

BOARD OF REGENTS
UNIVERSITY AND COMMUNITY COLLEGE SYSTEM OF NEVADA
Horn Theatre
Community College of Southern Nevada
3200 East Cheyenne Avenue, Las Vegas
Wednesday-Thursday, October 9-10, 2002

Members Present:

Mr. Douglas Seastrand, Chair
Mr. Mark Alden
Dr. Jill Derby
Mrs. Thalia Dondero
Mrs. Dorothy S. Gallagher
Mr. Douglas Roman Hill
Mrs. Laura Hobbs
Mrs. Linda Howard
Dr. Tom Kirkpatrick
Mr. Howard Rosenberg
Mr. Steve Sisolak

Others Present:

Chancellor Jane Nichols
Vice Chancellor, Finance & Administration Dan Miles
Vice Chancellor, Academic & Student Affairs Richard Curry
General Counsel Tom Ray
President Ron Remington, CCSN
President Stephen Wells, DRI
President Paul Killpatrick, GBC
President Kerry Romesburg, NSC
President Philip Ringle, TMCC
President Carol Harter, UNLV
President John Lilley, UNR
President Carol Lucey, WNCC
Chief Administrative Officer Suzanne Ernst

Also present were faculty senate chairs Dr. Joan McGee, CCSN Ms. Lynn Fenstermaker, DRI Mr. Pete Bagley, GBC Mr. John Tully, System Administration Dr. Eun-Woo Chang, TMCC Dr. Bill Robinson, UNLV Ms. Bourne Morris, UNR and Ms. Winnie Kortemeier, WNCC. Student government leaders present included Ms. Kerri Hamrick, CCSN Mr. Steve Houk, GBC Mr. Kiyoshi "Teddy" Noda, TMCC Ms. Monica Moradkhan, UNLV Ms. Jocelina Santos, UNLV-GSA Ms. Alicia Lerud, UNR Ms. Marilou Woolm, UNR-GSA, and Ms. Michelle Badger, WNCC.

Chair Douglas Seastrand called the meeting to order at 12:40 p.m. on October 9, 2002 with all members present.

1. Information Only-Personnel Session – The Board held a closed personnel session.

1.1 Approved-Closed Session - In compliance with NRS 241.030, a closed session was held for purposes of discussion of the character, alleged misconduct, professional competence, or physical or mental health of certain executive employees of the UCCSN.

Regent Rosenberg moved approval of moving to a closed personnel session. Regent Kirkpatrick seconded. Motion carried.

The meeting recessed at 12:44 p.m. and reconvened at 2:00 p.m. with all members present except Regents Derby and Howard.

1.2 Information Only-Return to Open Session – The Board returned to open session.

2. Introductions – Regent Alden noted the passing of Mr. Oran Gragson, a four-term mayor of the City of Las Vegas. He said that Mr. Gragson was a visionary who epitomized what was right about the country, leadership and ethics. He requested a moment of silence for Mr. Gragson and his family.

President Wells introduced Dr. John Warwick, DRI's new Executive Director, Division of Hydrological Sciences. Dr. Warwick received his Ph.D. from Penn State in Environmental Engineering and taught at the University of Texas at Dallas in

of meaningful performance indicators against which progress can be measured over time. The Chancellor will bring forward a proposal for Board consideration at a future meeting.

- Nevada Student Incentive Grants – At the previous meeting, the Board discussed a request from the State Department of Education for an additional \$65,420 in matching funds for the Nevada Student Incentive Grant program. The Board elected not to use Estate Tax funds for this purpose and directed System staff to search for an alternative solution. Chancellor Nichols discussed the possibility of using student access dollars for the match with the campuses. Following Finance & Administration's analysis of the distribution of the total dollars that would be received as a result of the System's match, it was discovered that UCCSN would realize only a small portion (18%) of the federal matching dollars. Approximately 82% of the federal funds would go to Nevada's private schools because of the methodology by which the grant funds are administered. While the UCCSN would reap a small benefit in terms of additional federal financial aid dollars, they may not be substantial enough to warrant the temporary allocation of student access dollars to the State Department of Education in order to implement the federal match. Chancellor Nichols will provide further information as the matter is settled.

Chancellor Nichols then requested a report from DRI President, Dr. Stephen Wells.

President Wells displayed DRI's new business cards in the form of a CD-ROM containing a 9-minute video describing the Institute's worldwide research program. He noted that DRI plays a key role in contributing to Nevada's environmental needs. DRI's range of research also extends from the ice fields of Antarctica to the impoverished countryside of Africa. He highlighted a partnership between DRI, the Conrad N. Hilton Foundation, World Vision, USAID, UNICEF, and several other organizations in a \$40 million West Africa Water Initiative to provide reliable and safe water and sanitation to the rural communities of western Africa. The collaboration attracted the attention of Secretary of State Colin Powell. President Wells introduced Dr. John Tracy, Executive Director, Center for Watershed and Environmental Sustainability.

Dr. Tracy reported that the external mission of the Center is to create new approaches of developing a predictive understanding of the behavior of watersheds and place this understanding in a planning and management policy context. The internal function of the Center is to help develop cross-division interdisciplinary research teams that address issues of watershed management and restoration. Criteria for the research pursued include programs that have watershed-scale implications and programs that are one step from policy. The Center conducts research on a variety of watersheds including Lake Tahoe, the Walker River, and the Las Vegas Wash.

