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Dr. Stavros Anthony, Chair
Mr. Mam

Regent Kirkpatrick asked whether it was normal for the Board to approve minutes from periodic presidential evaluation committees. Ms. Ernst explained that, in order to ensure that the final minutes from an ad hoc committee's final meeting were approved, she included them on the Consent Agenda.

Regent Sisolak asked that item #1 (Minutes) be considered separately. No objections noted.

(2) Approved-Minutes – The Board approved the minutes from the Periodic Presidential Evaluation Committee meetings held November 5, 6, and 7, 2003.

(3) Approved-R.C. Fuson Endowment, UNR – The Board approved, pursuant to requirements of the R.C. Fuson Charitable Remainder Trusts E, F, & G, President John Lilley's request for the Board of Regents to direct the Trustee to terminate said annuity trusts and deliver the assets to the Board of Regents of the University and Community College System of Nevada, and create a permanent R.C. Fuson Endowment fund for the benefit of the Department of Chemistry at UNR (Ref. C-3 on file in the Board office).

(5) Approved-Student Center Cafeteria, TMCC – The Board approved President Philip Ringle's request to use \$600,000 in Capital Improvement Fee funds to build out and equip a new cafeteria in the V. James Eardley Student Center Building (Ref. C-5 on file in the Board office).

(6) Approved-Dedication of City Streets Mt. Bullion and Cocoa Ave

The meeting recessed at 2:25 p.m. and reconvened at 2:39 p.m. on Thursday, January 29, 2004 with all members present except Regent Schofield.

The Board approved amending System policy (Title IV, Chapter 15) to conform to NRS 396.540(2)(b) retroactive to Fall semester 2003 for newly matriculated students, with the issue of possible refunds for other students retroactive to 1995 to be brought back to the Board at the March 2004 meeting, including recommendations from staff, and if possible, LCB staff and the attorney general as to all allowable refunds. The Board discussed amendments to the Board of Regents Handbook (Title IV, Chapter 15, Regulations for Determining Residency and Tuition Charges) to conform those Regulations to the six month residency requirement in NRS 396.540(2)(b), and possible refund of tuition to affected students or other action. The current Board policy generally requires proof of twelve months Nevada residency from the date of matriculation for purposes of tuition (Ref. KK on file in the Board office).

Regent Sisolak introduced Ms. Sarah Renteria-student, Mr. Stephen Cloobek-Diamond Resorts, Ms. Kim Stein-attorney and Senator Randolph Townsend. He acknowledged the efforts of the Chancellor, staff and legal department in facilitating this initiative and the Board's consideration of the matter.

Mr. Stephen Cloobek (3745 Las Vegas Blvd. South, Las Vegas, 89109) thanked the Board for allowing discussion and introduced Ms. Sarah Renteria.

Regent Schofield entered the meeting.

Ms. Renteria (7777 South Jones, Apt. 1110, Las Vegas, 89139) thanked the Chair and Chancellor for considering this matter and thanked Regent Sisolak, Mr. Cloobek and Ms. Stine for their support. She reported that NRS 396.540(2)(b) states that tuition for the University System will be free to students whose families reside outside the state of Nevada providing such students themselves have been bona fide residents of the state of Nevada for at least 6 months prior to their matriculation at the university. Ms. Renteria was informed that school policy was one year, which is inconsistent with the statute. Ms. Renteria asked the Board to reimburse students who had attended Nevada universities and had been overcharged.

a step backward for another

- Refunds to third parties (financial aid lenders), instead of students, may be required.
- Loss of overall tuition revenue in building future biennial budgets.
- UCCSN cannot use current state funds to cover prior year's refunds.
- UCCSN would need IFC approval to use current state funds to fund current fiscal year refunds.
- 9-Year Refund (6,099 students) \$4,616,100.
- 3-Year Refund (1,885 students) \$1,949,000.
- 1-Year Refund (667 students) \$811,154.
- Students receiving federal financial aid would not receive refunds the federal government would.
 - Third-party payments.

Chancellor Nichols observed the Board faced several decision points. She recommended providing refunds retroactive 3 years. She said that tuition credits could be provided. Each institution would need to mail a notice to all students with a potential claim. The System would need to issue public notice and clear information on those eligible. Each institution would require a customer-friendly application and appeal process. The System would develop a common form and criteria, and the decisions would be audited by System Audit to ensure public confidence. The System would also try to determine remedies for third-party vendors. Chancellor Nichols recommended sending a bill draft request to change the statute to 12 months.

Regent Whipple thanked Chancellor Nichols for providing the information. He asked about the difference between in- and out-of-state tuition. Chancellor Nichols replied that state support for a student to attend a public institution is intended to benefit the students of that state. Out-of-state tuition is set at a level that covers the full cost of education. There is no state subsidy. Regent Whipple observed that taxpayers were subsidizing the in-state students. He asked about the percentage of the cost of an education that was subsidized by the taxpayers (and not by the student). Chancellor Nichols replied that 80% of the cost was paid by the state and 20% was paid by the in-state student.

Regent Alden said that the Board needed to simply comply with the law. He felt the real problem was that Nevada high school graduates, who left the state and returned, were denied residency status. For the next meeting, he said the Board required a clear understanding at all campuses what determined a resident. He said the institutions were arbitrarily and capriciously denying residency status.

Regent Sisolak felt the Board was mixing issues. He said he had another motion to make regarding refunds.

Regent Sisolak offered a friendly amendment to change the policy (Title IV, Chapter 15) be in compliance with NRS 396.540 retroactive to 1995. Regent Rosenberg accepted the amendment.

Regent Derby asked whether that would require a 9-year refund. Regent Sisolak replied that it would.

Regent Hill said he could not support the motion in that form. He was opposed to being stampeded into taking action without having full knowledge. He noted the 1959 AG opinion required applying for recovery in the same semester in which it occurred. He said that he did not philosophically agree with that opinion, adding that he did not know what it was based upon. He said that Regent Sisolak's action could put the Board in contravention of other state laws of which he was unaware. He did not object to the Board revisiting the matter at its next meeting after legal counsel had an opportunity to investigate. He said the Board could be violating fiduciary duties to the taxpayers by going back that far. He said that he could not vote on a matter when he did not know all of the facts.

