

BOARD OF REGENTS
UNIVERSITY AND COMMUNITY COLLEGE SYSTEM OF NEVADA
Rotunda, Third Floor
Frank H. Rogers Science & Technology Building
Desert Research Institute
755 East Flamingo Road, Las Vegas
Thursday-Friday, March 18-19, 2004

Members Present:

Dr. Stavros Anthony, Chair
Mr. Mark Alden
Ms. Marcia Bandera
Dr. Jill Derby
Mrs. Thalia Dondero
Mr. Douglas Roman Hill
Mrs. Linda Howard
Dr. Tom Kirkpatrick
Mr. Howard Rosenberg
Dr. Jack Lund Schofield
Mr. Douglas Seastrand
Mr. Steve Sisolak
Mr. Bret Whipple

Others Present:

Chancellor Jane Nichols
Vice Chancellor, Finance & Administration Buster Neel
Vice Chancellor, Academic & Student Affairs Richard Curry
General Counsel Tom Ray
Interim President Paul Gianini Jr., 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 Ms. Mitzi Ware, CCSN Dr. Alan Gertler, DRI Dr. Frank Daniels, GBC Dr. Erika Beck, NSC Ms. Bridgett Boulton, TMCC Dr. John Readence, UNLV Dr. Trudy Larson, UNR and Mr. John Tully, System Administration. Student government leaders present included Ms. Evelyn Flores, CCSN Mr. Steve Houk, GBC Ms. Janell Mihelic, NSC Mr. Teddy Noda, TMCC Ms. Monica Moradkhan, UNLV Mr. Chul Hwan Yim, UNR Ms. Jessica Muehlberg, UNR-GSA, and Mr. Billy Jennings, WNCC.

Chair Stavros Anthony called the meeting to order at 12:32 p.m. on Thursday, March 18, 2004 with all members present except Regent Hill.

The Reverend Dr. Lloyd Gary Rupp offered the invocation.

Regent Hill entered the meeting.

1. Introductions – Chair Anthony thanked Mr. Michael Montoya, Mr. Greg Hampton and Mr. Ian Miller from CCSN's Communication Services for their assistance with the audio/visual requirements.

Chair Anthony then introduced Mr. Harry "Buster" Neel, System Administration's new Vice Chancellor for Finance & Administration. He also thanked the outgoing Faculty Senate Chairs for their service.

President Harter introduced UNLV's Faculty Senate Chair-Elect, Dr. Jane McCarthy.

President Romesburg introduced NSC's Faculty Senate Chair-Elect, Dr. Ed Baldwin, and thanked Dr. Erika Beck for her service.

President Wells introduced DRI's Faculty Senate Chair-Elect, Dr. Vic Etyemezian, and thanked Dr. Alan Gertler for his service.

President Lilley introduced UNR's Faculty Senate Chair-Elect, Dr. Leah Wilds, and thanked Dr. Trudy Larson for her service. President Lilley also introduced Ms. Cindy Pollard, Vice President, Marketing & Communications-UNR, and Dr. Fred Holman, Vice Provost, Extended Studies-UNR. Dr. Holman will be responsible for the Fire Science Academy.

Ms. Ann Johnson introduced herself as CCSN's Faculty Senate Chair-Elect.

Dr. Curry introduced Ms. Carla Williams, Sponsored Projects Director/Deputy Director Nevada EPSCoR-System Administration, and Mr. Courtney White, Research Analyst-System Administration.

President Harter reported that Ms. Monica Moradkhan was attending her last meeting as UNLV's Student Body President. A student delegation from UNLV's Hotel Administration College will participate in the 19th annual International Tourism Students' Conference in Finland in May. UNLV is the only American-based university represented at the conference.

Chair Anthony recognized State Senator Randolph Townsend.

2. Chair's Report - Board Chair Stavros Anthony thanked President Wells for hosting the Board meeting. He then discussed the importance of research within the UCCSN and its positive impact on the state economy. UNLV continues to play a significant role with the Department of Energy in research projects that explore alternative sources of fuel and energy.

professor of biology at UNR, and graduate student, Ms. Gracie Andrews, are conducting pioneering research on brain development and uncovering potential methods for enabling spinal cord cells to regenerate. DRI is conducting an on-going investigation into changing environmental conditions occurring throughout the Walker River Basin. The results will be useful in understanding and modeling the conditions leading to the declining quality of lake water. TMCC, WNCC and GBC recently received the third largest congressionally-directed grant in the U.S. (\$750,000) from the U.S. Department of Education to create a pilot program responding to Nevada's nursing shortage. UCCSN also needs to ensure it is meeting the needs of its students. This month's issue of Regents' Review addresses some of the programs in place to help minority students navigate the often tricky and confusing waters of college:

- GBC recruiter, Mr. Shane Ridley-Scott, has turned to his Native American roots to encourage other Native Americans to take advantage of the opportunities education can provide.
- CCSN recently held its Cultural Diversity Scholarship*dress CC do vange: vig

- Land stewardship – DRI is currently involved in research in the Walker River Basin and is also a part of the NASA space grant consortium.
- Technology – UNR is collaborating with NSC in digital media and is planning an institute for information sciences and technology.
- Quality of life – TMCC opened a new theater in town, higher education is involved in the Reno Jazz Festival and UNR offers a program in orchestral studies.

Provost Frederick reported that among ongoing working efforts required, he said the institutions must continue to cooperate and plan together. A meeting is required for developing new cooperative programs and activities that ensure the efficient use of resources in the service of Nevada.

