

Minutes are intended to note: (a) the date, time and place of the meeting; (b) those members of the public body who were present and those who were absent; and (c) the substance of all matters proposed, discussed and/or action was taken on. Minutes are not intended to be a verbatim report of a meeting. An audiotape recording of the meeting is available for inspection by any member of the public interested in a verbatim report of the meeting. These minutes are not final until approved by the Board of Regents at the March 2018 meeting.

**BOARD OF REGENTS
NEVADA SYSTEM OF HIGHER EDUCATION**

Student Union, Ballrooms B & C
University of Nevada, Las Vegas
4505 S. Maryland Parkway, Las Vegas

Thursday, November 30, 2017
Friday, December 1, 2017

Video Conference Connection from the Meeting Site to:
System Administration, Reno
2601 Enterprise Road, Conference Room
and
Great Basin College, Elko
1500 College Parkway, Berg Hall Conference Room

Members Present:

Mr. Kevin J. Page, Chairman
Dr. Jason Geddes, Vice Chairman
Dr. Andrea Anderson
Dr. Patrick R. Carter
Mr. Cedric Crear
Mrs. Carol Del Carlo
Dr. Mark W. Doubrava
Mr. Trevor Hayes
Mr. Sam Lieberman
Mrs. Cathy McAdoo
Mr. John T. Moran
Ms. Allison Stephens
Mr. Rick Trachok

Others Present:

Dr. Thom Reilly, Chancellor
Ms. Crystal Abba, Vice Chancellor, Academic and Student Affairs
Dr. Constance Brooks, Vice Chancellor, Government and Community Affairs
Mr. Chet O. Burton, Chief Financial Officer
Mr. Dean J. Gould, Chief of Staff and Special Counsel to the Board
Mr. Nate Mackinnon, Vice Chancellor, Community Colleges
Mr. Nicholas Vaskov, System General Counsel
Mr. Michael Flores, Chief of Staff to the Chancellor
Dr. Michael D. Richards, President, CSN
Dr. Kristen Averyt, President, DRI
Ms. Joyce M. Helens, President, GBC
Mr. Bart J. Patterson, President, NSC
Dr. Karin M. Hilgersom, President, TMCC

Others Present: *(Continued)*

Dr. Len Jessup, President, UNLV
Dr. Marc A. Johnson, President, UNR
Mr. Mark Ghan, Acting President, WNC

Faculty senate chairs in attendance were: Dr. Doug Lowenthal, DRI; Dr. Jonathan Foster, GBC; Dr. Zachary Woydziak, NSC; Ms. Marcie Jackson, SA; Ms. Cheryl Cardoza, TMCC; Ms. Shannon Sumpter, UNLV; Dr. Thomas Harrison, UNR; and Mr. James Strange, WNC. Student body presidents in attendance were: Ms. Elizabeth Zuniga, ASCSN President, CSN; Ms. Becky Linville, SGA President, GBC; Ms. Alicia Contreras, NSSA President, NSC; Ms. Kimberly Tran, SGA President, TMCC; Mr. Christopher Roys, CSUN President, UNLV; Ms. Kanani Espinoza, GPSA President, UNLV; Mr. Noah Teixeira, ASUN President, UNR; Mr. Sandesh Kannan, GSA President, UNR; and Ms. Tania Covarrubias, ASWN President, WNC.

Chairman Page called the meeting to order at 8:00 a.m. with all members present except Regents Carter, Crear, Hayes and Trachok. A moment of silence was held for UNR President Emeritus Joseph N. Crowley. The UNLV Police Honor Guard presented the colors. Regent Moran led the Pledge of Allegiance. UNLV Student Casey Dakus performed the National Anthem.

Regent Hayes entered the meeting.

1. Information Only – Introductions and Campus Updates – Each President provided campus-related updates on events that have occurred since the Board of Regents' last regular meeting.

Great Basin College (GBC) President Joyce M. Helens reported GBC's focus this year is collaboration to include: a \$5 million pledge from the William N. Pennington Foundation for a health science building in Winnemucca, Nevada; a \$10 million promise for the buildout of the campus in Pahrump, Nevada; a Connections program collaboration with UNR for students who may not be prepared for college; working with the Mackay School of Mines at UNR in creating a mining center for excellence to handle training and education; creating entry level pathways for students in engineering; and working with the various communities within the GBC district to enhance collaboration.

Desert Research Institute (DRI) President Kristen Averyt reported: there are four strong finalists for the Executive Vice President of Research; the climate engine in conjunction with Google, has successfully been implemented to anticipate wildfires; a new National Oceanic and Atmospheric Administration grant to extend the regional Integrated Sciences and Assessment Program to prepare society to address national hazards; and a successful partnership with UNR Cooperative Extension and the native waters project.

Truckee Meadows Community College (TMCC) President Karin M. Hilgersom reported: the new learning commons has had 3,388 more visits; the Diversity and International Student Center opened; TMCC received a \$1.6 million gift from the William N. Pennington Foundation to expand dental care to veterans through the Adopt-a-Vet program; various student performances and art exhibits; and a beautiful art mural depicting northern Nevada is almost complete in the art gallery. President Hilgersom

1. Information Only – Introductions and Campus Updates – (Continued)

updated the Board on dual credit enrollments at TMCC related to NSHE goals of access and closing the achievement gap.

Regent Carter entered the meeting.

Western Nevada College (WNC) Acting President Mark Ghan reported: WNC's dual credit JumpStart program has grown to 505 students from 18 high schools; WNC will host a luncheon for high school counselors to raise awareness of opportunities that are available at WNC; construction is under way for a science and cadaver lab in the Aspen Building which was completely funded by the William N. Pennington Foundation grant in the amount of \$1.45 million; WNC is looking forward to the remodel of the Library to further meet student needs; WNC has received notification of a \$182,000 College and Career Readiness competitive grant to support the JumpStart program; and WNC has received a grant from the Office of Science, Innovation, and Technology to expand programming and cyber security. WNC continues to work with a developer for a residence hall to involve no state funding.

College of Southern Nevada (CSN) President Michael D. Richards introduced: Dr. Margo Martin, incoming CSN Acting President; and Dr. Lisa DeJesus, Associate Vice President for Student Services. President Richards reported: the men's soccer team, in its second year, earned the Scenic West Athletic Conference championship; and CSN has been working to advance the Nevada Promise Scholarship Program. President Richards provided a status report on the student centers being built on each campus.

Regent Crear entered the meeting.

Nevada State College (NSC) President Bart J. Patterson introduced: Ms. Amber Lopez Lasater, Chief of Staff; and Ms. LaNelda Rolley, Director of Marketing and Events. President Patterson reported NSC: has started the planning and design of the education building; is focused on raising the \$6 million match for the education building; is working with CSN on the match for the joint building to be constructed on the CSN campus; and implementation has begun on the \$2.7 million Hispanic-Serving Institution grant received from the federal Department of Education.

University of Nevada, Reno (UNR) President Marc A. Johnson introduced Dr. Ivory Lyles, Director of Cooperative Extension and Associate Dean of the College of Agriculture, Biotechnology, and Natural Resources. President Johnson reported UNR: has achieved a graduation success rate of 81 percent across all the intercollegiate athletic teams; has grown basic and applied research activity reaching almost \$100 million; the arts building is under construction and on schedule for an August 2018 delivery; Great Basin Hall construction is proceeding; and the engineering building is fully funded, and the design is going well under the management of the State Public Works Board.

University of Nevada, Las Vegas (UNLV) President Len Jessup introduced: Dr. Angela Amar, Dean of Nursing; and Dr. Barbee Oakes, Chief Diversity Officer. President

1. Information Only – Introductions and Campus Updates – (Continued)

Jessup reported: the *Military Times* ranked UNLV's Veterans Services program as one of the best in the nation; *U.S. News* has ranked UNLV the most diverse campus in the country; fundraising for the Harry Reid History Endowment is strong with \$2.2 million pledged; Teach for America has granted a \$4.9 million gift to develop an initiative focused on innovative research and clinical approaches to teaching throughout the Clark County School District; and research awards grew by 30 percent in addition to a record number of licensing and contract deals and the revenue associated with them.

2. Information Only – Institutional Student and Faculty Presentations – President Jessup introduced student presenter Ms. Michelle Quizon and faculty presenter Professor Michael Kagan.

Ms. Quizon is a senior honors student at UNLV studying mechanical engineering. Her sister Leanne's diagnosis with type one diabetes nine years ago prompted Ms. Quizon to pursue engineering research as it specifically pertains to biology and human health. Ms. Quizon will present her Honors Thesis work, which she conducts with Dr. Kwang Kim in the UNLV Active Materials and Smart Living Laboratory. Ms. Quizon is now applying for graduate schools for a Ph.D. in bioengineering, with a specialty in the realms of tissue engineering, biomaterials, and therapeutics. Ms. Quizon aspires to pursue a career dedicated to research and lighting an enthusiasm for education in others, especially underrepresented minorities like herself in the STEM fields.

Ms. Quizon presented a PowerPoint titled, "A Feasibility Study of Artificial Eyelid Assistive Smart Actuator."

Professor Kagan teaches immigration law at the Boyd School of Law, where he directs the UNLV Immigration Clinic. Under his direction, the Immigration Clinic trains student attorneys to represent people in complex deportation and immigration cases. The Clinic further seeks to be a catalyst to expand legal services for the most at-risk indigent immigrants in Nevada.

The Clinic recently launched the new Bernstein Children's Rights Program, which specializes in defending unaccompanied children in deportation cases. The clinic played a leading role on the campus and in the community in helping Deferred Action for Childhood Arrivals (DACA) recipients renew their DACA permits.

The meeting recessed at 8:48 a.m. for the Academic, Research and Student Affairs Committee and Business, Finance and Facilities Committee meetings and reconvened at 11:02 a.m. with all members present except Regent Trachok.

3. Information Only – Public Comment

Mr. Christopher Roys, UNLV CSUN President, reported CSUN had made campus communication and safety its largest priority. Central administration at UNLV has been paramount in assisting CSUN to achieve goals set forth as a student

3. Information Only – Public Comment – (Continued)

government. Quickly after the October 1, 2017, tragedy, President Jessup and his team mobilized mental health resources to meet the needs of students.

Mr. Antioco Carrillo, Director of Aid for AIDS of Nevada, reported he and his staff have worked actively with the UNLV School of Medicine (UNLV SOM) to transition clients and ensure their care. It is important to create a system that is sustainable and regardless of changes, services should be provided to all clients.

Mr. Justin Weber, speaking on behalf of the Associated Students of the College of Southern Nevada (ASCSN), reported ASCSN does not favor the differential nursing fee being requested under agenda item 16. Nursing students did not have an opportunity to voice their opinion on the fee.

4. Information Only – Regents' Welcome, Introductions and Reports – Regent Crear reported Alpha Phi Alpha, the first fraternity for African American men, instituted in 1906 at Cornell University, will celebrate 111 years of service to communities around the world.

System General Counsel (System GC) Nicholas Vaskov introduced new Director of Compliance Mistee A. Galicia, who brings a wealth of knowledge to the position.

5. Information Only – Chair of the Nevada Student Alliance (NSA) Report – Ms. Kanani Espinoza, NSA Chair, welcomed meeting attendees to UNLV. The NSA met and passed three Resolutions in support of: the Public Service Loan Forgiveness Program; condemning bigotry and hatred on any higher education campus; and condemning the passage of the 115th Congress House Resolution 1 related to the tax reform bill and specifically graduate student stipends.