Regent Kirkpatrick requested an interpretation of NRS 11.190(3)(a) regarding claims based on a liability created by statute. He asked whether the three-year limitation would apply to claims made about Board policy. General Counsel Ray stated that the statute of limitations related to claims about a state law that was not followed. Claims must be filed within 3 years. He was concerned about a public body waiving a state law to the prejudice of the state coffers. He said he would like to research the issue and return with a recommendation.

Regent Sisolak noted a point of clarification, stating that the statute of limitations did not prevent the Board from making the refunds voluntarily. He said the students relied upon advice indicating that 12 months were required. General Counsel Ray said he was not disagreeing with Regent Sisolak, adding that he merely wanted to research the effect of any state laws barring claims after a certain period of time.

Regent Whipple expressed concern for waiving the statute of limitations, adding that such action could potentially haunt the Board in the future. He felt the matter needed to be well thought out and he wanted to hear back from legal counsel. He

Regent Howard said the land was bordered by Pecos, Lamb, and I-215. President Harter said it was actually north of Centennial Parkway. Regent Howard said that was not what the City had voted upon at the council meeting. President Harter introduced Mr. Michael Majewski, Planning Officer, City of North Las Vegas. Regent Howard again asked why the Board did not have a copy of the plans and why the Board was unawared upon it wj what tad upon it wj End Contr

President Harter apologized to those who felt they were not appropriately consulted. She explained that UNLV had been considering an entirely different area until December when this opportunity developed. She said that it became such a matter of urgency that it was accelerated due to pressures from others who also wanted to acquire the land.

Regent Rosenberg asked whether water rights were included. Mr. Majewski replied that water provision would be part of the interlocal agreement.

Regent Sisolak asked whether a start date was mandated with this arrangement. Mr. Majewski replied there was no requirement at this point in time. He said they abandoned efforts on a previous site due to the lack of a firm plan for the use of the land and BLM feeling the pressure associated with rapid growth and petitions to sell to the private sector. He said the only urgency was with market timing. As the market grows, market pressures will cause the price to rise and BLM could decide not to wait for UNLV to develop the site. Regent Sisolak said there was quite a bit of BLM land tied up for different southern institutions and expressed concern for aggravating the BLM with delayed development. Mr. Majewski said the City recognized this would likely be a multi-decade process to secure land for the college System. Regent Sisolak asked whether something could be done (i.e., fencing the property) to secure the property. Mr. Majewski replied that the City Manager's letter of reservation, development of a master plan, and the System's receipt of the land would accomplish that. President Harter recalled an opportunity in Summerlin when UNLV declined land because of a requirement for building out the parcel within a certain number of years. He said that the City's interest in the land was not a requirement for building out the parcel within a certain number of years. He said that the City's interest in the land was not a requirement for building out the parcel within a certain number of years.

presidents and several vice presidents involved during a period of transition. She did not believe that any one person was entirely responsible for that period.

Regent Derby recalled that Mr. Neel had been highly regarded during his employment.

Regent Bandera asked whether Regent Alden possessed specific information. Regent Alden replied he did not. He recalled serving as Audit Committee chair during that time period. One of the largest concerns had been with the financial statements and internal controls at UNLV. He said that Mr. Neel had left shortly before Regent Alden became Committee chair. He wasn't accusing Mr. Neel of wrongdoing, but felt that clarity was necessary. He recalled that no other campus received such an opinion that year. He said the situation was resolved shortly after Dr. Pohl's arrival. He said the corrections had been implemented following Mr. Neel's departure. Regent Bandera clarified this was Regent Alden's recollection. Regent Alden said he recalled it specifically. Regent Bandera asked whether someone had recently discussed this with Regent Alden. Regent Alden replied that no one had contacted him, he simply remembered the individual.

President Harter clarified that Mr. Neel also served in Carson City for 6 months that year as UNLV's lobbyist, performing both jobs.

Regent Kirkpatrick recalled that Mr. Neel had a fine reputation. He never heard a negative comment about him. He said that Boise State would not have otherwise hired him.

Regent Schofield called the question. Regent Whipple seconded.

General Counsel Ray stated it was not debatable and required a two-thirds majority vote.

Regents Kirkpatrick and Seastrand clarified the two-thirds majority was required to vote on the question.

Upon a roll call vote the motion to call the question carried. Regents Anthony, Bandera, Derby, Dondero, Hill, Kirkpatrick, Schofield, Seastrand and Whipple voted yes. Regents Alden, Howard, Rosenberg and Sisolak voted no.

Upon a roll call vote the original motion to approve the appointment carried. Regents Anthony, Bandera, Derby, Dondero, Hill, Kirkpatrick, Rosenberg, Schofield, Seastrand and Whipple voted yes. Regents Alden, Howard and Sisolak voted no.

Regent Sisolak disclosed that he was currently in litigation with the airport and would not be involved with the discussion on the next item. He then left the meeting.

The Board approved President Carol Harter's request to acquire approximately 1.5 acres on East Naples Drive on the western perimeter of the main UNLV campus between Suzanne & Thomas & Mack Center (TMC). The total property acquisition cost will be approximately \$2,084,000. The complete project will include demolition of old apartment buildings and construction of a paved and lighted surface parking lot. Estimated demolition and construction project cost will be about \$1,874,000. Approximately \$37,000

westerly and to also solve the problem. He said the group now enthusiastically supported the project and was looking forward to working with the university to locate an arts and entertainment facility.

Regent Kirkpatrick asked whether the Bubba Building (Campus Services Building) was depicted. President Harter replied that it was. Regent Kirkpatrick asked about other property (depicted in Ref. F on file in the Board office) that did not belong to the university. Mr. Bill Wood, Facilities Planner-UNLV, explained that property to the west and the north was not university property. Regent Kirkpatrick felt that UNLV should have all that property. Regent Whipple stated that livestock was held on the property in question.

Regent Alden indicated that he would abstain.