Regent Bandera asked whether all institutions would have an equal voice regarding which programs are offered. Provost Frederick responded that much of the discussion has been in the area of teacher preparation programs. A great deal of collaboration among the academic vice presidents, equally weighted amongst the institutions, when a societal need has been identified. Two-year degree programs fall within the service areas of the community colleges. Should a need exist in a service area and the community college serving that area does not wish to offer it, discussion would ensue regarding how to best offer the program at another community college. UNR has first opportunity to offer four-year degree programs in the northern region. If UNR elects not to offer a program, NSC would be afforded an opportunity. There is no voting in the planning sessions but rather open discussion about how to best provide the programs.

Regent Bandera asked about the lead time referred to in the reference's discussion of timing for planning and marketing. Provost Frederick replied that the group agreed to be sensitive to the lead time required to market a new program, particularly in underserved rural areas. When WNCC and NSC were collaborating on teacher preparation courses, UNR was not completing its planning timely enough for them to market the courses. Regent Bandera asked how

GBC – (Ref. C-3b on file in the Board office)

Dr. E. Jay Larson
Mr. Bob Robertson

TMCC – (Ref. C-3c on file in the Board office)

Ms. Susan Jimenez-Anderson Mr. Steve Bale
Ms. Karen Cannan Dr. Brian Fletcher
Ms. DeeAnn Jaeger Ms. Cindy Mortensen
Ms. Julie Stage

UNR – (Ref. C-3d on file in the Board office)

Dr. Wolfgang Bein Dr. David Beisecker
Mr. William Bernatis Dr. Pradip Bhowmik
Dr. Gregory Brown Dr. Timothy Bungum
Dr. Brenda Buck Dr. Maria Casas
Dr. Patti Chance Dr. J. Kelly Coker
Dr. Andrew Cornelius Dr. Bradley Donohue
Dr. David Feinberg Dr. Bin Gu
Ms. Megan Hensley Dr. Jean Henry
Dr. Robert Hirsch Dr. Hong Lu
Dr. Michael Marcozzi Dr. Kelly Mays
Dr. Iain McGaw Dr. Michael Mejza
Dr. Gail Munde Dr. Alexander Nill
Ms. Terrill Pollman Dr. Philip Rusche
Dr. Sterling Saddler Mr. Sean Saxon
Dr. Sherry Seaman Dr. Sherry Seaman
Ms. Eya Beisecker

University of Nevada Cooperative Extension in Clark County. The request for approval to construct a building on this site will be forthcoming at a future Regents' meeting (Ref. C-16 on file in the Board office).

(17) Approved-Letter of Support, GBC – The Board approved President Paul Killpatrick's request for the Board of Regents to send a letter in support of moving the Animal Disease Lab from the Great Basin College campus. The letter of support will be addressed to the Nevada State Department of Agriculture to assist that department in making a capital request to the State Public Works Board. There will be no cost to GBC or the UCCSN for this project. All costs will be paid by the Nevada State Department of Agriculture (Ref. C-17 on file in the Board office).

(18) Approved-Building Naming, Residence Hall, UNR – The Board approved President John M. Lilley's request for naming the new residence hall "Argenta Hall" (Ref.C-18 on file in the Board office).

Regent Alden moved approval of the

C. Regents' Scholars – Policy: Handbook, Title IV Chapter 1,
Section 14 (Ref. D on file in the Board office)

Mr. Lorenzo Nichols, II, UNLV Undergraduate
Ms. Jocelina Santos, UNLV Graduate
Ms. Jennifer Handog, UNR Undergraduate
Ms. Amy Carter, UNR Graduate
Ms. Evelyn Flores, Je

4. Improve the physical environment for students.
5. Establish a flexible planning framework.

Mr. Troost related that an open and interactive planning process was employed to facilitate dialog on the issues and to build consensus on the recommendations. Nearly forty venues were held with the Campus Advisory Committee, Community Concerns Committee, Presidents' Cabinet, public open houses, and countless special sessions with university staff and special interest groups. A website has also been maintained to share information and enable dialog on the issues.

Planning Principles:

1. Strategically develop mit

being initiated for the UNLV Technology & Research campus to understand its ability to service the growing research and academic agenda.

Regent Dondero asked whether existing infrastructure had been considered (i.e., sewer and water). Mr. Troost replied it had, adding that Mr. Hagge's department was keenly aware of the requirements. He explained that this master plan had emphasized the infrastructure. Future modeling of the campus is being conducted to determine specific projects and growth thresholds to provide an idea of what needs to be upgraded.

Regent Sisolak asked whether 4-story buildings could be built near the Thomas & Mack Center. Mr. Troost replied there had been good discussion regarding building heights. The plan provides the flexibility to do a number of things. Regent Sisolak doubted that the Airport Authority would allow 40-foot buildings at the location depicted. Mr. Troost replied that the consultants had studied the airport landing three dimensional cone and found the height to be within acceptable limitations. He said that noise mitigation was a greater concern. Regent Sisolak observed that the location was in the direct landing pattern. Mr. Troost stated that it was not within the runway protection zone, adding that McCarran International Airport had participated on the Community Concerns Committee. He said the plans were well within the height restriction limits. Regent Sisolak thought that county ordinances would prohibit such development and suggested they pursue such an agreement while they could. Mr. Troost said the AmeriSuites building was located even closer to the airport and was a taller building. He assured Regent Sisolak they had obtained maps from the airport identifying the vertical and horizontal alignment of the runway zones and the plans were well within the limits. Regent Sisolak asked whether they had checked with the FAA. Mr. Troost replied they had not. Regent Sisolak suggested that it might be a good idea to do so.

