

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

**Friday, August 7, 2020, 9:00 a.m.**

THIS MEETING WILL BE HELD VIA VIDEOCONFERENCE AND TELECONFERENCE ONLY PURSUANT TO SECTION 1 OF THE DECLARATION OF EMERGENCY DIRECTIVE 006 (“DIRECTIVE 006”), AND EXTENDED BY DIRECTIVES 016, 018, 021 AND 026, AND AS FURTHER EXTENDED, ISSUED BY THE STATE OF NEVADA EXECUTIVE DEPARTMENT. THERE WILL BE NO PHYSICAL LOCATION FOR THE MEETING.

PUBLIC COMMENT MAY BE SUBMITTED VIA THE ONLINE PUBLIC COMMENT FORM (<http://nshe.nevada.edu/public-comment/>) OR VOICEMAIL (702-800-4705 or 775-300-7661). MESSAGES RECEIVED BY 4:00 PM ON THURSDAY, AUGUST 6, 2020, MAY BE ENTERED INTO THE RECORD DURING THE MEETING. ANY OTHER PUBLIC COMMENT FORM SUBMISSIONS AND/OR VOICEMAILS RECEIVED PRIOR TO THE ADJOURNMENT OF THE MEETING WILL BE TRANSCRIBED AND INCLUDED IN THE PERMANENT RECORD.

MEMBERS OF THE PUBLIC WISHING TO VIEW THE MEETING MAY DO SO VIA LIVE STREAM (<http://nshe.nevada.edu/live/>).

<b>ROLL CALL:</b>	Dr. Mark W. Doubrava, Chair	_____
	Mrs. Carol Del Carlo, Vice Chair	_____
	Dr. Patrick R. Carter	_____
	Ms. Amy J. Carvalho	_____
	Dr. Jason Geddes	_____
	Mr. Trevor Hayes	_____
	Ms. Lisa C. Levine	_____
	Mrs. Cathy McAdoo	_____
	Mr. Donald Sylvantee McMichael Sr.	_____
	Mr. John T. Moran	_____
	Mr. Kevin J. Page	_____
	Ms. Laura E. Perkins	_____
	Mr. Rick Trachok	_____

**IMPORTANT INFORMATION ABOUT THE AGENDA AND PUBLIC MEETING**

**NOTE:** Below is an agenda of all items scheduled to be considered. Notification is hereby provided that items on the agenda may be taken out of the order presented, including moving an item to a different day if the meeting is noticed for more than one day, two or more agenda items may be combined for consideration, and an agenda item may be removed from the agenda or discussion relating to an item on the agenda may be delayed at any time.

In accordance with the Board of Regents’ Bylaws, Title I, Article V, Section 18, items voted on may be the subject of a motion to reconsider at this meeting. A motion to reconsider an item may be made at any time before adjournment of this meeting. Similarly, if an item is tabled at any time during the meeting, it may, by proper motion and vote, be taken from the table and thereafter be the subject of consideration and action at any time before adjournment of this meeting.

In accordance with the Board of Regents’ Bylaws, Title I, Article V, Section 12, a quorum may be gained by telephone hookup.

Some agenda items are noted as having accompanying reference material. Reference material may be accessed on the electronic version of the agenda by clicking the reference link associated with a particular item. The agenda and associated reference material may also be accessed on the Internet by visiting the Board of Regents' website at: <https://nshe.nevada.edu/leadership-policy/board-of-regents/meeting-agendas/>

Pursuant to Section 5 of Directive 006, and extended by Directives 016, 018, 021 and 026, and as further extended, the requirement contained in NRS 241.020(3)(c) that physical locations be available for the public to receive supporting material for public meetings has been suspended. Pursuant to Section 6 of Directive 006, and extended by Directives 016, 018, 021 and 026, and as further extended, copies of the reference material and any additional support materials that are submitted to the Board of Regents' Office and then distributed to the members of the Board of Regents after the posting of this agenda but before the meeting, will be made available upon request by calling Keri Nikolajewski at (702) 889-8426.

Reasonable efforts will be made to assist and accommodate physically disabled persons to participate in the meeting. Please call the Board Office at (702) 889-8426 in advance so that arrangements may be made.