6. Information Only – Chair of the Faculty Senate Chairs Report – Ms. Cheryl Cardoza, Chair of the Faculty Senate Chairs, commended the Board for engaging in a robust and effective self-evaluation at the October special meeting. The Faculty Senate Chairs look forward to playing a key role in the following areas: the Board Regents' Strategic Master Plan process; and the CSN and WNC national searches for Presidents. Ms. Cardoza addressed: the one-time distribution of operating reserves to the different institutions; the NSHE Salary Study; and police consolidation in southern Nevada.

7. Information Only – Chancellor's Report – Chancellor Thom Reilly highlighted the following areas: campus budget presentations; strategic goal forums; January 19, 2018, Special Board of Regents' meeting to adopt the goals and metrics along with action steps; the southern Nevada police consolidation; and the WNC and CSN President Searches. Chancellor Reilly introduced Mr. Michael Flores, Chief of Staff to the Chancellor, and recognized Ms. Eileen Biosi on her 10th year of service to the System.

8. Information Only – Board Chairman’s Report – Chairman Page reported the WNC President Search Committee has met and the CSN President Search Committee will begin soon. Chairman Page congratulated Regent Stephens on her appointment to the Association of Community College Trustees (ACCT) Finance and Audit Committee. He also thanked Regent Stephens, Executive Director Frank R. Woodbeck, and others for attending the ACCT Leadership Congress dinner held at CSN.
9. Approved – Consent Items – The Board approved the consent items as presented.
 - 9a. Approved – Minutes – The Board approved the September 7-8, 2017, Board of Regents’ meeting minutes. (Ref. BOR-9a on file in the Board Office.)
 - 9b. Approved – William N. Pennington Foundation Pledge, GBC – The Board approved a \$5,000,000 pledged gift from the William N. Pennington Foundation to be used for the construction of a new Health Sciences and Human Services building to be located at GBC’s Winnemucca Center. (Ref. BOR-9b on file in the Board Office.)
 - 9c. Approved – William N. Pennington Renovation Grant, TMCC – The Board approved a \$1,640,122 donation from the William N. Pennington Foundation to renovate TMCC’s Dandini Campus Red Mountain Building 4th floor dental area, create an Anatomy and Physiology Lab on the 3rd floor and move the Certified Nursing Assistant program to the Meadowood Center. (Ref. BOR-9c on file in the Board Office.)
 - 9d. Approved – Appointment, Nevada State Board of Education – The Board approved the nomination of Regent Cathy McAdoo for consideration and selection by the Governor for appointment to the Nevada State Board of Education as a non-voting member representing the Nevada System of Higher Education for a term of one year, commencing on January 2, 2018. (Ref. BOR-9d on file in the Board Office.)
 - 9e. Approved – Appointments, Nevada’s K-12 Regional Training Program Boards – The Board approved the following two-year appointments to the three governing bodies of Nevada’s K-12 regional training programs, pursuant to *Nevada Revised Statutes* 391A.150:
 - Dr. Kenneth Coll, Northwest Nevada Regional Professional Development Program (RPDP) Board. (Ref. BOR-9e1 on file in the Board Office.)
 - Dr. Kim Metcalf, Southern Nevada RPDP Board. (Ref. BOR-9e2 on file in the Board Office.)
 - Thomas Reagan, Northeastern Nevada RPDP Board. (Ref. BOR-9e3 on file in the Board Office.)

9. Approved – Consent Items – (Continued)

- 9f. Approved – Technology Fee and Integrate Fee, NSHE – The Board approved acceptance of the annual report of the regular and the iNtegrate per credit hour technology fees collected, the use of funds collected and unspent balances remaining at NSHE institutions. (Ref. BOR-9f on file in the Board Office.)

Regent Anderson moved approval of the consent items. Regent Del Carlo seconded.

Regent Hayes recognized the William N. Pennington Foundation for its generous support of the northern institutions.

Regent Moran left the meeting.

Motion carried. Regents Moran and Trachok were absent.

10. Approved – Community College Committee Report – The Board accepted the Community College Committee report and approved the Committee recommendation. (Committee report on file in the Board Office.)

The Community College Committee met on November 27, 2017, and heard the following:

Information items

- ACCT Leadership Congress. Regent Allison Stephens and Executive Director Woodbeck provided a debrief on the ACCT Leadership Congress held in Las Vegas on September 25-28, 2017. with Trustees from around the country attending. Vice Chancellor for Community Colleges Nate Mackinnon discussed upcoming training opportunities for Regents through ACCT as well as the American Association for Community Colleges (AACC) over the next year.
- Nevada Promise Scholarship Program. Vice Chancellor for Community Colleges Mackinnon presented an update on the implementation of the Nevada Promise Scholarship Program including a first look at the composition of the more than 12,000 students who submitted a timely application. (Ref. CC-4 on file in the Board Office.)
- Advising at Community Colleges. Each Community College President, along with institutional administrators, provided a brief overview of the current model and practices for advising students on their campuses. The Committee was presented with a wide array of models and new initiatives aimed at improving the advising experience for students. (Refs. CC-5a and CC-5b on file in the Board Office.)

10. Approved – Community College Committee Report – (Continued)

- Institutional Advisory Council (IAC) Meetings. IAC meeting reports were received from the President and/or IAC Chair of each institution:
 - TMCC President Hilgersom presented on behalf of IAC Chair Elmar Davé who was unable to attend and reviewed their efforts to ensure the IAC continues to provide a solid connection to the community.
 - GBC IAC Chair Matt McCarty provided an update on the recent IAC meeting and work to recruit mentors for the Nevada Promise Scholarship Program.
 - WNC IAC Chair Rob Hooper spoke about the ROADS Program at WNC as well as the need to reach the under-employed adults across Western Nevada.
- Community College Campus Initiatives. Each President provided an update on various initiatives and recent happenings at their institutions.
 - CSN – President Richards made mention of the Nevada Promise Scholarship Program and the good work that the high school principals and school system administrators did in getting so many seniors to apply. He also discussed the success of the athletics program at CSN, including that the Men's Soccer team recently won their conference championship.
 - GBC – President Helens discussed her meet and greet sessions that have occurred across the many GBC locations around the state. She also discussed the draft goals and her presentation of those to community and business leaders across GBC's region.
 - TMCC – President Hilgersom discussed the TMCC budget priority setting process and the new draft goals that the Board is considering. She also discussed the work of TMCC to recruit mentors for the Nevada Promise Scholarship Program.
 - WNC – Acting President Ghan told the committee of the current renovations occurring to labs on campus, as well as a desire to renovate the existing library into learning commons. He also informed the group that, in the next year, WNC will have an accreditation visit as well as a new strategic plan.
- Unique Community College Highlights. CSN IAC Chair Dr. Nancy Brune reported on the past year for the CSN IAC, which had five meetings instead of the minimum requirement of four. Chair Brune also spoke about the successful utilization of the Council's various subcommittees in achieving their goals for the year. Chair Brune informed the Committee that the CSN IAC has a new Vice Chair, Mr. Randy Robison. Chair Brune expressed great optimism for the year ahead for CSN.

New business items

- The Committee Chair asked each president to think about what projects the Committee could work on that will help community colleges going forward.

10. Approved – Community College Committee Report – (Continued)

- The Committee Chair asked to have the colleges' presentations on advising be presented to the Academic, Research, and Student Affairs Committee at a future meeting.

Regent Moran entered the meeting.

Action items

The Board approved the following recommendation of the Community College Committee:

- The minutes from the August 31, 2017, meeting of the Community College Committee. (Ref. CC-2 on file in the Board Office.)

Regent Anderson moved acceptance of the report and approval of the Committee recommendation. Regent Crear seconded. Motion carried. Regent Trachok was absent.

11. Information Only – Common Student Experience and Multi-Campus Transition, CSN (Agenda Item 12) – President Richards, Dr. Margo Martin and Dr. Juanita Chrysanthou presented an update utilizing a PowerPoint titled, “CSN’s Common Student Experience. A report to the Nevada System of Higher Education Board of Regents on the Multi-Campus Transition” including: Timeline, July 2017 to July 2019; College of Southern Nevada Distributed; Campus and Site Alignment; External Validation: Dr. Jerry Sue Thornton, President Emerita, Cuyahoga Community College; Current President-Preparatory; Henderson “Pilot”; Preparatory Report: Space and Hiring; New President: Implementation & Assessment; and Common Student Experience Details and Update. (Ref. BOR-12 on file in the Board Office.)

Chancellor Reilly thanked CSN for the well-thought-out presentation. The pilot program at the Henderson campus will provide a good balance during the presidential transition and still allow the System to collect the data which will help with further implementation.

In response to a question from Vice Chairman Geddes, Dr. Chrysanthou reported there is a technical team that will assure seamless communication between the PeopleSoft and Enhanced (CRM) communication systems. The implementation will move forward in stages. The new product is an add-on to the PeopleSoft system and is currently being used at two other NSHE institutions.

Regent Stephens asked what data was analyzed to demonstrate the need and justification for the approach. Dr. Chrysanthou responded CSN has analyzed public information, local data that is evidence-based and student enrollment patterns.

In response to a question from Regent Stephens, Dr. Martin stated the model will help provide a consistent experience for all students no matter what campus they are on.

11. Information Only – Common Student Experience and Multi-Campus Transition, CSN (Agenda Item 12) – (Continued)

President Richards pointed out there is interest in a Southwest Las Vegas presence not only for CSN but for the NSHE.

Regent Lieberman believed the model will ensure student success and achievement and is a great collaboration between CSN and the Board of Regents, but he is concerned with looking at additional sites until the pilot model is effectively used on the three current CSN campuses.

Regent Hayes thanked CSN for the presentation.

The meeting recessed at 12:05 p.m. and reconvened at 12:30 p.m. with all members present.

12. Information Only – Institutional Advisory Council (IAC), CSN (Agenda Item 11) – CSN IAC Chair Nancy Brune provided a broad overview of the CSN IAC membership. IAC Chair Brune provided the following highlights of the CSN IAC: three standing committees consisting of Performance Metrics, Career and Curricula Alignment and K-12 Partnership; IAC members remain engaged and excited about the work on behalf of CSN and the students; meetings included discussion of issues with strategic importance to CSN, such as the multi-campus district and CSN's Strategic Plan; and the IAC has expressed an interest in working closely with the CSN Foundation in identifying additional support for programs such as JumpStart.

IAC Chair Brune stated IAC members testified in support of the following CSN legislative priorities:

- Assembly Bill (A.B.) 94 – The Nevada Grow Program, designed to help small businesses be more successful and grow by providing technical assistance and market analysis information.
- Senate Bill (S.B.) 306 which created a pilot program to jump-start previous CSN efforts to educate 50 men and 50 women who are currently in prison and expected to be released soon.
- Support for the Health Sciences Building, in partnership with NSC, in Henderson.
- Support for the Nevada Promise Program.

IAC Chair Brune publicly acknowledged and thanked Jobs for America's Graduates (JAG-NV) for its help in promoting the Nevada Promise Program. Dr. Rene Cantu, JAG Executive Director and his team of specialists worked with students to encourage them to apply for the Nevada Promise Program scholarship and the Free Application for Federal Student Aid (FAFSA).

Regent Anderson thanked IAC Chair Brune for her leadership and the IAC's hard work. The CSN IAC is engaged and very active within CSN.

13. Approved – Acting President and Presidential Transition, CSN – The Board approved Dr. Margo Martin as the acting President of CSN effective upon President Michael D. Richards' retirement on January 31, 2018, the contract and terms of employment and for the Board of Regents to commence a national search for the next President of CSN. (*Refs. BOR-13a, BOR-13b, BOR-13c and BOR-13d on file in the Board Office.*)

Chancellor Reilly stated the CSN community is unified in its desire to have an acting President versus an interim President and to commence a national search for the next President of CSN.

Chancellor Reilly recommended Dr. Margo Martin as the acting President of CSN and to commence with a national search for the next President of CSN.

