

BOARD OF REGENTS  
UNIVERSITY AND COMMUNITY COLLEGE SYSTEM OF NEVADA  
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Marcia Bandera, who was appointed by Governor Guinn to fulfill retired Regent Dorothy Gallagher's unexpired term. He also introduced Regents-elect Dr. Stavros Anthony and Dr. Jack Lund Schofield.

3. Chair's Report - Chair Seastrand thanked President Harter and her staff for hosting the meeting. He expressed his belief that technology must play a significant role if UCCSN is to be more efficient and competitive as a system of higher education. Chair Seastrand has requested the creation of a task force charged with developing a 10-year technology roadmap for the UCCSN. He felt it was critical to identify the best investment of precious resources in order to ensure that UCCSN institutions are on par with or ahead of other comparable institutions. President Kerry Romesburg will lead the task force as it concentrates on the unique needs of each of the eight institutions. Other task force members will include student, faculty, and administrative staff from all eight institutions. The task force's charge is to focus upon:

- Students – Review methods to leverage technology both for convenience and for enhancing students' learning experiences, including improving distance education offerings.
- Faculty & Administration – Develop ways to work seamlessly, more efficiently, and collaboratively through knowledge sharing.
- Research – Uncover new methods to apply and use technology, and ensure that UCCSN research is not hindered by antiquated equipment or technology, and not h

WHEREAS, Laura Lopez Hobbs has been a role model and community advocate for all students throughout the University and Community College System of Nevada, encouraging students throughout the state to take advantage of the opportunities higher education can provide now therefore be it

RESOLVED, that on this day, December 12, 2002, the Board of Regents extends its sincere appreciation and gratitude to Laura Lopez Hobbs for her exemplary service as Regent wá e Re0tion





Community member, Ms. Elenor Morgan, said that she could not understand the Board's opposition to Regent Howard. She said that Regent Howard is a loving person who wants to help all people, especially children. She urged the name-calling to cease, adding that her family was offended by it and surprised by the retaliation against Regent Howard. She expressed her appreciation for Regent Howard's efforts for all people in the community. She urged the Board to realize that Regent Howard is the only African-American on the Board, adding that she has good intentions. She encouraged the media to stop misrepresenting Regent Howard's actions and making her look like a bad person.

Rancho High School student, Mr. Enrique Hernandez, stated that he hopes to keep his grades up so he can receive a Millennium Scholarship and go to college. He noted that language is the largest barrier. He asked the Board to continue to help students with Millennium Scholarships. He related that more students would have spoken, but they could not miss their classes. He expressed a desire for opportunities for all students trying so diligently.

Chair Seastrand acknowledged the presence of Assemblyman Wendell Williams and applauded the public for appearing in support of higher education.

Mr. Hubert Henson reported that he had not written that "all Blacks are stupid" in his newspaper column. He related that his comments regarding access to student records had never been a racial issue, but rather a student journalist's opinion about raising the entrance GPA requirements. He expressed sorrow that others perceived it as racial tension. He felt that if Regent Howard had apologized instead of creating excuses, the issue would have died long ago.

Ms. Geraldine Lewis expressed her support of Regent Howard and the Board as a whole. She noted that humans have a lot of work to do. She felt it was past time to begin communicating with one another, ensuring understanding, and respecting one another. She felt that people should be respected as humans instead of recognized by race. She expressed the need to get past the color issue. She felt that September 11, 2001 should have taught everyone a lesson to view one another as human beings so important work could be accomplished.

Chair Seastrand thanked the members of the public for attending.

7. Approved-Academic, Research & Student Affairs Committee Recommendations and Report – Chair Jill Derby reported the Academic, Research & Student Affairs Committee met December 12, 2002. Ms. Pam Gallion from the Cannon Center for Survey Research continued the presentation of findings from the Faculty Climate Survey commissioned by the Board. Dr. Fred Lokken, Director of Distance Education-TMCC, presented a System-wide report on distance education activities in the UCCSN. The report identified critical issues, outlined growth in distance education among campuses, highlighted existing programs, and summarized new or proposed programs. Regent Derby requested Board action on the following Committee recommendations:

- New Program Proposal, BS, Public Administration, UNLV – the Committee approved the proposal (Ref. ARSA-2 on file in the Board office).
- Classified Staff Climate Survey – the Committee directed staff to continue the development of the survey instrument and to delay implementation until the end of the legislative session.
- Criteria for Community College Proposals for a Baccalaureate Degree – the Committee directed System staff to place criteria in Handbook format and include the process for proposal development and review (Ref. ARSA-7 on file in the Board office).