Regent Seastrand observed that funding for this project was addressed in a separate agenda item. President Harter replied that it would be done with bonding. Regent Seastrand asked about the anticipated revenue stream. President Harter replied that Capital Improvement Fee funds would be used.

Motion carried. Regent Alden abstained. Regent Sisolak was absent.

Regent Kirkpatrick left meeting.

The Board approved Presidents Carol Harter's and John Lilley's request for an Interlocal Agreement and sub-lease with the City of North Las Vegas for the BLM Recreation & Public Purpose Lease land for use by UCCSN institutions. The sub-lease, for twenty acres of land, includes ten acres currently occupied and improved by the UNLV Center for Urban Water Conservation and UNR Cooperative Extension Service. This sub-lease will formalize a ten-year verbal agreement between UNLV and UNR and the City of North Las Vegas. It will run for a term of about 2.5 years ending on September 30, 2006, the end of the current BLM R&PP lease, with options to renew for two additional ten-year terms. The lease rent will be \$1.00/year (Ref. G on file in the Board office).

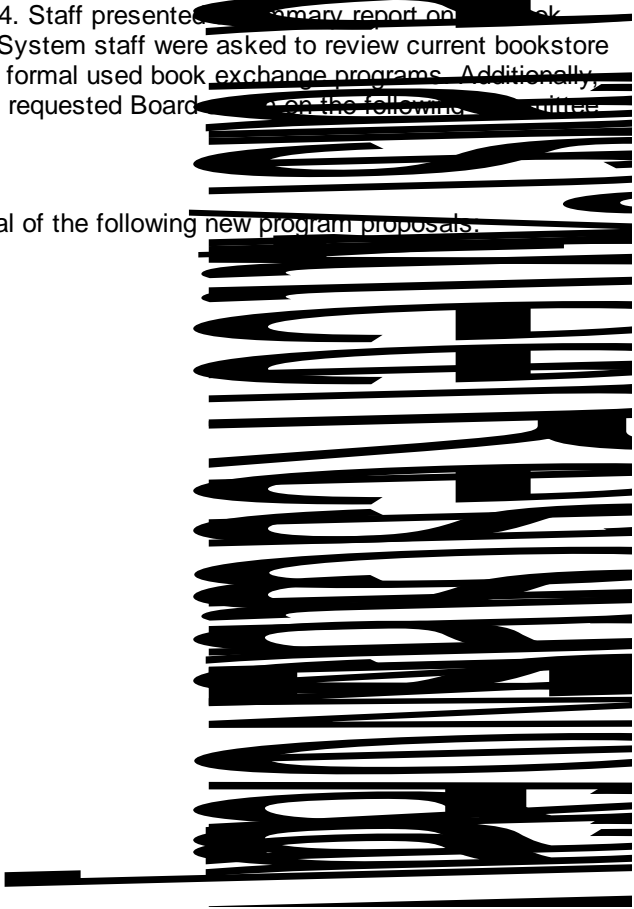
Regent Alden moved approval of the North Las Vegas field station lease for UNLV and UNR. Regent Howard seconded.

President Harter reported that both institutions were involved with the research field station located in a northern part of the valley. President Lilley said the agreement formalized a long-standing, informal arrangement.

Motion carried. Regents Kirkpatrick and Sisolak were absent.

Chair Jill Derby reported the Academic, Research & Student Affairs Committee met January 29, 2004. Staff presented a summary report on bookstore costs and what institutions do to assist students. General Counsel and System staff were asked to review current bookstore contracts and to report any limitations that may exist that would prohibit formal used book exchange programs. Additionally, staff will review any similar programs at other institutions. Regent Derby requested Board recommendations on the following:

- New Program Proposals – The Committee recommended approval of the following new program proposals.
- AA



is part of the College of Hotel Administration's strategic plan. The College is still operating with the original generic degree format created in 1969 (Ref. ARSA-7 on file in the Board office).

- New Organizational Unit, Center for the Analysis of Crime Statistics, UNLV – The unit, authorized in the recent legislative session, will contribute to effective State and local criminal justice policy development through the collection, analysis, and dissemination of information related to crime and criminal justice (Ref. ARSA-11 on file in the Board office).
- Change to Organizational Unit, Greenspun College of Urban Affairs, UNLV – UNLV proposes several internal organizational changes within the Greenspun College of Urban Affairs to allow it to move more aggressively toward achieving key strategic goals (Ref. ARSA-12 on file in the Board office).
- Change in Existing Degree Name, Master of Science in Nursing, UNR – The Department of Nursing at UNR requested permission to change the name of its graduate degree from Master of Science to Master of Science in Nursing (MSN), which is the standard degree name in higher education and is EVÅ Bo RSA

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- Dr. Anton Sohn, Chair, Department of Pathology and Laboratory Medicine and Director, History of Medicine Program, reported on the history of the creation of the University of Nevada School of Medicine.

Regent Bandera requested Board acceptance of the following Task Force recommendations:

- The Task Force reviewed information presented by UNR President John Lilley and Dr. Stephen McFarlane, Dean, School of Medicine, concerning the restructuring of the Practice Plans. Members of the Task Force endorsed the revised plan.
- The Task Force recommended approval of CCSN's proposal for a new baccalaureate degree program in dental hygiene. Information was presented by Ms. Theresa Raglin, Department Chair, Dental Sciences-CCSN.
- The Task Force recommended replacing the existing Associate of Applied Science degree in dental hygiene at CCSN with the Associate of Science degree.

Regent Bandera moved acceptance of the report. Regent Dondero seconded.

President Lilley noted an error in the history of the SOM.

Motion carried. Regent Sisolak was absent.