Regent Lieberman moved approval of Dr. Margo Martin as the acting President of CSN effective upon President Michael D. Richards' retirement on January 31, 2018, the contract and terms of employment and for the Board of Regents to commence a national search. Regent McAdoo seconded. Motion carried.

Chancellor Reilly announced the first meeting of the CSN President Search Committee has tentatively been set for January 8, 2018, at 1:00 p.m. at the West Charleston Campus.

14. Information Only – 2019-21 Biennial Operating Budget/2019 Capital Improvement Projects – Chancellor Reilly, System staff and the Presidents discussed the process of developing the fiscal years 2019-2021 Operating Budget request, including the 2019 Capital Improvement Program (CIP). The timeline for the Board's future consideration and development of the budget and possible enhancements, as well as the plan for approval of the final budget submission, were discussed. The Board also discussed options for ranking CIP projects and the ultimate number of capital projects to be submitted to the State Public Works Board.

Chancellor Reilly reported the NSHE campuses and System Administration have begun drafting a budget framework for the Board's review, revision, and approval for the fiscal years 2020 and 2021 operating budgets. Due to the Workday go-live date on October 1, 2017, the process was delayed allowing the campus finance teams to focus on the implementation, prior to the initial campus visits.

System Administration Finance staff provided to each institution an outline to be used for the budget submission discussions requesting the following items be addressed:

- A recap of the 2017 legislative session from the campus perspective, as to what went well and what could have been improved upon.
- Current budget execution including enrollment trends, implementation of initiatives that were funded by the enhancements from the last session, COLA requests and issues around submitting the requests for COLA reimbursement from the state, student initiatives such as the Nevada Promise Scholarship Program and current capital projects.

14. Information Only – 2019-21 Biennial Operating Budget/2019 Capital Improvement Projects – (Continued)

- Budget planning to include any changes it would like to see to the current formula framework, pay and compensation issues, enhancements and new initiatives and timing.
- Priorities for new capital projects to be submitted to State Public Works Board

Campus visits began in early November and all will be completed on December 5, 2017.

Chancellor Reilly provided the following common themes related to the current biennium budget:

- Enrollment at the universities is still growing but at a slower and more manageable pace. Both UNR and UNLV are seeing enrollment growth in line with projections. Enrollment has increased at NSC, growing by double digits this year. NSC has attributed the growth to the campus maturing, word getting out, the introduction of new programs, and the introduction of statewide workforce needs. Many of the community colleges are seeing either very modest enrollment growth or enrollment declines. This may be attributed to the current economy, plentiful jobs, and low unemployment rate. The community colleges are very concerned with the impact of the enrollment decline to the roll-up of the next budget.
- Requesting reimbursement for the 3 percent cost of living allowance (COLA) is a concern. Unlike the base budget, NSHE must request funding for the pay increases driven by the COLA approval. Changes in the framework for requesting the reimbursement has generated concern that the institutions may have to absorb the budget impacts from the pay increases. System Finance staff are working with the Governor's Finance Office to address the concerns.
- The career and technical education (CTE) increased weighting for the community colleges allows the colleges to address critical workforce development needs.
- The increased funding for the Silver State Opportunity Grant has been helpful in addressing the needs of underrepresented, low-income students. There has been an overwhelming response in applicants for the Nevada Promise Scholarship program.
- Deferred maintenance continues to be an issue that is not addressed by the current level of funding received from the slot tax revenue. With slot tax revenue declining there is a consensus that a new funding source is needed to address the large backlog in this critical area.

Chancellor Reilly reported a number of common requests related to the building of the upcoming budget and the requests for enhancements.

- Funding model.
 - There is a consensus that the institutions would like to see a degree of certainty in the weighted student credit hour baseline funding rate per credit hour. This will be discussed with the Governor's Office as the System begins to build the budget.

14. Information Only – 2019-21 Biennial Operating Budget/2019 Capital Improvement Projects – (Continued)

- Nearly all institutions would also like to see a true performance pool and not a carve-out from the base budget as is currently the practice.
- Enhancements.
 - It is critical the enhancements approved in conjunction with the current budget carry through into the next biennium. Especially noted is the increased CTE weighting for the four CIP codes applicable to the community colleges and funding years two and three of the capacity building initiatives that were approved at the rates that were previously requested.
 - State support for summer school is needed. No state support for summer school creates a disincentive to offer a full range of summer courses impacting access, time to completion and workforce development programs, and does not leverage utilization of campus facilities.
 - Address compression and equity issues in faculty and staff pay without requesting merit pay. The Board approved a 2 percent merit increase in the 2017 budget submission to the Governor that was removed in favor of an across the board 2 percent COLA request. The legislatively approved budget subsequently approved a 3 percent across the board COLA increase for each year of the biennium. The COLA increase did address the compression and equity issues that have been lingering since the pay freezes during the recession years. Since the legislature has shown no interest in providing funding for merit pay, a suggestion was made to request the same rate of COLA as is approved state-wide, but to also carve out a portion of the COLA dollars to make them discretionary at the institution level to address the most pressing salary issues.
 - Continue increased funding for the UNLV School of Medicine (UNLVSOM).
 - Expand the number of CIP codes eligible for the enhanced CTE weighting.
 - Include a way of tying the increases in adjunct faculty pay to the increases given to the full-time faculty in the formula.
 - Move tuition paid by non-resident students to self-supporting accounts to give institutions more latitude in using the funds.
 - Look at additional dedicated funding to support the goals of attaining Carnegie R1 research status for UNR and UNLV.

Chancellor Reilly reminded the Board of the current capital projects that were funded in the 2017 legislative session to include:

- Fifty (50) percent of the UNR Engineering School.
- \$25 million toward planning and construction of the UNLVSOM.
- Planning funds provided for the new UNLV engineering building and teaching college and health sciences facility at NSC.

14. Information Only – 2019-21 Biennial Operating Budget/2019 Capital Improvement Projects – (Continued)

The institutional projects receiving planning funds were set as the number one priorities, but other priorities included:

- A GBC collaborative project with UNR for a mining center of excellence in Elko.
- A TMCC and DRI joint effort for a STEM teaching and research facility in Reno.
- A renovation of the Marlette Hall auditorium in Carson City for WNC.
- The remodel of a number of outdated chemistry and science labs for education and research at UNR.

Preliminary discussions with the Governor's staff have indicated that funding will be prioritized for the three projects that received planning money in 2017 and it is assumed that the Board would look at making these the top three priorities for NSHE. Discussions will be needed to prioritize the other projects, to include requests for planning funds for the major projects versus requesting funds for the entire building.

Chancellor Reilly stated another topic discussed was related to bifurcating projects between new buildings and much less expensive renovation and remodeling projects to better utilize existing facilities. In the last couple budget cycles, only new facilities have been approved. The Board may want to consider two categories of submissions (new facilities and remodeling of existing buildings and labs) and rank each. Another suggestion is to look at a small institution factor for capital projects since all the capital funding has been directed to the universities in the last couple sessions.

The January Special Board of Regents' meeting will consist of each institution detailing its campus' requests for the Board's consideration.

Once the campus meetings are complete, System staff will work to cost out any enhancement requests as well as working with the institutions to prioritize and tie the enhancements to furthering the strategic goals. The package will be brought to the Board in January for further discussion. The Presidents will make presentations on their top priorities and the university Presidents will include their non-formula budget submissions for the professional schools and athletics. At the March Board meeting, there will be further discussion and preliminary approval.

Chancellor Reilly noted he will request the Board of Regents approve conducting a "Budget Summit" in April to expand stakeholder discussion to include the Governor's Finance Office, Legislative Counsel Bureau, and individual legislators.

All input received will be consolidated into a final budget submission that will be presented for Board approval in June. If approved, System staff will submit the final budget to the Governor's Finance Office in August. If not approved, a special Board meeting would be requested in the late July/early August timeframe to meet the Governor's deadline.

14. Information Only – 2019-21 Biennial Operating Budget/2019 Capital Improvement Projects – (Continued)

Regent Anderson stated during the Community College Committee meeting it was made clear by the community colleges that they need help getting capital project and deferred maintenance funds.

In response to a question from Vice Chairman Geddes, Chief Financial Officer (CFO) Chet O. Burton stated the System has not been successful in setting a baseline for the weighted credit student hour but would like to.

Vice Chairman Geddes asked if the 20 percent of the performance pool would be pulled out of the budget or would the System want more funds available on top of the 20 percent. Chancellor Reilly indicated the System would like more funds on top of the 20 percent with the argument to give the institutions the ability to strategically place the dollars for true performance. Vice Chairman Geddes requested to see the numbers.

Regent Hayes thanked the Chancellor for the new process allowing the Regents to set the priorities.

15. Information Only – Workday Post Go-Live Update – The Workday Executive Steering Committee (ESC) led by CFO Burton and Mr. Chris Mercer, Workday Project Director, provided an update relating to the NSHE going live with Workday as of October 1, 2017. *(Ref. BOR-15 on file in the Board Office.)*

CFO Burton reported Workday was chosen through a competitive selection in 2014. Workday is a state of the art cloud-based system. NSHE was on the ground floor of this implementation. This project was a huge undertaking with a budget of \$41 million. After the project began it became apparent the original go-live date was too aggressive pushing the date to October 1, 2017. Because of Workday and Sierra-Cedar, NSHE was able to stay within the original budget even with the delay. The NSHE will continue to work with Workday to make the product more robust and user-friendly.

Mr. Mercer presented a PowerPoint titled “Workday@NSHE Board Presentation” that included: The Journey; By the Numbers; Budget; Special Recognition; and Forward.

In response to a question from Regent Crear, Mr. Mercer stated the support budget runs through Fiscal Year (FY) 2019 and then the budget will be reassessed to support the application. Regent Crear asked if people are happy with the product. Mr. Mercer stated it varies across the System. The campuses have seen the efficiencies that have been gained, but change is difficult for people. Support requests have decreased, but there are still opportunities for additional training and support.

President Johnson pointed out the number of man-hours invested to implement the program. It has been a challenge because the staff is working their regular jobs while working on this implementation.

15. Information Only – Workday Post Go-Live Update – (Continued)

President Hilgersom appreciated all the dedicated TMCC staff that worked on the project. She stated she has heard from staff working in Workday that it is not perfect, and they have expressed that it takes more time to move through the new processes, which are related to the structure.

In response to a comment from Chairman Page, Mr. Mercer stated they had not heard the reason help calls had decreased is because they cannot get the help needed. Mr. Mercer stated they have visited the campuses and have started governance meetings with all the various departments impacted and that use the System daily, and that is something he has not heard.

President Averyt appreciated the long-term investment of this program. President Averyt did believe the implementation is detracting from the core capabilities and work that the administrative teams need to do. The time commitment is declining, but she was curious how the needs of the individual institutions, in terms of doing business, are being prioritized. Mr. Mercer reported:

- Priority one – affects someone's paycheck.
- Priority two – affects someone's expense reimbursement.
- All other changes and initiatives are prioritized by the campus governance groups.

16. Approved – Procedures and Guidelines Manual Revisions, Differential Program Fees, UNR, CSN and WNC – The Board approved the proposed differential fees for UNR, CSN and WNC (*Procedures and Guidelines Manual Chapter 7, Section 11*). (Ref. BOR-16 on file in the Board Office.)

Chancellor Reilly reported each institution is permitted to establish, subject to Board approval, differential fees for higher cost programs. All institutions have a differential fee for nursing except for CSN. The proposal includes: the establishment of a nursing differential fee at CSN; an adjustment to the nursing differential fee at WNC; and a correction by UNR to the nursing differential fee footnote in the *Procedures and Guidelines Manual*.

President Johnson, President Richards, and Acting President Ghan addressed the differential fee proposals for their respective institutions.

