

**REVISED AGENDA  
NEW ITEM 9  
SPECIAL MEETING  
BOARD OF REGENTS  
NEVADA SYSTEM OF HIGHER EDUCATION**

**Friday, November 13, 2020, 10:00 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, 026, 029 AND 033, 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, NOVEMBER 12, 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, 026, 029 and 033, 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, 026, 029 and 033, 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, 026, 029 and 033, 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, November 12, 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 Melody Rose 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 following meeting minutes:

- July 22, 2020, ad hoc UNLV President Search Committee meeting ([Ref. BOR-4a](#))
- July 23, 2020, Board of Regents special meeting ([Ref. BOR-4b](#))
- August 7, 2020, Board of Regents special meeting ([Ref. BOR-4c](#))
- August 21, 2020, Board of Regents special meeting ([Ref. BOR-4d](#))

*ESTIMATED TIME: 5 mins.*

**5. PROCEDURES AND GUIDELINES MANUAL REVISION, FURLOUGH POLICY FOR FACULTY AND EMPLOYEES DUE TO COVID-19 BUDGET SHORTFALL DURING FISCAL YEAR 2021** **FOR POSSIBLE ACTION**

Chief General Counsel Joe Reynolds and Director of Human Resources Sherry Olson request approval of a revision to the *Procedures and Guidelines Manual (Chapter 4, new Section 20)* concerning a furlough policy for faculty and employees due to the COVID-19 budget shortfall during Fiscal Year 2021. The policy was drafted pursuant to Assembly Bill 3, which was passed into law by the Nevada State Legislature during the 31<sup>st</sup> Special Session in July 2020. The policy will require full- and part-time faculty and employees to take a 4.6 percent monthly reduction in pay for 6 pay periods beginning January 1, 2021, through June 1, 2021. The policy will also require full-time faculty and employees to take 6 days of furlough leave from December 1, 2020, through June 30, 2021, and part-time faculty and employees to take a proportional amount of leave during that same time period. ([Refs. BOR-5a](#) and [BOR-5b](#))

*ESTIMATED TIME: 20 mins.*

**6. PRESIDENTIAL VACANCY, NSC FOR POSSIBLE ACTION**

Chancellor Melody Rose, in consultation with Chair Mark W. Doubrava and Vice Chair Carol Del Carlo, will provide a recommendation on filling the anticipated vacancy in the position of President of Nevada State College on July 1, 2021, pursuant to NSHE Code (*Title 2, Chapter 1, Section 1.5.4*) and whether to conduct a national search and hire a search consultant or appoint an interim president. The discussion may include an overview of the process and proposed timeline. ([Refs. BOR-6a](#) and [BOR-6b](#))

*FISCAL IMPACT: The cost to hire a search consultant may exceed \$25,000.*

*ESTIMATED TIME: 15 mins.*

**7. ARGENTA HALL EMERGENCY RESPONSE: FOR POSSIBLE ACTION  
EXTENSION OF MASTER LEASES FOR  
REPLACEMENT STUDENT HOUSING, UNR**

UNR President Brian Sandoval requests approval of amendments to the Master Lease Agreements for replacement student housing with the Uncommon and Canyon Flats apartment complexes to extend the terms for the 2021-22 academic year due to the continued unavailability of Argenta Hall. ([Ref. BOR-7](#))

*ESTIMATED TIME: 20 mins.*

**8. APPEAL OF EMPLOYMENT ACTION TAKEN BY FOR POSSIBLE ACTION  
UNLV WITH RESPECT TO SANDRA OWENS\*\***

**8.1 OPEN SESSION FOR POSSIBLE ACTION**

Pursuant to *Nevada Revised Statutes* (NRS) 241.030, 241.033 and 241.034, an open or closed session will be held for the purpose of hearing an appeal of Professor Sandra Owens from an employment action taken by UNLV. The Chair will discuss the process for the appeal, recusal of Regents, if any, and other preliminary matters.

A determination will also be made by the Chair as to who may be present in any closed session. Unless closure of the meeting is waived in accordance with NRS 241.030(2), a motion will be made to hear the matter in closed session. ([Ref. BOR-8](#))

**8. APPEAL OF EMPLOYMENT ACTION TAKEN BY  
UNLV WITH RESPECT TO SANDRA OWENS\*\* - (continued)**

**8.2 CLOSED SESSION**

**INFORMATION ONLY**

In compliance with NRS 241.030, 241.033 and 241.034, a closed session may be held for the purpose of hearing an appeal by Professor Sandra Owens from an employment action taken by UNLV.

**8.3 OPEN SESSION**

**FOR POSSIBLE ACTION**

Following any closed session, the Board will reconvene in open session to consider and decide the appeal of Professor Sandra Owens. In accordance with NSHE Code, Title 2, Chapter 6, Section 6.13.2(d), the Board's action is limited to dismissing or affirming the charge, imposing a lesser sanction or ordering a new hearing.

*\*\* NOTE: In accordance with NRS 241.033 and 241.034, Sandra Owens has been served with notice of this meeting.*

*ESTIMATED TIME: 90 mins.*

**9. PROPOSALS FOR A 12% REDUCTION TO  
THE 2021-23 BIENNIAL STATE OPERATING  
BUDGET REQUEST**

**FOR POSSIBLE ACTION**

Chancellor Melody Rose and Chief Financial Officer Andrew Clinger will present for review and approval budget reduction proposals to NSHE's 2021-23 biennial state operating budget request to comply with the Governor's Office request to provide 12% cuts for the upcoming biennium. NSHE must submit budget reduction proposals to the Governor's Office by November 20, 2020. NSHE's budget reduction proposals may include, but are not limited to, one or a combination of the following: operating budget cuts and staff reductions, using institution's reserve funds, increasing student fees and/or any other proposal raised during the meeting by the Board. ([Ref. BOR-9](#))

*FISCAL IMPACT: The NSHE State Supported Operating Budget is the primary source of funding for all NSHE institutions.*

*ESTIMATED TIME: 45 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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PURSUANT TO SECTION 3 OF DIRECTIVE 006, AND EXTENDED BY DIRECTIVES 016, 018, 021, 026, 029 AND 033, 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, 026, 029 AND 033, 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.