SPECIAL MEETING

BOARD OF REGENTS
NEVADA SYSTEM OF HIGHER EDUCATION

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

Friday, January 14, 2022

Video Conference Connection from the Meeting Site to:
System Administration, Reno
2601 Enterprise Road, Conference Room

Ms. Amy J. Carvalho, Vice Chair Pro Tem
Mr. Joseph C. Arrascada
Mr. Patrick J. Boylan
Mr. Byron Brooks
Dr. Patrick R. Carter
Dr. Mark W. Doubra
Dr. Jason Geddes
Mrs. Cathy McAdoo
Mr. Donald Sylvantee McMichael Sr.
Mr. John T. Moran
Ms. Laura E. Perkins
Dr. Lois Tarkanian

Ms. Kri Nikolajewski, Interim Chief of Staff to the Board

Mr.

Others Present: *(Continued)*
Dr. Karin M. Hilgersom, President, TMCC
Dr. Keith E. Whitfield, President, UNLV
Mr. Brian Sandoval, President, UNR
Dr. J. Kyle Dalpe, Officer in Charge, WNC

Faculty senate chairs in attendance were: Dr. Julian Smit, CSN; Dr. Samantha Jewell, NSC; Dr. Virginia Irintcheva, TMCC; Ms. Shannon Sumpter, UNLV; and Dr. Amy Pason, UNR. Student body president in attendance was: Mr. Zachary Johnigan, ASCSN President, CSN.

Chair Pro Tem Del Carlo called the meeting to order at 9:00 a.m. with all members present. Regent McMichael led the Pledge of Allegiance, and Chair Pro Tem Del Carlo provided the Land Acknowledgement.

1. Information Only – Public Comment

Chair Pro Tem Del Carlo stated all written/voicemail public comments received will be posted on the NSHE website, included with the permanent record, and provided to the Regents.

The following individuals provided written/voicemail public comment or spoke in support of Agenda Item 5, Letter of Support for Student COVID-19 Vaccinations and/or vaccine mandates:

Robie Alcala *(Alcala.Robie01.14.22 on file in the Board Office.)*
Merci Silva-Acosta *(Silva-Acosta.Merci01.14.22 on file in the Board Office.)*
Kent Ervin *(Ervin.Kent01.14.22 on file in the Board Office.)*
Richard Leonard *(Leonard.Richard01.14.22 on file in the Board Office.)*
Jiego Lim
Doug Unger *(Unger.Doug01.14.22 on file in the Board Office.)*

The following individuals provided written/voicemail public comment or spoke in opposition to Agenda Item 5, Letter of Support for Student COVID-19 Vaccinations and/or vaccine mandates:

Debbie Abate *(Abate.Debbie01.14.22 on file in the Board Office.)*
Kim Aglitti
Misty Atkins
Conzello Barnhill III *(Barnhill.Conzello01.14.22 on file in y**8R1pyB8R1pyB8R1p(i)-2 (c4 (r)3 (of)3(E))1TJ0 Tc 0 T*

1. Information Only – Public Comment

The following individuals provided written/voicemail public comment or spoke in opposition to Agenda Item 5, Letter of Support for Student COVID-19 Vaccinations and/or vaccine mandates – *(Continued)*

Kathleen Sliter *(Sliter.Kathleen01.14.22 on file in the Board Office.)*
Ken Snyder
Julie Stevenson *(Stevenson.Julie01.14.22 on file in the Board Office.)*
Charlotte Stewart *(Stewart.Charlotte01.14.22 on file in the Board Office.)*
Mary Swirsky *(Swirsky.Mary01.14.22 on file in the Board Office.)*
Kristen Sylva *(Sylva.Kristen01.14.22 on file in the Board Office.)*
Glen Tenney *(Tenney.Glen01.14.22 on file in the Board Office.)*
Patty Toone *(Toone.Patty01.14.22 on file in the Board Office.)*
Caroline Turner *(Turner.Caroline01.14.22 on file in the Board Office.)*
Jolain Tyndall *(Tyndall.Jolain01.14.22 on file in the Board Office.)*
Ariel Van Cleve *(VanCleve.Ariel01.14.22 on file in the Board Office.)*
Maryann Weldin
Chelsea Wilson *(Wilson.Chelsea01.14.22 on file in the Board Office.)*