In response to a question from Regent Hayes, Acting President Ghan believed the fee being charged at the universities is much higher than \$90 per credit hour. President Johnson added the universities do charge more per credit hour.

Vice Chairman Geddes moved approval of the proposed differential fees for UNR, CSN and WNC (*Procedures and Guidelines Manual Chapter 7, Section 11*). Regent Trachok seconded. Motion carried.

17. Approved – Procedures and Guidelines Manual Revisions, Student Fees – The Board approved the *Procedures and Guidelines Manual* revisions addressing special fee and student fee changes for NSHE institutions. These fees include changes to special course fees, residence hall rates at UNR and GBC and food services rate increases at UNLV and UNR. (Ref. BOR-17 and supplemental material on file in the Board Office.)

CFO Burton reported that the institutions come before the Board in approximately December to address any campus-wide student fees or special course fees more than \$50. Two student fee requests are being made: \$2 CSN Athletics and Recreation fee; and a \$120 per student/per semester International Student fee. Special course fees, residence hall and food services fees are across the System and are listed in the reference material.

Regent Lieberman moved approval of the *Procedures and Guidelines Manual* revisions addressing special fee and student fee changes for NSHE institutions. Regent Anderson seconded.

President Richards expressed the support of the ASCSN as the fee will return some recreation fees to the student government.

Motion carried.

18. Approved – Handbook Revision, Salary Approval and Reporting Process – The Board approved revisions to Board policy governing the salary approval and reporting process within System Administration to provide consistency with policies currently applicable to institutions (Title 4, Chapter 3, Sections 26-29) with the addition that Regents would be notified in writing if any new cabinet-level positions were created by the Chancellor. (Ref. BOR-18 and supplemental material on file in the Board Office.)

Chancellor Reilly reported Board policy currently provides that the Chancellor may appoint executive staff, yet policy provides that the initial salaries for the vice chancellors must be approved by the Board. The provisions are not consistent and put the Chancellor in an unusual position to exercise full hiring discretion. This Board policy revision will align the approval process to the approval process that the Presidents have. If the salary is out of range the Chancellor will consult with the Chairman of the Board for approval.

The second part of the policy will require an annual report be given to the Board of Regents from all institutions, including System Administration, to promote transparency in salary changes and to allow the Board to identify market and other trends related to salary increases.

Regent Stephens believed this was the first step but thought there were other issues to be aware of. There is a difference between the policy and the process. Titles and duties must align so everyone is held accountable.

18. Approved – Handbook Revision, Salary Approval and Reporting Process – (Continued)

Chancellor Reilly stated he has also committed to when he brings on direct reports he will send out a notification to the Board with the details of the hire.

Regent Hayes asked that the revision include “the Chancellor will submit notification in writing of any new position being created.”

Regent Hayes moved approval of revisions to Board policy governing the salary approval and reporting process within System Administration to provide consistency with policies currently applicable to institutions (Title 4, Chapter 3, Sections 26-29) with the addition that Regents would be notified in writing if any new positions were created by the Chancellor. Regent Lieberman seconded.

Vice Chairman Geddes believed the Chancellor needed an overall employee salary budget and however he wants to use that to build his staff and execute Board policy would be left to his discretion.

Regent Crear did not believe oversight at this time was a bad thing because historically sometimes things can go wrong with new Chancellors and Presidents.

Motion carried. Vice Chairman Geddes voted no.

19. Approved – Handbook and Procedures and Guidelines Manual Revisions, Computing Resources and Information Security – The Board approved revisions to Board policy and the *Procedures and Guidelines Manual* regarding computing resources and information security (*Handbook* Title 4, Chapter 1, Section 23 and new Section 24; *Procedures and Guidelines Manual* Chapter 4, new Section 9 and Chapter 14). (Ref. BOR-19 on file in the Board Office.)

System GC Vaskov reported the revisions address two distinct but related issues: the rules governing the use of computing resources; and information and cybersecurity standards and requirements.

Regent Carter left the meeting.

Regent Anderson moved approval of revisions to Board policy and the *Procedures and Guidelines Manual* regarding computing resources and information security (*Handbook* Title 4, Chapter 1, Section 23 and new Section 24; *Procedures and Guidelines Manual* Chapter 4, new Section 9 and Chapter 14). Regent Stephens seconded. Motion carried. Regent Carter was absent.

The meeting recessed at 2:01 p.m. and reconvened at 2:13 p.m. with all members present except Regent Moran.

20. Approved – Bylaw Amendment, Board of Regents Self-Evaluation – The Board approved a revision to Board policy governing the Board's self-evaluation process (Title 1, Article V, Section 25) following the recent self-evaluation led by the Association of Governing Boards in October 2017. (*Ref. BOR-20 on file in the Board Office.*)

Chancellor Reilly reported the policy provides for a regular self-evaluation in a five-year period.

Vice Chairman Geddes moved approval of a revision to Board policy governing the Board's self-evaluation process (Title 1, Article V, Section 25). Regent Hayes seconded. Motion carried. Regent Moran was absent.

21. Information Only – Freshman Retention Rate, UNLV – President Jessup provided an update related to UNLV's freshman retention rate and initiatives to support retention and graduation. (*Ref. BOR-21 on file in the Board Office.*)

President Jessup provided the current statistics for student retention as follows:

- Fall 2014 Cohort First-Time Full-Time Student Retention: 74.1 percent.
- Fall 2015 Cohort First-Time Full-Time Student Retention: 77.1 percent.
- Fall 2016 Cohort First-Time Full-Time Student Retention: 74.4 percent.

UNLV was surprised in the decrease in retention given its work around student success, combined with the work done with the alternative admissions appeal process.

UNLV did an analysis of the students that returned and a survey of those students that did not return to determine why the retention rate decreased. UNLV has found that there is still a heavy cluster of students that are right below the appropriate threshold. Most of the students that did not return were right below the appropriate threshold and had two or more risk factors.

UNLV plans to do:

- Better recruiting and admissions.
- Build in the partnerships with NSC and CSN.
- Better advising and remediation efforts.

Regent Moran entered the meeting.

Dr. Diane Chase, UNLV Executive Vice President and Provost, stated UNLV has made aggressive changes to advising such as approaching students for appointments, instead of waiting for them to come in. UNLV has also established an early alert system for faculty if a student is having difficulty in a class. Advisors will then alert students to resources that are available to them. UNLV is having conversations with CSN about how to

21. Information Only – Freshman Retention Rate, UNLV – (Continued)

increase the dual admit class to make it a more attractive program for students. UNLV knows the bridge programs are successful and is in the process of mandating them with a trial group. A faculty member has been researching student activity in online portions of courses and has developed some learning to learn modules for students that did not pass the first section of a class. The students are enrolled in this supplemental instruction and initial indications are that they are progressing through the topics twice as fast after completing the modules.

Dr. Juanita Fain, UNLV Vice President for Student Affairs, provided the following numbers of alternate admits: 143 in 2016; 19 in 2017; and 2 in 2018. Dr. Fain also reported that 985 students have provided their common application. UNLV hopes this will attract students that are better prepared to be successful.

In response to a question from Regent Hayes, Dr. Chase stated the persistency rate for the alternate admits is 65 percent. Regent Hayes asked if some of the financial aid can be targeted for those students that are in danger of not continuing, with Dr. Fain responding yes. Regent Hayes asked if the math bridge program from UNR can be emulated at UNLV, with Dr. Chase indicating that it is under consideration at UNLV.

Vice Chancellor for Academic and Student Affairs Crystal Abba reported the Board of Regents governs the admissions requirements to the universities and provides the pathways in Title 4, Chapter 16, Section 5 of the *Handbook*. The grade point average (GPA) is only one pathway for admission. If the student does not have the GPA they may be admitted under ACT/SAT test scores set by the Board or if the student has received a Nevada advanced diploma which has its own requirements under state law. President Johnson acknowledged UNR admits every student that meets one of the pathways for admission.

In response to a question from Regent Stephens, President Jessup suggested that the students that have more risk factors may be good candidates for the dual admit program classes taught by CSN faculty to make sure they can accomplish the requirements before moving to UNLV. President Richards stated CSN is happy to pursue the enhancement of this program.

Vice Chairman Geddes clarified the admissions policy is open admission to the universities with a 3.0 GPA and it was set by the Board of Regents.

Regent Crear suggested the Board of Regents reevaluate the admissions policies as a future agenda item. Regent Del Carlo agreed. President Johnson agreed it is reasonable to review this on a regular basis.

Chancellor Reilly asked for UNLV to place this item on the agenda to begin a conversation and strategize about the opportunities based on data and how to move forward.

22. Information Only – Fundraising, UNLV School of Medicine – President Jessup provided an update related to the UNLV School of Medicine's fundraising efforts. (*Ref. BOR-22 on file in the Board Office.*)

President Jessup reported from January 2015 through October 30, 2017, the UNLV SOM raised approximately \$52 million: \$30.6 million in new gifts; \$17.7 million in new pledges; and \$3.6 million in planned gifts. The Medical Education Building (MEB) is valued at approximately \$14-\$16 million. There is also an anonymous gift of \$25 million for the building. Currently, there are about 10-12 donor prospects at the larger leadership level in active cultivation for the building. President Jessup announced the Engelstad Family Foundation will add an additional \$14 million for the MEB.

Dr. Barbara Atkinson, Founding Dean, UNLV SOM, added in the last month there has been a total of \$600,000 in grants.

In response to a question from Regent Crear, President Jessup stated UNLV has been working with a company to learn to be better fundraisers and prepare for capital campaigns and they have said there is the potential to raise hundreds of millions over the next decade for the UNLV SOM based on other schools' benchmarks. Initially, before any analysis, UNLV had estimated \$100,000 million was needed for a MEB. After some planning, UNLV was provided a range of \$135-\$250 million for an ideal medical center setting. Dr. Atkinson stated UNLV SOM would like to be further ahead in fundraising, but the amount received thus far is a lot for a brand new medical school who just received accreditation in the last year.

23. Approved – NSHE Branding Initiative – The Board approved a student competition to create a new logo for the NSHE with a February 15, 2018, submission deadline and authorized the Chancellor to form a working group to evaluate the logos received from students and narrow the submissions to up to three finalists, with the Board selecting the winner at a future meeting. (*Ref. BOR-23 on file in the Board Office.*)

Vice Chancellor for Government and Community Affairs Constance Brooks reported the System will be celebrating its 50th anniversary in 2018. The NSHE student logo contest will consist of the following:

- The contest is open to any currently registered undergraduate, graduate or professional school students who attend any NSHE institution.
- Individuals or teams are encouraged to submit original work.
- Selection committee determined by the Chancellor.
- Entries due by mid-February.
- Completed entry form and logo design submitted to the System.
- \$2,000 award for the winner.

23. Approved – NSHE Branding Initiative – (Continued)

Regent Lieberman moved approval of a student competition to create a new logo for the NSHE and authorized the Chancellor to form a working group to evaluate the logos received from students and narrow the submissions to no more than three finalists, with the Board selecting the winner at a future meeting. Regent Crear seconded.

In response to a question from Vice Chairman Geddes, Vice Chancellor Brooks stated the proposed due date for submittal was not a lot of time for the students, but the System was trying to provide ample time for the Regents to be able to review at the March Board meeting.

Regent Stephens believed this is a great way to engage the students and be fiscally responsible.

CSUN President Roys was concerned with the January deadline because of winter break and the start of the spring semester. He suggested an early February deadline.

Vice Chancellor Brooks clarified a mid-February submission deadline for the logos to be brought forward for approval at the Special Board of Regents meeting in April 2018.

Regent Lieberman amended his motion to include a February 15, 2018, submission deadline and to allow up to three finalists. Regent Crear agreed. Motion carried.

