

SPECIAL MEETING
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
9:00 a.m., Friday, April 16, 2010

ROLL CALL:

Mr. James Dean Leavitt, Chairman	_____
Dr. Jason Geddes, Vice Chairman	_____
Mr. Mark Alden	_____
Dr. Andrea Anderson	_____
Mr. Robert Blakely	_____
Mr. William G. Cobb	_____
Mr. Cedric Crear	_____
Mrs. Dorothy S. Gallagher	_____
Mr. Ron Knecht	_____
Mr. Kevin J. Page	_____
Dr. Raymond D. Rawson	_____
Dr. Jack Lund Schofield	_____
Mr. Michael B. Wixom	_____

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.

In accordance with the Board of Regents' Bylaws, Title 1, Article V, Section 12, 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 – ROLL CALL

9:00 a.m., Friday, April 16, 2010

PLEDGE OF ALLEGIANCE

INTRODUCTIONS

INFORMATION/ACTION

1. 2011 CAPITAL IMPROVEMENT PROJECTS

INFORMATION/ACTION

Chancellor Daniel J. Klaich will provide a report to introduce the 2011 Capital Improvement Program proposal. The Board may accept the report, or may provide direction to modify the proposal, including, but not limited to, prioritizing the projects that will be submitted to the State's Department of Administration for consideration by the 2011 Legislature. The Board is scheduled to approve the 2011 Capital Improvement proposal during the regularly scheduled meeting in June 2010. ([Ref. BOR-1](#))

FISCAL IMPACT: Approval of capital improvements may result in ongoing operational cost obligations for the affected institutions.

INFORMATION/ACTION

2. FY 2010 and FY 2011 BUDGET REDUCTION

INFORMATION/ACTION

A. FY 2010 BUDGET REDUCTION - ([Ref. BOR-2](#))

The Board will consider a report and budget reduction plans from the Chancellor and institutional presidents in response to the FY 2010 budget reduction mandated by the 26th Special Session of the Nevada Legislature for the NSHE System Administration, the universities, the state college and community colleges, and the Desert Research Institute.

As part of the deliberations, the Board may modify, suspend or repeal Board Policy, Bylaws and Code provisions, and provisions of the NSHE *Procedures and Guidelines Manual*, either through temporary or permanent changes, that will assist in addressing budget reductions. The Chancellor and presidents will present various alternative and cumulative strategies, which may include, but is not limited to, temporary suspension of the Board's policy on the use of Capital Improvement Fee funds generated by student fees (*Title 4, Chapter 10, Section 11*) for the current biennium only so that those funds may be used to supplement operating budget shortfalls. The Board may consider campus specific student tuition and fee increases and/or surcharges that may be imposed at each institution, including the professional schools. The Board may consider actions to reduce personnel costs which may require modifications to the Code or policies, including, but not limited to, additional furloughs, pay reductions, hiring freezes, notices of non-reappointment or termination, program or unit closures and/or organizational restructuring. The Board may declare a financial exigency and/or change the requirements of the process required for declaring a financial exigency.

2. FY 2010 and FY 2011 BUDGET REDUCTION INFORMATION/ACTION

A. FY 2010 BUDGET REDUCTION – (Cont'd)

Based on the discussions and the budget reduction plans presented, the Board may approve the budget reduction plans as submitted or with revisions, and may issue directions or grant authority in relation to the steps it deems appropriate to take with respect to any or all of the plans presented, including but not limited to, authority to approach the Interim Finance Committee for authorization to implement any such solutions if necessary.

B. FY 2011 BUDGET REDUCTION - ([Ref. BOR-2](#))

The Board will consider a report from the Chancellor and institutional presidents concerning the impact of the FY 2011 budget reduction mandated by the 26th Special Session of the Nevada Legislature for the NSHE System Administration, the universities, the state college and community colleges, and the Desert Research Institute. FY 2011 budget reduction plans will be presented for consideration by the institutional presidents for Nevada State College, the community colleges and the Desert Research Institute. The Chancellor for System Administration and the presidents of the universities will provide a report on the progress to date for the development of their plans to absorb the FY 2011 budget reduction mandated by the 26th Special Session of the Nevada Legislature. Final plans for System Administration and the universities are scheduled to be presented to the Board at its regularly scheduled meeting in June 2010.