## **CALL TO ORDER – ROLL CALL**

## **PLEDGE OF ALLEGIANCE**

### **1. PUBLIC COMMENT**

### **INFORMATION ONLY**

Public comment will be taken during this agenda item. No action may be taken on a matter raised under this item until the matter is included on an agenda as an item on which action may be taken. Comments will be limited to two minutes per person.

Pursuant to Section 2 of Directive 006, and extended by Directives 016, 018, 021 and 026, and as further extended, members of the public may participate in the meeting without being physically present by submitting public comment via the online Public Comment Form (<http://nshe.nevada.edu/public-comment/>) or voicemail (702-800-4705 or 775-300-7661). Messages received by 4:00 PM on Thursday, August 6, 2020, may be entered into the record during the meeting. Any other Public Comment Form submissions and/or voicemails received prior to the adjournment of the meeting will be transcribed and included in the permanent record. Persons making comment are asked to begin by stating their name for the record and to spell their last name. The Board Chair may elect to allow additional public comment on a specific agenda item when that agenda item is being considered.

In accordance with Attorney General Opinion No. 00-047, as restated in the Attorney General's Open Meeting Law Manual, the Board Chair may prohibit comment if the content of that comment is a topic that is not relevant to, or within the authority of, the Board of Regents, or if the content is willfully disruptive of the meeting by being irrelevant, repetitious, slanderous, offensive, inflammatory, irrational or amounting to personal attacks or interfering with the rights of other speakers.

**2. CHANCELLOR'S REPORT** **INFORMATION ONLY**

Chancellor Thom Reilly will report to the Board concerning ongoing planning activities and major projects within the NSHE, including issues related to the current COVID-19 pandemic.

*ESTIMATED TIME: 5 mins.*

**3. BOARD CHAIR'S REPORT** **INFORMATION ONLY**

Chair Mark W. Doubrava will discuss issues related to NSHE and his activities as Board Chair, including issues related to the current COVID-19 pandemic.

*ESTIMATED TIME: 5 mins.*

**4. MINUTES** **FOR POSSIBLE ACTION**

Request is made for approval of the minutes from the May 29, 2020, Board of Regents special meeting. ([Ref. BOR-4](#))

*ESTIMATED TIME: 5 mins.*

**5. HANDBOOK REVISION, MILLENNIUM SCHOLARSHIP SPRING 2020 CONTINUING ELIGIBILITY WAIVER** **FOR POSSIBLE ACTION**

Vice Chancellor for Academic and Student Affairs Crystal Abba will present for approval a revision to Board policy (*Title 4, Chapter 18, Section 9*) implementing the waiver of certain eligibility requirements for the Governor Guinn Millennium Scholarship authorized with the enactment of [Senate Bill 2 \(Chapter 2, Statutes of Nevada 31<sup>st</sup> Special Session\)](#). Specifically, the provisions will waive the continuing eligibility requirements for students that lost eligibility at the end of Spring 2020. ([Ref. BOR-5](#))

***FISCAL IMPACT:** The proposed revision does not have direct fiscal impact (cost) to the NSHE or its institutions; however, it is estimated that cost to the Governor Guinn Millennium Scholarship Trust Fund that is administered by the State Treasurer's Office will be up to \$2.6 million over the subsequent semesters in which the students who would have otherwise lost eligibility enroll and are funded.*

*ESTIMATED TIME: 10 mins.*

6. **HANDBOOK AND CODE REVISIONS, NSHE** **FOR POSSIBLE ACTION**  
**DISCRIMINATION AND SEXUAL HARASSMENT**  
**POLICIES AND PROCEDURES**

Deputy General Counsel for System Administration Zelalem Bogale and UNR Title IX Director Maria Doucettperry will present for approval revisions to Board policy (*Title 4, Chapter 8, Section 13*) that bring this section into compliance with the U.S. Department of Education's new regulations governing sexual harassment under Title IX. They will also present for approval temporary emergency amendments to the NSHE Code pertaining to confidentiality of records associated with a Title IX complaint or investigation (*Title 2, Chapter 5, Section 5.6.2*) and conforming revisions which pertain to the student code of conduct (*Title 2, Chapter 10*). The amendments will become effective August 14, 2020. ([Ref. BOR-6](#))

***FISCAL IMPACT:** Costs to each institution will increase as a result of requirements such as a live hearing for each complaint, the need for an advisor for each party and increased training. These costs are difficult, if not impossible, to quantify accurately because implementation of the rules is new.*

***ESTIMATED TIME:** 60 mins.*

7. **FISCAL YEAR 2020-2021 NSHE STATE** **FOR POSSIBLE ACTION**  
**SUPPORTED OPERATING BUDGET**

Chancellor Thom Reilly and Chief Financial Officer Andrew Clinger will present for approval revisions enacted by the Legislature in [Assembly Bill 3 \(Chapter 5, Statutes of Nevada 31<sup>st</sup> Special Session\)](#) to the State General Fund for the Fiscal Year 2020-2021 NSHE State Supported Operating Budget.