The meeting recessed at 3:22 p.m. for the Audit and Compliance Committee and Investment Committee meetings and the Board reconvened sitting as Members of the Corporation for the respective institution foundations on Friday, December 1, 2017, at 9:13 a.m., following the Cultural Diversity and Title IX Compliance Committee and Health Sciences System Committee meetings with all members present. (Separate minutes for meetings of the Members of the Corporation of the respective institution foundations maintained by the Board Office.) The Board sitting as Members of the Corporation for the respective institution foundations adjourned at 10:30 a.m. and the main Board meeting reconvened at 10:40 a.m. with all members present except Regent Moran.

24. Information Only – Public Comment –

Ms. Aranza Marmolejo, Ms. Mariana Resendiz, Ms. Karla Rodriguez Beltran and Ms. Erika Castro spoke in favor of a clean Dream Act.

Regent Moran entered the meeting.

24. Information Only – Public Comment – (Continued)

Ms. Micajah Daniels reported on Tuesday, November 28, 2017, the UNLV NAACP and Black Lives Matter chapters joined efforts with civic engagement and advocacy and diversity multi-cultured registered student organizations to host the “I Imagine” event on campus. At approximately 8 p.m., officers from the North Las Vegas Police Department circled the student union courtyard for several minutes. President Jessup has requested an apology from the North Las Vegas Police Department for their actions on the campus as the officers exceed their authority and caused students’ discomfort. No apology has been issued. This is a matter about students receiving respect on campus. The students deserve a conversation and an apology. Ms. Courtney Jones asked for the following:

- The Board of Regents to get involved and support student voices by making its own statement and requesting an apology.
- A truthful explanation from the North Las Vegas Police Department.

25. Information Only – University Park Apartments and University Gateway Project Updates, UNLV – President Jessup and staff provided an update related to the University Park Apartments and University Gateway projects. (Refs. BOR-25a and BOR-25b on file in the Board Office.)

President Jessup provided a historical update on the University Park Apartments. The new apartment project is being marketed to UNLV students and will contain approximately 760 new beds for UNLV students.

Mr. David Frommer, UNLV University Architect, stated the project was structured as a public-private partnership with an arm’s length relationship related to project financing, development, and operations to minimize and limit credit and financial risk to UNLV and NSHE. The second phase of the project, known as “The Degree”, which contains 760 new beds for UNLV students, has run into development issues and progress has not gone as anticipated. It was projected the Degree project would be on line in Fall 2017; that target was not met, which caused many significant issues for the students that had leased in the project and caused UNLV Student Life to work closely with the students to locate alternative housing. The development issues have resulted in a formal work stoppage on the project. It has also led to the filing of eight documented liens totaling approximately \$24 million. There are terms in the implementing agreements related to the Midby Companies and its requirement to satisfy and address the liens. In terms of going forward, UNLV has been working with the Midby Companies to work through the issues within the terms of the implementing agreements with a target of opening the second phase in Fall 2018.

Mr. Eric Midby, Midby Companies, stated they are working with financing and the contractor to get the project back underway with an anticipated restart day right at the first of the year, and anticipates having the project ready for student occupancy in the Fall 2018 semester.

Regent Trachok asked System GC Vaskov if the \$24 million of mechanics liens are against the fee or the long-term lease. System GC Vaskov stated the liens are filed

25. Information Only – University Park Apartments and University Gateway Project Updates, UNLV – (Continued)

against the properties themselves, meaning the fee, based on his review of Notice of Liens being filed. It is very clear under the implementing agreements that the developer has an obligation to ensure the liens are not perfected against the property.

Regent Trachok asked System GC Vaskov whether the owner of the property filed a Notice of Non-Responsibility before the commencement of the project. System GC Vaskov deferred the question to Mr. Frommer who responded that he was not certain and would have to review his files.

Regent Trachok requested a breakdown of each of the lien claimants and Mr. Midby provided the following:

- Focus Plumbing – \$793,000.
- Helix Electric – \$1.5 million.
- Korte Company – \$20.3 million.
- Performance Builders – \$18,000.
- Sierra Framing – \$210,000.
- Southern Nevada Fire Protection – \$58,000.
- Zitting Brothers – \$723,000.

In response to a question from Regent Trachok, System GC Vaskov stated this is not a breach of the ground lease because no lien has been recorded and that the ground lessee's obligation is to make sure that the liens are not recorded and perfected against the property so that it does not cloud title to the property. He added he has only seen the initial notice of the lien and no action to perfect it.

In response to a question from Regent Trachok whether any of these \$24 million of liens had been recorded against the property, System GC Vaskov stated he has not seen the liens, but has seen notice of the liens but there has not been any action to perfect the liens and no research has been done to review title to determine the status of any actions on the liens. He further stated that he does know that Midby has taken some action to prevent the liens from being perfected through the judicial process. Mr. Midby confirmed that there was a motion pending in court to prevent these liens from being perfected and that a motion was pending with the court.

In response to a question from Regent Trachok, Mr. Midby stated that his company has not filed a bond to bond around the liens. In response to a question from Regent Trachok whether there is an obligation in the ground lease that the Lessee bond over the liens, System GC Vaskov responded yes, there is an obligation to make sure that no liens are filed against the property and to bond off any liens that get to the point of perfection.

Regent Trachok requested the Board be provided with the status of all liens that have been filed against the property.

25. Information Only – University Park Apartments and University Gateway Project Updates, UNLV – (Continued)

Regent Trachok asked if this was also a breach of the loan agreement between the lessee and the lender. System GC Vaskov stated this was structured as an arm's length transaction so the only financing in place is a leasehold financing. System GC Vaskov stated he read the loan agreement when originally proposed but has not seen any changes to the loan agreement and that any limitation would be to the leasehold interest.

Regent Trachok asked if there was any obligation in the lease agreement that the lessee is required to perform on certain dates, with System GC Vaskov stating no, that the timetable for construction of the project is largely up to them. A unique aspect is that they prepaid the rent for a period of four years. There was a date in the ground lease when the Lessee had to commence construction, which the Lessee met. At the end of the day, if the Lessee does not get the project done, the Lessee loses money and the Board has been insulated from any financial ramifications. However, UNLV would not be able to escape any reputational harm.

Regent Trachok clarified the System has no right to terminate or claim damages if the project is not completed for another two to three years. System GC Vaskov believed under the current facts that is true. The System would have to wait and see how they continue to perform. There are some obligations under the project Development Agreement in terms of what must be done, how to show performance and continue construction.

In response to a question from Regent Trachok regarding the University's liability to students who have signed up for housing units, System GC Vaskov stated the obligation to provide the housing unit runs with the developer. The developer will not be allowed to continue to sign up students until there are assurances that the project is back on track and UNLV has the right to oversee marketing to students, and the developer must operate in good faith and show progress on the construction to meet that good faith requirement, but reiterated again that there is no obligation under the agreements to complete construction in any period of time.

In response to a question from Regent Trachok, Mr. Midby stated no, but that he is in constant communication with the lender.

Regent Moran was concerned students took this living space into consideration and now they have been displaced and had to find alternative living arrangements. Mr. Midby understood the concerns, but in terms of moving forward the Korte Company and Midby have reset their relationship and have the same mutual path to get the project going again. Regent Moran clarified as of August 1, 2018, there will be a certificate of occupancy issued, with Mr. Midby responding both companies are dedicated to making that happen.

Regent Hayes recalled the notification to the tenants did not happen until June and asked why that notification was so late and why the Regents were not notified until the reports appeared. Mr. Midby reported they were hopeful to put an acceleration plan in place to deliver the project before school started. A communications plan for the students did

25. Information Only – University Park Apartments and University Gateway Project Updates, UNLV – (Continued)

take some time because they wanted to make sure something was in place to help facilitate students in this unfortunate situation. President Jessup stated UNLV Student Affairs and Midby acted quickly to move the students into other leases. UNLV won't enter into any more student leases until they are certain the leases can be fulfilled. In terms of the Regents' Alert, it was made as quickly as possible once UNLV had the right facts to give out.

Chairman Page asked if there is an August 1 completion date, when do they anticipate leasing to students. Mr. Midby responded they are currently putting plans in place to deploy the marketing and leasing but a date has not been set.

In response to a comment from Regent Anderson, Mr. Midby stated that if the negotiations with the original contractor fell through they would have to explore other options to choose a different contractor to continue construction.

Mr. Greg Korte, Korte Company, stated it has been a long road to get things back together but both companies believe it is best for those involved to get this project done. They are analyzing the completion commitments with the subcontractors to get the project completed by August 1.

Regent Stephens believed it was important to build financial incentives into these agreements. She added there should be a plan B for projects that directly affect students.

System GC Vaskov reported when he saw the first lien come through he asked for a meeting with UNLV and emphasized three things: 1) wanted assurances when the contractor or a replacement contractor would be on the job; 2) reminded Midby of its obligations to take care of the liens; and 3) once a contractor is back on the job, what are the critical items needed to ensure completion by August 1.

Regent Moran requested the Regents receive a monthly report on this project, including if any liens have been perfected.

Regent Stephens clarified it is important to have a date that if critical components are not done by that a plan B goes into effect to make sure this project is being managed appropriately.

Regent Trachok stated it is important to keep in mind that he is not aware of any construction contract that doesn't have a completion date requirement and liquidated damages if there is a failure to perform. He also added that if a Notice of Non-responsibility had been recorded, none of the liens could have attached to the property.

Dr. Fain reported capacity in the dormitories is 1,800, with current occupancy at 1,762 and no waiting list.

25. Information Only – University Park Apartments and University Gateway Project Updates, UNLV – (Continued)

President Jessup stated that as in years past UNLV expects a rush on the dormitories for the new school year.

Regent Moran stated the Board of Regents just wants the project done with no additional delays. Mr. Midby stated the entire company's full focus is on this project.

26. Information Only – Code and Procedures and Guidelines Manual Revisions, Appointments and Vacancies in the Offices of Chancellor and President – System GC Vaskov presented for information proposed revisions to the Code to make the officer in charge appointment process and search procedures for presidents and chancellors more consistent (Title 2, Chapter 1, Sections 1.5.3 and 1.5.4). A revision to the *Procedures and Guidelines Manual* (Chapter 2, Section 1.b) is also included to clarify that the Board Chair recommends either an interim or acting Chancellor when a vacancy occurs or is about to occur. These revisions are presented for information only and will be presented for approval at a subsequent meeting of the Board. (Ref. BOR-26 on file in the Board Office.)

27. Approved – Employment Contract, Chief of Staff and Special Counsel to the Board of Regents (Agenda Item 34) – The Board approved the employment contract, including terms and conditions, for Dean J. Gould, Chief of Staff and Special Counsel to the Board. (Ref. BOR-34 on file in the Board Office.)

Regent Trachok moved approval of the employment contract, including terms and conditions, for Dean J. Gould, Chief of Staff and Special Counsel to the Board. Vice Chairman Geddes seconded. Motion carried.

28. Approved – Investment Committee Report (Agenda Item 31) – The Board accepted the Investment Committee report and approved the Committee recommendations. (Committee report on file in the Board Office.)

The Investment Committee met on November 30, 2017, and heard the following:

Information items

- Mr. Matt Beardsley with Russell Investments presented a report on asset allocations and investment returns for the Pooled Endowment Fund as of September 30, 2017. (Supplemental material on file in the Board Office.)
- Ms. Wendy Walker with Cambridge Associates presented a report on asset allocation and investment returns for the Pooled Endowment Fund as of September 30, 2017. (Supplemental material on file in the Board Office.)
- The Committee conducted a review of the Committee duties as set forth in the Board of Regents Handbook. The committee discussed potentially reducing the number of meetings in the future as well as additional training from the OCIO professionals. (Ref. INV-7 on file in the Board Office.)