Regent Sisolak asked how many parking spaces would be required for an additional 3.6 million gsf. Mr. Troost replied they studied campus utilization to determine the peak times of utilization. Approximately 12,890 parking spaces will be provided for a projected demand of 12,500 (based on 35,000 students, 2,600 resident students, 3,200 faculty). They will embark on a more detailed study of the parking system to ensure accuracy. Regent Sisolak asked about auxiliary use at the old Paradise School. Mr. Troost replied that it was undesirable to locate academics across Tropicana Avenue due to the high traffic volume. That property could be used for facilities services and storage yards that do not need to occupy primary land on-campus. He observed it would also provide space when other buildings are being upgraded. The space can be used to accommodate the university's growth.

Regent Bandera asked what comprised a "signature space". Mr. Troost replied that such space provided open space for the community and not necessarily needed for the highest quality. Bandera desired a gathering/recreating space. Signature space identifies a little higher level of quality (i.e., specialty paving, benches and amenities to support student life).

Regent Whipple asked about the location of potential acquired land. Mr. Troost replied that property was located just north of the parking garage by the Thomas & Mack Center. Regent Whipple asked how many acres were identified as potential purchases. Mr. Troost replied it comprised slightly over 100 acres over the entire perimeter. Regent Whipple expressed concern that this land may become too expensive at some point. He asked whether the university should concentrate upon contiguous property. Mr. Troost replied that the university was currently studying that. He stated that the university will continue to assess the cost of acquisitions as opportunities arise. As regional campuses are established it may alleviate the need to acquire more contiguous property. Regent Whipple asked whether the Board should be considering that. President Harter replied that the Board is currently considering that. Regent Whipple asked whether the Board should be considering that. President Harter replied that the Board is currently considering that. Regent Whipple asked whether the Board should be considering that. President Harter replied that the Board is currently considering that. Regent Whipple asked whether the Board should be considering that. President Harter replied that the Board is currently considering that.

It was determined that the reports referenced in item #3 were those currently sent to the LCB.

Motion carried as amended.

The meeting recessed at 2:59 p.m. and reconvened at 3:18 p.m. on Thursday, March 18, 2004 with all members present.

10. Approved-Handbook Revision, New Student Union, UNR – The Board approved President John M. Lilley's request for a mandatory fee to fund the costs of a new student union (Ref. G on file in the Board office).

UNR graduate student, Ms. Mary Bayer, participated via teleconference. Ms. Bayer said that \$100 million was a large debt and that a 30-year repayment was a long time period. She did not think the students were aware of the length of time required to repay the note prior to their vote.

Mr. Chul Yim, Student Body President-UNR, stated that a forum was held specifically to address this issue over 130 people participated. Students will continue to be very involved with each stage of the new student union.

Ms. Jessica Muehlberg, GSA Student Body President-UNR, thanked those who attended the forum, adding her hope that the Board would approve the new student union.

Regent Rosenberg moved approval of the Handbook revision concerning a new student union fee for UNR. Regent Bandera seconded.

Regent Kirkpatrick said he received calls from UNLV students and felt the same thoughts might apply to this matter. Individuals taking a 4-credit course must pay an additional \$69 for the additional credit. He asked whether the policy could be amended to accommodate students taking 5-undergraduate credits or less. Dr. Shannon Ellis, Vice President, Student Services-UNR, replied that various proposals were considered and that scenario could not be accommodated when keeping the fees under \$100. Regent Kirkpatrick said the students indicated they would never use the facility and they resented the additional fee.

Regent Schofield indicated his support for the motion, adding that he felt the university really needed the new facility. He felt it would help attract students. Mr. Yim replied that 72% of the students supported the project. Dr. Ellis reported the \$46 million dollar project (6.25% over 30-years) equated to a \$96 million project over the long-term. She said that UNR was very attentive to educating students about the project with many educational forums and student newspaper ads. She said it was always a concern to listen to students' concerns. The fee will not be assessed until 2006 when students will be able to use the new facility.

Regent Derby indicated her support for the facility acknowledging that it was not easy to significantly increase student fees. She understood that some students would not use the facility and that some would graduate before the facility was complete. She felt that these kinds of facilities enriched student life and that the students had performed their due diligence by conducting surveys with significant response rates. She urged Board support.

Regent Howard said she felt comfortable supporting the project and commended UNR for the manner in which they conducted the information sessions, adding that she did not like to raise fees.

Regent Rosenberger stated that all students use the bookstore, which was in desperate need of space, and many students use the food facilities. This fee provides the students with something they will see. While he also did not like raising fees, he indicated his support.

Regent Bandera complimented those involved with the professional proposal, adding her support of the project.

Regent Dondero suggested building a wall with all of the students' names on it.

Regent Hill was impressed with the articulate abilities of the students in expressing their opinions and ideas.

Motion carried.

11. Approved-Handbook Revision, Host Accounts – The Board examined the current policy on host accounts and approved proposed amendments to the Board of Regents Handbook (Title IV, Ac.I. proposals on existing t

Regent Bandera proposed a friendly amendment ensuring that all host accounts be audited annually by Internal Audit.

Mrs. Cardinal said that it would be feasible when testing a sampling of transactions instead of all transactions.

Regent Hill proposed that Internal Audit will test and sample host accounts annually.