Regent Jill Derby reported the second meeting of the Legislative Committee to Evaluate Higher Education Programs was held December 15, 2003. Chancellor Jane Nichols provided a detailed overview of the UCCSN, including four areas of concentration: (1) an overview of the enrollment trends and demographics affecting higher education in Nevada, (2) an overview of the UCCSN biennial budget, (3) an overview of the academic degree programs offered by UCCSN institutions, as well as a review of the new programs approved, and the process by which new programs receive approval, and (4) an overview of the UCCSN master planning document, performance indicators, and measures of student success. In response to a question posed by the Committee during the November 2003 meeting, Chancellor Nichols also provided a special report to address the demand for nurses and teachers in Nevada. The Chancellor's report confirmed that Nevada maintains the lowest ratio of registered nurses to patients in the nation. To address the shortage, the Chancellor's report summarized UCCSN's plan for doubling the capacity of nursing programs in Nevada. The report also confirmed that the number of new K-12 teachers employed in Nevada is expected to increase by 33% between 2000 and 2010. To address the shortage, the Chancellor's report outlined UCCSN's plans for meeting the demand, which includes collaborative programs between the universities and the colleges, the creation of Nevada State College, the expansion of distance education and numerous joint initiatives with local school districts. The Committee reviewed and accepted the recommendation to select the National Center for Higher Education Management Systems (NCHEMS) as the lead organization to provide technical assistance to the Committee. The approval of NCHEMS contract represents a collaborative effort between NCHEMS, the Western Interstate Commissions for Higher Education (WICHE) and the State Higher Education Executive Officers (SHEEO). Selection of NCHEMS was based on their ability to interpret UCCSN's data systems, coupled with their previous experience with business development criteria. Committee members raised questions requiring additional research by the UCCSN working group. The Chancellor received a formal request containing 15 questions on December 19, 2003. On January 20, 2004, UCCSN provided responses to the Committee's questions (additional copies of the UCCSN response available for review at System Administration office). The next meeting will be held February 3, 2004, in Las Vegas.

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

The meeting recessed at 6:12 p.m. and reconvened at 8:08 a.m. on Friday, January 30, 2004 with all members present except Regents Schofield, Seastrand, and Sisolak.

Senator Randolph Townsend returned with responses to the previous days' discussion regarding residency requirements.

Regent Schofield entered the meeting.

Senator Townsend said he wished to clear up some of the residency issues following discussion with LCB Counsel.

Regent Seastrand entered the meeting.

Senator Townsend first addressed matriculation. He said that LCB Counsel had advised him that the Board of Regents has the right to determine a definition for matriculation, so long as it was within a generally accepted definition.

Regent Sisolak entered the meeting.

Senator Townsend then addressed the issue of financial impact. He said that the level of dollars required for refunds should not affect UCCSN programs. He assured the Board that the legislature would partner with the Board to ensure that did not occur. He asked to clarify the 9-year obligation vs. the 3-year statute of limitations. He said that a court would need to decide whether the individuals who paid a different rate after 1995 were in a contract relationship with UCCSN. The statute of limitations would apply to contractual agreements. He said it did not preclude the Board from going further. He suggested that Board Counsel, Legislative Counsel and/or the Attorney General work together. He said that Senators Arberry (IFC Chair) and Raggio (Senate Finance Chair) needed to be notified so they could consider the matter when preparing the budgets. Senator Townsend said that he was prepared to help the legislature understand the Board's deliberations and conclusions.

Regent Sisolak asked about a difference between statute requirements and what the Board was allowed to do. He affirmed that the statute would not preclude the Board from refunding back to 1995. Senator Townsend agreed.

Regent Whipple said that he understood that Senator Townsend recommended the Board allow LCB and Attorney General staff to work with System Administration staff to reach an agreement that would be presented at the next Board meeting. Senator Townsend felt that all parties should work together in the spirit of moving the item forward to resolution, rather than place the burden on one individual or group. He volunteered the services of his legal staff and offered to contact the Attorney General. Chair Anthony said that he agreed with the motion made by Regent Whipple the previous day. He expressed his appreciation for Senator Townsend's advice.

Senator Townsend announced that the next Legislative Commission meeting would be held on February 18 at 1:30p.m. He explained that a number of people were elected during the session to serve on this body to review all rules, regulations and to work with the IFC on how to best manage issues facing the state. He observed that the Board had faced issues concerning the Open Meeting Law and policies and procedures for hiring, firing, promoting and demoting individuals. He said the Legislative Commission would review those issues to determine whether the Legislative Commission should retain control or whether it should be turned over to the Legislative Committee to Study Higher Education. He said that Board representatives on that Committee would be excluded from that discussion. The review would include trying to help clarify the rules and needs for all bodies governed by the Open Meeting Law. He observed that the Board of Regents was a large group with complex, detailed issues. He said the legislature wanted to ensure that they had everyone's input. He said it was important for the process to maintain its integrity. He encouraged legislators to visit Board meetings to observe the issues over which the Board wrestles. He said it was the only way to be helpful and to work together to come to some resolution. He said that recommendations for changes would be offered in the spirit of cooperation and respect for the Board. He said he would be available to the Board and would work respectfully and openly with the Board as Chair of the Legislative Commission. Chair Anthony thanked him for his cooperation.

President Philip Ringle, TMCC – In addition to being one of the larger employers in the area, TMCC plays a critical role in preparing a workforce that feeds the economy and supports its expansion and diversification. TMCC contributes to the prosperous economy by:

Educating students to enter the workforce through its degree, certificate, internship, apprenticeship and clinical experiences.

Providing a safe environment that encourages lifelong learning and community involvement.

Providing on-site associate degrees and customized training to public and private sector employers.

Fall associate degree program offered at IGT.

Customized job training in manufacturing management for supervisors, teambuilding, supervisory training, business communication, and the regional public safety training center (a joint project between TMCC, Reno-Sparks Fire and Police Departments and Washoe County Sheriff's Department).

Developing/expanding programs in response to local and regional needs (community Sheriff's training center).

President Ringle reported that TMCC also offers specialized programs in response to the needs of special populations:

- Workplace literacy, including English for the workplace, customized curriculum development and training for supervisors in Spanish.
- Apprenticeship training.