28. Approved – Investment Committee Report (Agenda Item 31) – (Continued)

New business items

- Chair Trachok stated he will work with the Chancellor's Office to determine if a workshop providing training to the Committee should occur in March or September 2018.
- The Committee directed System Staff to review the duties of the Investment Committee in lieu of the new OCIO structure and provide a recommendation for the frequency of future meetings.

Action items

The Board approved the following recommendations of the Investment Committee:

- The minutes from the June 8, 2017, meeting of the Investment Committee. (Ref. INV-2 on file in the Board Office.)
- Ms. Wendy Walker with Cambridge Associates presented a report on asset allocation and investment returns for the pooled Operating Fund for the quarter ended September 30, 2017. Senior Director of Finance Jamie Hullman reported on the activities and the current balance of the reserve account of the System Operating Fund which was a positive \$82.5 million as of the close of business on Wednesday, November 29, 2017. The following rebalancing items were recommended for Board approval by the Committee in conjunction with this item. (Ref. INV-3 on file in the Board Office.)
 1. Within the Long-Term Pool, realize the recent strong equity gains and redeploy proceeds into bonds:
 - a. \$10 million redemption from Vanguard Institutional Index
 - b. \$5 million redemption from Manning & Napier
 - c. \$10 million redemption from MFS International
 - d. \$5 million redemption from PIMCO All Asset All Authority
 - e. \$10 million addition to PIMCO Total Return
 - f. \$10 million addition to Wells Capital Montgomery
 2. \$10 million addition to Short-Term Bonds and Cash, to bring the allocation roughly in line with the 30 percent policy target.
- The Committee discussed current NSHE distributions from the Endowment Fund, including possible changes to the current rate of net 4.5 percent spending/management fee in relation to current investment allocation, projected returns and Board policy. The Committee also reviewed past performance of the NSHE Endowment Fund and the university foundation endowment funds. The Committee reviewed how changes to the NSHE Endowment Fund distribution rate impact long-term objectives. Senior Director of Finance Jamie Hullman recommended continuing with the current 4.5 percent distribution rate, up to 4.25 percent may be distributed for spending and institutions with a management fee agreement may distribute a management fee up to 1.5 percent. The

28. Approved – Investment Committee Report (Agenda Item 31) – (Continued)

Committee agreed with the recommendation from the System in whole, which will be effective July 1, 2018. The institutions will have the discretion to allocate distributions between spending and management fee. (Ref. INV-6 on file in the Board Office.)

- The Committee considered making a special one-time distribution from the Operating Pool Reserve in light of the current balance and performance of the fund. The Committee approved a plan to potentially distribute an amount up to \$25,000,000. The Committee directed NSHE Institutions and NSHE System Administration to provide the Chancellor a prioritized listing of initiatives and amounts of how funds from the distribution will be used at their institutions to support academic and student services as well as support the strategic initiatives approved by the Board. The Committee requested that the Chancellor present a list of the initiatives at the January 2018 Board meeting for consideration by the entire Board. Funding for those initiatives approved by the Board will be distributed in early 2018. (Ref. INV-8 on file in the Board Office.)

Vice Chairman Geddes moved acceptance of the report and approval of the Committee recommendations. Regent Trachok seconded. Motion carried. Chairman Page abstained.

Regent Trachok left the meeting.

29. Approved – Athletics Committee Report (Agenda Item 27) – The Board accepted the Athletics Committee report and approved the Committee recommendations. (Committee report on file in the Board Office.)

The Athletics Committee met on November 27, 2017, and heard the following:

Information items

- The Committee reviewed the most recent Equity in Athletics Disclosure Act (EADA) reports filed with the U.S. Department of Education by UNR, UNLV, and CSN. The Committee asked questions about the reports and received information from the institutions in response. (Refs. ATH-4a, ATH-4b, ATH-4c and ATH-4d on file in the Board Office.)
- The Committee received a report from NSHE Chief Internal Auditor Joseph Sunbury on efforts aimed at achieving greater consistency among UNLV and UNR in financial data provided to the Committee and the NCAA through the annual NCAA Statement of Revenues and Expenditures. The Committee asked questions and discussed the steps the institutions will take to implement the recommendations. The Committee also asked that the report be placed on the next agenda for formal approval by the Committee. (Ref. ATH-5 on file in the Board Office.)

29. Approved – Athletics Committee Report (Agenda Item 27) – (Continued)

- The Committee reviewed the duties of the Athletics Committee as currently set forth in the Board of Regents' Bylaws (Title 1, Article VI, Section 3, Subsection h of the *Board of Regents' Handbook*). The members of the Committee offered their individual thoughts and ideas for changes to the duties of the Committee and about future agenda items. The Committee discussed the possibility of presentations highlighting the student-athlete experience, including team and student-athlete achievement, community, and academic success. System staff will work with the institution athletic directors to prepare amendments to the Committee duties for the Committee's consideration at its next meeting. (Ref. ATH-6 on file in the Board Office.)

New business items

- Committee Vice Chairman Hayes requested a report on the new policy authorizing the institutions to execute employment contracts for athletic coaches and athletic directors – including the Contract Certifications and Funds Disclosures that have been submitted by the institutions under Title 4, Chapter 24, Section 1, Subsection 10(c) and 10(d) of the *Board of Regents' Handbook*.
- Committee Vice Chairman Hayes requested an update from UNLV on its recent efforts to balance the budget of the athletic department, including a discussion of the historical trends related to how UNLV has achieved a balanced athletic department budget.
- Regent Carter requested a report from UNLV on its use of the student fee revenue used to support athletics approved by the Board at its December 2016 meeting. The report should include a comparison of the planned use of the increased student fee to actual use in the first year.
- Regent Crear requested that the Committee consider a policy change requiring the Athletics Committee to periodically review student fees that have been approved and are used to support athletics.

Action items

The Board approved the following recommendations of the Athletics Committee:

- The minutes from the August 31, 2017, meeting of the Athletics Committee. (Ref. ATH-2 on file in the Board Office.)
- Approval of a policy proposal making changes to the athletic department reporting requirements set forth in Board policy (Title 4, Chapter 24, Section 1 of the *Board of Regents' Handbook*). The policy proposal consolidates into a single comprehensive report information that is currently provided throughout the year in several different reports. This single comprehensive report (the athletic department Annual Report), will allow the Committee to be more effective and efficient while exercising appropriate oversight of institution athletics. (Ref. ATH-3 on file in the Board Office.)

29. Approved – Athletics Committee Report (Agenda Item 27) – (Continued)

Regent Moran moved acceptance of the report and approval of the Committee recommendations.
Regent Del Carlo seconded. Motion carried.
Regent Trachok was absent.

30. Approved – Academic, Research and Student Affairs Committee Report (Agenda Item 28) – The Board accepted the Academic, Research and Student Affairs Committee report and approved the Committee recommendations. (Committee report on file in the Board Office.)

The Academic, Research and Student Affairs Committee met on November 30, 2017, and heard the following:

Information items

- Vice Chancellor Abba presented an update on the NSHE Gateway Course Success Initiative, focusing on year one (2016-17) enrollment figures in Mathematics and English gateway courses at each institution and institutional efforts to meet, and in many cases, exceed projected enrollment benchmarks. Future reports will also include data on gateway course completions. (Ref. ARSA-5 on file in the Board Office.)
- Director Lori Ciccone, Nevada System Sponsored Programs, and EPSCoR, provided an overview of the EPSCoR program whose mission is to promote the opportunities and collaborations within science, research, education, and technologies for NSHE institutions. The presentation included the national role of EPSCoR, as well as requirements for participation in the programs; EPSCoR funding in Nevada; and workforce development, education, outreach and diversity efforts under the leadership of the EPSCoR program in Nevada. (Ref. ARSA-6 on file in the Board Office.)
- Senior Director of Institutional Research Linda Heiss presented the first, third and fifth-year new academic program reviews as mandated by Board policy. Assistant Vice Chancellor for Academic Affairs Allison Combs introduced the report on institutional reviews of existing programs, as mandated by Board policy, and UNR Provost Kevin Carman and TMCC Vice President for Academic Affairs Marie Murgolo-Poore provided more in-depth presentations on their respective institution's existing program reviews, including the review process in general and statistical data and program review findings and next steps for programs reviewed in this cycle. (Ref. ARSA-7 on file in the Board Office.)

Action items

The Board approved the following recommendations of the Academic, Research and Student Affairs Committee:

- The minutes from the September 7, 2017, meeting of the Academic, Research and Student Affairs Committee. (Ref. ARSA-2a on file in the Board Office.)

30. Approved – Academic, Research and Student Affairs Committee Report (Agenda Item 28) – (Continued)

- Additions to the planned academic program lists for the Academic Master Plans of UNLV, UNR, NSC, CSN, GBC, TMCC, and WNC that were previously approved at the December 2016, meeting. (*Refs. ARSA-2b1, ARSA-2b2, ARSA-2b3, ARSA-2b4, ARSA-2b5, ARSA-2b6, and ARSA-2b7 on file in the Board Office.*)
- A Bachelor of Science degree in Dental Hygiene at TMCC, in response to the growing demand for dental hygienists in Nevada and nationally. (*Ref. ARSA-3 on file in the Board Office.*)
- A Code revision to include community engagement within the standards for recommending appointment with tenure for university faculty (Title 2, Chapter 3, Section 3.4.2). This provision must be in place for at least one year so that NSHE universities meet the criteria to apply for the 2020 Carnegie Community Engagement Classification in 2019. In order to have these amendments in place before January 1, 2018, the Board is asked to consider the proposal for action in accordance with the Code, Title 2, Chapter 1, Section 1.3.3.a, which provides that the Chancellor may propose amendments to the NSHE Code by filing proposed amendments with the Secretary of the Board of Regents and requesting consideration by the Board. At least 30 calendar days before consideration by the Board, proposed amendments shall be circulated to the Chancellor, each System institution president and each senate for review and comment. The Board shall take final action after giving due consideration to the opinions, if any, of the senate representatives and officers of the System. The proposed amendments were circulated to the Chancellor, presidents and faculty senate chairs for review and comment on September 19, 2017. No objections were received. (*Ref. ARSA-4 on file in the Board Office.*)

Regent Anderson moved acceptance of the report and approval of the Committee recommendations. Vice Chairman Geddes seconded. Motion carried. Regent Trachok was absent.

31. Approved – Business, Finance and Facilities Committee Report (Agenda Item 29) – The Board accepted the Business, Finance and Facilities Committee report and approved the Committee recommendations except Item 7 (Approval of Campus Land Management Memorandum of Understating-NSC) which was considered separately. (Committee report on file in the Board Office.)

The Business, Finance and Facilities Committee met on November 30, 2017, and heard the following:

Information items

- Shadow Lane Campus – Potential Parking Structure and Ancillary Facility Development in Cooperation with the City of Las Vegas – UNLV. UNLV President Len Jessup and Executive Director of Planning and Construction David Frommer presented an update related to the UNLV Shadow Lane

31. Approved – Business, Finance and Facilities Committee Report (Agenda Item 29) – (Continued)

Campus, for a potential parking structure and ancillary facility development in cooperation with the City of Las Vegas. (Ref. BFF-1 on file in the Board Office.)

- Review of the Business, Finance and Facilities Committee Duties. The Committee conducted a review of the Committee duties as set forth in the *Board of Regents Handbook*. (Ref. BFF-12 on file in the Board Office.)
- Discussion on Changes to Board Policy to Facilitate Efficiency and Timeliness for NSHE Institution Transactions with Third Parties. The Committee discussed changes to Board policy to facilitate efficiency and timeliness of transactions with third parties. The Committee requested this item be brought back to the next meeting along with recommendations for changing requirements for board approval and/or thresholds for reporting/budgeting. (Ref. BFF-13 on file in the Board Office.)

