

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

System Administration, Las Vegas  
4300 South Maryland Parkway, Board Room

Friday, January 19, 2018

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. J. Trevor Hayes  
                                  Mr. Sam Lieberman  
                                  Mr. John T. Moran  
                                  Ms. Allison Stephens  
                                  Mr. Rick Trachok

Members Absent:           Mrs. Cathy McAdoo

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  
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  
Dr. Len Jessup, President, UNLV

Others Present: *(Continued)*

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

Faculty Senate Chairs in attendance were: Dr. Jill Acree, CSN; Dr. Doug Lowenthal, DRI; Dr. John Rice, GBC; Dr. Zachary Woydziak, NSC; Ms. Marcie Jackson, SA; Ms. Cheryl Cardoza, TMCC; Ms. Shannon Sumpter, UNLV; and Dr. Thomas Harrison, UNR. Student Body Presidents in attendance were: Mr. Christopher Roys, CSUN President, UNLV; and Ms. Kanani Espinoza, GPSA President, UNLV.

Chairman Page called the meeting to order at 9:00 a.m. with all members present Stude hran; Dr1

3. Approved – Board of Regents Self-Evaluation Report – (Continued)

Chancellor Thom Reilly presented the report prepared by AGB Senior Fellow Dr. Kevin P. Reilly on the Board of Regents self-evaluation conducted at the October 19-20, 2017, special meeting and workshop.

Regent Lieberman moved approval of the report on the Board of Regents self-evaluation conducted at the October 19-20, 2017, special meeting and workshop. Regent Del Carlo seconded. Motion carried. Regents Crear and McAdoo were absent.

4. Approved – Las Vegas Stadium Joint Use Agreement, UNLV – The Board approved the Joint Use Agreement (JUA) between UNLV and the LV Stadium Events Company, LLC (the Raiders stadium operating company) governing UNLV's use of the future Las Vegas Stadium, subject to receipt of satisfactory opinion letters from both outside counsels, by no later than February 8, 2018. The opinion letters will cover the issue of UNLV's right

4. Approved – Las Vegas Stadium Joint Use Agreement, UNLV – (Continued)

3. Concern regarding an event or activity concluding after 11:59 p.m. UNLV proposed to the Raiders, through the Authority, language to clarify that the time limitation of 11:59 p.m. local time is not applicable to a UNLV event interval. The Raiders declined to incorporate the language stating it was not necessary because the 11:59 p.m. local time limitation was never intended to apply during a UNLV event interval, but to other periods in which access was required.

4. Concern regarding: a) Licensor's ability to cause a UNLV home game to be rescheduled for a Raider's game or NFL event; and b) Responsibility for damages occasioned by rescheduling.

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4. Approved – Las Vegas Stadium Joint Use Agreement, UNLV – (Continued)

Regent Trachok asked how much notice is required for the termination agreement. Ms. Shavinsky responded there is no termination provision. The Raiders believe an express termination agreement conflicts with the Act, being Nevada legislation, which requires the Raiders to make the stadium available to UNLV.

In response to a question from Regent Trachok, Ms. Shavinsky stated UNLV's only financial exposure is the cost of reasonable rent when using the stadium. If UNLV is not using the stadium then there is no reasonable rent.

Regent Trachok clarified that at the January 4, 2018, Special Board of Regents' meeting, both outside counsels agreed to provide opinion letters verifying the position that there is no obligation to the University if the University decides not to use the facility and asked if the said opinions letters had been issued. Ms. Shavinsky stated the opinion letters had not been drafted because outside counsel was unsure if the Raiders would accept the express termination language, but both are happy to provide the letters to NSHE and UNLV. Regent Trachok believed it would be inappropriate for the Board to vote on this item prior to seeing the opinion letters.

Regent Trachok expressed his concerns with the costs associated with UNLV's use of the stadium which increases 500 percent from approximately \$50,000 per game currently to what could be well over \$250,000 per game.

Regent Lieberman moved approval of the Joint Use Agreement (JUA) between UNLV and the LV Stadium Events Company, LLC (the Raiders stadium operating company) governing UNLV's use of the future Las Vegas Stadium. Vice Chairman Geddes seconded.

Chairman Page offered a friendly amendment that the motion is contingent upon receipt of satisfactory opinion letters from both outside counsels.

Regent Hayes asked who would determine if the letters were satisfactory

Chairman Page recommended the letters be reviewed by Regent Trachok, Special Counsel Gould and System GC Vaskov on the Board's behalf,

4. Approved – Las Vegas Stadium Joint Use Agreement, UNLV – (Continued)

Regent Hayes was concerned that the Board failed in not acting in advance and allowed one of the institutions to lobby for a huge tax increase and for a stadium without the Board of Regents vetting the issue first. He did not know if this was in the best interest of the institution.