President Ringle reported that on-line and distance education services and programs allow individuals and employees to remain employed as they upgrade their skills or prepare for new jobs. TMCC also assists students and employers with job placement and works in partnership with economic development and workforce development agencies (i.e., EDAWN and Nevada Works). The college also offers programs to enrich the quality of life in the region by contributing to the intellectual, artistic and cultural life of the community. The relevance of the training provided is ensured through the design of the programs or curricula, the many advisory committees involved in the programs, feedback from students, the program and discipline review process, industry certification options and TMCC's outcomes assessment efforts. Future labor market projections emphasize the need for significant changes in the agility and responsiveness of the workforce investment system and the creation of viable partnerships between education, government and the private sector that recognize the symbiotic relationship between economic development and workforce development systems. The utilization of institutions like TMCC has across the country prevented the fragmentation and/or costly duplication of programs. TMCC is fully engaged with the community and strives to contribute to the welfare of its service region.

President Carol Lucey, WNCC – To best meet the needs of its service areas, WNCC has depended upon partnerships with other agencies and organizations. WNCC works closely with the Management Assistance Partnership organization. During a recent college reorganization of the part of the college serving business and industry, WNCC depended heavily on the support of MAP. President Lucey thanked Mr. Dave Dwulit, Mr. Bob Blank and Ms. Sandy Haslem for their invaluable assistance during this period. President Lucey highlighted four economic development programs, which assist students in using the college to make major strides in their personal and professional lives, as well as providing the communities with a skilled workforce:

• Surgical Technology Certificate Program – WNCC met the need of local hospitals by educating students in 1-year programs to become surgical assistants in local hospital operating rooms. These graduates will relieve registered nurses currently serving in these roles, thereby freeing the R.N.'s to provide bedside support to patients who need them. WNCC partnered with Nevada Works, who funded the start-up program with a Workforce Investment Act grant. WNCC recently hosted an accreditation site visit for the program, which was very successful, and expects to have the accreditation confirmed shortly.

- Increasing the Number of Nursing Students – WNCC was initially concerned when the state legislature asked if they could increase the number of nursing students since they are a small college with a fairly large nursing program. As the result of collaboration with the Nevada Hospital Association, the Nevada Rural Hospital Partners, the UNR School of Medicine, the Area Health Education Center (AHEC), and Banner Churchill Community Hospital, WNCC has been able to provide a special initiative which will alleviate the shortage of nurses in the most rural parts of its service area. A rural Nevada nursing program was started with these partners last fall, centered on the Fallon campus. Students from Fallon, Hawthorne and Lovelock participate in the program. These students will complete their associate degree in nursing and achieve their R.N. licenses without having to commute to either Reno or Carson City for their clinical experiences.
- Construction Technology - With assistance from the college Foundation and the Builders' Association of Western Nevada, WNCC is collaborating with the Carson City and Douglas County School Districts to provide a dual enrollment afternoon program for high school juniors and seniors in construction technology. Students attend high school in the morning and attend college in the afternoon, where they are registered for five credits of college-level construction technology. These students will have internship and apprenticeship opportunities this summer in the construction trades. Following high school graduation, they will be able to move into good paying construction jobs, or continue at the college to complete an associate degree in construction technology. Following completion of their associate degrees, they will be able to move into construction work or continue to pursue a Bachelors of Technology degree, available through a partnership between WNCC and UNR.
- Bachelor's Degree in Education - WNCC recently formed a partnership with Nevada State College, which allows rural students in the service area to complete bachelor's degrees in education. This program will create a new source of teachers for outlying areas while also providing students bachelor's degree opportunities without requiring them to commute to the university. President Lucey concluded by stating that these initiatives all depended upon partnerships with other agencies. Through the help of these partners, WNCC is assisting all people in their service area with their educational and socioeconomic aspirations.

President John Lilley, UNR – As a land-grant research institution, UNR contri

Technological innovation emerges from universities working with business partners. Indicators of UNLV's accomplishments include:

- Degrees Awarded – The number of first-time, full-time degree seeking students who entered fall 1997 and completed their degree within six years rose from 37% last year to 38% this year. The rate increased to 42% when considering those students who left UNLV to graduate at other institutions. Minority students graduated at approximately the same rate as all first-time, full-time freshmen that entered in 1997. The graduation rates for Caucasians, African Americans and Latinos are very similar while the rate for Native Americans is somewhat lower and the graduation rate for Asians is higher. In 2002-03, UNLV awarded approximately 3,900 degrees, an increase of 6.9% over the previous year.
- Sponsored Projects – UNLV was awarded \$59,016,077 in grants and contracts during FY 2003, as compared to \$19 million in 1995. UNLV has encouraged the development of public/private partnerships to achieve a variety of economic development objectives. UNLV faculty participate with the community in

accountable for producing strong results and rate MAP on a national level with other centers across the United States. The program strives to maintain an economic impact at \$100 million per year, solidifying funding streams to support delivery capacity, developing further linkages within UCCSN, as well as expanding their client portfolio.

The Board tabled action on proposed language for paragraph 9 in the document titled Principles, Procedures, and Criteria for the Annual and Periodic Evaluation of UCCSN Presidents. At the October 2003 meeting, the Board approved changes to the above-referenced document. During the Board's discussion of this document, Paragraph 9 concerning the use of anonymous materials was held in reserve and staff was directed to bring back revised language (Ref. C on file in the Board office).

Chancellor Nichols reported that the original provision did not allow the evaluation committee to accept anonymous material or to circulate questionnaires to the various constituencies. The proposed language allows the evaluation committee to conduct personal interviews, as well as the ability to solicit written comments about the president's performance from internal and external constituencies. Written comments must be signed and will remain confidential. The committee shall not conduct a questionnaire or survey as part of its work. Chancellor Nichols stated that the Council of Presidents had agreed upon this language. She related they had discussed the issue of faculty senate and/or student government surveys that are often done in conjunction with a presidential evaluation. The presidents felt that those activities fell outside of the committee's work. She reported that the faculty senate chairs requested that the Board specifically address those questions that is the proposed language to establish whether or not they are allowed. The faculty senate chairs' proposed rewording included: "A summary of a survey conducted by an institutional faculty senate and/or student government - but not the Board of Trustees or the Faculty - may be provided to the evaluation committee as general feedback from the campus community. Chancellor Nichols said that it had been general practice to conduct these surveys and to allow them to be submitted to the evaluation committee. She related that it had always been the prerogative of the evaluation committee to consider them or not. Anonymous comments were not shared with the evaluation committee.

