

SPECIAL MEETING
BOARD OF REGENTS
NEVADA SYSTEM OF HIGHER EDUCATION

Friday, August 21, 2020

This meeting was held via videoconference and teleconference pursuant to Section 1 of the Declaration of Emergency Directive 006 ("Directive 006), and extended by Directive 016, 018, 021, 026 and 029, and as further extended, issued by the State of Nevada Executive Department. There were no physical locations for this meeting.

Members Present:

- 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

Others Present:

- Dr. Thom Reilly, Chancellor
- Mr. Zelalem Bogale, Deputy General Counsel for System Administration
- Mr. Andrew Clinger, Chief Financial Officer
- Ms. Renee Davis, Assistant Vice Chancellor and Director of Student Affairs
- Mr. Nate Mackinnon, Vice Chancellor, Community Colleges
- Ms. Keri Nikolajewski, Deputy Chief of Staff
- Mr. Joe Reynolds, Chief General Counsel
- Mr. Joe Sunbury, Chief Internal Auditor
- Dr. Federico Zaragoza, President, CSN
- Dr. Kumud Acharya, President, DRI
- Ms. Joyce M. Helens, President, GBC
- Mr. Bart J. Patterson, President, NSC
- Dr. Karin M. Hilgersom, President, TMCC
- Dr. Chris Heavey, Officer in Charge, UNLV
- Dr. Marc A. Johnson, President, UNR
- Dr. Vincent R. Solis, President, WNC

1. Information Only – Public Comment – *(Continued)*

Public Comment from the following people who provided concerns or opposition related to Agenda Item #8, 2021-23 Biennial State Operating Budget Request:

Cari Cunningham *(Ref. Cunningham.Cari(2)08.21.20 on file in the Board Office.)*

Dominique Hall *(Ref. Hall.Dominique08.21.20 on file in the Board Office.)*

Cheryl Cardoza *(Ref. Cardoza.Cheryl08.21.20 on file in the Board Office.)*

Kent Ervin *(Ref. Ervin.Kent08.21.20 on file in the Board Office.)*

Corina Weidinger *(Ref. Weidinger.Corina08.21.20 on file in the Board Office.)*

2. Information Only – Chancellor's Report – *(Continued)*

Board of Regents' Special Meeting Minutes

5. Approved – Creation of Budget Reduction Response Committee (Agenda Item 6) – (Continued)

UNLV Faculty Senate Chair Dr. Vicki Rosser thanked the Chancellor and members of the Board that have supported all voices regarding the pending Committee. She stated any creation of a Committee regarding program eliminations and/or institutional mergers should not exist at the NSHE level but rather at the local or institutional level. If this Committee does move forward, then faculty members must have a seat at the decision-making table.

WNC Faculty Senate Chair Dr. Robert Morin stated if this item passes, it is crucial to emphasize an ad hoc advisory group of stakeholders be established, like a President Search Committee. It is also important to take public testimony from anyone in the public that wishes to participate. Dr. Morin also suggested members of the Legislature serve on the ad hoc Committee.

UNR Faculty Senate Chair Dr. Amy Pason stated that even though the Committee was not communicated well through the memorandum, she assured those listening that it is not a secret Committee. The Faculty Senate Chairs did discuss the Committee during a meeting with the Chancellor and Board Chair. She indicated she was in favor of the Committee to collectively develop solutions for budget reductions, although discussions are needed as to who will be involved.

WNC ASWN President and Nevada Student Alliance Chair Ms. Gabrielle Clark agreed that there must be transparency and stakeholder involvement. She also supported the creation of the Committee with a mission statement later.

Regent Geddes echoed Dr. Pason's comments that nothing secretive was happening. In his years of service, the Board has not had an Open Meeting Law violation. He encouraged public comment, shared governance, and stakeholder involvement.

5. Approved – Creation of Budget Reduction Response Committee (Agenda Item 6) – (Continued)

Regent Carter moved approval of the creation of a Budget Reduction Response Committee in accordance with the Bylaws of the Board of Regents (*Handbook* Title 1, Article VI, Section 4). Regent Perkins seconded.

Regent Levine asked if a Committee could meet before it is posted. Chief General Counsel Reynolds stated no

5. Approved – Creation of Budget Reduction Response Committee (Agenda Item 6) – (Continued)

Chair Doubrava stated the mission statement would come back at a future meeting. Regent Geddes advised that today's comments be used for a draft revision for Board consideration. He also suggested the solicitation of other comments be sent directly to the Board Chair or Chancellor. Regent Trachok stated it was essential to solicit feedback from the Presidents, Faculty Senate Chairs, and the Student Body Presidents.