Regent Derby moved approval of the Committee recommendations and acceptance of the report. Regent Kirkpatrick seconded. Motion carried. Regent Alden was absent.

8. Approved-Audit Committee Recommendations and Report - Chair Steve Sisolak reported the Audit Committee met December 12, 2002 and received a follow-up response for one internal audit report presented at the April 2002 meeting. Mrs. Sandi Cardinal, Director of Internal Audit, reported that the institution bank reconciliations were up-to-date. Mr. Tom Judy, Associate Vice President for Business & Finance-UNR, reported on the status of the University of Nevada School of Medicine Practice Plan. The Practice Plan is reporting a net profit of \$667,000 through October 31, 2002. Ms. Denise Baclawski, Executive Director, Fire Science Academy-UNR, reported on the financial status of the Fire Science Academy. She indicated the revenues, expenses and student enrollment were on target with the projections in the business plan for this fiscal year. Regent Sisolak requested Board action on the following Committee recommendations:

- External Audit Reports – The Committee reviewed the following External Audit reports presented by PricewaterhouseCoopers: (Bound Reports on file in the Board office).
- Consolidated Financial Statements, UCCSN.
- Financial Statements, UNR.
- Financial Statements, UNLV.
- Financial Statements, System Administration.
- Financial Statements, DRI.
- Financial Statements, TMCC.
- Financial Statements, CCSN.

- Financial Statements, WNCC.
- Financial Statements, GBC.
- Office of Management and Budget (OMB) Circular A-133 Report.
- Internal Audit Reports – The Committee reviewed the following Internal Audit reports: (Ref. A on file in the Board office).
- Lake Tahoe Music Camp, UNR (Ref. A-12 on file in the Board office).
- Consolidated Students of the University of Nevada, Las Vegas, UNLV (Ref. A-13 on file in the Board office).
- Associated Students of the Community College of Southern Nevada, CCSN (Ref. A-14 on file in the Board office).
- Purchasing Department Operational Audit, CCSN (Ref. A-15 on file in the Board office).
- Fallon Campus, WNCC (Ref. A-16 on file in the Board office).

Regent Sisolak moved approval of the Committee recommendations and acceptance of the report. Regent Rosenberg seconded. Motion carried. Regent Alden was absent.

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9. Approved-Finance & Planning Committee Recommendations and Report - Chair Douglas Roman Hill reported the Finance & Planning Committee met December 12, 2002 to review three budget reports for Fiscal Year 2002 and 2003 and to review student association revenue expenditure reports for fiscal 2002. The Committee reviewed the fiscal 2002 Self-Supporting Budget to Actual comparison. This report compares the approved budgets for FY 2002 to the year-end actual revenue and expenditure activity. Actual revenues in these accounts were \$212.7 million for the year with \$209 million in expenditures resulting in a \$3.7 million increase in fund balance. The Committee also reviewed the first quarter FY 2003 All Funds Report. This report depicts the status of fund sources by quarter. Revenue and expenditure activities through the first quarter are operating normally and no material variations from last year were noted. The Committee also reviewed the first quarter exceptions report. This document reports accounts with material deficits or negative cash balances. The only account in deficit currently is the UNR Fire Science Academy. All campuses are also reporting net revenue shortfalls as a result of the budget reductions imposed by the governor for fiscal 2003. The Committee reviewed revenue and expenditure reports from each of the student associations. Recent additions to the Board Handbook require annual reports to the Board of all student association revenues, expenses, and fund balances. These reports, the first under the new policy, described activity in fiscal 2002. Regent Hill requested Board action on the following Committee recommendation:

- IFC Approval for Additional Student Fee Collection, Fiscal Year 2002-03 – The Committee reviewed and approved going forward to the Interim Finance Committee to request authority to expend student fee revenues in excess of those budgeted for those campuses experiencing increased enrollment. Requests totaling some \$6.8 million dollars have been received from UNLV, UNR, the Medical School, CCSN, TMCC, and WNCC. Additionally, the State Health Laboratory seeks the same authority for its excess lab fees and UNR requests authority to expend excess recharge revenues attributable to utility expenses assessed against non-state supported auxiliary enterprises. (Ref. FP-6 on file in the Board office).

Regent Hill moved approval of the Committee recommendation and acceptance of the report. Regent Bandera seconded. Motion carried. Regent Alden was absent.

10. Accepted-Board Orientation Committee Report - Chair Howard Rosenberg reported the Board Orientation Committee met November 20, 2002. The meeting began with introductions of System office staff and General Counsel members and a brief tour of the Las Vegas System office. Regents Derby and Seastrand presented an introduction to and a discussion of the responsibilities of being a Regent. All participants introduced themselves with a short biography and their reasons for becoming a member of the Board. The conversation continued during which a number of ideas, concepts, and points of view were discussed. It was a spirited conversation with particular issues discussed from a variety of possible approaches. Regent Derby introduced a video to the board, while Regent Seastrand concentrated on the impact these issues have on the UCCSN's situation. This spirited conversation extended to a working lunch. General Counsel Tom Ray discussed a number of items including the Open Meeting Law, conflict of interest, rules, regulations, ethical considerations, and the nepotism policy. Chief Administrative Officer Suzanne Ernst reviewed an updated orientation manual with particular emphasis on the day-to-day procedures Regents follow (i.e., mail, traofored).

returned -8.3% for the quarter (compared to the -8.6% benchmark) and -9.4% for the calendar year (compared to the -11.2% benchmark). The total return for the pooled operating funds was -2.2% for the quarter (compared to the -2.6% benchmark) and -1/7% for the calendar year (compared to the -2.3% benchmark). The Committee reviewed the current status of the operating pool reserve. The reserve was at -\$16 million as of November 20, 2002. The Committee will review the reserve again at its next meeting and set the payout rate for fiscal 2004. The Committee discussed the absolute return managers, including the allocation to this asset class, its role in the portfolio, the risks, and the performance. The Committee acknowledged that the absolute return managers had helped performance and should remain in the portfolio.

Regent Sisolak moved acceptance of the report. Regent Dondero seconded. Motion carried. Regent Alden was absent.

12. Approved-Chancellor Evaluation Committee Recommendations and Report- Chair Douglas Seastrand reported the Chancellor Evaluation Committee met November 21, 2002. Consultant Dr. Bob Woodbury participated by telephone. He reported on his discussions with various Committee members concerning the evaluation. He agreed to travel to Reno and Las Vegas on December 9-11 to meet with Regents, Presidents, System officers, faculty and community representatives. He will discuss the Chancellor's performance based on her self-evaluation and the principles outlined by the Committee. He will complete the draft evaluation report by January 10, 2003 and provide it to the Committee for review. It will then be presented to the Chancellor. The report will be presented to the full Board on January 30, 2003 at 9:00 a.m. for the Chancellor's periodic evaluation.

Regent Seastrand moved acceptance of the report. Regent Sisolak seconded. Motion carried. Regent Alden was absent.

13. Approved-Consent Agenda – The Board approved the Consent Agenda.

(1) Approved-Minutes – The Board approved the minutes from the regular meeting held October 9-10, 2002.

(2) Approved-Tenure Recommendation, UNLV – The Board approved President Carol Harter's request for tenure of Dr. Rebecca Nathanson, an Assistant Professor in the College of Education. The request was the result of a reconsideration process. (Ref. C-2 on file in the Board office).