Dr. Trudy Larson, Faculty Senate Chair-UNR, said that the faculty spent a lot of time discussing the issue of confidential information and a means for using that information in a beneficial manner. Faculty felt that a summary statement would be beneficial without violating any confidentiality.

Regent Seastrand asked whether the language required the evaluation committees to use the surveys. Chancellor Nichols replied that the information would be provided to the evaluation committee as feedback and it was up to the committee to determine whether or not to use it.

Chair Anthony asked who would prepare the summary. Dr. Larson replied that it would be up to the committee to use it.

Regent Hill moved approval of affirming the general principle of using surveys with the methodology to be worked out later and brought back by the Chancellor. Regent Seastrand seconded.

Regent Howard requested the motion be repeated. Regent Hill repeated his motion. Regent Howard asked about the motion's relevance to the agenda item.

Regent Sisolak noted a point of clarification, stating that he did not understand what the Board was approving. Regent Howard asked how the motion related to the agenda item. Chair Anthony explained that surveys were used as part of the anonymous material submitted for a presidential evaluation. He felt the motion required some clarification.

Regent Howard moved to table the item. Regent Sisolak seconded. Upon a roll call vote the motion carried. Regents Alden, Bandera, Dondero, Howard, Kirkpatrick, Rosenberg and Sisolak voted yé

identification number and birth date on the second survey to ensure they only voted once.

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Dr. Ellis reported that student interest expressed above the 50% level was considered to determine the cost, and from that, a 190,000-sq. ft. facility was derived.

Mr. Ron Zurek, Interim Vice President, Administration & Finance, is UNR's reporting officer for the project. He has been working on this project for the last two years, determining the size of the project and considering alternate financing structures. He thanked Mr. Scott Nash, Johnson Consulting, for his assistance. Mr. Zurek reported the facility would be approximately 190,000-gross sq. ft., with 132,000 assignable sq. ft. and a building efficiency factor of 66%. Students wanted the fee to commence as late as possible (close to the opening of the new building) so that those who would be paying would enjoy the benefits. Students also wanted to ensure the financing be used for its intended purposes only and the schedule of payments expenses. They also wanted the Institution to commit student service auxiliary fees (\$3 million) to the project. A 30-year loan at 6.25% (tax-exempt) was assumed. Construction costs total \$44,000,931 (\$233/sq. ft. in 2006 dollars or \$210/sq. ft. in 2004 dollars). The total project cost would be \$46,345,000 (\$247/sq. ft. in 2006 dollars). The capitalized interest during construction would allow the money to be borrowed with no initial increase in student fees.

Regent Dondero asked whether the project would be financed with bonds and the debt retired with student fees. Mr. Zurek replied that was correct. Regent Dondero asked whether revenue from the services provided would be applied towards the project. Mr. Zurek replied that the projections did not include that income. He stated it could also be used towards operating expenses and a 2% reduction in the Fire Science building.

Regent Sisolak asked about the source of the \$2.5-\$3 million. Mr. Zurek replied that money from various student service accounts would be used but aside over time. Regent Sisolak asked about the reserve balance. Dr. Ellis replied she would \$800,000 in student union reserves, \$500,000 in bookstore reserves and \$500,000 in dining commons reserves. Regent Sisolak asked about the source of the \$3 million. Mr. Zurek replied that the Fire Science building would be used to pay for the project. Dr. Ellis replied that she would use the \$3 million to pay for the project and that it would not be appropriate to use them for the Fire Science building.

student friendly. He was impressed that students were willing to pay to enhance the university, which would help attract the best students. He noted the importance of providing a student union to which students are attracted.

Mr. Yim said that he did not initially support the project, but going through the process had convinced him otherwise. He said that he and Ms. Muehlberg had worked hard to bring the matter before the Board. He observed that students were paying for the Fire Science Academy, though they were not reaping any benefits from it. He said the students wanted to pay for a new student union so as to create a hub for campus life.

The meeting recessed at 10:35 a.m. and reconvened at 10:57 a.m. on Frid] on Frid Frid Frid

different sources. Mr. Flores agreed. Mr. George Scaduto, Associate Vice President, Finance-UNLV, explained that the institutional commitment for the Science, Engineering, and Technology building was \$25 million. Currently, UNLV has \$7.8 million in cash. The 17 million is the difference. Regent Kirkpatrick established a \$45 million legislative appropriation. Mr. Scaduto agreed. Mr. Scaduto replied that the lease was paid monthly. He said the capital improvement fees would provide more than enough cash flow. President Harter explained that the State Public Works Board required the \$25 million up front.

Regent Seastrand asked about any prepaid penalties and the interest rate. Mr. Scott Nash, Johnson Consulting, replied the bonds would sell on February 25th, some of the terms were not completely finalized. The plan involves a 10-year call period at par with no premium. The expected interest rate is 4.5% fixed rate for 30 years. Regent Seastrand asked whether the bond rating would change. Mr. Nash replied that the bond rating had remained the same for quite a while. He said this was a different type of transaction from DRI's. Regent Seastrand asked how this would affect the bond capacity. President Harter replied that UNLV was approaching its capacity. They intend to request an increase from the legislature. Regent Seastrand asked about the value of the capacity. Mr. Flores replied that it was \$92 million. The new project will approach \$90 million. Regent Seastrand asked whether there were any problems with the state bonding limits. Mr. Nash replied that he was not aware of any issues with the state funding.

Regent Hill asked about the EPA lease. Mr. Flores replied that UNLV had scheduled the cash flow on the basis of the 15-year lease with contributions from capital improvement fees.

Mr. Scaduto said the Board abstained. Regent Alden was absent. UHK

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Regent

future expectations. President Romesburg replied that they had assured the college they would service this area if there were riders. He felt that development in the area would assure the service.

President Wells praised the plan, adding that he was pleased the site plan included consideration of the rivers and drainage. He felt the Board should be proud of the plan.

Motion carried.

The meeting recessed at 11:52 am and reconvened at 12:23 pm with all members present with the exception of Regent Schofield.