- Walker River Basin Projects - Using scientists from DRI and UNR, the projects provide technical support for the development and assessment of alternatives to stabilize the water level in Walker Lake, aid in negotiated water dispute settlements, and aid in the recovery of the Lahontan Cutthroat trout. The Walker River basin contains the State's most productive agricultural valleys. Additionally, Walker Lake, the river, and its headwater areas are highly valued for recreation. Even with the most optimistic estimates of the impacts of cloud seeding, groundwater importation, and river restoration, a significant amount of water rights would need to be purchased to stabilize Walker Lake. These purchases would negatively impact the agricultural sector of the basin's economy.
- Lake Tahoe Basin Projects – More than two dozen projects have been undertaken related to understanding the state of the air, water, biotic, and socioeconomic resources within the basin. Funding has come from state agencies, Nevada State Lands, local agencies, private entities, and the federal government. DRI has established collaborations with the Tahoe Research Group-U.C. Davis, University of Nevada, Reno, and the U.S. Geological Survey. One significant study examines the water quality on the near shore zone at Lake Tahoe to provide an assessment of the causes of spatial and temporal turbidity variation near Lake Tahoe's shore. It has been discovered that the water quality in Lake Tahoe is affected by a small portion of the watershed. Those areas have been identified for watershed restoration. A second study has used satellite imagery to analyze the impervious cover in the Lake Tahoe Basin for conservation of natural resources. New advances in technology have enabled the determination of ground cover using remotely sensed satellite images. The Tahoe Regional Planning Agency estimated the cost of the effort at \$5-6 million. The project will actually be completed by the end of 2002 for approximately \$350,000.
- Future Research Directions – The Center will conduct research regarding the regional impacts of climate change, environmental history, and ec hydrology (understanding hydrological sciences and its impact on the ecosystem).

5. Public Comment – Regent Howard said that she was very disappointed by the negative remarks about her in the press made by a fellow Regent. She said that she tried not to publicly discredit her fellow Regents, adding that she wants to work with all Board members. She said she was frustrated with the way that issues close to her heart had been handled, adding that her goal was to provide a voice for minorities on the lower socioeconomic end of the ladder. She felt that Regents should adhere to professional standards and decorum, act in good faith, refrain from media attention solely for publicity, provide leadership, serve students, faculty, staff and the people. She believed that Regents should promote higher education and be fiscally responsible. She felt the Regents should reach out to the underrepresented and answer to the people of the State of Nevada. She said that her position as an elected official was to serve her constituents well, meet their needs, and to enhance equal access to quality higher education. She challenged her colleagues to refrain from negativity and to focus on productivity.

6. Approved Academic, Research & Student Affairs Committee Recommendations and Report - Chair Jill Derby reported the Academic, Research & Student Affairs Committee met October 9, 2002 and heard reports on preliminary

findings of the Faculty Climate Survey and the recent review of existing academic and other programs at UCCSN institutions/F

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Summary of Consultant's Findings:

- CCSN should remain intact as one institution,

- President Remington should bring to the Board of Regents by Spring 2003 a plan for revising CCSN's organizational structure.

Chancellor Nichols stated that Board action was requested on the following items:

- Approved the advisory committee's final report for transmittal to the Nevada Legislature as required by AB454.
- Endorse the recommendations of the citizens' advisory committee.
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(10) Approved-Naming of Buildings, GBC – The Board approved President Paul Killpatrick's request to name the following buildings in honor of individuals who have shown extraordinary support to Great Basin College (Title IV, Chapter 10, Section 22(3)). (Ref. C-10 on file in the Board office).

- Elizabeth "Beth" Griswold Hall – 701 Walnut.
- Newmont Mining Corporation Newmont Hall – 12-unit apartment building on College Avenue.
- Placer Dome Cortez Hall – 6-unit building on Walnut Street (married student housing).
- Theodore Laibly Hall – 6-unit building on Walnut Street (married student housing).

Regent Dondero moved approval of the Consent Agenda with the exception of items #3 (Trade-Out Policy, TMCC), #5 (Grant of Easement, Water Meter Service, UNR), and #11 (P-16 Council Membership). Regent Gallagher seconded. Motion carried. Regent Rosenberg abstained.

(3) Approved-Trade-Out Policy, TMCC - In accordance with the provisions of the new UCCSN trade-out policy, which was approved at the August Board meeting, the Board approved President Philip Ringle's request for an institutional trade-out policy for Truckee Meadows Community College. The policy had been reviewed by UCCSN legal counsel. (Ref. C-3 on file in the Board office).

President Ringle stated that the wrong Internal Revenue Service code had been referenced and asked that it be deleted from item #13 of Reference C-3. General Counsel Ray stated that it was a typographical error and recommended that the IRS code be eliminated.

Regent Kirkpatrick moved approval of the trade-out policy for TMCC as amended. Regent Hill seconded. Motion carried. Regent Rosenberg abstained.

(5) Approved-Grant of Easement, Water Meter Service, UNR – The Board approved President John Lilley's request for a Grant of Easement between the Board of Regents of the University and Community College System of Nevada (Grantor) and Truckee Meadows Water Authority (Grantee) for a permanent and non-exclusive easement of approximately 7.5 feet for a water meter. (Ref. C-5 on file in the Board office).