Ms. Shavinsky believed action would be taken at the February Stadium Authority Board meeting. Vice Chairman Geddes clarified the meeting is scheduled for February 15, 2018, and if the letters were received by February 8, 2018, it would provide enough time for review.

Chief of Staff (COS) Gould restated the motion with the friendly amendment to read:

Regent Lieberman moved approval of the Joint Use Agreement (JUA) between UNLV and the LV Stadium Events Company, LLC (the Raiders stadium operating company) governing UNLV's use of the future Las Vegas Stadium, subject to usenhoutc[(us)rdi c

5. Approved – Allocation of One-Time Distribution from Operating Pool Reserve – The Board approved the proposed allocation to the institutions and System Administration of the special one-time distribution from the Operating Pool Reserve approved by the Board at the November 30-December 1, 2017, Board of Regents' meeting. (Ref. BOR-5 and supplemental material on file in the Board Office.)

Chancellor Reilly stated the Operating Pool Reserve is at a historic high. In recognition of this fact, a discussion of the potential uses of the funds was held at the November 30, 2017, Investment Committee meeting. The Committee requested the Chancellor present a list of institution initiatives at the January 2018 Board meeting for consideration by the entire Board of Regents in the amount of \$25 million. The action is consistent with prior special distributions from the Operating Pool Reserve where funds have been distributed to assist all NSHE institutions in achieving both institution and System strategic goals.

Chief Financial Officer

5. Approved – Allocation of One-Time Distribution from Operating Pool Reserve –  
*(Continued)*

Regent Trachok clarified each of the requests were to directly support the goals and metrics of the System and asked each President to explain their request.

President Helens stated GBC's request is directly related to:

- Improving student success by providing a clean safe environment to learn.
- Increasing access by improving connectivity.

President Patterson stated NSC's request is directly related to:

- Improving student success by putting more resources into full4(e)4 (s)-1 (0 Td [(od7-10 5(o)2 co





6. Approved – Strategic Planning: Goals, Metrics, Peer and Aspirational Institutions, and Values – The Board approved the strategic planning goals, metrics, peer and aspirational institutions, and values to include a metric under research that measures intellectual property outcomes. *(Ref. BOR-6 on file in the Board Office.)*

Chancellor Reilly presented a PowerPoint titled “NSHE Strategic Values, Goals, Metrics & Peers” including: NSHE Strategic Plan Goals; Values; Goal 1, Access; Goal 1, Metrics; Goal 2, Success; Goal 2, Metrics; Goal 3, Close the Achievement Gap; Goal 3, Metrics; Goal 4, Workforce; Goal 4, Metrics; Goal 5, Research; Goal 5, Metrics; Peers; Outreach; and Next Steps Data Dashboards.

In response to a question from Regent Stephens, Vice Chancellor Crystal Abba stated the System recently prepared an analysis for the Chancellor and Presidents. The analysis took the occupations and used federal standard occupation codes and then mapped them to the System’s degree programs to show demand for the state overall, and how the System is meeting that demand. Regent Stephens stated she thought the System was looking at job postings and connecting them to the System’s programs. Vice Chancellor Abba stated that is the Burning Glass tool. Vice Chancellor Nate Mackinnon stated there is a contract with Burning Glass that has been used on a pilot basis for a very specific cohort.

Chairman Page clarified that the peer institutions will not change without returning to the Board.

In response to a question from Regent Anderson, President Richards stated all five peer institutions are appropriate for comparison.

Regent Hayes believed each institution should have three aspirational institutions.

In response to a question from Regent Carter, President Averyt responded DRI would

6. Approved – Strategic Planning: Goals, Metrics, Peer and Aspirational Institutions, and Values – (Continued)

8. Information Only – Strategic Planning: NSHE System Office Staffing (Agenda Item 9) – (Continued)

In response to a question from Regent Trachok, Chancellor Reilly stated that Academic and Student Affairs may not be staffed at 100 percent but is making great strides.

Regent Doubrava entered the meeting.

Regent Trachok asked if Vice Chancellor Constance Brooks will have enough support in Carson City to accomplish the goals set forth by the Board of Regents. Chancellor Reilly stated EPSCoR is being moved under Vice Chancellor Brooks. Communications will move under the Chancellor and Mr. Michael Flores, Chief of Staff to the Chancellor. During the legislative session, Mr. Flores will join Vice Chancellor Brooks in Carson City.

Vice Chairman Geddes requested an updated organizational chart.