The Board approved President John Lilley's and Dean Stephen McFarlane's proposal for restructuring the School of Medicine's Clinical Practice Plans. The proposal was endorsed by the Health Education Task Force on December 4, 2003 (Ref. P and Bound Report on file in the Board office).

Regent Alden moved approval of the restructuring of the School of Medicine's Clinical Practice Plan. StructuP Bat jdj

President Lilley stated that flexibility in personnel matters, including selection, transfer, and termination are crucial to the successful operation of the clinical services. The ICS corporation will be the employer of all 400 support staff employees. Physicians and residents would remain SOM employees. One uniform personnel policy, approved by the university, will govern this entity. The proposed personnel model is the best compromise and least costly solution to the personnel issue.

President Lilley reported that the clinical practices have unique purchasing needs, including time sensitivity and specialized products. This model governs only clinical purchases made with clinical dollars. All other purchases continue to be processed through BCN (Business Center North). All of the cost centers within ICS will use the same financial software package and chart of accounts. The chief business officers of each cost center will report to the dean through the SOM chief financial officer. The three chief business officers will administer uniform policies approved by the ICS board.

President Lilley indicated that the proposed model significantly changes the governance of the clinical practices with the SOM providing Regents, System Administration and university administration with the proper oversight. The model also ensures that the revenue stream remains protected and reduces liability to the System from the existing structure. The restructured model facilitates university compliance with GASB 39 and allows SOM administration and faculty control of their educational, research, and clinical missions.

Regent Pillitteri responded and his colleagues for their work, adding that he was still concerned about two areas of financial control. He noted that the dean can waive certain purchasing and bidding policies. He did not object to that with appropriate oversight and reporting. He also noted that the dean's office should have a role in the purchasing process. He also noted that the dean's office should have a role in the purchasing process. He also noted that the dean's office should have a role in the purchasing process. He also noted that the dean's office should have a role in the purchasing process.

Regent Howard asked about the percentage of time that the dean would spend in southern Nevada versus other areas in the state.

Regent Hill noted a point of order, stating that the question was not related to the restructuring plan. Regent Howard disagreed. Chair Anthony

Regent Bandera moved approval of not ranking the goals, and approving the community-suggested goals in the order presented with the addition of another goal "Opportunity and Acces

Regent Alden stated that the System was facing many issues. He felt it was wasteful, ridiculous, ludicrous, arbitrary, and capricious to spend money on this. He did not want to spend any money and did not want to change the name. Regent Rosenberg agreed.

Regent Derby disagreed with Regent Alden's assessment. She observed that the Board had already changed the System's name to more inclusively reflect its makeup. She felt there was an opportunity to do the same in this case, adding that the System was more than just universities and community colleges. She wanted the Board to adopt a name that was inclusive of all of the institutions. She said that she liked Nevada System of Higher Education best. Regent Rosenberg agreed, adding that he did not want to spend any money. Chancellor Nichols related that existing letterhead and business cards would be fully depleted before ordering new materials. She said that, if the Board changed the name, a bill draft request would be sent to the legislature to change the name within the NRS. She related that, currently, two names were referred to in NRS. She said that implementation could be delayed until the NRS was changed.

Chair Anthony explained that this item initially arose from a desire to include NSC and DRI in the System's name. He observed that one of the values recently passed by the Board was inclusiveness. He felt it did not mld

Regent Alden established that Suite A-5 housed the legal staff. He asked how much would be saved if that space were not renewed. Ms. Ernst replied the savings would total approximately \$1.96/sq. ft. Regent Alden said he would not approve then nc

Regent Seastrand suggested that a Board meeting site near the airport would be better. He suggested moving SCS to the North Las Vegas campus and allowing the Board to take over the vacated space on campus. Chancellor Nichols said the dilemma was deciding whether to build on their land and pursuing a lease-purchase and a private developer.

Motion carried. Regent Alden voted no.

Chancellor Jane Nichols presented for the Board's information a rec'or~~o~~ ~~o~~ ~~m~~ ~~o~~ ~~v~~ ~~o~~ ~~m~~ ~~o~~ ~~m~~ ~~o~~ ~~m~~ ~~o~~ ~~m~~ ~~o~~ ~~N~~

Regent Howard asked why the community colleges incurred a higher percentage increase in 2004-05 than GBC upper-division, NSC and the universities did. Chancellor Nichols replied that the percentage was based upon the fee increase. Regent Kirkpatrick explained that the percentage of \$10,000 is much less than the percentage of \$500,000. Regent Howard asked who prepared the figures and whether the legislative formula had been used. Chancellor Nichols replied that the formula used was the Board approved formula. She explained that the committee decided the fees and the formula drives everything else. The Board approves fees and tuition, which is included in the budget. The state has the option of building the budget around a different fee amount.

Chancellor Nichols reported that the state general fund provides financial aid through the scholarship function of the UCCSN budget. While the state contribution for financial aid will likely remain at \$13,141,570 from FY 2004 through FY 2007, student-funded financial aid will increase over the same time period.

Regent Kirkpatrick observed that those increases would not equal what is lost from the Estate Tax fund. Chancellor Nichols did not anticipate UCCSN would lose the money in the Estate Tax. The state assumed the responsibility for that \$9 million.

Regent Sisolak asked about the cost incurred for taking 12 credits for each of the last 10 years at the community colleges and at one of the universities. Chancellor Nichols referred to the actual registration costs reviewed earlier in the presentation. She noted that these mandatory costs did not include lab and/or dormitory fees. Regent Sisolak said to omit laboratory and dormitory fees, adding that he wanted a 10-year historical perspective with projections extended to 2007-08. Chancellor Nichols said that she could only provide projections to 2006-07. Regent Sisolak said to include the new fees at UNLV and UNR. He also asked how many tuition waivers were in effect (full-time teachers not paying for classes). Chancellor Nichols said that she could provide that data at a later date. Regent Sisolak asked whether the teachers' children would be considered out-of-state. Chancellor Nichols established that Regent Sisolak was referring to waiver of the non-residency portion. She said that it might be difficult to determine, but she would try. She related that all school teachers are considered residents for tuition purposes. She offered to provide the number of fee waivers for special categories. Regent Sisolak asked her to report the number of in-state and out-of-state teachers. Chancellor Nichols said that in-state teachers' children were only extended to teachers and not to their offspring. Chancellor Nichols replied that the teacher and their immediate family members were provided in-state rates.