***ESTIMATED TIME:** 30 mins.*

8. **PROPOSALS TO COMPLY WITH AN** **FOR POSSIBLE ACTION**  
**ADDITIONAL \$25 MILLION REDUCTION IN**  
**FISCAL YEAR 2020-2021 STATE SUPPORTED**  
**OPERATING BUDGET**

Chancellor Thom Reilly and Chief Financial Officer Andrew Clinger will present for approval proposals on how all NSHE institutions and System Administration may comply with an additional \$25 million reduction in State General Fund appropriations enacted by the Legislature in [Assembly Bill 3 \(Chapter 5, Statutes of Nevada 31<sup>st</sup> Special Session\)](#). Budget cut proposals to comply with the revisions adopted by the Legislature and subject to Board action may include, but are not limited to, one or a combination of the following: operating budget cuts and staffing reductions; reducing all faculty, staff and employee salaries; using institution's reserve funds; a distribution from the operating reserve; and/or any other proposal raised during the meeting by the Board.

***ESTIMATED TIME:** 30 mins.*

**9. 2021-23 BIENNIAL OPERATING BUDGET**

**INFORMATION ONLY**

The Board, with the assistance of Chancellor Thom Reilly, institution presidents and System staff, will discuss the process of developing the NSHE's 2021-23 biennial operating budget request for the 2021 Legislative Session, including the establishment of System budget priorities and possible enhancements to the base formula funded operating budgets, as well as other state-funded budgets. The Board may provide direction to the Chancellor concerning the development of budget priorities and themes or other matters relating to the budgetary process.

***FISCAL IMPACT:** Discussions relating to this agenda item will form the basis for preparing the 2021-23 biennial budget which provides the primary source of funding for NSHE operations.*

***ESTIMATED TIME:** 30 mins.*

**10. NEW BUSINESS**

**INFORMATION ONLY**

Items for consideration at future meetings may be suggested. Any discussion of an item under "New Business" is limited to description and clarification of the subject matter of the item, which may include the reasons for the request, and no substantive discussion may occur at this meeting on new business items in accordance with the Nevada Open Meeting Law (NRS 241.010 *et seq.*).

***ESTIMATED TIME:** 5 mins.*

**11. PUBLIC COMMENT**

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**11. PUBLIC COMMENT – (continued)**

**INFORMATION ONLY**

In accordance with Attorney General Opinion No. 00-047, as restated in the Attorney General's Open Meeting Law Manual, the Board Chair may prohibit comment if the content of that comment is a topic that is not relevant to, or within the authority of, the Board of Regents, or if the content is willfully disruptive of the meeting by being irrelevant, repetitious, slanderous, offensive, inflammatory, irrational or amounting to personal attacks or interfering with the rights of other speakers.

PURSUANT TO SECTION 3 OF DIRECTIVE 006, AND EXTENDED BY DIRECTIVES 016, 018, 021 AND 026, AND AS FURTHER EXTENDED, THE REQUIREMENTS CONTAINED IN NRS 241.020(4)(a) THAT PUBLIC NOTICE AGENDAS BE POSTED AT PHYSICAL LOCATIONS WITHIN THE STATE OF NEVADA HAVE BEEN SUSPENDED.

PURSUANT TO SECTION 4 OF DIRECTIVE 006, AND EXTENDED BY DIRECTIVES 016, 018, 021 AND 026, AND AS FURTHER EXTENDED, THIS AGENDA HAS BEEN ELECTRONICALLY POSTED ON THE NEVADA SYSTEM OF HIGHER EDUCATION WEBSITE (<http://system.nevada.edu/>) AND ON THE NEVADA PUBLIC NOTICE WEBSITE (<http://notice.nv.gov/>) IN ACCORDANCE WITH NRS 232.2175.