The meeting recessed at 2:04 p.m. and reconvened at 2:20 with all members present except Regent Carvalho.

6. Approved – Proposals to Comply with an Additional \$25 Million Reduction in Fiscal Year 2020-2021 State Supported Operating Budget (Agenda Item 7) – The Board approved capturing the unrealized gain in the Operating Pool and distributing the funds according to the formula to the institutions so that the institutions can hold the funds and apply them as necessary to make up for COVID-19 losses and other budget cuts and having the Presidents report back to the Board of Regents on how the funds are utilized. (Supplemental Material on file in the Board Office.)

Chancellor Reilly and Chief Financial Officer Clinger presented 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 \(Chapter 5, Statutes of Nevada 31st Special Session\)](#). 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. The options presented are as follows:

Option 1 – \$23.5 million operating fund reserve distribution. The balance in operating fund reserve after a \$23.5 million distribution would be \$35.8 million or 4.9 percent of the total operating fund. With a \$23.5 million distribution, UNLV, WNC, and GBC would not need to make additional budget cuts to state operating budgets. All other state operating budgets would need to cut a combined \$5.7 million. UNLV and DRI would receive distributions more than the required state operating budget reductions.

Option 2 – \$15 million operating fund reserve distribution. The balance in operating fund reserve after a \$15 million distribution would be \$44.3 million or 6.1 percent of the total operating fund. With a \$15 million distribution, most state operating budgets would need to cut a combined \$10.4 million. DRI would receive \$345,695 more in distributions than required to make additional state operating budget reductions.

6. Approved – Proposals to Comply with an Additional \$25 Million Reduction in Fiscal

6. Approved – Proposals to Comply with an Additional \$25 Million Reduction in Fiscal Year 2020-2021 State Supported Operating Budget (Agenda Item 7) – (Continued)

President Joyce M. Helens agreed with Regent Trachok's proposal. GBC has increased enrollment but decreased funding for a decade, and this would be the best for GBC to mitigate the short-term crisis and plan.

6. Approved – Proposals to Comply with an Additional \$25 Million Reduction in Fiscal Year 2020-2021 State Supported Operating Budget (Agenda Item 7) – (Continued)

Chair Doubrava asked the Chancellor to notify the Board when this is executed, the total amount, and distribution totals to each institution.

Regent Hayes entered the meeting.

7. Approved – 2021-23 Biennial State Operating Budget Request (Agenda Item 8) – The Board approved NSHE's 2021-23 biennial state operating budget request. (Supplemental Material on file in the Board Office.)

Regent Carter left the meeting.

Chief Financial Officer Clinger presented NSHE's 2021-23 biennial state operating budget request for the 2021 Legislative Session due to the Governor's Finance Office by August 31, 2020.

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8. Approved – Authority to Support Litigation Challenging New Title IX Regulations (Agenda Item 9) – (Continued)

Regent McMichael entered the meeting.

Ms. Clark commended the students that spoke and shared their personal stories. She acknowledged their courage. There are policies in place that support students outside of Title IX. NSHE has done an excellent job supporting students and providing resources.

Motion carried via a roll call vote. Chair Doubrava, Vice Chair Del Carlo, and Regents Geddes, Hayes, Levine, McAdoo, McMichael, Page, Perkins, and Trachok voted yes. Regents Carter, Carvalho, and Moran were absent.

9. Information Only – New Business (Agenda Item 10) – None.

10. Information Only – Public Comment (Agenda Item 11)

Public Comment from the following people who provided concern or opposition to Agenda Item #6, Creation of Budget Reduction Response Committee:

Dr. Maria Schellhase (*Ref. Schellhase.Maria08.21.20 on file in the Board Office.*)

Julia Bledsoe (*Ref. Bledsoe.Julia08.21.20 on file in the Board Office.*)

Public Comment from the following people who provided support for Agenda Item #9, Authority to Support Litigation Challenging New Title IX Regulations:

Shannon Williams (*Ref. Williams.Shannon08.21.20 on file in the Board Office.*)

Julia Bledsoe (*Ref. Bledsoe.Julia08.21.20 on file in the Board Office.*)

The meeting adjourned at 4:30 p.m.

Prepared by:

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to the Board of Regents