Regent Sisolak asked why the easement was non-exclusive. Mr. Ron Zurek, Special Assistant to the President for Business and Finance-UNR, replied that the request concerned a water meter being installed at the south end of the campus. He explained there were several utilities: the power company and the water authority. The request was to grant access to several parties instead of just one exclusively. Regent Sisolak thought that a non-exclusive agreement meant that it was exclusive to everyone. Regent Hill disagreed. General Counsel Ray replied that it would only extend to the parties named in the agreement. General Counsel Ray deferred to Regent Hill. Regent Hill explained that the agreement would allow multiple parties to have access to the property. Regent Sisolak asked whether a subsequent easement would require Board approval. Regent Hill replied that it would. Regent Sisolak expressed concern for another party using the property for a billboard with no payment for the campus. General Counsel Ray stated that the easement only applied to the contracting parties.

Regent Gallagher moved approval of the grant of easement for water service for UNR. Regent Hill seconded. Motion carried. Regent Rosenberg abstained.

(11) Approved-P-16 Council Membership – The Board confirmed the final membership categories for the statewide P-16 Council previously considered by the Board at its August 2002 meeting. This request was a follow-up to action taken by the State Board of Education to add one representative from a local school board. (Ref. C-11 on file in the board office).

Chancellor Nichols reported additional names that were not part of the original packet mailed. An updated membership list was provided for Board members. Only one name was missing to complete the Council membership. NSEA member Terry Hickman was added at the request of the State Board of Education, representing teachers in K-12. Curt Chapman was added at the request of the Nevada Association of School Board Members. UCCSN students requested the addition of Ms. Alicia Lerud.

Regent Alden moved approval of the P-16 Council membership. Regent Hobbs seconded. Motion carried. Regent Rosenberg abstained.

The meeting recessed at 3:50 p.m. and reconvened at 4:05 p.m. with all members present.

14. Approved-Handbook Amendment, Regents' Bylaws, Election of Officers – The Board approved the second hearing of a request to adopt an amendment to the Board of Regents' Bylaws (Title I, Article V, Section 2) regarding the election of officers. (Ref. C on file in the Board office).

General Counsel Ray reported that this section should have been amended when the terms for Board officers were changed from two years to one.

Regent Kirkpatrick moved approval of the Handbook amendment concerning election of officers. Regent Gallagher seconded. Motion carried.

15. Approved-Handbook Amendment, Regents' Bylaws, Standing Committees – The Board approved the second hearing of a request to approve an amendment to the Board of Regents' Bylaws (Title I, Article VI, Section 3a, c, and e) to eliminate the Campus Environment Committee and to distribute the duties to other standing committees and to the full Board. (Ref. D on file in the Board office).

Chair Seastrand reported that this amendment would eliminate the Campus Environment Committee and reassign the Committee's duties to other standing committees.

Regent Gallagher moved approval of the Handbook amendment concerning standing committees. Regent Derby seconded.

Regent Howard asked why the Committee was being eliminated, adding that she was most interested in diversity and women's issues. She asked which duties were moved to which Committee. Chair Seastrand explained that the reference material itemized those duties. He recalled Regent Derby's statement jd

Nevada Revised Statute 281.210 provides that the appointing authority of a public entity cannot hire a relative within the 3rd degree of consanguinity. Appointing authorities (i.e., presidents or Chancellor) could not hire a relative at their institution or the System office. Violations constitute a gross misdemeanor. The statute does not address circumstances where persons other than the appointing authority could hire or work with a relative within the same chain of supervision within an institution. The law does not prohibit such action, but it is addressed in the Nevada Administrative Code, which applies to classified employees. It is also addressed in the Board Handbook. Under the NAC, a classified employee could not be hired in a position where there is a direct line of supervision with a relative. The NAC allows for an exception. Written approval is required from the agency head coupled with appropriate documentation for addressing and minimizing any potential conflicts in the supervisory chain. Current Board policy does not provide for any constraints upon nepotism at this time. The proposed policy would adopt the NAC and apply it to professional staff, which would prohibit relatives from supervising relatives. It would also provide an exception similar to the NAC's. The president could approve a circumstance in writing with written documentation setting forth steps taken to minimize any potential conflicts of interest. This matter was brought to the Board's attention when discussing coaches' contracts. In response to Regent Hill's questions, it was shown that the employment relationship was structured in a manner to address these issues. State law was inapplicable because the coaches were not relatives of the institution president. The NAC did not apply because they were not classified employees and current Board policy allowed the employment relationship. Due to these concerns, the contracts specifically structured the employment relationship to make it clear that all personnel decisions (i.e., promotions, merit, salary, discipline, hiring, firing, etc.) must follow a specific chain of command:

- The Assistant Athletic Director.
- The Athletic Director.
- The President.

General Counsel Ray related that policy could not eliminate one coach telling an assistant coach what to do, but they would have no input to personnel-related decisions. He noted that one aspect of the proposed policy regarded the employment of a Regent's relative, which would require Board approval. The new policy would not apply to existing employees.

Regent Kirkpatrick moved approval of the Handbook amendment concerning a nepotism policy. Regent Rosenberg seconded.

Regent Gallagher was glad to see this issue clarified, adding that many applications were received from professional couples. She felt that such employment was appropriate so long as one partner did not directly report to the other.