Regent Seastrand asked what would be audited in a sample. Mrs. Cardinal replied there is a Chancellor's Memorandum governing host accounts that provides the standards.

Regents Hill and Seastrand accepted the friendly amendment.

Chancellor Nichols proposed inserting the statement as a new item #4: "The UCCSN Internal Audit department will test and sample host accounts annually."

Regent Howard asked whether it included all host accounts within the System. Board Chair Anthony replied it applied to all host accounts.

Regent Sisolak asked Regent Hill the number of host accounts being tested. Chancellor Nichols replied that it would need to be tallied.

Regent Sisolak asked whether there were several hundred, adding that it would be a major undertaking that would require more staff. Mrs. Cardinal said that the request could be accommodated. She said she would use the process as a training tool for new staff.

Motion carried.

12. Approved-Handbook Revision, General Counsel Reporting Line - At its December 2003 meeting, the Board discussed the reporting line for the UCCSN General Counsel and requested that staff bring back policy language for further consideration. The Board approved an amendment to the Board of Regents Handbook (Title IV, Chapter 2, New Section 3) (Ref. J on file in the Board office).

Chancellor Nichols presented Deputy to the Chancellor, Ms. Nancy Flagg. Ms. Flagg reported that the item had originally been requested by four Regents. Staff was directed to provide language for the January agenda. The item was deferred due to lack of time. In January 2003, a consultant recommended having the General Counsel report directly to the Board.

Regent Rosenberg asked whether references were checked prior to hiring. Chancellor Nichols replied that it varied according to the level of the position. She explained that this matter arose from a question about when a transcript is required. Mrs. Henson stated that sometimes a certified copy of the transcript is not provided prior to the interview.

Regent Howard asked about the reference to immediate termination. Mrs. Henson replied that she was reading from Section 5.10.2(c) in the reference material. Regent Howard asked whether the statement inferred that termination would definitely result from falsification of an application. Mrs. Henson replied that it did. Regent Howard established that a degree was required from an accredited institution. Mrs. Henson stated that the community colleges require a degree from an accredited institution. She said the Handbook did not make reference to an accredited institution. Regent Howard asked about the System's definition of an accredited institution and whether the institutions had a different definition from the System. Mrs. Henson replied that the System office's definition of an accredited institution held to certain guidelines originally prepared by the U.S. Secretary of Education in 1952. Federal recognition was limited by statute to those agencies whose accreditation was used for federal purposes. In 1992, an amendment to the Higher Education Act restricted federal recognition to those agencies whose accreditation was used to establish institutional eligibility for participating in Title IV. As a result, a number of well-established and legitimate accrediting agencies were excluded from federal recognition. In 1975 the Council on Postsecondary Accreditation conducted a recognition process for accrediting agencies by publishing a list of those agencies that had both institutional and programmatic accreditation. Currently, the Council on Higher Education for Accreditation publishes those institutions that are accredited. The criteria for inclusion is that they must be degree-granting and they must be an institution that is accredited at a college-level by an accrediting agency that is recognized by the Secretary of Education, or holds pre-accreditation status with an accrediting agency recognized by the Secretary of Education, or an institution that is accredited at the college-level by an accrediting agency recognized by the Council for Higher Education for Accreditation. Regent Howard asked whether the federal law superceded any state laws. Mrs. Henson replied that was the basis the System used to recognize accrediting agencies or programs. It was established that it was identical at the campus level. Regent Howard was under the impression that different institutions had different guidelines as it related to accredited degrees. She asked whether that was true and how it was done. She asked whether everyone used the same criteria. Chancellor Nichols stated that the item was being presented for information since Code changes required two appearances. She advised the Board to wait until the June meeting to make a decision. She said that a written definition for accreditation could be provided for the June meeting. Regent Howard wanted her question answered that day. Chancellor Nichols established that the question was whether the institutions used different standards for an accredited degree.

President Harter stated that UNLV's employment policy specifically requires that anyone hired in any professional position have a degree from a regionally accredited institution. The accreditations accepted are from the list approved by the Secretary of Education. Regent Howard asked how long that policy had been in place. Dr. Juanita Fain, Vice President, Administration-UNLV, replied that the policy had been in place for several years. Regent Howard asked how long the specific reference to a "regionally accredited institution" had been required. Dr. Fain replied it had been in place at least for over a year. Regent Howard wanted to know exactly when it became effective. She asked what "regionally accredited" meant. President Harter replied that it was according to the list of accrediting agencies approved by the Secretary of Education.

President Lilley believed that UNR's policy was the same as UNLV's, adding that UNR's human resources representative was not present. He explained that the regional accrediting associations were the fundamental, major accrediting associations for the entire country. Regent Howard asked how she could obtain a copy of the list. Chair Anthony said that a copy would be provided. Regent Howard established that the two universities have the same policy and that they could make their own policy institutionally. President Harter replied that they could, adding that they were now trying to make a System-wide policy. Chair Anthony suggested the information could be mailed to Regent Howard.

Regent Rosenberg asked whether the NCAA had qualifying requirements for hiring. President Romesburg replied that would vary by organization. He said there were no NCAA requirements but other professional organizations could have requirements. He was confident that every institution in Nevada required regional accreditation as defined by the federal list and COPA (Council on Postsecondary Accreditation).

16. Approved-Handbook Revision, Distribution of Student Fees, Professional Schools, UNR & UNLV – The Board approved the proposed distribution of student fees for 2005-2007 for the medical, law and dental schools. The distribution is based upon the tuition and fees approved by the Board at the January meeting (Ref. N on file in the Board office)

Regent Alden moved approval of the Handbook revision concerning the distribution of student fees for the medical, law and dental schools at UNR and UNLV. Regent Whipple seconded.

