyd Law School after a minimum of three years of annual employment by such faculty. This is the first reading of a proposed NSHE Code amendment. ([Ref. I](#))

16. HANDBOOK REVISION, TENURED FACULTY EVALUATION **INFORMATION/ACTION**

UNLV President David B. Ashley requests approval of revisions to the NSHE Code (Title 2, Section 5.12.2) to allow each institution to utilize either a four-tiered or two-tiered evaluation of tenured faculty as well as a narrative every three years if applicable. Pursuant to discussion after the August Board of Regents' meeting, a provision was added to address the preparation of the three year narrative progress assessments. This is the second and final reading of a change to the NSHE Code (Title 2, Section 5.12.2). ([Ref. J](#))

17. HANDBOOK REVISION, COMMITTEE CONSOLIDATION PROPOSAL **INFORMATION**

This proposal is brought forward for discussion and consideration by the Chair and Vice Chair of the Board of Regents as a result of conversations and trends occurring within the Nevada System of Higher Education relating to the necessity to examine all possible avenues of efficiency and cost savings. An important part of this process is to consider combining the duties of some of the eight standing committees and one long term non-standing ad hoc committee (*the Technology Committee*). This proposal would amend the Bylaws of the Board of Regents, Title 1, Article VI, Section 3, to reduce the number of committees to six standing committees. The six standing committees would be the Diversity Committee, the Academic, Research and Student Affairs Committee, the Audit Committee, the Business and Finance Committee, the Investment and Facilities Committee, and the Health Sciences System Committee. ([Ref. K](#))

Note: This is the first reading of a revision to the Board of Regents' Bylaws. Amendments to the Bylaws must be approved by not less than two-thirds of the members of the Board.

COMMITTEE REPORTS

NOTE: Please refer to the specific committee agenda for complete reference materials and/or reports.

18. AUDIT COMMITTEE

INFORMATION/ACTION

Chair Steve Sisolak will present a report on the Audit Committee meeting held on October 2, 2008, and Board action may be requested on the following:

- Minutes – The Committee considered for approval the minutes from the August 7, 2008, Committee meeting. ([Ref. A-1](#))
- Internal Audit Report – The Committee considered for approval the following internal audit reports:
([Ref. Audit Summary](#))
 - ✓ School of Dental Medicine, Dental Equipment Review, UNLV. ([Ref. A-2](#))
 - ✓ Performing Arts Center, UNLV. ([Ref. A-3](#))
 - ✓ Grants-in-Aid & Fee Waivers, NSC. ([Ref. A-4](#))
 - ✓ Grants-in-Aid, DRI. ([Ref. A-5](#))
 - ✓ Human Resources, DRI. ([Ref. A-6](#))
 - ✓ Grants-in-Aid & Fee Waivers, TMCC. ([Ref. A-7](#))
 - ✓ Cash Funds, CSN. ([Ref. A-8](#))
- Internal Audit Department Work Plan – The Committee considered for approval the Internal Audit Department Work Plan for the year ending June 30, 2009. ([Ref. A-9](#))
- Presidential Exit Audits for Interim Presidents – The Committee considered for approval whether an audit should be completed at the end of an interim president appointment for both the outgoing president and the interim president and may recommend specific action to the Board of Regents or the Chancellor.

19. BUDGET & FINANCE COMMITTEE

INFORMATION/ACTION

Chair Ron Knecht will present a report on the Budget & Finance Committee meeting held on October 2, 2008, and Board action may be requested on the following:

- Minutes – The Committee considered for approval the minutes from the August 7, 2008, Committee meeting. ([Ref. BF-1](#))
- Fiscal Year 2007-2008 State Accountability Report – Board of Regents' Approved Budget to Actual – The Committee considered for approval the Fiscal Year 2007-2008 State Accountability Report, Board of Regents' Approved Budget to Actual. ([Ref. BF-3](#))