As part of the deliberations, the Board may modify, suspend or repeal Board Policy, Bylaws and Code provisions, and provisions of the NSHE *Procedures and Guidelines Manual*, either through temporary or permanent changes, that will assist in addressing budget reductions. The Chancellor and presidents will present various alternative and cumulative strategies, which may include, but is not limited to, temporary suspension of the Board's policy on the use of Capital Improvement Fee funds generated by student fees (*Title 4, Chapter 10, Section 11*) for the biennium only so that those funds may be used to supplement operating budget shortfalls. The Board may consider campus specific student tuition and fee increases and/or surcharges that may be imposed at each institution, including the professional schools. The Board may consider actions to reduce personnel costs which may require modifications to the Code or policies, including, but not limited to, additional furloughs, pay reductions, hiring freezes, notices of non-reappointment or termination, program or unit closures and/or organizational restructuring. The Board may declare a financial exigency and/or change the requirements of the process required for declaring a financial exigency.

2. FY 2010 and FY 2011 BUDGET REDUCTION **INFORMATION/ACTION**

B. FY 2011 BUDGET REDUCTION - (Cont'd)

Based on the discussions and budget reduction plans presented for Nevada State College, the community colleges and the Desert Research Institute, the Board may approve the budget reduction plans as submitted or with revisions, and may issue directions or grant authority in relation to the steps it deems appropriate to take with respect to any or all of the plans presented, including but not limited to, authority to approach the Interim Finance Committee for authorization to implement any such solutions if necessary. Based on the progress report to date for the development of plans for System Administration and by the universities to absorb the FY 2011 budget reductions, the Board may issue directions or grant authority in relation to steps it deems appropriate to take with respect to the development of those plans, including but not limited to, authority to approach the Interim Finance Committee for authorization to implement any proposed solutions if necessary.

POLICIES & PROCEDURES

3. REVISIONS TO THE NSHE CODE **INFORMATION**

Vice Chancellor Bart Patterson requests the Board's consideration of the following changes to the NSHE Code. This is the first hearing at which this request is presented for information only. Final action will be requested at the June 2010 meeting of the Board. ([Ref. BOR-3](#))

A. HANDBOOK REVISION, DEFINITION OF "FINANCIAL EXIGENCY"

This is the first reading of a Code change to Title 2, Chapter 1, Section 1.1(h). The purpose of this change is to include that certain legislative cuts of a magnitude of greater than 10% are deemed to trigger a review of financial exigency. ([Ref. BOR-3a](#))

B. HANDBOOK REVISION, DEFINITION OF "FURLOUGH"

This is the first reading of a Code change to Title 2, Chapter 1, Section 1.1(i). The purpose of this change is to establish that certain broad-based pay reductions or furloughs may be implemented in the next fiscal year without a declaration of financial exigency, but the pay reductions cannot be higher than 8% in a biennium (*e.g. 4% per year*) or 12% over two biennia without declaring financial exigency. ([Ref. BOR-3b](#))

3. **REVISIONS TO THE NSHE CODE - (Cont'd.)**

C. **HANDBOOK REVISION, APPOINTMENT AND TERMINATION**

This is the first reading of a Code change to Title 2, Chapter 5, Section 5.4.5 and Section 5.4.7. The purpose of this change is to clarify that pay reduction is one of the options following a declaration of financial exigency. ([Ref. BOR-3c](#))

4. **HANDBOOK and PROCEDURES & GUIDELINES, INFORMATION/ACTION
MANUAL REVISION, RECOMMENDED
TUITION & FEES, 2011-12 AND 2012-13**

Chancellor Daniel J. Klaich will present for approval the recommendations of the Tuition and Fees Committee for tuition and fees adjustments for academic years 2011-12 and 2012-13 noted as "Option A." An alternative "Option B" is included based on the recommendation of Regent Jason Geddes at the March 2010 meeting. This is the second and final hearing on tuition and fees, the matter was first heard at the March 2010 meeting. In addition, the Chancellor will seek approval of policy revisions concerning the establishment of future tuition and fees (*Title 4, Chapter 17, Section 1 & 10; Title 4, Chapter 15, Section 8; and Title 4, Chapter 18, Section 18*). As requested by the Board at the March 2010 meeting, this proposal includes a provision authorizing NSHE institutions to establish differential program fees under certain circumstances (*Title 4, Chapter 17, new Section 21; P&GM Chapter 7, Section 5*).

([Ref. BOR-4a; BOR-4b](#))

FISCAL IMPACT: *The proposed tuition and fee increases will generate revenues to be considered in the biennial budget process.*

5. **PROCEDURES & GUIDELINES MANUAL INFORMATION/ACTION
REVISION, 2011-13, TUITION & FEES,
UNIVERSITY OF NEVADA
SCHOOL OF MEDICINE, UNR**

UNR President Milton D. Glick presents for approval the proposed tuition and fee structure for the 2011-13 biennia for the University of Nevada School of Medicine (*UNSOM*). This request reflects an increase in both UNSOM resident and non-resident tuition and fees of 15% per year for each year of the 2011-13 biennium and includes a proposed distribution of fees and tuition (*P&GM Chapter 7, Sections 2 and 14*). ([Ref. BOR-5](#))

