

**SPECIAL MEETING
VIDEOCONFERENCE
BOARD OF REGENTS
NEVADA SYSTEM OF HIGHER EDUCATION**
System Administration, Las Vegas
5550 West Flamingo Road, Suite C-1, Conference Room
System Administration, Reno
2601 Enterprise Road, Conference Room
Great Basin College, Elko
1500 College Parkway, Berg Hall Conference Room
Wednesday, December 23, 2009

1. Approved – Employment Contract, Athletic Director, UNLV (Agenda Item #1) – (Cont'd.)

Regent Knecht entered the meeting.

President Smatresk introduced Mr. Livengood and related that the proposed salary included a base of \$295,000 as well as a series of annual incentives and many of the standard items seen in the previous Athletic Director's contract. President Smatresk stated that there was also a deferred compensation package including a retention bonus in the form of an additional lump sum payout of \$55,000 at the end of the third year of the contact provided Mr. Livengood is successfully still employed under the terms of the contract.

President Smatresk related that the offered salary was within the median range for athletic directors within the Mountain West Conference and was close to the salary of UNR's Athletic Director.

Regent Alden moved approval of a multi-year employment agreement with Mr. Jim Livengood as Athletic Director, UNLV. Regent Blakely seconded.

Regent Crear offered comments regarding the search process employed by UNLV and the System, making it clear the comments were not based on the individual's record or experience. Specifically, he expressed concern that not one African American candidate was interviewed during the search process for this position. He held issue with the institution for not taking the necessary steps to ensure that there was a diversified pool of candidates. As a state funded organization, he asked how the System could discard 30% of the population base within Las Vegas. He indicated that he could not support either of the day's agenda items. He did not feel the process was reflective of a fair and equitable organization. He acknowledged that experience had been a key factor in the final selection. However, he felt that people needed to be given the opportunity to grow and cited that the Board had taken leaps of faith in the past when hiring for key positions, including institutional presidents. He would like to hear Mr. Livengood's plans for incorporating diversity, specifically African Americans, into the coaching ranks of UNLV's Athletic Department.

President Smatresk related that he also had not been pleased with the diversity of the candidate pool. However, there was diversity on the search committee, which he does insist upon. He felt that there were certainly qualified applicants of color around the country who could have applied for this job but did not. Working within the time constraints, the candidate pool was short on both gender and ethnic diversity. He asked Mr. Gerry Bomotti, Vice President of Finance and Business, UNLV, to provide a statement on the composite diversity of the applicants. He cautioned that in many cases the diversity of the applicants is unknown unless specifically and expressly stated on their applications.

Chairman Leavitt clarified that although there is a question addressing ethnicity on the applications, the applicant is not required to provide an answer. President Smatresk stated that was correct, adding that a significant percentage of applicants chose not to indicate their ethnicity.

Mr. Bomotti reported that advertisement was placed in a number of locations including with higheredjobs.com, the National Association of Collegiate Directors in

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1. Approved – Employment Contract, Athletic Director, UNLV (Agenda Item #1) – (Cont'd.)

2. Approved – Employment Contract, Head Football Coach, UNLV

2. Approved – Employment Contract, Head Football Coach, UNLV (Agenda Item #2) – (Cont'd.)

The University's academic community. In his experience as a head football coach he has never had an APR issue and the athletes in his programs have graduated with decent GPA's.

Regent Gallagher related that she understood Regent Crear's concerns and agreed they should be taken to heart. She expressed her support of both gentlemen.

Regent Cobb expressed disappointment that when looking at all of the incentives, the lowest

2. Approved – Employment Contract, Head Football Coach, UNLV (Agenda Item #2) – (Cont'd.)

3.02.i *Good Sportsmanship*

Employee shall insure that the UNLV Football Program conducts all of its intercollegiate athletic contests in a sportsmanlike manner. It is the responsibility of Employee to require that all student athletes, coaches and staff who are associated with the UNLV Football Program conduct themselves in a sportsmanlike manner. Employee shall require that student-athletes, coaches and staff exhibit ethical behavior at all NCAA and Conference competition and that they conduct themselves in accordance with the rules of the NCAA and MWC, as well as the playing rules of intercollegiate football. Employee shall require that student-athletes, coaches and staff refrain from making negative comments regarding an opposing institution or its players, teams, coaches/staff or game officials, and he shall be responsible to create and maintain a healthy environment for competition.

Regents Blakely, Cobb, Gallagher, Geddes, Knecht, Leavitt, Page, Rawson, Schofield, Wixom, Alden and Anderson voted yes. Regent Crear voted no. Motion carried.

Mr. Hauck expressed his pleasure and excitement for the opportunity to become part of the Las Vegas community. The concerns expressed by the Board in terms of sportsmanship and winning were also very important to him.

3. Information Only – Public Comment (Agenda Item #3) – None.

4. Information Only – New Business (Agenda Item #4) – None.

The meeting adjourned at 5:24 p.m.

Prepared by: Jessica C. Morris
Administrative Assistant IV

Submitted for approval by: Scott G. Wasserman
Chief Executive Officer and Special Counsel
Board of Regents

Approved by the Board of Regents at the March 4-5, 2010, meeting.