19. BUDGET & FINANCE COMMITTEE – (Cont'd.)

- Design/Build Agreement, Buchanan Natatorium Swimming Pool, UNLV – The Committee considered for approval a design/build agreement to replace the UNLV McDermott Physical Education facility swimming pool. ([Ref. BF-7](#))
- Bridge Loan Financing, Nell J. Redfield Auditorium, UNR – The Committee considered for approval a request for a \$2,050,000 bridge loan from the University of Nevada, Reno Foundation to the Nevada System of Higher Education on behalf of the University of Nevada, Reno for final funding of the Nell J. Redfield Auditorium. ([Ref. BF-8](#))

20. CULTURAL DIVERSITY & SECURITY COMMITTEE

INFORMATION/ACTION

Chair Cedric Crear will present a report on the Cultural Diversity & Security Committee meeting held on October 2, 2008, and Board action may be requested on the following:

- Minutes – The Committee considered for approval the minutes from the August 7, 2008, Committee meeting. ([Ref. CDS-1](#))
- Institutional Diversity Reports, DRI and NSC – The Committee will consider for approval the acceptance of the report and may make recommendations regarding initiatives to promote diversity and other matters relating to inclusive practices on their campuses.

21. STUDENT & ACADEMIC AFFAIRS COMMITTEE

INFORMATION/ACTION

Chair Jason Geddes will present a report on the Student & Academic Affairs Committee meeting held on October 2, 2008, and Board action may be requested on the following:

- Minutes – The Committee considered for approval the minutes from the August 7, 2008, Committee meeting. ([Ref. SAA-1](#))
- UNLV – Elimination of Program, Master of Arts in French – The Committee considered for approval the elimination of the Master of Arts in French. ([Ref. SAA-2](#))
- UNLV – Elimination of Program, Bachelor of University Studies – The Committee considered for approval the elimination of the Bachelor of University Studies. This program will be integrated with the Interdisciplinary Studies Program in the College of Liberal Arts. ([Ref. SAA-3](#))
- Review of Policies and Procedures Concerning New Program Proposals and Academic Master Plans – The Committee will hear a review of the current criteria and process for review of new program proposals and may make recommendations for further clarification or adoption of new or additional criteria. ([Ref. SAA-5](#))

22. INVESTMENT COMMITTEE

INFORMATION/ACTION

Chair Thalia Dondero will present a report on the Investment Committee meeting held on September 26, 2008, and Board action may be requested on the following:

- Minutes – The Committee considered for approval the minutes from the August 1, 2008, Committee meeting. ([Ref. INV-1](#))
- Asset Allocation and Investment Returns – The Committee heard a report on the asset allocation and investment returns for the pooled endowment and pooled operating funds for the quarter ended June 30, 2008, and may make recommendations to change the asset allocation and strategic ranges for the pooled funds.
- Fire Station Facility, CSN, Interlocal Agreement with city of Las Vegas – The Committee considered for approval an Interlocal Agreement and Ground Lease to construct a structure on the Charleston Campus to house a Fire Station and College Instruction Space. ([Ref. INV-3](#))
- Deferred Maintenance – The Committee heard an update on the System Office's ongoing analysis of deferred maintenance activities and may provide direction to staff to draft a revision to existing Board policy for consideration at a future meeting of the Committee. ([Ref. INV-5](#))
- Capital Asset "Flow Process" Reference Guide & Checklist – The Committee considered and may make recommendations concerning the Capital Assets "Flow Process" Reference Guide and Checklist. ([Ref. INV-6](#))
- Real Property Transaction Checklist – The Committee considered and may make recommendations concerning the Real Property Transaction Checklist. ([Ref. INV-7](#))
- Shadow Lane Expense Sharing, Addendum to the Memorandum of Understanding (MOU) Among UNR, UNLV and NSC – The Committee considered for approval an addendum to the October 2007 MOU detailing how the debt payment for the Shadow Lane Campus will be shared among the schools utilizing the campus. ([Ref. INV-8](#))
- Kaplan, Inc., Retail Lease Agreement, UNLV – The Committee considered for approval a request to enter into a long-term agreement with Kaplan, Inc. for the lease of retail space in the new UNLV Student Union. ([Ref. INV-9](#))
- Approval of the Paul and Gwendolyn Leonard Center for Student Life, GBC – The Committee considered for approval a request to expand the Paul and Gwendolyn Leonard Center for Student Life that will encompass the remodel, expansion and transformation of the current Community Center. ([Ref. INV-10](#))