Regent Kirkpatrick asked why the general fund fee was only used once in the calculation. Chancellor Nichols replied that it was just the manner in which it was presented.

Motion carried.

Regent Hill left the meeting.

17. Approved-Handbook Revision, 2005-2007 Student Tuition & Fees – The Board approved Chancellor Jane Nichols' recommendation for student tuition and fees for 2005-2007. The Board had an initial hearing on this request at its January meeting(Ref. O on file in the Board office).

Chancellor Nichols reported this was the second hearing for 2005-2007 student tuition and fees. She reminded the Board it was the result of a process starting in September 2003 with a committee comprised of institution presidents, faculty, and students. Community college fees will increase by 3.6% (2005-06) and 3.4% (2006-07) university undergraduate fees will increase by 7.7% (2005-06) and 7.4% (2006-07) the state college and CCSN and GBC upper-division fees will increase 6.4% (2005-06) and 6.0% (2006-07) and university graduate fees will increase by 10.1% in both years of the biennium. She noted that UCCSN was still trailing the WICHE median with a 3-year lag. The proposed non-resident tuition rates are all driven by the base fee and will increase by smaller percentages in each year of the biennium. A portion of the increase will be set aside for need-based student-funded financial aid, resulting in a total of \$10,500,000 in student-funded financial aid in 2006 and \$16,300,000 in 2007. State-funded financial aid should remain the same at \$13,141,570 in each year. Nevada ranks 5th lowest in tuition and fees for 2-year colleges in the western states 2nd lowest in undergraduate 4-year institutions and the lowest for graduate tuition and fees. Chancellor Nichols reported that other states were experiencing much higher tuition increases (14%). She said they tried to keep student fees equal to approximately 20% of the state-supported operating budget.

Chancellor Nichols said that the question was asked whether raising tuition influenced students not to attend college. She felt that the lack of financial aid was more of a factor. She reported there was no correlation between increased fees and the annual percentage change in enrollment. She noted that the Board made a previous decision to incur regular reasonable tuition increases with the occasional large sporadic increases.

Regent Alden said he would oppose the tuition and fee increases due to the state resident tuition. He felt all of the other fee structures were fair. He said he wanted to keep tuition at a fair rate providing access to Nevada's students. He said his main concern was the resident undergraduate tuition at the institutions.

Regent Derby moved approval of the Handbook revision concerning 2005-2007 student tuition and fees. Regent Kirkpatrick seconded.

Regent Kirkpatrick asked why graduates of Nevada State College and Great Basin College had been omitted from the reference to Children of Alumni tuition (Ref. O. Section 10a) proposed by Chancellor Nichols. She replied that it was an oversight. She said she would propose a friendly amendment to include NSC and GBC in the Handbook language.

Regent Kirkpatrick proposed a friendly amendment to include NSC and GBC in Title IV, Chapter 17, Section 10a. The friendly amendment was approved by Regent Derby and Kirkpatrick.

Upon a roll call, Regent Derby moved approval of the Handbook revision concerning 2005-2007 student tuition and fees. Regent Kirkpatrick seconded.

Motion carried. Regent Hill was absent.

19. Approved-Handbook Revision, Salary Schedule Revision – As required by the Board of Regents Handbook, salary schedules are reviewed every four years. The Board approved Chancellor Jane Nichols' recommendation for revisions to the salary schedules under (Title IV, Chapter 3, Section 27) (Ref. Q on file in the Board office).

Chancellor Nichols reported that the salary schedule was last updated in 2000. She commended Mrs. Carla Henson and Mr. Tyler Trevor for their work in updating the schedule. The salary schedule is part of the formula for state funding. The midpoint of the faculty salary schedule becomes a driving factor of the formula.

Regent Bandera left the meeting.

Chancellor Nichols said that each institution participated on the salary committees. Peers and benchmarks were developed. DRI was included with the university salary schedule. It is difficult to establish a peer group for DRI. Chancellor Nichols reported that no one would receive a salary increase as a result of Board action that day except for community college faculty. She said that Regent Bandera asked college faculty about the salary schedule. What adjustments are made to the salary schedule it immediately affects community college faculty. Eighty percent of the medians were adjusted upward, while 20% were adjusted downward.

Regent Bandera entered the meeting.

Chancellor Nichols recommended a \$200 increase to the base (.8% increase) for all full-time professional community college faculty. The new schedule includes steps with automatic increases for evaluations of satisfactory or above. Community college faculty receive an automatic 2.5% step increase every year. Changing the base affects all faculty on the salary schedule. Peer data indicate that UCCSN community college faculty are below the median of the WICHE region and that it is difficult to recruit new faculty at that low entry point. Chancellor Nichols then reviewed the salary schedules.

Regent Alden asked the chairperson if the MFA's had been addressed. Chancellor Nichols responded that she had not because they were unable to reach agreement with the faculty senates. She said the faculty senates were working on the issue to reach agreement. Regent Alden said he would oppose the motion in protest that the MFA's had not been addressed, though it had been requested for the past 7 years.

Regent Rosenberg established that the Board was approving the median salaries and that no one's salary would be cut as a result of Board action.