Regent Derby commended the staff for good work. She expressed concern regarding Board approval of the hiring of Regent relatives. She said that it seemed odd that other factors, besides a person's fit for the position, would be considered.

Regent Gallagher observed that bringing such items before the Board would address the public perception that an employee had been hired because they were related to a Board member.

Regent Kirkpatrick said that he appreciated the effort and felt it had long been needed. He felt it would protect Board members and presidents. He felt that it was necessary to include the provision regarding Regents' relatives so no one would pressure the presidents to hire someone.

Regent Alden stated that a fair and adequate hiring process was necessary regardless of the relationship of the intended employee.

Regent Hill felt it was a good policy, adding that he agreed with requiring Board approval for the hiring of a Regent's relative. He was troubled that the System stance was that the head coach does not hire the assistant coaches and defied the spirit of the law. He said Nancy had once expressed concern about the proposed policy's applicability to existing faculty members. He observed that issues regarding faculty hiring, evaluations, and disciplinary matters in an academic area could be handled in a different manner from a coaching context. He indicated his support for the policy, adding that he still had great concerns about the policy's applicability to existing faculty members.

General Counsel Ray observed that Deputy to the Chancellor, Ms. Nancy Flagg, helped develop the policy as well.

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Motion carried.

17. Approved-Handbook Amendment, Classified Staff – The Board approved the UCCSN Human Resource Advisory Committee's recommendation for a Handbook amendment (Title IV, Chapter 6) regarding classified staff. In accordance with a recommendation from the state Department of Personnel that the UCCSN should have a written policy permitting monetary awards for recognition of outstanding service by UCCSN classified staff. Such awards have routinely been provided by the institutions to members of the classified staff but have not been governed by formal policy. (Ref. F on file in the Board office)

Deputy to the Chancellor, Ms. Nancy Flagg, reported that the amendment represented a cleanup of the Regents' Handbook which was prompted by an internal inquiry regarding the policy governing monetary awards for classified staff. She indicated that the Nevada Administrative Code was silent on this issue. Staff recommended language permitting monetary awards as long as state appropriated funds were not used. Historically, these kinds of awards are presented to classified staff for outstanding service. Ms. Flagg related that Handbook language had been clarified with the process.

Regent Rosenberg moved approval of the Handbook amendment concerning classified staff. Regent Kirkpatrick seconded. Motion carried.

18. Denied-Handbook Amendment, Student Directory Information – The Board denied Chancellor Jane Nichols' request for an amendment to the Board Handbook (Title IV, Chapter 1, Section 22.3) regarding disclosure of student directory information. (Ref. G on file in the Board office).

Chancellor Nichols reported that, when the Board passed policy on this issue, questions were raised about allowing students to opt-out for commercial purposes only. The proposed policy would allow students two options:

- Opt-out of everything.
- Opt-out only for commercial purposes as defined by the proposed policy.
The use of directory information by a person, corporation, or business outside of the UCCSN to solicit or provide facilities, goods, or services in exchange for payment of a purchase price, fee, contribution, donation, or other object having value.

Chancellor Nichols recalled there were questions raised about the Student Information System's ability to support two options. She related that it appeared the SIS could handle it, though it would require significant work by the campuses to introduce a new data element. She stated that Vice Chancellor Weddle had informed her that these two choices would also be available online for fall registration.

Regent Hill moved approval of the Handbook amendment concerning student directory information. Regent Gallagher seconded.

Regent Rosenberg asked whether the change would affect the current configuration of the SIS. Chancellor Nichols replied that it would not.

Regent Kirkpatrick asked whether those individuals who had expressed concern at a previous meeting were satisfied with this change. Chancellor Nichols replied that the ACLU would prefer that UCCSN allow students to opt-in. UCCSN finds that solution untenable. She said that it did address the concerns of several community people and legislators.

Regent Sisolak recalled the importance for students receiving information regarding the health insurance bridge between graduation and formal employment. He asked whether students would understand the options provided. Chancellor Nichols replied that the difficulty lay in determining whether students fully understand what they are doing and the corresponding consequences. She related that if students opt-out for commercial purposes they would not receive information about the availability of postgraduate insurance, nor would they receive information regarding undergraduate student insurance at UNR. Regent Sisolak asked whether a note about the health insurance could be included in the catalog (where student directory information is addressed). He felt the insurance was a major issue for the students. Chair Seastrand suggested an explanation that, if they check the box, this type of information will not be made available to the student. Regent Sisolak agreed, adding that a campus contact name could also be provided. He wanted to ensure that students know the bridge coverage was available. He felt that health insurance was different from the solicitation for phone cards, credit cards, airline deals, etc. President Harter noted that other worthy outcomes resulted from sharing student directory information such as membership to honor societies. She said there were several things that fell in this category that would be hurtful for students to miss. Chair Seastrand said that he was fairly confident that the presidents would not want students to check the box in order to allow students more options. He felt the presidents would do what was necessary to ensure the students were well informed. He did not think the Board should require specific language in the institution catalogs.

Chancellor Nichols observed that there would be little room for explanatory language with the online process. She suggested excluding health insurance from commercial purposes. President Lilley suggested not putting the option online, thereby making it less easy to make a mistake.