The following individuals provided written public comment in support of a fair and equitable process for Agenda Item 8, Update on ad hoc Chief of Staff and Special Counsel to the Board Search Committee:

Kent Ervin *(Ervin.Kent01.14.22 on file in the Board Office.)*
Doug Unger *(Unger.Doug01.14.22 on file in the Board Office.)*

The following individuals provided written public comment in support of a 3 percent Cost of Living increase for Agenda Item 13, 2023-25 Biennial Operating Budget/2023 Capital Improvement Projects and Overview of Funding Formula:

Kent Ervin *(Ervin.Kent01.14.22 on file in the Board Office.)*
Doug Unger *(Unger.Doug01.14.22 on file in the Board Office.)*

The Nevada Faculty Alliance provided a Petition for Safe NSHE Campuses signed by faculty, staff, students, and family members of the Nevada System of Higher Education. *(PetitionForSafeNSHECampuses01.14.22 on file in the Board Office.)*

Susan Werner spoke in favor of allowing rational individuals to weigh options and make their own decisions.

Kent Ervin spoke about the pressure faculty and staff face and the lack of support. Cost of living adjustments are inadequate, and employee health benefits have been cut, including eliminating long-term disability. He called on the Regents, Chancellor, and Presidents to make faculty compensation and benefits the highest budget priority and advocacy.

3. Information Only – State of the System Address – *(Continued)*

how tuition rates will change during their schooling. Not knowing what tuition will be is

Board of Regents

4. Approved – Minutes – The Board approved the minutes from the November 12, 2021, special meeting. *(Ref. BOR-4 on file in the Board Office.)*

Regent McMichael moved approval of the

5. Approved – Letter of Support for Student COVID-19 Vaccinations – *(Continued)*

Commission did not adopt the permanent regulation, it effectively expired after 120 days.

Regent Boylan stated he understood that a mandate is not a law but only a suggestion for those that accept it. Chief General Counsel Reynolds respectfully disagreed and reiterated that a mandate has the effect of law. If a student does not abide by the mandate, it will prevent them from registering for classes.

Regent McAdoo asked who has the authority to mandate student vaccinations. Chief

5. Approved – Letter of Support for Student COVID-19 Vaccinations – *(Continued)*

Regent McMichael stated most students are in favor of reinstating a student vaccine mandate.

Regent Geddes stated faculty, staff, students, and the campuses want this mandate.

Motion carried via a roll call vote. Chair Pro Tem Del Carlo, Vice Chair Pro Tem Carvalho, and Regents Arrascada, Carter, Doubrava, Geddes, McMichael, Moran, and Perkins voted yes. Regents Boylan, Brooks, McAdoo, and Tarkanian voted no.

6. Withdrawn – One-Year Extension to Employment Agreement, President Joyce M. Helens, GBC – This item was withdrawn.

7. Approved – Extension to Employment Agreement, Interim Chief of Staff to the Board Keri D. Nikolajewski – The Board approved an extension to the current Employment Agreement of Keri D. Nikolajewski to serve as Interim Chief of Staff to the Board beyond the January 14, 2022, expiration date, and continue until a permanent candidate to fill the position of Chief of Staff and Special Counsel to the Board is selected by the Board and that individual's first day of employment commences. *(Refs. BOR-7a and BOR-7b on file in the Board Office.)*

Chair Pro Tem Del Carlo requested an extension to Keri D. Nikolajewski's current Employment Agreement to serve as Interim Chief of Staff to the Board beyond the January 14, 2022, expiration date and continue until a permanent candidate to fill the position of Chief of Staff and Special Counsel to the Board is selected by the Board and that individual's first day of employment commences.

Chair Pro Tem Del Carlo thanked Interim Chief of Staff Nikolajewski for all she does for the Board.

Regent McAdoo moved approval an extension to the current Employment Agreement of Keri D. Nikolajewski to serve as Interim Chief of Staff to the Board beyond the January 14, 2022, expiration date, and continue until a permanent candidate to fill the position of Chief of Staff and Special Counsel to the Board is selected by the Board and that individual's first day of employment commences. Regent Boylan seconded. Motion carried.