(3) Approved-Tenure with Hire, UNLV – The Board approved President Carol Harter's request to hire Dr. Biswajit Das, Associate Professor of Electrical and Computing Engineering, with tenure. The tenured faculty of the department voted unanimously to hire Dr. Das with tenure. (Ref. C-3 on file in the Board office).

(4) Approved-Handbook Amendment, Construction and Purchasing - At the October 2002 meeting, the Board approved amendments to the Handbook (Title 4, Chapter 10, Section 1) related to purchasing and construction. A request was made to add a reference in this section to the Chancellor's Memorandum on contract policies. The Board approved this additional amendment. (Ref. C-4 on file in the Board office).

(5) Approved-Handbook Amendment, Dropping Courses, UNR – The Board approved President John Lilley's request for Handbook language (Title IV, Chapter 16, Section 13) revising the policy on dropping courses at the University of Nevada, Reno. In June 2002 the Board approved a change in System-wide policy allowing students to drop courses in exceptional circumstances and receive a refund through the end of the semester. UNR's policy on dropping courses without a refund was brought in line with the new System-wide policy with this revision. (Ref. C-5 on file in the Board office).

(6) Approved-Modifications to P-16 Council Membership – The Board approved two modifications to the previously approved membership of the P-16 Council. The first modification was the addition of Mr. Moises Denis of Las Vegas, Nevada. Mr. Denis will represent the Nevada PTA. This position was previously approved by the Board of Regents, but only recently had the representative been identified. In addition, a previously identified member representing the Boys and Girls Clubs of Nevada, Ms. Debbie Verges, has left the state. Mr. Robert J. Ranney, Interim Executive Director, was identified to replace Ms. Verges. (Ref. C-6 on file in the Board office).

Regent Sisolak moved approval of the Consent Agenda. Regent Dondero seconded. Motion carried. Regent Rosenberg abstained. Regent Alden was absent.

14. Approved-Handbook Amendments, General Policy Statements – The Board approved amendments to the Board of Regents' Handbook (Title IV, Chapter 1) to add provisions related to the legal and ethical responsibilities of members of the Board as well as inspection of files. (Ref. B on file in the Board office).

Chair Seastrand stated that the Board's governing role provided great authority over the institutions, students, faculty, and employees, adding that the Board must take care that the authority was used responsibly. He felt it critical that the Board of Regents have integrity in the eyes of Nevadans at the conclusion of the meeting.





Regent Sisolak noted a point of order asking what had been determined with Regent Hill and Regent Rosenber regarding the language in 2.1. Regent Hill and Regent Rosenber agreed to the change in wording.

Regent Rosenber proposed the Board create a policy regarding the Board's authority to provide guidance to Regents who want to follow-up and exercise their oversight duties. She felt it would be enormously helpful to Regents to be able to exercise their authority within appropriate boundaries and would help make them a better board. She was pleased that Section 2.1.h had been added regarding intimidation of employees or students to gain privileges.

Regent Rosenberg was comfortable with the language in 2.3.6 so long as Dr. Nichols was Chancellor. He wondered about future Board recommendations. Dr. Nichols replied that she could not infer that Board members had to follow the Chancellor's recommendation. She related that she was required by Board policy to bring a recommendation to the Board, but she expected the Board to modify or go against her recommendation at times.

Regent Hill asked if the Board disapproved the Chancellor's current policy regarding Regents bringing an item to the Board. She asked if Regent Hill wanted to change the language in 2.1.h. Regent Hill responded that she felt it was appropriate to have the language in 2.1.h as it was.

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Chair Seastrand again stated that it w





Chair Seastrand established that only Clark County would have access to distance education offerings from NSCH until another state college was developed. Chancellor Nichols replied that the Board could decide differently, adding that the entire state was accessible for on-line offerings at NSCH. Chair Seastrand observed there was no reason to divide the service area until another state college was developed. Chancellor Nichols related there had been discussions regarding sharing courses with northern institutions. This policy would not allow NSCH to share courses with northern community colleges' upper division work (i.e., TMCC, WNCC, and GBC).

President Romesburg explained there were currently no interactive video offerings from NSCH, adding that exceptions could be requested in the future.