Regent Rosenberg recalled Regent Hobbs'

that it was unknown how students would respond to the change. She recommended that, if the Board had misgivings, they leave the policy unchanged and staff could bring forward data regarding the number of students opting out. Regent Hill observed that, currently, students opt-out of everything. Chancellor Nichols replied that their names would still be included on the graduation program. Regent Hill stated that it would still prevent them from receiving information regarding scholarships, honor societies, etc. He felt that the proposed policy was an improvement.

Regent Hobbs asked whether students had the opportunity to opt-out every semester. Chancellor Nichols replied that students could change their opt-out status. She related that students who opt-out would also not receive information from the alumni association following graduation. Regent Hobbs asked whether the offer for postgraduate insurance was for students who no longer qualified for their parents' insurance. Regent Sisolak replied that a policy was offered to graduates to bridge the gap between graduation and formal employment. President Harter stated that UNLV's alumni association provided that information to the graduates. Regent Hobbs observed that students could opt back in prior to graduation for insurance purposes. She asked what prevented the health insurance companies from selling students' names. Regent Sisolak replied that provision of the names was restricted to health insurance purposes only and that they did not own the names for resale.

President Lilley stated that he also did not favor the policy. He felt the Chancellor brought the matter forward based on erroneous information (the belief that names were sold) and the feeling that existing policy was not sufficiently restrictive. He cautioned that the legislature could take further action in the spirit of restricting the sale of names, which was not a current practice.

Regent Alden asked whether existing or proposed policy affected the alumni associations. Chancellor Nichols replied that both policies affected the alumni associations. Regent Alden felt the Board was going too far and indicated his opposition to the motion.

Regent Derby established that the Chancellor believed that more students would opt-out with the proposed policy. Chancellor Nichols agreed.

Chair Seastrand clarified that the Board would be voting on the motion with the friendly amendment to exclude health care information. Regent Hill clarified that students would be able to opt-out for commercial purposes with the exception of health information. Regent Derby stated that currently, they can only opt-out of everything.

Because the motion failed, Regents Alden, Dondero, Gallagher, Rosenberg, and Sisolak voted no. Regents Hill, Hobbs, Howard, Keri, Roberts, and Sisolak voted no. Regent Hill abstained.

be forthcoming at a future Regents' meeting. The total cost of this land acquisition is expected to be \$200 over the five-year period. (Ref. J on file in the Board office).

President Lilley reported that this was the only location available through this particular BLM program. It was originally intended to be a park, but the freeway cut through it. He indicated that it was the only piece of land that met the following criteria:

- A relatively small parcel of land that could be acquired through the Recreation and Public Purpose Act.
- Land with easy access to a major highway and off-ramp for accessibility by the public.
- Land convenient to a major bus route.
- Land central to the Las Vegas Valley as it will look over a long period of time.

President Lilley related that the Cooperative Extension went through a rigorous process with the BLM, adding that it was an incredible opportunity for saving money and building an asset. Cooperative Extension employs 107 employees and 304 volunteers. Seven other UNR employees rent space from the Cooperative Extension: 4 in admissions, 2 in Development and Alumni Relations, and one in the Center for Nursing, a world-wide web-based program for RNs to achieve their BSN degree. He stated that UNR was the only institution in the state that UNR had a presence in Clark County since 1962. He thanked Chancellor Nichols for her help in the process, adding that she hosted a luncheon with CCSN, UNLV, and UNR to provide an opportunity for all parties to air their differences.

Chancellor Nichols asked President Lilley to address the type of future offerings at the proposed site. President Lilley stated that it was a Cooperative Extension facility and not an area for credit work. It was not intended as a branch campus. He then introduced Dean Karen Hinton.

Regent Allen clarified that UNR was consolidating its Cooperative Extension sites to this location and that it would also be offering continuing education classes. He stated that UNR was not planning to offer academic course offerings or continuing education classes at the location.

Chair Seastrand asked whether the request was in line with the strategic master plan. Chancellor Nichols replied that it was. She stated that UNR was not planning to offer academic course offerings or continuing education classes at the location.

and one clerical staff member. Regent Sisolak asked how many recruiters were employed in Reno. Dr. Ellis replied there were five. Regent Sisolak asked how many full-time recruiters UNLV employed in Reno. Dr. Juanita Fain, Vice President, Administration-UNLV, replied there were none in Reno and four in Las Vegas. Regent Sisolak asked about the difference in the number of recruiters employed by the universities. He asked whether it was a management or financial decision. Chancellor Nichols replied that it was a decision the Board delegated to the presidents for the best manner in which to handle recruitment and retention. She stated there was no Board prohibition for having recruiters in either city. She related that it was a decision of the presidents how to use their resources. Regent Sisolak asked about the source of funding for recruitment. Chancellor Nichols replied that the money came from their budgets for student services and was funded by the state. She related that it was an administrative decision that each institution had to make regarding the allocation of resources. She stated that the formula does not fund at that level. The formula funds for student services. Each institution makes differential decisions about how many recruiters and counselors they will have in that area. She related that it was an administrative decision. Regent Sisolak requested a comment from the three southern institutions. President Wells noted that there were four campuses in the south including DRI, adding that he had no recruiters.

President Harter related that the presidents had discussed the matter at length. She said that President Lilley had assured her that they would work with her to fund this facility in the future, adding that she had no objection.

President Romesburg stated that he had no objection, adding that he had no full-time recruiters.

President Remington stated that the Chancellor held a meeting involving Presidents Lilley, Harter, and Remington to discuss the matter. He felt the misunderstandings. statesid...

