

Friday, June 30, 2023

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. Byron Brooks, Chair
Mr. Joseph C. Arrascada, Vice Chair
Mr. Patrick J. Boylan
Mrs. Susan Brager
Ms. Heather Brown
Mrs. Amy J. Carvalho
Dr. Michele Cruz Crawford
Mrs. Carol Del Carlo
Mr. Jeffrey S. Downs
Ms. Stephanie Goodman
Mr. Donald Sylvantee McMichael Sr.
Ms. Laura E. Perkins
Dr. Lois Tarkanian

Others Present: Mr. Dale A.R. Erquiaga, Acting Chancellor
Ms. Crystal Abba, Executive Vice Chancellor and Chief of Staff
Ms. Patty Charlton, Acting Vice Chancellor, Academic and Student
Affairs and Community Colleges
Mr. James J. Martines, Vice Chancellor and Chief General Counsel
Ms. Keri Nikolajewski, Interim Chief of Staff to the Board
Ms. Sherry Olson, Director, Human Resources
Dr. Federico Zaragoza, President, CSN
Dr. Kumud Acharya, President, DRI

1. Information Only – Public Comment (Continued)

- ¾ Jennifer Hill (Hill.Jennifer063023 on file in the Board Office.)
- ¾ Emily Hobson (Hobson.Emily063023 on file in the Board Office.)
- ¾ Zeb Hogan (Hogan.Zeb063023 on file in the Board Office.)
- ¾ Keith Hooper (Hooper.Keith063023 on file in the Board Office.)
- ¾ Cody Hunter (Hunter.Cody063023 on file in the Board Office.)
- ¾ Morgan Iommi
- ¾ Sara Kiser
- ¾ Renata Keller (Keller.Renata063023 on file in the Board Office.)
- ¾ Saralinda Kiser (Kiser.Saralinda063023 on file in the Board Office.)
- ¾ Elizabeth Koebele (Koebele.Elizabeth063023 on file in the Board Office.)
- ¾ Deborah Leamy (Leamy.Debora063023 on file in the Board Office.)
- ¾ Andrew Lenard
- ¾ Joshua Levin (Levin.Joshua063023 on file in the Board Office.)
- ¾ Melissa ...

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1.

2. Action Taken –Appointment, Chancellor of the Nevada System of Higher Education (Continued)

Regent Goodman moved to appoint Lawrence M. Drake II, Ph.D. as Chancellor of the Nevada System of Higher Education. Regent Brager seconded.

Regent Goodman stated Dr. Drake is a leader who can communicate and heal this System. He is a strong and intelligent man who can lead staff. This appointment can be a great new beginning for NSHE.

Regent Brager implored the Board to move forward and support the motion. She asked the Board to let go of the past, move to the future, and take a chance on Dr. Drake.

Regent Boylar stated Dr. Drake is a nice man but does not know the System and cannot hit the ground running.

Regent Carvalho pointed out that her nayote at the Committee meeting had nothing to do with the past. It was based on the candidates were brought forward to the Committee. The search felt different and was not as transparent as others in the past. Higher education is about shared governance and listening to everyone at the table. She thought it was incumbent upon her to listen to the voices of the advisory members.

Regent Carvalho asked whether it was possible to have discussions with the candidate before a decision. Chief General Counsel James J. Martines stated the policy is vague, so usually he would say there is some discretion. But the policy also states that if the Board wants to divert from the process, it will require a ~~two~~ thirds vote.

2. Action Taken – Appointment, Chancellor of the Nevada System of Higher Education – (Continued)

Regent Cruz Crawford thanked her colleagues for their remarks on both sides. She had spoken to constituents who felt they would like a Chancellor with more experience within complex organizations.

Regent Brown stated advisory members believed that NSHE did not have a Chancellor in this search process. She reiterated that she did not like the process, and her requests have been ignored. She believed the search did not produce candidates who could understand the System's complexities and work with all the institutions.

Regent Boylan thanked The Bryan Group for their efforts, but the search did not produce what the Board was looking for.

Vice Chair Arrascada stated this is a high-level leadership position requiring diverse expertise in numerous fields. Dr. Drake is at a campus of only 3,000 students, but he was the CEO of Coca-Cola Africa, with over 100,000 employees. He has met all the specified criteria for Chancellor leader success. He can learn more about Nevada, NSHE, and research when he arrives. It is disappointing that no one within the System to apply. All three of the candidates brought forward could do the job. The Board's job is to

3. Approved– Fiscal Year 2024 Cost-of-Living Adjustment for Professional Employees
The Board approved an increase in the base salaries of all NSHE professional staff as a cost-of-living adjustment in the amount of 12 percent effective on July 1, 2023 (Ref. BOR 3 and Supplemental Material file in the Board Office.)