Regent Rosenberg moved approval of the Handbook amendments as presented and amended. Regent Hill seconded.

Regent Kirkpatrick suggested the removal of a redundancy in Section 20.3.b (Title IV, Chapter 3, Renumbered Section 20). Chancellor Nichols agreed.

Regents Rosenberg and Hill accepted the amendment.

Regent Derby suggested the Board revise the language once NSCH developed interactive video capability. Chair Seastrand replied that an amendment to the motion was not necessary.

Regent Hill was concerned that language on page 17 of 20 addressed upper- and lower-division courses, while the System had yet to determine a definition of the difference between the two. He observed there were numerous complaints about the institutions disagreeing about the classification of upper- and lower-division courses. He urged development of a mutually agreeable definition, defined in Board policy. He felt it was a mistake to allow any institution to unilaterally define upper- and lower-division courses. Chancellor Nichols stated that staff would work with the academic officers and presidents to develop a definition for Board approval. She noted progress made by the common course numbering committee.

Chair Seastrand asked whether other systems or institutions had defined the terms before. Chancellor Nichols replied that research had not yielded a universal/national/shared definition. She felt that Nevada would need to create its own. Chair Seastrand replied that it would be a worthy, but difficult goal.

Regent Rosenberg noted progress made with the common course numbering system, adding that the departments had collaborated in determining the proper content requirements.

Chancellor Nichols clarified that the intent of the motion was to approve what had been recommended (not necessarily written) in addition to the changes introduced. Chair Seastrand ruled that it was understood. He applauded the efforts made toward common course numbering and expressed his gratitude to the faculty for their efforts.

Motion as amended carried. Regent Alden was absent.

18. Approved-Handbook Amendment, Environmental Health & Safety Statement – The Board approved the UCCSN Safety, Health and Environmental Protection Advisory Committee's (SHEPAC) recommendation for an amendment to the Board of Regents' Handbook (Title IV, Chapter 10, Section 25) to update the System's official environmental health and safety statement. (Ref. E on file in the Board office).

Debra Tytti, UNLV-SHEPAC, reported that changes recognized the fact that environmental, health and safety issues had increased in number and complexity. Campus growth requires the appointment of a person on each campus to address these issues. Changes were also made to address emergency preparedness/response, business continuity, and recovery in light of September 11th. SHEPAC is developing programs in concert with the campus communities. SHEPAC also feels strongly that it is important to work closely with the regulatory agencies in a collaborative manner.

Regent Rosenberg moved approval of the Handbook amendment concerning an Environmental Health and Safety statement. Regent Hill seconded. Motion carried. Regent Alden was absent.

19. Approved-Handbook Amendment, Environmental Health & Safety Statement – The Board approved the UCCSN Safety, Health and Environmental Protection Advisory Committee's (SHEPAC) recommendation for an amendment to the Board of Regents' Handbook (Title IV, Chapter 10, Section 25) to update the System's official environmental health and safety statement. (Ref. E on file in the Board office).

President Romesburg reported that many of the changes were editorial to incorporate the state college into the Handbook.

Regent Sisolak questioned the references to multiple state colleges. Chancellor Nichols replied that the Master Plan addressed the possibility of Nevada having more than one state college. Chancellor Nichols offered to change the reference to the one state college. Regent Sisolak objected strongly to references of multiple state colleges.

21. Information Only-Handbook Amendment, Board of Regents' Bylaws – The Board considered amendments to the Board of Regents' Bylaws (Title I) which are required to accommodate the addition of two new Regents in January 2003. Because Bylaw amendments require two hearings, final action will be taken at the January 2003 meeting. (Ref. H on file in the Board office).

Chancellor Nichols reported that changes would enable the Board to operate with 13 Regents. She noted that it would need to be the Board's first item of business at the next meeting. She reported the following changes:

- Quorum changed from 6 to 7 members.
- 2/3 majority (required to suspend the Bylaws) changed to 9 members.

Regent Hill requested removal of the plural reference to the Board(s).