Regent Derby discussed part time faculty and her pleasure that salaries at the lower end of the scale had been increased. She said that no progress had been realized in spite of setting that goal for part-time faculty. She asked the Chancellor to discuss how much had been used to increase part-time faculty salaries. Chancellor Nichols replied that as a result of the formula funding received in the past session the presidents had been able to increase part-time salaries, though they had still not met the goal. Regent Derby asked what gains had been made. Chancellor Nichols reported the following increases:

- CCSN increased their pay from \$681/credit hour (Fall 2002) to \$700/credit hour (Fall 2003) and \$735/credit hour (Spring 2004) as compared to the Task Force recommendation for \$776/credit hour.
- GBC increased their pay from \$420/credit hour (Range II, Step 1 Fall 2003) to \$445/credit hour (Range II, Step 1 Spring 2004) and from \$470/credit hour (Range III, Step 1 Fall 2003) to \$495/credit hour (Range III, Step 1 Spring 2004) as compared to the Task Force recommendation for \$776/credit hour.
- NSC increased their pay from \$692/credit hour (Fall 2002) to \$725/credit hour (Fall 2003) and \$755/credit hour (Fall 2004) as compared to the Task Force recommendation for \$819/credit hour.

Regent Derby said she was pleased to see some movement because there had been none for such a long period of time. She felt they constituted modest gains and that part-time faculty were still grossly underpaid. She said that UCCSN should ~~continue to~~ she did not want the Board to lose that focus.

Regent Whipple was curious how the proposed decrease to community college presidents' salaries would impact the ongoing presidential search. Chancellor Nichols said that it would certainly have an impact on the base salary for a new president, adding that she was comfortable with maintaining the current level (\$171,866) rather than decreasing the salary. She said that would maintain a higher base salary that could be offered to the community college president in the current search. Regent Whipple suggested that it would be appropriate to hire the incoming president at a level consistent with the other community college presidents. He asked for clarification of the motion.

The motion was clarified: Regent Kirkpatrick moved approval of the Handbook revision concerning salary schedule revisions with the exception of the decrease to Grade 2 hires, which would ~~mmmmmm~~ háhhhhhhhhhh³/₄w cáh³/₄asns with^h

Regent Howard commended UNR for having a diverse pool and making an historical move by hiring a woman for the position.

Regent Sis

Regent Howard asked about his record for graduating student athletes that he had recruited in past positions.

Mr. Kruger did not have a specific number, adding that the number was very good. He felt there was no reason that student athletes should not graduate. Regent Howard asked about the kind of student athletes Mr. Kruger planned to recruit at UNLV. Mr. Kruger replied that not every good player was a good fit for the university. He said he wanted people who wanted to be there, wanted to graduate and would represent the institution well in the community. Regent Howard said that UNLV has a low student-athlete graduation rate. Mr. Kruger replied that the present group was doing well by everyone's report. He hoped the Spring GPA (grade-point average) would be even higher than the Fall. He said it would require everyone's effort. Regent Howard said that a division in the community arose during the Maxson-Tarkanian era.

Regent Sisolak noted a point of order. Chair Anthony asked Regent Howard not to mention any specific names.

Regent Howard asked about Mr. Kruger's plans to bridge the gap with the community. Mr. Kruger replied that it was important to recognize Jerry Tarkanian's success, adding that he wanted him to be welcome on campus and at practice. He said that Mr. Tarkanian was recognized by coaches everywhere as an outstanding coach. He felt that Mr. Charlie Spoonhour had made this a very appealing job. He explained they would continue what he had started. He related they would use Coach Tarkanian's standard as a goal. He felt it was a matter of communicating wáeryoy spe speind wasHe

of \$175

Regent Sisolak saá

expansion would not be initiated until/unless the program achieves accreditation and realizes sufficient revenues. President Harter clarified that all of those dollars flow into Board of Regents' accounts to pay program expenses. She said the Foundation would hold the funds for university use and that the Board was in control of the expenditures.

Regent Kirkpatrick asked about the cost of the facility and the length of time required for repayment. Mr. John Gallagher, Vice President, Development-UNLV, replied that the financial model was based on building a 50,000-sq. ft facility, with approximately 14,000-sq. ft. initially built out, at a cost of \$17,500,000 over 30 years. Debt service over the 30-year period is approximately \$1,550,000/year. Once the clinic is operational, the program's net revenues will be sufficient to service the debt.

Regent Kirkpatrick requested an explanation of the admissions process. Provost Alden replied that UNLV expects that OEC will be marketing and seeking highly qualified candidates, who will be asked to apply to UNLV's program. The UNLV faculty admissions committee will not know which applicants are OEC participants until after the pool of qualified applicants is selected. At that point, OEC will obtain letters of commitment from a certain number of applicants. Faculty will then identify which applicants will be considered for the program. He said there was no obligation to fill any or all of the 8 OEC-sponsored seats, adding that the program would be self-supporting. He felt that OEC would likely increase its recruitment efforts if those seats were not filled. Regent Kirkpatrick asked about ranking the applicants. Provost Alden said that UNLV would look at pools of people who would be selected as a cohort and they would not be ranked. Eight individuals will be selected for the program, as well as a pool of alternates. None of those applicants will be ranked. Provost Alden acknowledged there was a perception that everyone in the qualified pool would be ranked, which was not the case. He explained that the admissions committee would work with cohorts (i.e., entering class, alternates, or outside either cohort). Regent Kirkpatrick asked how many applicants would be admitted. Provost Alden replied that, initially, they would admit 16 residents, adding that it might increase to 20. He expected the entering class to be comprised of between 16 and 20 residents, 8 of whom will be OEC participants. Regent Kirkpatrick asked about the outcome if all sixteen applicants selected declined OEC's offer. Provost Alden replied that if the faculty admissions committee was presented with a list they considered to be under-qualified, in whole or in part, there was no obligation to select any or all of OEC's people. Regent Kirkpatrick asked whether the admissions faculty would know which candidates were OEC participants. Provost Alden replied they would only know that once the qualified pool had been selected. He related that subjective criteria (i.e., in-state, out-of-state, minority, community service) would be employed only after the objective decisions (i.e., GPA, class-ranking) had been cleared. He noted that when preference was given to in-state students, it disadvantaged other more qualified students. He observed that the state would not be paying for this program, but rather that the OEC partnership would. President Harter clarified that the first round of elimination was blind. Provost Alden said that all applicants in the pool are qualified and that no one would know who had been recruited by OEC until after the qualified pool was selected.