Acting Chancellor Dale A.R. Erquiaga and the Council of Presidents presented

3. Approved– Fiscal Year 2024 Cost-of-Living Adjustment for Professional Employees
(Continued)

Regent Perkins liked the idea of the executive salary schedule employees not ~~accept~~ COLA because they received a salary increase approximately one year ago.

Regent Brown

3. Approved –Fiscal Year 2024 Cost-Living Adjustment for Professional Employees
(Continued)

Regent Carvalho noted that DRI has stated it can fund the increase. DRI President Kumud Acharya reported DRI has three distinct categories of employees at DRI: administrators funded by the state, faculty funded by supporting grants and contracts, and administrative faculty funded by supporting grants and contracts. DRI's state portion is very high because DRI gets about 98 percent of the increase allocated on the general fund contributions. However, self-supporting faculty relying on grants and contracts must charge extra money. The rule will apply uniformly across all three groups of faculties at DRI. It will not be easy for faculty that have already budgeted for next year, but he thinks it will be fine. DRI President Acharya stated he is not worried about the 12 percent this year but is concerned about the increase next year. gra[(xt)or. MC /P <</MCID 3 >>BDC 0te

4. Approved – Handbook Revision, Purple Heart Fee Waiver (Continued)
5. Approved – Handbook Revision, Fee Waivers for Native Americans (Continued)
6. Approved – Handbook Revision, Regulations Determining Residency and Tuition Charges – (Continued)

Regent Boylan stated he was confused about waivers and grants. Acting Vice Chancellor Charlton reported what changed in the legislation is the order in which the funding is provided. Previously a student would complete the FAFSA, and that funding would be applied to any of the assessments. Then any other federal benefits (fee waivers) would then be applied. But this change in legislation means that the fee waiver will be applied first. Acting Vice Chancellor Charlton clarified that a student might be eligible for other federal financial aid even after receiving the fee waiver. _____

7. Approved – Appointment, Interim Chief Auditor, and Commencement of Search (Continued)

AC & Title IX Committee Chair Perkins reiterated that the previous Chief Internal Auditor's salary was approximately \$50,000 higher, and Ms. Tripp has been ~~NSHE~~ NSHE for ten years. She added that the main difference is that one was male and Ms. Tripp identifies as female.

Chair Brooks believed it to be uncareful wording if Committee Chair Perkins was stating there is a salary discrepancy based on gender.

NSHE Human Resources Director Sherry Olson stated the previous incumbent of this position made \$156,728 annually. ~~he~~ salary proposed today is \$130,000. They came to this number by looking at Title 4, Chapter 3, Section 27.2, which provides guidelines on the initial salary of new hires. They applied the policy because this is a new role for Ms. Tripp. The minimum for Grade E is \$123,474, and Q1 is \$164,632, so they ~~place~~ place Ms. Tripp above the minimum and took her experience into account. Additionally, ~~employees~~ employees within NSHE that accept additional responsibilities outside the normal scope of work receive a stipend of 9 percent. In this situation, Ms. Tripp is receiving a 41 percent increase.

AC & Title IX Committee Chair Perkins requested the salary for Ms. Tripp be set at the Grade E, Q1 level. Human Resources Director Olson stated a salary of \$164,632 would be more than the previous incumbent was making.

Regent Tarkanian entered the meeting.

Regent Del Carlo stated this is a unique position with two bosses. She also indicated that she had done her due diligence and Joe Sunbury had a glowing review ~~of Ms. Tripp~~ of Ms. Tripp.

In response to a question from Regent Boylan related to who determines the interim appointment, Chief General Counsel Martines stated it is evident in policy that the Board appoints, but in this instance, it was unclear who makes the recommendation to the Board. After reviewing the current reporting structure and the search process, they produced joint recommendation from the AC & Title IX Committee Chair and the Board Chair.

Regent Goodman moved approval to appoint
Internal Audit Manager Lauren Tripp to serve as
Interim Chief Internal Auditor, as recommended by
Audit, Compliance and Title IX Committee Chair
Laura E. Perkins Regen5ot6 (na)4 (l7e)4 (c)4 s4 (c)4 e Gej (

7. Approved – Appointment, Interim Chief Auditor, and Commencement of Search (Continued)

Regent Goodman amended her motion to include the appointment of current Internal Audit Manager Lauren Tripp to serve as Interim Chief Internal Auditor, as recommended by Audit, Compliance and Title IX Committee Chair Laura E. Perkins and approval of the proposed employment contract Regent Tarkanian seconded. Motion carried.