Regent Carter clarified that \$1 million was asked for earlier to establish these positions. Chancellor Reilly stated he asked for one-time bridge money to bring the positions on. The \$1 million was to accomplish some repairs and consolidation of some buildings.

7. No Action Taken – 2019-21 Biennial Operating Budget/2019 Capital Improvement Projects – (Continued)

Regent Trachok left the meeting.

Regent Stephens asked if there was already a mechanism in place for a new building's maintenance. CFO Burton responded guidance from State Public Works related to deferred maintenance impacts buildings from the 6<sup>th</sup> year forward. The assumption for newer buildings is that the institutions have factored in maintenance costs. Regent Stephens asked if that factor had been built into the financing and what is being done proactively to address the issue. CFO Burton stated the System continues to grow and funding is static. It will become a more acute problem until the issue is addressed. Vice Chairman Geddes stated Regent Stephens is correct that some institutions asked for student fee increases and a portion of it was set aside for maintenance and refresh. CFO Burton agreed that is correct when there is a dedicated revenue stream.

Chairman Page asked if that could be confirmed related to the new buildings that have come on. President Johnson reported under the formula, operating and maintenance is allocated for the building. President Jessup stated UNLV is not pulling anything from the construction funds but planning other sources of funds for maintenance.

In response to a question from Regent Del Carlo, CFO Burton stated the assumption has been made that the funding model is for the traditional academic year and that summer school is outside of that.

Regent Trachok entered the meeting.

In response to a question from Regent Carter concerning summer school funding, President Johnson stated there are summer Pell Grants. Chancellor Reilly stated the struggle is the price tag. If the System could pilot a program and attach it to high demand workforce issues to make the argument that students will graduate early, or certificates would be completed quicker if state funding was available in the summer it could be presented to the Legislature.

President Johnson stated UNR has not found it beneficial to have a deferred maintenance pool for each building, but instead a central renovation fund that addresses issues for multiple buildings.

President Jessup stated UNLV also accumulates funds in a facilities maintenance account and then uses it as needed.

Vice Chairman Geddes believed a true performance bonus pool for faculty is worth pursuing. In a true performance pool, those funds cannot be included in faculty compensation. Chancellor Reilly stated there have been discussions related to strategies for increasing faculty compensation.

Chairman Page left the meeting.

7. No Action Taken – 2019-21 Biennial Operating Budget/2019 Capital Improvement Projects – (Continued)

CFO Burton clarified on slide 21, that planning money was provided in the 2017 Legislature for the UNLV Engineering Academic and Research Building, the NSC Education Building and the CSN Health and Science Building which makes them the top priorities going into the next session since the Legislature already provided the planning funds. The UNLV Medical Education Building did receive \$25 million in the last session, but it was not considered planning money. The assumption is that going forward UNLV will fund and support the project in terms of the total build out. UNLV is in discussions with State Public Works on how they can partner up front on the design of the project and then have it transition during the construction phase as the money is provided by UNLV.

Chairman Page entered the meeting.

Vice Chairman Geddes asked if the \$25 million in private dollars would have to be spent first before accessing the \$25 million in planning money. CFO Burton stated that is how the statute is written.

Regent Stephens asked for updates with details to understand the pros and cons of the discussions with State Public Works and the process that may be followed related to the UNLV Medical Education Building. Chancellor Reilly stated the item has been scheduled for the March Board of Regents' meeting to provide a specific update on the issues.

Regent Hayes thanked the Chancellor and his staff for the presentation. Regent Hayes clarified that whateve2 (i)-2 (j)32 ( )TJ -0.0.]6 (ed)-4 ( t)-nwh3 ( t)- (at) -2 (ha)45 ( w)-2 (h)-14 (at)-6 (









7. No Action Taken – 2019-21 Biennial Operating Budget/2019 Capital Improvement Projects – (Continued)

Regent Hayes stated with the 86,000 square miles of GBC's geography whether at a later time would it be wise to begin planning for a stand-alone college in Nye County to help serve some of the southern rural counties. President Helens believed it was always important to look at options and when the Board talks about the sustainability of the System and does look at the options, GBC will be a willing partner.

President Hilgersom presented TMCC's slides in the PowerPoint including: Priority Requests to NSHE; Top Priority State-Funded Capital Project DRI-TMCC Science Solutions Center; Expansion of Enhancements; Employee Rank Advancements, Part-Time Pay and COLA; New En (a)4 r (a)4csm(e)4 (d 5 ( (a)4( to)2 (e)6 (q)2 (lte)]TJ 0-4 (en8)2 ( N)4 ((e

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9. Postponed – NSHE Inspector General (Agenda Item 8) – Postponed to March 2018 Board of Regents' meeting. (*Ref. BOR-8 on file in the Board Office.*)
10. Postponed –