Chancellor Nichols continued her review of the changes:

- Number required to call a special meeting of the Board (quorum minus two) increased to 5 members.
- Number required to place an item on the agenda increased from 2 to 3 members.
- Maximum number of Regents on a standing committee increased to six (committees must be smaller than a quorum).

Regent Hill expressed a concern that if two Regents desired an item, it should be discussed.

Regent Sisolak expressed a similar concern. He observed that in requiring three Regents, a member could approach "polling" the Board when encountering sufficient declinations. General Counsel Ray cautioned that discussion should be limited to the fact that an agenda item is requested without discussing the merits.

Regent Derby observed that Nevada's Board was practically a national exception in allowing so few Regents to put an item on the agenda. She felt it would be a mistake not to raise the requirement given the Board's busy schedule. She

Chair Seastrand indicated his support for increasing the number to 3.

22. Approved Appointment, Executive Vice President and Provost, UNR – The Board approved President John Lilley's request for the appointment of Dr. John H. Frederick to Executive Vice President and Provost at the University of Nevada, Reno. His salary will remain at \$167,964. The salary of Dr. Frederick will remain at \$167,964.







housing, which will fit with the university's master plan. A market analysis revealed a need for housing and a push for "campus community". Campus housing occupancy has averaged 98% for several years. The request assumes only 95% occupancy. Waiting lists of more than 100 have existed every year since 1996 (except in 2000 when Tonopah Hall opened). She thanked UNLV's Vice President for Finance Mr. Tony Flores and his staff for their assistance with the financial information. She also acknowledged Mr. Scott Nash for his assistance with the bond resolution. The project will cost \$23,520,000 million (\$21 million-construction \$2.5 million-bonding). The bond payment at 5.7% would be approximately \$1.7 million. Housing fees would provide the revenue stream as with other housing bonds. A surplus of approximately \$16,000 is estimated with the projected occupancy and bond rating 98% occupancy would yield a \$74,000 surplus. Chair Seastrand asked about the effect to current housing rates. Vice President Mills replied that UNLV would request an increase in the spring due to increased utility and operating costs regardless of whether the residence hall was approved.

Regent Kirkpatrick asked about the estimated completion date. Vice President Mills replied the hall would open in August 2004. Regent Kirkpatrick observed that other projects had been over budget and asked whether sufficient funding had been requested. Dr. Mills replied that the last residence hall was completed under budget and early. President Harter said that UNLV would request loca







members would come early to hear the presentation.

Chancellor Nichols reported that other contributing factors to Nevada's preparation grade included the number of

Chair Seastrand thanked the Chancellor for an excellent report, adding that she, her staff, and the institutions had a lot of work ahead of them.

35. New Business – Regent Hill felt the Board might require an attorney general's opinion regarding System employee representation on the Board of Regents. He requested a Board agenda item for the next agenda to ask the Attorney General to define the parameters regarding what a Regent (who is also an employee) can and cannot vote upon.

Regent Sisolak stated that he had been inundated with phone calls from students having trouble registering for classes in January. He asked whether something (other than lack of resources) was responsible for the situation. President Harter replied that UNLV was in the worst possible budget situation in eight years. Spring pre-enrollments are extremely high. UNLV currently has 4,000 unfunded students, with early indications for enrollment to increase by 10–11%. She related that UNLV simply did not have money to teach everyone. She felt that Provost Alden had done a remarkable job of stretching the money as far as he could. Regent Sisolak stated that he was unsure what to say to the students and parents. President Harter suggested that he tell them to support increased taxes to provide more money for System budgets. Provost Alden stated that UNLV had attempted to increase the part-time instructor budget by 8%. Some programs are growing at a rate of 12%. He felt it had been a remarkable endeavor by UNLV's deans and cabinet to try to take the pain from the students. Regent Sisolak commended their efforts. He asked whether the problem was as prevalent in Reno. Provost Alden felt the matter should be sent to the legislature. President Harter stated that she was working with NSCH and President Romesburg to find ways to increase qualifications for admission to certain heavily-impacted majors. She was hopeful that those students would be able to attend NSCH. Regent Seastrand thanked the Chancellor for his report and asked when the Board would be able to discuss the matter.