Ms. Tripp thanked the Board for the opportunity. She has been with the department for 11 years, was hired as Senior Internal Auditor, became Internal Audit Manager, and was lucky enough to work with the former Chief Internal Auditor for 7 ½ years. She moved in the direction and changes he made to the department, and she hoped that she could continue the momentum.

Regent Carvalho recommended putting the Chief Internal Auditor search on hold to allow the Interim Chief Internal Auditor a chance in the role.

Regent Brager agreed with Regent Carvalho and suggested bringing the item back in one year.

The meeting recessed at 5:04 p.m. and reconvened at 5:15 p.m. with all members present.

8. Approved – Nomination, Nevada State Board of Education The Board approved the nomination of Vice Chair Joseph C. Arrascada for consideration and selection by the Governor for reappointment to the Nevada State Board of Education. BOR8 on file in the Board Office.

Regent Boylan nominated Vice Chair Joseph C. Arrascada. Regent Brager seconded.

Regent Brown nominated Regent Michel Gaudin Crawford.

In response to a question from Regent Del Carlo asking if, under the Open Meeting Law, the Board was able to (a) (4) (qu)-10 all 0o0 Td [(o)-7 79bfg theing ng EMC /ao4o3h

8. Approved – Nomination, Nevada State Board of Education – (Continued)

Vice Chair Arrascada stated that the State Board of Education has been working on college and career readiness for the past year and that progress would be disrupted if he was not reappointed. Additionally, they have been working diligently on new start times for schools. He did not like his integrity and participation questioned. He has been committed and takes the responsibility heavily on his shoulders to represent the Board of Regents with the most tremendous respect.

Regent Cruz Crawford stated she has been a K educator for 20 years. She pointed out that she works actively with the dual enrollment programs. She also understands the complexity of the testing for college and career readiness and sees how it looks in a classroom and how it transfers from the teaching and learning of the student to the student outcomes of their SAT scores. She is a huge proponent of the Millennium Scholarship to ensure students get a 21 on their SAT. She knows how that transfers to students being more successful at the undergraduate level. Because she works at the state level developing policies that directly affect students, K-20 and above, she sees the policy development and how it looks in the classroom when it transfers to the students. She would be able to help give guidance to the State Board of Education regarding what the policy would look like and how it will affect NSHE institutions. She commended Vice Chair Arrascada for his work but wanted to share that she feels more than prepared for this appointment.

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8. Approved – Nomination, Nevada State Board of Education – (Continued)

Chair Brooks noted there was a motion on the table.

Chief General Counsel Martines recommended that the Board vote on the motion.

Regent Carvalho clarified that for NRS and the purposes of the State Board of Education, it is a oneyear term, but traditionally the Board appoints with the anticipation of a two year term.

Regent Del Carlo stated historically, this is a position that nobody wanted because the appointed representative has a voice but no vote.

In response to a question from Regent Downs related to the process, Chief General Counsel Martines stated there was a motion and a second made before the second nomination was made.

Motion carried via a roll call vote. Chair Brooks, Vice Chair Arrascada, and Regents Boylan, Brager, Downs, Goodman, Perkins, and Tarkanian voted yes. Regents Brown, Carvalho, Crawford, Del Carlo, and McMichael voted no.

9. Information Only – New Business

Regent Downs requested a review of the chancellor and executive search processes.

Regent Brager requested a policy proposal where once an item has been voted on, it cannot be brought back for a year without a supermajority vote

10. Information Only – Public Comment

The following individuals provided in person or written public comment in support of full implementation and funding of the Cost of Living Adjustment (COLA):

¾ Cydney Giroux (Giroux.Cydney063023 on file in the Board Office.)

¾ Laura Naumann

¾ Bill Robinson

¾ Tracy Sherman

¾ Bradley Summerhill (Summerhill.Bradley063023 on file in the Board Office.)

¾ Asherian Vartouh (Vartouhi.Asherian063023 on file in the Board Office.)

The following individual provided in person public comment voicing concern that Governor Joe Lombardo vetoed AB 224, collective bargaining, which bipartisan support in the legislature

¾ Kent Ervin (Ervin.Ken063023 on file in the Board Office.)

The following individuals provided in person public comment thanking the Board for its support of full implementation and funding of the Cost of Living Adjustment (COLA):

¾ Shantal Marshall

¾ Laura Naumann

¾ Bill Robinson

¾ Tracy Sherman

¾ Patrick Villa

The following individuals provided in person public comment requesting the Presidents to engage the faculty and students in the discussions on the upcoming COLA

¾ Bill Robinson

¾ Patrick Villa

The following individual provided in person public comment in support of hiring a search firm with a more extensive history in higher education searches and to find ways to convince the Legislature to reinvest in education:

¾ Laura Naumann

The meeting adjourned at 6:04 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 September 9