Action items

The Board approved the following recommendations of the Business, Finance and Facilities Committee:

- The minutes from the September 7, 2017, meeting of the Business, Finance and Facilities Committee. (Ref. BFF-2a on file in the Board Office.)
- Fiscal Year 2016-2017 NSHE State Operating Budget to Actual Comparison. (Refs. BFF-2b1 and BFF-2b2 on file in the Board Office.)
- Student Association Reports for Fiscal Year 2016-2017. (Refs. BFF-2c1 and BFF-2c2 on file in the Board Office.)
- Fiscal Year 2016-2017 NSHE Self-Supporting Budget to Actual Comparison. (Refs. BFF-2d1 and BFF-2d2 on file in the Board Office.)
- Space Use Agreement between the Nevada Center for Biomedical Research and the Center for Molecular Medicine – UNR, for Rooms 211, 211A and 211B in the Center for Molecular Medicine on the UNR campus. (Ref. BFF-2e on file in the Board Office.)
- State of Nevada Acquisition of Land and Temporary Construction Easement for Project Neon at the Shadow Lane Campus – UNLV. The Committee recommended: 1) approval to finalize State of Nevada acquisition of 22,346 square feet of land (.51 acres), APN#: 139-33-406-005 and accept ownership of 5,660 square feet of land from the State; 2) approval to grant NDOT a nine-month temporary construction easement covering 23,481 square feet (.54 acres) necessary for construction of improvements associated with Project Neon; and 3) that the Chancellor or his designee be authorized to finalize, approve, and execute the public highway agreement (i.e. purchase document), temporary construction easement, deed, escrow instructions, and any other ancillary documents necessary to complete the transactions; provided such documents are first approved as to form by System General Counsel. (Ref. BFF-2f on file in the Board Office.)

31. Approved – Business, Finance and Facilities Committee Report (Agenda Item 29) – (Continued)

- Building Naming, “Fertitta Football Complex” – UNLV, pursuant to the *NSHE Procedures and Guidelines Manual*, in recognition of the \$10 million gift commitment from the Fertitta family. (Ref. BFF-2g on file in the Board Office.)
- Building Naming “Hospitality Hall” – UNLV, pursuant to the *NSHE Procedures and Guidelines Manual*. (Ref. BFF-2h on file in the Board Office.)
- Authorization to Sell or Lease Properties Located at 4601 Cocoa Avenue, Reno, NV – Resolution – UNR. The Committee recommended: 1) approval of a resolution pre-approving the lease of the properties at 4601 Cocoa Avenue, Reno, Nevada (APN#: 086-143-04 and 086-143-07) at a rate of no less than 6% of the return on investment of appraised value, and/or the sale of the property at or above the appraised value; and 2) approval to authorize the Chancellor or his designee to approve and execute, after consultation with the Business, Finance and Facilities Committee Chair and review by System General Counsel, contracts and related documents to sell or lease the properties described above, and to sign corresponding escrow and title documents associated with the sale(s) at close of escrow. (Ref. BFF-3 on file in the Board Office.)
- Approval to Lease Office Space at 9075 W. Diablo Drive, Las Vegas, NV – UNR. The Committee recommended approval for the Lease Agreement of approximately 6,510 square feet located at 9075 W. Diablo Drive, Las Vegas, Nevada (APN#: 163-29-401-005) for a term of 63 months with an option to renew for an additional 60 months as requested by University of Nevada, Reno President Marc A. Johnson. (Ref. BFF-4 on file in the Board Office.)
- Pre-Approval to Transfer Ownership/Relocation of Homes Within the Gateway District – Resolution – UNR. The Committee recommended: 1) pre-approval to transfer ownership of the Homes, Structures, and/or Property Improvements from UNR (at no cost to the University), located at 801, 825, 829, and 843 Lake Street, Reno, NV; 127 E. 8th Street, Reno, NV; and 815, 820, 821, 829, 839, 847 and 895 N. Center Street, Reno, NV; and 2) approval of a resolution authorizing the Chancellor or his designee to approve and execute, after consultation with the Business, Finance and Facilities Chair and System General Counsel, documentation to transfer ownership of the homes, and to sign corresponding customary documentation associated with such transfer of ownership of the homes/property improvements. (Ref. BFF-5 and handouts on file in the Board Office.)
- Authorization to Sell or Trade Real Property, The Nelson Building, located at 401 W. Second Street, Reno, NV – Resolution – UNR. The Committee recommended: 1) approval of a resolution pre-approving the sale or trade of the properties located at 401 W. 2nd Street, Reno, Nevada (APN#: 011-026-04, 011-023-02 and 011-023-01) for a value equaling or above current appraised value; and 2) approval to authorize the Chancellor or his designee to approve and execute, after consultation with the

31. Approved – Business, Finance and Facilities Committee Report (Agenda Item 29) – (Continued)

Business, Finance and Facilities Committee Chair and review by System General Counsel, contracts and related documents to sell or trade the properties as described above, and to sign corresponding escrow and title documents associated with the sale at close of escrow. (Ref. BFF-6 on file in the Board Office.)

- TMCC Health and Sports Complex – Authorizing the Issuance of NSHE Certificates of Participation Series 2018A – Resolution – TMCC. The Committee recommended approval of a resolution authorizing the issuance of NSHE certificates of participation in a maximum principal amount up to \$12.5 million to fund construction of the new Health and Sports Complex and use of the SGA Health and Sports fee self-supporting revenues to pay the debt service on the project financing. (Ref. BFF-8 on file in the Board Office.)
- Approval to Purchase Property at 1202 High Tech Circle, Henderson, NV – NSC. The Committee recommended: 1) approval of a purchase agreement for the property located at 1202 High Tech Circle, Henderson, Nevada (APN#: 179-34-811-004), which consists of a 20,566-square foot facility on 2.44 acres for a purchase price of \$2,325,000; and 2) approval that the Chancellor or his designee be authorized to finalize, approve, and execute purchase documents and any ancillary documents deemed necessary and appropriate by System General Counsel to implement all terms and conditions associated with the purchase of the property. (Ref. BFF-9 on file in the Board Office.)
- Pre-Approval Authorization to Sell Real Property located at 818 and 864 E. Sahara Avenue, Las Vegas, NV – UNLV. The Committee recommended: 1) approval to allow the Chancellor or his designee to sell real property located at 818 E. Sahara Avenue (APN#: 162-03-801-046 and 162-03-801-059) and 864 E. Sahara Avenue (APN#: 162-03-801-047 and 162-03-801-061), Las Vegas, Nevada for a price that is at or above the current appraised value of \$210,000 per property; and 2) approval that the Chancellor be granted authority to execute all documents deemed necessary and appropriate by System General Counsel that are required to implement all terms and conditions associated with the sale of the properties. (Ref. BFF-10 on file in the Board Office.)
- *Procedures and Guidelines Manual Revision – Naming of Campus Buildings to address self-limiting provisions within the current policy as requested by Vice Chairman Geddes.* (Ref. BFF-14 on file in the Board Office.)

Regent Hayes moved acceptance of the report and approval of the Committee recommendations except Item 7 (Approval of Campus Land Management Memorandum of Understating-NSC) which was considered separately. Regent Moran seconded. Motion carried. Regent Trachok was absent.

(Business, Finance and Facilities Committee Report, Item 7 (Approval of Campus Land Management Memorandum of Understanding-NSC) was considered separately.)

- Approved – Approval of Campus Land Management Memorandum of Understanding – NSC. The Board approved to enter into a non-binding Memorandum of Understanding for campus land management consulting with American Public Development, LLC to assist with the implementation of public-private partnership projects on the Nevada State College campus. Regent Moran abstained from the Committee vote due to a potential conflict of interest. *(Ref. BFF-7 and handout on file in the Board Office.)*

Regent Hayes provided a brief overview and stated that by law, the Board was not required to bid this project to the public as an RFI or RFP because it was a public/private partnership, but the Board has a long custom of making the process as transparent as possible. The issue was whether NSC should be permitted to retain the same basic team in place after a year and a half. Alternatively, the Board can require NSC to issue another RFI because these individuals, in their current capacity, did not respond to the original RFI, so should the Board reissue a new RFI or select one of the other two companies that previously responded to the RFI. The Committee voted 4-1-1 (with one abstention and one opposed) to honor NSC's request to move forward with Mr. Traub and Mr. Walker who were part of the original RFI.

Regent McAdoo stated that she and the other Regents had just seen the RFI and other documents as they were not originally provided, and she has concerns with transparency.

Regent McAdoo moved approval to bring this item back to the January 2018 Board of Regents meeting for a full review of the legal issues to allow further discussion by the Regents. Regent Anderson seconded.

Regent Hayes stated he would follow the Committee's recommendation, so he will vote no on the motion.

Regent Stephens stated the Committee vetted this item and made a recommendation, so she will vote no on the motion.

Regent Anderson believed in the interest of transparency she would like to hear from Counsel and allow the Board to further review the item. Regent Hayes reported the Committee did seek legal opinion and was comfortable with the opinion that was given.

Regent McAdoo noted for the record that her motion has nothing to do with lack of trust, but instead her experience with government memorandums of understanding (MOU) and grants, and the fact that she did not have the document for review. She believed the letter received from American Nevada company shows a lack of transparency.

System GC Vaskov provided a summary of his statements to the Committee. There is no statutory process for entering into a public-private partnership. One of the guiding principles for these types of partnerships is to engage in a fair, open and competitive

(Business, Finance and Facilities Committee Report, Item 7 (Approval of Campus Land Management Memorandum of Understanding-NSC) was considered separately.) – (Continued)

process. This process has been ongoing for a year or more and a potential renewal date of the MOU is approaching. Some of the original team members selected have changed. Questions have been raised whether it is fair to continue to renew the agreement with a different set of team members. System GC Vaskov explained to the Committee that from a legal perspective the System has a lot of discretion, so he is comfortable to move forward with the project as NSC has asked. The question is whether the Board is comfortable from a policy perspective with the fairness of continuing to move forward.

President Patterson reported that the part of the team that is not a part of the new MOU is Leducor Construction. One of the key members of Leducor Construction has committed to continuing with this project. The team has been in place for a year working on this project which is on the verge of approval. NSC is trying to get approval in March so it does not lose the window of opportunity to potentially open in Fall 2019. NSC feels it is dealing with the right partner, who has put a lot of work in without pay to get to this point and the only fair thing to do at this time is to continue with the project.

Regent Del Carlo left the meeting.

Mr. Tony Traub reported this project was extensively vetted by the college. Mr. Cam Walker was with Leducor Construction. As the project progressed it became apparent that a contractor was not needed. Mr. Cam Walker pointed out that Mr. Traub was the

President of American Nevada for many years. He believed they have been fair, open and transparent during this process. He added they take great exception to the letter; it is disappointing and without truth.

Regent Del Carlo entered the meeting.

Regent Stephens clarified the information sent out last night at Regent McAdoo's request was not included as specific documents for the agenda item, but they were discussed.

The Committee received a legal opinion and the Committee did have the American Nevada Letter.

In response to a question from Chairman Page, Mr. Walker stated Leducor is not taking on any new projects at this time.

Upon a roll call vote, the motion failed. Chairman Page and Regents Anderson and McAdoo voted yes. Vice Chairman Geddes and Regents Carter, Crear, Del Carlo, Doubrava, Hayes, Lieberman and Stephens voted no. Regent Moran abstained. Regent Trachok was absent.