Regent Rosenberg asked whether it was conceivable that OEC might not have a candidate in the class. Provost Alden replied that it was, though it would not make good business sense for OEC to recruit people who do not meet the criteria. Theoretically, OEC's recruits could be eliminated before they were identified.

Regent Sisolak noted a point of clarification, asking about the criteria. Provost Alden replied that the School of Dental Medicine faculty would set the criteria (i.e., GPA, national board scores, class-ranking, licensed practicing dentists from ADA accredited schools). Regent Sisolak asked whether applicants would know the qualifications when they applied. Provost Alden replied that they would. Regent Sisolak observed that whomever OEC may have encouraged to apply would meet the minimum requirements. Provost Alden replied that it would make good business sense to do so.

Regent Whipple asked where Nevada students could currently attend orthodontic schools. Dr. Patrick Ferrillo, Dean, School of Dental Medicine-UNLV, replied that California was nearest. He noted they would have to compete as out-of-state students and/or pay higher tuition. Regent Whipple said it was an uphill battle for Nevada's students. Provost Alden replied that out-of-state students were at a disadvantage in such a tight pool, especially with 20% of the seats going to foreign-trained dentists and 60% going to legacy applicants. Regent Whipple asked how far away UNLV was from developing such a program if OEC had not proposed this offer. Provost Alden replied that it was unlikely that it would occur as a state-funded venture. He said the program required a significant start-up cost, but would then generate sufficient funds to become self-supporting.

Regent Whipple asked Mr. Christiansen if there was a "catch". Mr. Christiansen replied that Mr. Barth (U.S. Department of Education) had supervised the investigation and had indicated that the orthodontists who initiated the complaint were actually at fault. He said the Jacksonville University joint venture was completely above-board. Regent Whipple asked whether Mr. Barth was familiar with OEC's procedure. Mr. Christiansen replied that he was, adding that Mr. Barth is the Director of the U.S. Department of Education Accreditation and State Liaison. He clarified that the complaint was initiated by the local orthodontists who felt that OEC at Jacksonville was not working in compliance with the governing codes for orthodontists. He clarified that Mr. Barth felt the orthodontists were trying to undermine the program via underhanded methods. Regent Whipple asked whether Mr. Barth had expressed any other concerns regarding OEC's process. Mr. Christiansen replied he had not.

Regent Seastrand asked Provost Alden to discuss the clinical revenue of \$2,050,000. Provost Alden replied that the figure assumed that every resident in the program sees at least 50 cases, charging half of what a practicing orthodontist normally charges (i.e., 32 practicing residents each seeing 50 new cases). He felt it was a very conservative number since many

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Provost Alden suspected that OEC would not object to such language. Mr. Christiansen said that OEC tried to address that concern and they did not object to even more specific terms. Regent Hill esu...

student would pay. Provost Alden replied that it would depend upon at what point in the process they left. He said the agreement identified the cost for exiting the agreement at specific points. He said the contract would be between the individual and OEC and that UNLV expected they would retain their own lawyers to advise them. He said that UNLV asked Mr. Christiansen to look for hidden clauses/fine print for UNLV's protection. Mr. Christiansen said that OEC's attorney would provide the unredacted contract to Regent Hill. Regent Rosenberg asked whether General Counsel had seen the contract. General Counsel Ray replied he had not. Regent Rosenberg felt the contract needed to be open and unredacted. He said he had a problem with the "lost business opportunity," which he felt was open to interpretation. He did not object to repaying the stipend, the tuition, or what had been invested in the student. Provost Alden stated that was fully itemized in the agreement. The contracts are redacted because OEC considers this business model proprietary.

He said the requirements were fully stipulated in the contract that the individual and their attorney could review. He said there were no hidden charges or costs. OEC is unwilling to release the information for fear that others could recreate the same business model.

Regent Rosenberg asked about the consequences if OEC stopped operations. Provost Alden replied that UNLV would continue with Phase I. The clinic revenues, tuition and endowment income will pay for a reduced program and Phase II programs will not be initiated. UNLV has prepared an extraordinarily conservative business model as compared with other states that are far more heavily invested. He said that the program would not be expanded until the endowment income and net revenues indicated it was appropriate to do so. Regent Rosenberg asked whether any of OEC's contractees (sic) would be obligated to practice in Nevada. Provost Alden replied that two practicing dentists now in the Jacksonville program were scheduled to return to Las Vegas. Regent Rosenberg asked whether UCCSN would be liable for an equal opportunity suit because someone was admitted to the program while someone else was not. General Counsel Ray replied they would not. Provost Alden stated that UNLV faculty would review both pools. Discriminators providing diversity to a program are legal under the Michigan rule. Regent Rosenberg requested that an unredacted copy of the contract be provided to Regent Hill and General Counsel Ray.