Regent Sisolak noted a point of order regarding whether the Investment Committee meeting had been recessed or adjourned. General Counsel Ray did not recall the answer. Regent Alden explained that he started to adjourn the meeting and then called it a recess. Regent Sisolak wanted to ensure the Board complied with the Open Meeting Law, adding that the Investment Committee agenda had not been posted for that day. Regent Alden stated that he recalled adjourning the meeting and then was asked to recess it, so he called for a recess. Regent Hill noted a point of order, adding that Regent Alden misspoke when he adjourned the meeting and then corrected it to a recess. General Counsel Ray established that Committee Chair Alden indicated that he was adjourning the meeting and then corrected himself to call it a recess in order to be able to resume the meeting. He did not object to the process.

The meeting recessed at 9:45 a.m. and reconvened at 10:35 a.m. with all members present except Regent Dondero.

24A. Approved-Investment Committee Recommendation and Report - Chair Mark Alden reported the Investment Committee met October 9-10, 2002 and reviewed the current status of the operating pool reserve. The reserve was -\$18.3 million as of September 30, 2002 and -\$19.55 million as of October 8, 2002. The Committee discussed the shortfalls that the institutions were already facing and the impact if the payout rate were changed. He requested Board action on the following Committee recommendation:

? Change in the operating investment distribution rate – If the operating pool reserve reaches -\$20 million, the payout will be reduced to 1.8%, with the campuses receiving 1% and System Administration receiving 0.8%. The payout rate will remain at this level until changed by the Investment Committee.

Regent Alden moved approval of the Committee recommendations and acceptance of the report. Regent Sisolak seconded.

Chair Seastrand asked whether the change would continue indefinitely. Regent Alden replied that it would continue until June 30, 2003. It may also be reconsidered prior to that date, but the change would not become effective until July 1, 2003.

Regent Sisolak observed that the campuses would not really receive the 1% distribution, since that would actually be returned to the state. He noted that the campuses had given up everything and were operating at a deficit. Regent Alden stated that the presidents had exhibited a great deal of cooperation.

Motion carried. Regent Dondero was absent.

24B. Withdrawn-Funding or Other Alternatives for Board and System Budgets – Since the Investment Committee acted to limit or eliminate the distribution of funds from the operating investment pool this item was withdrawn. Chancellor Nichols related that System staff would bring forward a plan for the System Administration budget after July 1, 2003.

25. Information Only-Update on UCCSN Minority Outreach & Recruitment Activities - System and campus staff presented reports on the following activities related to minority outreach and recruitment: on the

active planning and development of campus- and community-based programs. Leaders recognize that it requires more than opening doors, but to also reach throu

Dr. Iverson reported that the American Council of Education released a report on minority enrollments and minority degrees granted nationally. From 1998-1999 minority student enrollments in the U.S. increased by 3.3% (Nevada 14%). The number of associate degrees awarded to minority students increased nationally by 11.7% (Nevada 30%) and the number of baccalaureate degrees awarded to minorities increased 5.8% (Nevada 9%).

UCCSN undergraduate enrollment increased 32% from Fall 1995–Fall 2001. During that same period, undergraduate enrollment of majority students increased 16% while minority student undergraduate enrollment increased 86%. The largest increases were realized amongst Hispanic (105%) and Asian/Pacific Islander (102%) students. During that same period of time, the enrollment distribution changed as follows:

- Fall 1995 - Majority students comprised 78%, while minority students comprised 22%.
- Fall 2001 - Majority students comprised 69%, while minority students comprised 31%.
- Hispanic students increased from 8% to 13% of the enrollment.
- Asian/Pacific Islander students increased from 6% to 10% of the enrollment.
- Black/Non-Hispanic students increased from 6% to 7% of the enrollment.
- American Indian/Alaskan Native students remained approximately the same (2%).

Dr. Iverson then reported on the growth in degrees granted during the same period:

- The number of undergraduate awards increased by 23%.
- Awards to majority students increased by 12%.
- Awards to minority students increased 80%.
 - American Indian/Alaskan Native increased 82%.
 - Asian/Pacific Islander increased 129%.
 - Hispanic increased 86%.
 - Black/Non-Hispanic increased 27%.

Distribution of degrees awarded during the same period:

- 1994-95 - Majority students earned 84% of the degrees granted, while minority students earned 16%.
- 2000-01 - Majority students earned 76% of the degrees granted, while minority students earned 24% (a 50% increase in share).

Dr. Iverson reported that the biggest changes were among the Hispanic (8%) and Asian/Pacific Islander (9%) students. The percentage of degrees earned by American Indian/Alaskan Native students increased slightly (2%), while Black/Non-Hispanic students remained the same (5%).

Dr. Iverson reported that the American Council of Education reported that minorities comprised approximately 28% of undergraduate enrollment in 2000, but only 22% of the bachelor's degrees granted. He explained that those figures only represented one year of data. UCCSN realized a similar pattern with minority students comprising 29% of undergraduate enrollment and 23% of baccalaureate degrees awarded. Nevada leads the nation in part-time enrollment, therefore Nevada students require more time to attain their baccalaureate degrees. The extraordinary rate of growth in Nevada suggests that it would be prudent to compare degree distributions with enrollment distributions from an earlier year. Using the national standard for tracking baccalaureate degree completion over a 6 year period, there was a 20% minority enrollment in 1995 with 23% of the baccalaureate degrees awarded to minorities in 2000-01 (six years later).

