

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

University of Nevada, Las Vegas  
Student Union Ballroom  
4505 S. Maryland Parkway, Las Vegas

Wednesday, November 30, 2022

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:

Mrs. Cathy McAdoo, Chair  
Ms. Amy J. Carvalho, Vice Chair  
Mr. Joseph C. Arrascada  
Mr. Patrick J. Boylan  
Mr. Byron Brooks  
Mrs. Carol D. Moran  
Members Absent: Mr. John T. Moran

Others Present:

Mr. Dale A.R. Erquiaga, Acting Chancellor  
Mr. Andrew Clinger, Chief Financial Officer  
Ms. Renee Davis, Interim Vice Chancellor, Academic  
Mr. James J. Martines, Chief General Counsel

Faculty senate chairs in attendance were Dr. Brittany Kruger, DRI; Mr. Ed Boog, SA; and Dr. Eric Marchand, UNR. Student body president in attendance was Ms. Dionne Stanfill, ASUN President, UNR (*Chair, Nevada Student Alliance*).

Regents-elect in attendance were: Heather Brown, District 6, and Jeffrey Downs, District 11.

Also in attendance was Chricy Harris, Deputy Attorney General.

Chair McAdoo called the meeting to order at 7:22 p.m. with all members present except Regent Moran.

1. Information Only – Public Comment – None.
2. Approved – Appointment, Interim Chief of Staff, Board of Regents – The Board approved the appointment of current Deputy Chief of Staff Keri D. Nikolajewski to serve as Interim Chief of Staff and the proposed employment contract. (*Ref. BOR-2 and Supplemental Material on file in the Board Office.*)

Regent Geddes moved approval of the appointment of current Deputy Chief of Staff Keri D. Nikolajewski to serve as Interim Chief of Staff and the proposed employment contract. Regent McMichael seconded.

Regent Boylan asked for the item to be tabled since Regents are being asked to give an employee a significant raise without being able to review the last two employee evaluations or see the salary schedule used to justify the salary increase. In addition, he asked why there is not a Chief of Staff and Special Counsel search as before. He stated the policies and procedures being used are questionable and asked Chief Internal Auditor Joseph Sunbury to review the process to determine if it is ethical and legal.

Chair McAdoo stated *Supplemental Material* was provided to the Board of Regents and the public answering Regent Boylan's questions.

2. Approved – Appointment, Interim Chief of Staff, Board of Regents – (Continued)

Director of Human Resources Sherry M. Olson stated if any Board member is interested in viewing an employee's personnel record, they are free to do so. However, evaluations are confidential documents included in a personnel file, and for Board members to access the documents, they must set up an appointment to review them in a one-on-one setting.

In response to a question from Regent Del Carlo related to what Ms. Nikolajewski was paid in the previous appointment, Chair McAdoo stated the proposed salary is the exact amount she was paid during the last appointment.

Regent Del Carlo offered that she was unaware that Ms. Nikolajewski had been evaluated in June and asked for better communication when the Board's direct reports are evaluated.

Chief General Counsel James J. Martines offered that all NSHE professional employees are required to go through the evaluation process annually.

In response to Regent Carter stating the salary figures in the documents are not the same, Director Olson said the salary of \$152,878.08 outlined in the original Board materials is correct.

Regent Boylan clarified the *Supplemental Material* would not have been provided if he had not asked for it. He stated there is a lack of communication.

Regent Perkins stated Ms. Nikolajewski is very capable, but she believes there is someone in the legal department that can step in to provide for both the Chief of Staff and legal side of the position.

Chair McAdoo pointed out this is an appointment for the Interim Chief of Staff. Leadership is needed in the Board Office. There is a process to hire a permanent Chief of Staff and Special Counsel.

Regent Perkins asked about the financial implications of hiring someone to provide legal services for the Board and appointing an Interim Chief of Staff. Chief General Counsel Martines stated his office has a fiduciary duty to represent NSHE. The office represents the executives of the organization. If there is a conflict, the Code provides that he will report to the Board Chair to resolve the conflict.

In response to a question from Regent Perkins about the costs related to hiring specific counsel for the Board, Chief Financial Officer Clinger responded it is dependent on the attorney and number of hours. The typical going rate for outside counsel is approximately \$400-\$425 per hour.

Regent Tarkanian observed that Ms. Nikolajewski has 20 years of experience and has already held the position successfully.

Regent Brooks believed Ms. Nikolajewski deserved the position and that she would support the Board in all matters even when it did not recognize the need for support.