8. Information Only – Update on ad hoc Chief of Staff and Special Counsel to the Board Search Committee – Committee Chair John T. Moran provided an update on the progress of the ad hoc Chief of Staff and Special Counsel to the Board Search Committee. The next meeting will be on January 28, 2022, at 9:00 a.m. Committee Chair Moran encouraged everyone's participation.

9. Information Only – Update on ad hoc Strategic Planning Committee *(Agenda Item 9)* – Committee Chair Amy J. Carvalho provided an update on the progress of the ad hoc Strategic Planning Committee. The first meeting will be January 24, 2022, at 1:00 p.m.

10. Information Only – Update on Affiliation with Renown Health, UNR Med – UNR President Brian Sandoval and UNR Med Acting Dean Melissa Piasecki, M.D., provided a summary of the progress achieved in operationalizing and implementing the clinical and academic affiliation between UNR Med and Renown Health. *(Ref. BOR-10 on file in the Board Office.)*

Regent Arrascada asked Acting Dean Piasecki to expand upon the scholarship opportunities. Acting Dean Piasecki stated that scholarship funds were distributed on agreed-upon methods and allocated as one-year scholarships to five physician assistant students and one-year scholarships for five first-year medical students, and-3 (r Tc 0h8 reu(R)2 0 Td(-)Tj

11. Information Only – Update on Sierra Nevada University Transfer, UNR – *(Continued)*

3. UNR will hire qualified SNU faculty and staff to support operations and academic offerings across the degree programs.
4. UNR committed it will cost no more to attend UNR than it did SNU.

On December 20, 2021, UNR and SNU received approval from the NWCCU on its Substantive Change Proposal, then communicated to the Nevada Commission on Postsecondary Education. The NWCCU required a teach-out plan that provides for the equitable treatment of students if higher education institutions cease to operate or cease instruction. UNR and SNU jointly evaluated 15 undergraduate and four graduate degrees in developing the teach-out plan. Eight programs are equivalent between the two institutions, and six are reasonably equivalent among the undergraduate programs. In addition, two of the four graduate programs are reasonably equivalent. However, one undergraduate and two graduate degree programs differ significantly, making it difficult for SNU students to transfer without negatively impacting their time to degree completion. As a result, UNR will be submitting one undergraduate and two graduate teacher education degree programs to the Board of Regents for consideration for the duration of the teach-out only. UNR and SNU have begun working with the U.S. Department of Education to gather and prepare documentation for a joint submission. UNR anticipates 350 students will transition from SNU.

UNR and SNU are committed to ensuring the transition provides clear pathways to academic success for SNU students who always come first.

Regent Geddes reiterated that other NSHE institutions are integrated to make this a System asset. Senior Vice Provost Heaton stated they have focused on the regulatory process, but this will be an NSHE resource.

In response to a question from Vice Chair Pro Tem Carvalho related to the Henderson SNU program, Senior Vice Provost Heaton responded Executive Vice President and Provost Jeff Thompson is in discussion with NSC and UNLV about the teacher education programs.

Chair Pro Tem Del Carlo stated the community is thrilled about the acquisition.

14. Postponed – NSHE Fee Waiver Report – This item was postponed to a future meeting.

15. Postponed – System Computing Services Strategic Plan – This item was postponed to a future meeting.

16. Postponed – ad hoc Fiscal Sustainability Committee Initiative Update – Shared Services/System Computing Services – This item was postponed to a future meeting.

17. Information Only – New Business

Regent Perkins requested the Board examine NSHE's federal grant capacity for each institution.

Regent Geddes requested Chief General Counsel Reynolds explore the Board's constitutional authority with respect to vaccine mandates.

18. Information Only – Public Comment

Kent Ervin appreciated the Board's support of the Letter of Support for the student mandate. Dr. Brian Labus, Dr. Cheryl Hug-English, Vice Chancellor for Workforce Development Caleb Cage, and Chief General Counsel Reynolds have worked tirelessly on the NSHE Covid Task Force and acknowledged their efforts over the past two years.

The meeting adjourned at 2:50 p.m.

Prepared by: Angela R. Palmer
Special Assistant and Coordinator
to the Board of Regents

Submitted for approval by: Keri D. Nikolajewski
Interim Chief of Staff
to the Board of Regents

Approved by the Board of Regents at its April 22, 2022, meeting.