(Business, Finance and Facilities Committee Report, Item 7 (Approval of Campus Land Management Memorandum of Understanding-NSC) was considered separately.) – (Continued)

Regent Hayes moved approval to enter into a non-binding Memorandum of Understanding for campus land management consulting with American Public Development, LLC to assist with the implementation of public-private partnership projects on the Nevada State College campus. Regent Lieberman seconded. Motion carried. Regent McAdoo voted no. Regent Moran abstained. Regent Trachok was absent.

32. Approved – Audit and Compliance Committee Report (Agenda Item 30) – The Board accepted the Audit and Compliance Committee report and approved the Committee recommendations. *(Committee report on file in the Board Office.)*

The Audit and Compliance Committee met on November 30, 2017, and heard the following:

Information items

- Chief Internal Auditor Joe Sunbury provided general remarks related to recent industry and professional articles. It was discussed that “Committee Development” will be a standing item on the agenda in future meetings and will include thought leadership pieces related to industry standards and best practices related to audit, compliance, or committee oversight. *(Ref. A-3 on file in the Board Office.)*
- Chief Internal Auditor Joe Sunbury provided general remarks regarding departmental initiatives, advisory projects, and alignment related to on-going risk assessments. Collaboration was the topic, and the Committee was briefed on the advisory project presented to the Athletics Committee earlier in the week. In addition, the Business Officers from each institution participated in a robust discussion about key risk areas.
- NSHE Director of Compliance Mistee Galicia provided an introduction of the newly-established function, including a practical approach to compliance oversight, evaluating and collecting data so that the Committee can make informed decisions, and the on-going theme of collaboration.

Action items

The Board approved the following recommendations of the Audit and Compliance Committee:

- The minutes from the September 7, 2017, meeting of the Audit and Compliance Committee. *(Ref. A-2a on file in the Board Office.)*
- The following Internal Audit Follow-Up Reports:
 - Change in Leadership, TMCC. *(Ref. A-2b on file in the Board Office.)*
 - Change in Leadership, DRI. *(Ref. A-2c on file in the Board Office.)*

32. Approved – Audit and Compliance Committee Report (Agenda Item 30) – (Continued)

- Communications with those Charged with Governance, NSHE – Presented by Grant Thornton, LLP for the year ended June 30, 2017. (*Ref. A-4 on file in the Board Office.*)
- Uniform Guidance Audit Report & Financial Statements, NSHE – Presented by Grant Thornton, LLP for the year ended June 30, 2017. The A-133 Single Audit is an audit of federal grants received and is also known as the Uniform Guidance Audit. (*Ref. A-5 on file in the Board Office.*)
Along with Grant Thornton's presentation, this item also included discussion of trends related to financial aid audit deficiencies. It was acknowledged that trends are headed in a positive direction, with a decrease in overall deficiencies, a decrease in the significance of deficiencies, and a decrease in repeat findings. It was noted that a facilitated, deeper discussion of repeat findings may be worthwhile.
- Communications with those Charged with Governance, University of Nevada, Reno School of Medicine Integrated Clinical Services, Inc. – Presented by Grant Thornton, LLP for the year ended June 30, 2017. (*Ref. A-6 on file in the Board Office.*)
- Financial Statements, University of Nevada, Reno School of Medicine Integrated Clinical Services, Inc. – Presented by Grant Thornton, LLP for the year ended June 30, 2017. (*Ref. A-7 on file in the Board Office.*)
- The following Internal Audit Reports: (*Ref. Audit Summary on file in the Board Office.*)
 - Excess Credit Fee, UNLV. (*Ref. A-8 on file in the Board Office.*)
 - Excess Credit Fee, UNR. (*Ref. A-9 on file in the Board Office.*)
 - Library, GBC. (*Ref. A-10 on file in the Board Office.*)

Regent Stephens moved acceptance of the report and approval of the Committee recommendations. Regent Moran seconded. Motion carried. Regent Trachok was absent.

33. Approved – Cultural Diversity and Title IX Compliance Committee Report (Agenda Item 32) – The Board accepted the Cultural Diversity and Title IX Compliance Committee report and approved the Committee recommendations. (*Committee report on file in the Board Office.*)

The Cultural Diversity and Title IX Compliance Committee met on December 1, 2017, and heard the following:

Information items

- Maria Marinch, Executive Director of Inclusive Learning and Engagement at the College of Southern Nevada, presented a report on recent work of the Equity, Diversity and Inclusion Council (EDIC), as well as a timeline of planned activity for the next six months. She stated that EDIC held its annual meeting with NSHE presidents on November 29, 2017, to discuss issues surrounding academic freedom and free speech. EDIC will hold a

33. Approved – Cultural Diversity and Title IX Compliance Committee Report (Agenda Item 32) – (Continued)

retreat in January to create an EDIC charter and action plan for 2018-2019 to align with the new NSHE goals. She also reported that more than 300 attended the Southern Nevada Diversity Summit in October.

Dr. Patricia Richard, Chief of Staff, Chief Diversity Officer and Assistant Vice President of Constituent Relations at UNR reported that the Northern Nevada Diversity Summit is currently seeking presentation proposals. The Summit will be held April 12, 2018, at the UNR. The Southern Nevada Diversity Summit will be held at NSC on October 5, 2018. *(Ref. CD-3 on file in the Board Office.)*

- Dr. Barbee Myers Oakes, UNLV Chief Diversity Officer, provided an overview of UNLV's diversity initiatives and efforts. Since joining UNLV, she has been holding cultural conversations across campus focusing on visibility, vision, and valor. Major themes include cultivating pipelines to access and success as well as improving the Cultural Intelligence within the institution and campus community. She also plans on launching Deconstructing Implicit Bias think tanks among various student groups on campus. Dr. Oakes also discussed the importance of switching from an equality model to an equity model at the institutions. *(Ref. CD-4 on file in the Board Office.)*
- Dr. Edith Fernández, Associate Vice President of Community Engagement and Diversity Initiatives, and Dr. Laura Nauman, Associate Professor of Psychology and Interim Associate Provost, gave a presentation on NSC's \$2.7 million Title V Grant: Cultivando Mentes (Cultivating Minds) Project. NSC was one of 20 U.S. recipients of this grant. NSC's work will focus on preparing students for rapid changes in Nevada schools by expanding the teacher pipeline in Nevada with specialized training in teaching English language acquisition and cultural competence. *(Refs. CD-5a and CD-5b on file in the Board Office.)*

New business items

- Report back to the Committee results of January 11, 2018, EDIC retreat.
- Report back to the Committee results of EDIC discussion on a System-wide student development program aimed at increasing diversity within the faculty.
- EDIC to undergo a review of budget allocation toward System-wide diversity initiatives.

Action items

The Board approved the following recommendations of the Cultural Diversity and Title IX Compliance Committee:

- The minutes from the September 8, 2017, meeting of the Cultural Diversity and Title IX Compliance Committee. *(Ref. CD-2a on file in the Board Office.)*

33. Approved – Cultural Diversity and Title IX Compliance Committee Report (Agenda Item 32) – (Continued)

- Code and Handbook Revisions under Title 4, Chapter 16, Section 5, 18, and 26 to include a prohibition on discrimination based on gender identity or expression. Also includes a Code revision (Title 2 Chapter 10, Section 10.2.1) to expand the prohibited conduct for students regarding acts of unlawful discrimination to include gender expression. (Ref. CD-2b on file in the Board Office.)

Regent Crear moved acceptance of the report and approval of the Committee recommendations.
Regent Del Carlo seconded. Motion carried.
Regent Trachok was absent.

34. Approved – Health Sciences System Committee Report (Agenda Item 33) – The Board accepted the Health Sciences System Committee report and approved the Committee recommendations. (Committee report on file in the Board Office.)

The Health Sciences System Committee met on December 1, 2017, and heard the following:

Information items

- Coordinated Public Medical Education Expansion Efforts and Related Transition Planning. Dean Schwenk, University of Nevada, Reno School of Medicine, and Dean Atkinson, University of Nevada, Las Vegas School of Medicine, provided updates on efforts to manage and coordinate expansion of public medical education in Nevada. Dean Schwenk provided multiple updates, including LCME accreditation; the current site-visit for the physician medical assistant program; developing partnerships in Elko for the teaching program; Renown Regional Medical Center's recent membership in the Council of Teaching Hospitals; the recent cycle of medical student admissions; and the closure of the Mojave Mental Health due to resource and cost issues and coordinated efforts with the State to place clients. Dean Atkinson reviewed ongoing initiatives, including LCME accreditation; the recent applications/admissions cycle; community assistance following the October 1, 2017, tragedy; recruitment for positions within the School of Medicine; completion of compliance policies and training; and the Practice Plan, including anticipating ending the first fiscal year as planned. (Ref. HSS-4a and HSS-4b on file in the Board Office.)
- Repayment of Integrated Clinical Services Inc., Debt Owed. Dean Schwenk and Jeremy Alltop, Senior Associate Dean for Administration and Finance, University of Nevada, School of Medicine, reported on the plan for repayment of debt of Integrated Clinical Services, Inc. to UNR. The debt was generated when clinical revenues were insufficient to cover costs of clinical practice, acquisition of EMR, & providing academic support. As a result, the School of Medicine did not pay all faculty salary reimbursement due to UNR. The report included the actual debt at the end of June 30,

34. Approved – Health Sciences System Committee Report (Agenda Item 33) – (Continued)

2017, which was less than projected due to a significant increase in operational performance from the prior year, and future financial plans to retire the debt. (Ref. HSS-5 on file in the Board Office.)

- Admissions Standards for NSHE Medical Schools. The Chair updated the Committee on efforts to encourage communication between the admissions offices at the two NSHE Schools of Medicine, on multiple topics, including course requirements for admissions. (Ref. HSS-6 on file in the Board Office.)
- *Handbook* and Code Revisions, Technical Revisions Recognizing Two NSHE Schools of Medicine. Vice Chancellor Abba presented technical revisions to NSHE Code, the *Handbook*, and the *Procedures and Guidelines Manual* recognizing the two NSHE Schools of Medicine: the University of Nevada, Reno School of Medicine and the University of Nevada, Las Vegas School of Medicine. The revisions were presented for information only and will be presented for action at a subsequent meeting of the Committee. (Ref. HSS-7 on file in the Board Office.)

Action items

The Board approved the following recommendations of the Health Sciences System Committee:

- The minutes from the September 8, 2017, meeting of the Health Sciences System Committee. (Ref. HSS-2a on file in the Board Office.)
- A revision to Board policy authorizing joint faculty appointments for the NSHE Schools of Medicine. The Code revision provides that a joint appointment may be assigned to a clinician who is employed by an external institution, including hospitals, that has an affiliation agreement with an NSHE institution (Title 2, Chapter 5, new Section 5.4.11). The *Handbook* revision clarifies the eligibility of joint faculty appointments for grant-in-aid (Title 4, Chapter 3, Section 12). The Code revision was presented for information only at the September 8, 2017, meeting of the Committee and is now presented for approval. (Ref. HSS-2b on file in the Board Office.)

Regent Doubrava moved acceptance of the report and approval of the Committee recommendations. Regent Hayes seconded. Motion carried. Regent Trachok was absent.

35. Information Only – New Business – Regent Hayes requested: staff work with the 4-year institutions to look at the 6-year graduation rate from the last three 6-year cohorts, as well as the freshman retention rate, based on GPA groupings and ACT scores to determine the success rate of different students, with different qualifications; revisit the discussion about where meetings are held and have staff look at the costs and have the Chancellor do a facility use study of the System Offices to accommodate full Board meetings; and look at the possibility of creating an Inspector General's Office.

36. Information Only – Public Comment – None.

Chairman Page thanked President Jessup and his staff for hosting the meeting.

The meeting adjourned at 12:30 p.m.

Prepared by:

Angela R. Palmer
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to the Board of Regents

Submitted for approval by:

Dean J. Gould
Chief of Staff and Special Counsel
to the Board of Regents