FISCAL IMPACT: *The proposed tuition and fee increases will generate revenues to be considered in the biennial budget process.*

6. PROCEDURES & GUIDELINES MANUAL INFORMATION/ACTION
REVISION, ACADEMIC SUCCESS INITIATIVES
FEE AND PERFORMING ARTS FEE, UNR

UNR President Milton D. Glick requests Board approval of two fees, effective fall semester 2010, to support academic success and performing arts on campus (*P&GM Chapter 7, Section 6*):
([Ref. BOR-6a](#); [BOR-6b](#); [BOR-6c](#))

Academic Success Fee:

\$25 per undergraduate student per semester enrolled in one or more credits.

\$5 per graduate student per semester enrolled in one or more credits.

Performing Arts Fee:

\$5 per undergraduate student per semester enrolled in one or more credits per semester.

\$5 per graduate student per semester enrolled in one or more credits.

FISCAL IMPACT: *The proposed fees are expected to generate \$866,000 in additional revenue each year (Academic Success Initiatives - \$700,000; Performing Arts - \$166,000).*

7. PROCEDURES & GUIDELINES MANUAL INFORMATION/ACTION
REVISION, 2011-13 TUITION & FEES,
WILLIAM S. BOYD SCHOOL OF LAW, UNLV

UNLV President Neal J. Smatresk and Dean John White, William S. Boyd School of Law, presents for approval the proposed tuition and fee structure for the 2011-13 biennia for the William S. Boyd School of Law (*P&GM Chapter 7, Section 3*). ([Ref. BOR-7](#))

8. PROCEDURES & GUIDELINES MANUAL INFORMATION/ACTION
REVISION, 2010-11 and 2011-13 TUITION & FEES,
SCHOOL OF DENTAL MEDICINE, UNLV

UNLV President Neal J. Smatresk and Dr. Karen P. West, Dean of the UNLV School of Dental Medicine, present for approval the proposed tuition and fee structure for FY 2010-11 and the 2011-13 biennia for the School of Dental Medicine (*P&GM Chapter 7, Sections 4 and 6*). ([Ref. BOR-8](#))

FISCAL IMPACT: *The proposed tuition and fee increases will annually generate an additional \$510,000 for FY 2010-11, \$187,000 for FY 2011-12 and \$187,000 for FY 2012-13.*

INFORMATION/ACTION

9. 2011-13 BIENNIAL BUDGET DISCUSSION INFORMATION/ACTION

The Board will discuss with the Chancellor, Presidents, and System staff, the 2011-13 budget building process. Based on the discussion, the Board may make recommendations for specific areas or themes upon which the biennial budget will be built.

10. TRUST FUND FOR THE EDUCATION OF DEPENDENT CHILDREN INFORMATION/ACTION

Chancellor Daniel J. Klaich requests authority to seek Board of Examiners and Interim Finance Committee (*IFC*) approval for an allocation of \$25,000 from the IFC contingency fund to provide sufficient funding in FY 2011 to make payments for registration fees, laboratory fees and expenses for required textbooks incurred by a dependent child of a police officer, firefighter, Nevada Highway Patrol Officer, volunteer ambulance driver or attendant who was killed in the line of duty. ([Ref. BOR-10](#))

11. REQUEST FOR SALE OF PROPERTY, FIRE SCIENCE ACADEMY SITE, CARLIN, NEVADA INFORMATION/ACTION

UNR President Milton D. Glick requests approval to sell to the Nevada State Lands Division 408.06 acres (*APN 005-280-002*) and related improvements located in Carlin, Nevada and more commonly known as the UNR Fire Science Academy for the proposed sale price of \$10 million. This includes a request that the Board grant the Chancellor authorization to execute the finalized Sales and Purchase Agreement as well as any documents in connection with the sale. In addition, this request seeks authorization for UNR and the NSHE to join with the State Public Works Board and Nevada Department of the Military to present the proposed Fire Science Academy site sale plan to the Interim Finance Committee.
([Ref. BOR-11a](#); [BOR-11b](#); [BOR-11c](#); [BOR-11d](#); [BOR-11e](#))

FISCAL IMPACT: The sale of the FSA will result in \$10 million that will be applied towards capital debt reduction.

12. CHANCELLOR'S REPORT ON THE EFFORTS OF THE EDUCATION REFORM BLUE RIBBON TASK FORCE INFORMATION

Chancellor Daniel J. Klaich will report on the efforts to-date of the Education Reform Blue Ribbon Task Force.

13. 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 Chairman of the Board of Regents may place reasonable limitations as to the amount of time individuals may address the Board. The Chairman may elect to allow public comment on a specific agenda item when that item is being considered.

14. 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, 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