Regent Dondero entered the meeting.

Dr. Iverson then compared the distribution of UCCSN undergraduate enrollment with Nevada public high school graduates for 2001. Minority students comprised 31% of the UCCSN undergraduate enrollment and 30% of the Nevada public high school graduates. Majority students comprised 69% of the enrollment and 70% of the high school graduates. The distribution of UCCSN enrollment mirrors Nevada public high school graduation rates by race and ethnicity. Additionally, the rate of growth of undergraduate minority enrollments (86%) exceeds the rate of growth (68%) of minority graduates of Nevada's public high schools.

Dr. Iverson compared Nevada's statistics with other states based on the percent of enrollments by race/ethnicity. He cautioned that the data did not account for differences in the demographic characteristics of each state. Based upon Fall 1998 data regarding undergraduate enrollment in public institutions:

Distribution of Undergraduate Enrollments	UCCSN	National Rank
All Minority	28%	15
Black/ Non-Hispanic	7%	27
Hispanic	11%	8

Asian/ Pacific Islander	8%	4
American Indian/ Alaskan Native	2%	8

Regent Hobbs observed that small sample sizes often yielded high percentage outcomes. She asked for a comparison of enrollments in relative numbers. Dr. Iverson replied that the population studied totaled approximately 72,000 undergraduate students in 2001. Majority students totaled 50,000 and minority students totaled 20,000.

The race/ethnicity breakdown was as follows:

Hispanic 9,100
Asian/Pacific Islander 6,900
Black/Non-Hispanic 5,100
American Indian/Alaskan Native 1,250

Regent Hobbs observed that one of the reasons the enrollment rate was so high for minorities and the graduation rate so low was attributed to the accommodations provided to students. She asked about the average length of time for a minority student to complete a degree as compared with a non-minority student. Dr. Iverson replied that he did not know. He reported that, when tracking degree completion rates, the federal government starts with first-time, full-time, degree-seeking students. 42% of majority students graduated within a six-year period, while 39% of minority students graduated within the same period of time. He noted that Nevada has a high number of part-time students. Majority students earned 712 degrees, but the university issued over 2,000 degrees in the same year. Minority students earned 172 degrees, but the university issued 627 degrees. He concluded that three times as many degrees were issued for each majority student. The same calculation performed on the minority data resulted in four times as many degrees being issued for each minority student. He felt that it reflected the fact that students are entering at different times and are not counted in the normal degree tracking process.

Chair Seastrand asked about areas requiring special attention. Dr. Iverson replied that degree completion rates could use attention. He noted that UCCSN's degree completion rates for the community colleges were terrible. Data from a small cohort studying degree-seeking students who start at a community college reveals that only 50 majority students completed their degree within three years out of 1,000 who started (5%), while 6% of minority students earned a degree within the same period of time.

Regent Howard asked which groups were included in the minority and majority groups. Dr. Iverson replied that majority students were comprised of White/non-Hispanic students. Minority students were comprised of Black/Non-Hispanic, American Indian/Alaskan Native, Asian/Pacific Islander, and Hispanic students.

Chancellor Nichols reported that the Board would hear a report regarding current campus outreach practices.

A presentation by Southern Nevada campuses and by UNR, to include Cooperative Extension, on current outreach practices in the Las Vegas area, which are focused upon attaining campus enrollment goals.

President Lilley reported that UNR's Cooperative Extension was very engaged in Clark County. Many programs are offered for disadvantaged youth. UNR is actively recruiting in Clark County in an effort to meet its diversity goals. He observed that Washoe County did not provide the diverse population required to meet those ambitious goals. (Report on file in the Board office).

Dr. Juanita Fain, Vice President, Administration-UNLV, reported that the unabridged version of her minority recruitment and retention plan (on file in the Board office) included the current minority student participation at UNLV. She stated that UNLV had contracted with Noel-Levitz, a national consulting firm well known and respected for its expertise in providing marketing and enrollment management services. She related that UNLV has developed 5 goals in the area of recruitment and retention. The 3rd goal is to raise the graduation rates of underrepresented groups, including African Americans, Latino, and Native American students. Asian students were not included because they already have a high completion rate. Strategies include:

- Creating intrusive, early intervention programs (early warning programs, bridge programs, extend orientation opportunities to at-risk students).
- Research best practices related to collecting information on drop-outs/stop-outs of underrepresented groups (create an exit interview process, provide distance learning opportunities).
- Expand and develop peer and faculty mentoring programs.
- Develop a diversity education program for the entire campus.

Dr. Fain noted that the unabridged version included an extensive summary of the college-based programs offered for minority recruitment and retention. In response to the need to diversify the student population of the Harrah Hotel College, Dean Stuart Mann has appointed College faculty and staff to serve on a committee to develop programs targeting minority populations. Target enrollment goals to be met over the next five years have been established. The committee is currently focusing on the recruitment of African American and Hispanic/Latino students. Committee members are working with UNLV's Office of Admissions and have targeted Clark County high schools and out-of-state schools to make presentations to

at an average of 8%/year. Several rural counties at the \$3.64 limit are experiencing a decline in assessed value, providing less dollars on which to operate. The state has had a fifteen cent debt rate for many years. The task force is recommending that a portion of the ten-cent rate be used to raise the fifteen cent limit on capital financing for the state. The task force will also include a recommendation for the state to use more property tax to acquire capital assets.