23. INVESTMENT COMMITTEE – (Cont'd.)

- Engelstad Family Foundation Gift Agreement, CSN – The Committee considered for approval a Gift Agreement in the amount of \$8,200,000 to fund educational services and a building project at CSN, and to name the Health Sciences School and Building the “Ralph and Betty Engelstad School of Health Sciences.” ([Ref. INV-11](#))
- Trade of Property with the Clark County Department of Aviation (CCDOA) to Acquire the Paradise Campus, UNLV – The Committee considered for approval a request from UNLV President David B. Ashley for the Board to delegate authority to Chancellor Jim Rogers to finalize and execute an exchange of real properties in order for UNLV to acquire title to the Paradise Campus. In the alternative, the Committee may recommend to the Board a different process for finalizing the transaction. ([Ref. INV-12](#))

**24. HEALTH SCIENCES SYSTEM
COMMITTEE**

INFORMATION/ACTION

Chair Dorothy Gallagher will present a report on the Health Sciences System Committee meeting held on September 25, 2008, and Board action may be requested on the following:

- Minutes – The Committee considered for approval the minutes from the July 31, 2008, Committee meeting. ([Ref. HSS-1](#))
- Presentation Regarding the Action Plan for the Health Sciences System (HSS) – The Committee heard an overview of the Action Plan for the HSS, the position description and qualifications for the HSS staff and general updates on the status of activities related to the Plan. The Committee considered for approval the Action Plan and may provide direction regarding any areas of emphasis or redirection of the Action Plan. ([Ref. HSS-3](#))

**25. RESEARCH & ECONOMIC
DEVELOPMENT COMMITTEE**

INFORMATION/ACTION

Chair Jack Lund Schofield will present a report on the Research & Economic Development Committee meeting held on September 25, 2008, and Board action may be requested on the following:

- Minutes – The Committee considered for approval the minutes from the July 31, 2008, Committee meeting. ([Ref. RED-2](#))
- *Handbook / Procedures & Guidelines Manual* Revision, Nevada Regents' Rising Research Award – The Committee considered for approval a revision to NSHE *Handbook* Title 4, Chapter 1 Section 17 and an amendment to the *Procedures & Guidelines Manual* Chapter 8, Section 2. ([Ref. RED-5](#))

26. NEW BUSINESS

INFORMATION

Items for consideration at future meetings may be suggested. Any discussion of an item under "New Business" is limited to description and clarification of the subject matter of the item, which may include the reasons for the request.

POSTED ON THE NEVADA SYSTEM OF HIGHER EDUCATION WEBSITE (at <http://system.nevada.edu/>), AT THE SYSTEM ADMINISTRATION BUILDINGS AND E-MAILED FOR POSTING AT THE EIGHT NSHE INSTITUTIONS:

CSN, Building D, 1st floor, 6375 W. Charleston Blvd., Las Vegas, NV 89146-1124

DRI, Maxey Building, 2215 Raggio Parkway, Reno, NV 89512-1095

DRI, Southern Nevada Science Center, 755 East Flamingo Road, Las Vegas, NV 89119-7363

GBC, Berg Hall, 1500 College Parkway, Elko, NV 89801

NSC, Great Hall, 1125 Nevada State Drive, Henderson, NV 89015

TMCC, Red Mountain Building (RDMT 200), 7000 Dandini Blvd., Reno, NV 89512

UNLV, Flora Dungan Humanities (FDH), 1st & 7th floors, 4505 Maryland Pkwy, Las Vegas, NV 89154-1001

UNR, Clark Administration, University of Nevada, Reno, Reno, NV 89557

WNC, Bristlecone Building Lobby, 2201 W. College Parkway, Carson City, NV 89703

System Administration, 5550 W. Flamingo, Suite A-5, Las Vegas, NV 89103

System Administration, 2601 Enterprise Road, Reno, NV 89512