Regent Derby felt the Board should realize that Nevada was part of a disturbing national trend of states diminishing their support for higher education. She felt there were serious socioeconomic consequences, further justifying the necessity of need-based aid. She noted that Nevada is demographically different from other states and that the Millennium Scholarship made a distinct difference in enrollments. She felt that access is cut off as tuition increases and that the Board must continue to pay attention to financial aid.

Regent Rosenberg asked how much of the increase was dedicated to need-based financial aid. Chancellor Nichols replied that the policy stipulated that 50% of the increase would go towards need-based financial aid. The Board will address that when it approves the distribution of fees at a future meeting.

Regent Kirkpatrick established that 50% of the increase would be dedicated to student aid (90% need-based and 10% merit-based).

Regent ...

No fee change was reco

number of special fees for services that are optional and are not required of all students. Many of the fees listed in Chapter 17 are assessed at a single campus to individual students for the actual costs of using a specific service. Currently, Board policy states that the "Board of Regents shall establish tuition rates for students who are not residents of Nevada, and registration and other fees to be assessed all students (emphasis added)." The request would reserve the listings in Chapter 17 for the

Title IV, Chapter 3, New Section 3 – Evaluations.

Chancellor Nichols reviewed the proposed changes presented in bold in the reference material (Ref. EE on file in the Board office). She said the faculty was seeking consistent policies regarding tenure.

Regent Bandera moved approval of the Handbook revision concerning Code and policy amendments. Regent Kirkpatrick seconded.

Chair Anthony established that the Faculty Senate Chairs did not object to the proposed changes. No objections noted.

President Lilley asked whether the same rating criteria would apply to annual evaluations (i.e., the use of plus/minus). Chancellor Nichols replied that the change established the standards, adding that pluses and minuses would not be used. General Counsel Ray affirmed that the Code language was quite specific and that no other rating terminology should be used.

Dr. Larson said the proposal represented 3 years of very difficult work. She noted that three different faculty senates had voted on the issue. She commended the Chancellor for her efforts in working with them, adding that she had been patient, fair, and honest. She said the faculty senate would appreciate the Board's approval.

President Wells stated that DRI used a category indicating "needs improvement". He asked whether they should remove that from their evaluations. Chancellor Nichols replied that they should. She said they considered the use of "needs improvement", adding that it was never included in the Handbook. She said the matter could be reviewed after the meeting if this created problems for DRI. General Counsel Ray clarified that President Wells was referring to DRI's personnel evaluations and not to tenure. He explained that the evaluation process was separate from the Code and tenure process under discussion. President Wells said that "needs improvement" held a specific meaning at DRI regarding continued employment. Chancellor Nichols said that the Handbook revision extended the ratings to the annual evaluations as well. Chancellor Nichols said the matter had not been discussed before. She said the matter would be reviewed and that if a change were necessary a proposal would be brought forward at a future meeting. She encouraged Board approval of the recommendation, adding that she would address the DRI situation.

Regent Rosenberg observed the Board was talking about tenure, adding that the annual evaluations would be considered during the tenure process. He suggested that the evaluation rating structure should match the tenure structure. He felt that using pluses and minuses would confuse the situation substantially. He noted that evaluations were also used for merit considerations. He felt the structure should be uniformly applied. Chancellor Nichols noted that the reference material (Ref. EE, page 22 of 22 on file in the Board office) established the ratings to be used (Excellent, Commendable, Satisfactory, Unsatisfactory). She said that the changes also addressed the issue of a mid-tenure review, which was very important to the faculty senate chairs.

President Lilley stated that page 22 clarified that the annual evaluations were included, which would require a change in procedures. He agreed with using consistent ratings for annual evaluations and tenure considerations. Chancellor Nichols said they would address the matter. She recalled that UCCSN requires post-tenure review, which was also an issue in terms of consistency.

Chancellor Nichols noted that faculty were requesting the ability to submit a written rejoinder and/or a peer evaluation if a faculty member disagreed with a supervisor's evaluation.

Regent Seastrand observed the use of four rating categories (Excellent, Commendable, Satisfactory, Unsatisfactory) suggesting a link with a grade scale (A, B, C, F). He suggested they were missing a level between "D" and "F" that could possibly be filled by "needs improvement". He said there were three positives and one negative. President Lilley stated that only two were considered positive. Regent Seastrand felt that an additional category could be useful at times.

Regent Sisolak noted a specific reference on page 6 stating that "no other rating terminology shall be used", which precluded the use of a plus or minus symbol. He suggested adding the same phrase to the sentence on page 22. General Counsel Ray said the Board could choose to do so. Regent Seastrand thought that flexibility should be provided for the use of pluses and minuses. All of the faculty senate chairs replied no.

Regent Sisolak asked whether that constituted a substantive change. Chair Anthony said that while Regent Seastrand made a good point he felt that evaluations were not using pluses and minuses. Regent Sisolak asked whether the sentence could be added. General Counsel Ray replied that it could be added.

Regent Sisolak offered a friendly amendment to include the phrase "no other rating terminology shall be used" to Ref. EE, Page 22 of 22, Section 3.2.

Regent Bandera said she needed to ask a clarifying question prior to agreeing to the amendment. She asked President Wells to repeat his concern. President Wells apologized, adding that he thought the change only applied to tenured faculty. He

expressed concern for the removal of a category indicating there were performance problems requiring improvement that DRI has used for many years. He said it presented a real problem for DRI's evaluation system.

Dr. Larson said the faculty received quite a bit of input from DRI during their discussions and they understood that this was one of their categories. The rest of the faculty senate chairs did not want that category in their rating systems. She felt it would be acceptable to include language allowing a waiver for DRI. She said the other faculty senate chairs felt it would not help them in their rating systems.

Regent Bandera asked whether everyone could accept a motion approving the chaÂ mte