The 10-year projection reveals a lower slope of revenue growth than expenditures, which necessitated a review of other forms of revenue. The task force has agreed to recommend an adjusted gross receipts tax, which has been renamed the state activity tax. A tax rate of one quarter of 1% of adjusted gross receipts would be applied to all businesses in Nevada with no exceptions. Hotel/casino revenues include both gaming and non-gaming activities. Ten years ago, 60% of those revenues came from gaming. Today that figure is closer to 50%. The one quarter of 1% tax would capture revenue from both gaming and non-gaming activities. A threshold deduction between \$50,000-80,000 per quarter would be established (non-taxable), which equates to a \$200,000-350,000 annual exemption for small business. An additional deduction would be provided for each qualified Nevada employee (one for whom a business paid the state business license tax the prior quarter). With those deductions, the tax could generate an additional \$225-250 million/year with over 60% of the businesses exempted. Deductions would be allowed for bad debts and pass-thru revenue. Each of these recommendations, coupled with a slight adjustment to corporate filing fees, provide a solution to the baseline problem. For each component of revenue recommended sufficient variables have been provided for legislative adjustment. The model includes 635 variables and 350 coefficients. The deposits are expected to be finalized by November 15th.

Regina... She also asked whether the task force had reviewed inventory and corporate taxes. A 10% casino/entertainment tax currently exists, though many exemptions are extended. This new tax would capture those things that currently fall outside of the existing tax currently ex at , Mul tl a hat rs su ptuat poraexquafy lative spngdl oit

closer to a multicultural society, adding that minorities would soon be the majority. She felt that UCCSN must be able to respond to the growth in that area. She felt there was inequitable treatment and a lack of capital construction. She said that these areas required the same infrastructure as other areas. She expressed her respect for Regent Alden's advocacy for his constituents and cited the Green Valley High Tech Center, N¼ sp

a budgetary as well as a faculty issue.

12. The high school study skills courses are issues for the school district. Reviewing the possibility through the P-16 Council.

13. UCCSN has adopted a resolution to support the K-16 curriculum alignment with the Nevada Collaborative for Academic Success.

14. Will be addressed by the P-16 Council joint effort with K-12.

15. Will be addressed by the P-16 Council joint effort with K-12.

16. No progress made wi ess.f

- Utah’s residency policy is unusual. It ensures that, in spite of any other considerations, at least the first two full-time student years will likely be classified as out-of-state for tuition purposes. Persons coming to Utah and establishing residency for the purpose of attending an institution of higher education shall, prior to registration as a resident student, maintain continuous Utah residency status while completing 60 semester credits at a regionally accredited Utah institution of higher education.
- Colorado’s policy begins with the assumption that an independent domicile is not established for an individual less than 22 years of age. The state’s policy extends the classification of an out-of-state student by at least 3-4 years. Establishing a domicile is accomplished in one of three ways. Individuals at least 22 years of age are eligible to establish domicile in Colorado. Physical presence and the intent must be established for 12 months prior to the first day of classes. Individuals under 23 years of age with parents or legal guardians who have established domicile for 12 months prior to the first day of classes could be considered in-state. Students emancipated prior to the age of 22 are eligible to establish domicile. The procedure for declaring emancipation is very stringent and requires an affidavit surrendering any claim or right to the care, custody, and earnings of the minor.
- Arizona is similar to most states with one exception. In establishing financial independence, Arizona requires that the student be independent for two years before residency reclassification can occur.
- Montana students cannot take more than 7 credits during the period in which residency is being established.
- Texas policy states that students claimed as a dependent on parent/guardian federal income tax forms hold residency in the state of those parents/guardians. Persons 18 years or older who are gainfully employed in the state for a period of 12 months prior to enrollment are entitled to resident classification. Students registering in an institution of higher education prior to having physically resided in the state for 12 months are classified as non-residents for tuition purposes. Employment while enrolled in college during a 12-month period can be a basis of reclassification as a resident at the end of that period if evidence indicates that the student has established a domicile in Texas.
- In Virginia a key concept of financial independence is defined rigorously and certain assumptions take control. Dependent students are defined as one who is listed as a dependent on the federal or state income tax return of parent/guardian. Students under the age of 24 shall be presumed dependent. Students under age 24 can be declared independent, but they must rebut the presumption with clear and convincing evidence of self sufficiency.

Dr. Curry related that Nevada’s policies seem to align with many states, but variances and technicalities are notable. The issue of financial independence appears to be the key issue with all states. While no trends were noted, he related that some states were clearly moving in a different direction.

Regent Hill felt that Nevada should tighten its residency requirements, adding that he wanted to hear from the presidents about the impact of such action. He felt that non-resident students should remain non-residents unless they dropped out for 12 months, obtained a job within the state, or were claimed as a deduction on their parents/guardians’ tax returns. He felt that non-resident students in the School of Medicine should remain non-residents for the duration of their attendance.

Regent Derby felt the issue should be revisited given the state’s budget shortfall and Nevada’s historically liberal policies. She agreed that such action would have an impact on the campuses. She asked how the item was brought to the agenda. Chancellor Nichols replied that the issue was raised in a prior meeting. System staff was asked to explore the practices of