Regent Dondero did not understand the reference to a confidential clause since this was a public body. Provost Alden replied that Regent Hill had been referring to the contract between OEC and the individual dentist. Those details cannot be made public because it is part of their business model. If a non-disclosure statement is signed, OEC would likely be willing to provide a copy of the unredacted contract, so long as the details are not made public. Regent Dondero requested feedback from General Counsel. General Counsel Ray said that, under the Public Records Law, a public body can agree to keep proprietary information confidential, adding the Board could agree to keep it confidential. Mr. Christiansen clarified that the redacted contract involved OEC and the dentists, and not the university.

The meeting recessed at 10:24 a.m. and reconvened at 10:44 a.m. with all members present except Regents Schofield and Seastrand.

Mr. James Wadhams, Attorney, Wadhams & Adridge, has represented organized dentistry since 1982.

Regent Seastrand entered the meeting.

During this time, Mr. Wadhams has participated in discussions in every session of the legislature, where the struggle over adequate funding of the public need was a primary issue. Mr. Wadhams said he understood the Board's concern for finding adequate funding for programs that are a commitment of the state. He clarified that the Nevada Dental Association and Nevada's orthodontists were not opposed to an orthodontic residency program or to the dental school. In fact, the Nevada Dental Association has publicly supported the dental school. The orthodontists support a properly funded orthodontic residency. He said they were appearing before the Board to discuss some of the same questions already asked, which address policy matters. He felt the question was determining the right way to get the money without compromising the integrity of the process and the commitment to public education. He noted that UNLV advertised that it, "...is committed to the principles of equal opportunity for all applicants for admissions." He advised caution in defining "gift". He felt that a "gift" was something given without strings and for no consideration. The Board has received many gifts. He felt that gifts with dedicated utilization were different from "strings" on admission. He said he was not referring to the qualifications for being an applicant, but rather to admission per se. He felt the fundamental problem was not an exclusive control issue, but rather a shared control/partnership. He felt that public entities have to be very careful about public-private partnerships. He said that he was concerned about NRS 396 and the rules that apply here to the equality of admission. He said he was also sensitive to the original case on diversity admissions and professional schools in California. He asked the Board to carefully consider the distinguishing criteria for the ultimate admission into this program. He suggested that it was possible the MOU was written so that the one distinguishing factor is not underrepresented minorities or ethnic diversity but, rather, the long-term employment agreement.

Regent Schofield entered the meeting.

Mr. Wadhams advised the Board to be careful about long-term debt. He suggested the Board exercise careful consideration and to look for the payback and whether a "string" was attached to the provision of these funds. He said the original contribution is predicated upon program accreditation and includes a payback clause (contingent liability). He observed the

lost for the dental school. Dr. Brooks said that a few dentists in the community were determined to try to make the dental school a part of their daily lives. They do not view it as competition to the dentists or the orthodontists. He said these practices would flourish even if the dental school flooded the area with graduates. He said the dental school provided him with a great opportunity to have someone eventually take over his own practice. He said the dental community opposed the program because they have questions about how the program came into existence. He said that his remarks comprised a general sampling of his constituents in the dental community. He asked the Board to carefully consider its decision.

Dr. Cree Hamilton, DD

He acknowledged that such a procedure could potentially yield a class of 16 non-OEC residents or all OEC residents. UNLV would not receive the additional \$30,000 if there were no or only limited OEC participants. The business plan presented by Provost Alden clearly showed the program could move forward in Phase I with receipt of the initial gift. He said the option to continue with Phase II would still be provided if there were OEC recipients each year.

Regent Dondero asked whether it was possible to work with the local dentists or with the statewide dental association. Dean Ferrillo agreed, adding that he met with the State Dental Society Board of Trustees. He said that he recently spoke before the House of Delegates about the school of dental medicine and that he met with orthodontists in the community. He said he welcomed the opportunity to speak to the orthodontic community and anyone wanting to discuss this issue. He had not heard from anyone, though he intended to continue to pursue contact. He said that he believes in working with organized dentistry.

Regent Sisolak apologized to those taking the meeting minutes, adding that he was not questioning the manner in which the minutes are taken. He clarified that Regent Seastrand's suggestion started with a large pool and that sixteen people will be identified from the entire pool of applicants who will be offered residencies in the program. Dean Ferrillo clarified there would be steps in between. He said the admissions committee would review the applications and identify those who meet the established criteria. That process determines those who will be interviewed. Then the final decision is made.

Regent Sisolak asked whether OEC would approach the residents after the 16 slots had been allocated. Dean Ferrillo replied that OEC might have already contacted some of the applicants in the large pool, but UNLV would not know that. Regent Sisolak said that those students would not be "guaranteed" any slots in the program. Dean Ferrillo agreed, adding that UNLV would admit eight. He noted that under this arrangement, Nevada residents could be left out of the process. Regent Sisolak said that when the 16 individuals were identified (who would be offered slots in the residency program) that OEC could approach those individuals. He asked whether all 16 applicants could decline the offer. Dean Ferrillo replied that they could, adding that OEC could make 8 applicants. Regent Sisolak asked whether OEC was still willing to make the \$3.5 million gift if the first 16 applicants declined. Dean Ferrillo replied that was his understanding. Regent Sisolak said it had changed from his previous understanding. Dean Ferrillo replied that it had not changed. The only change was to the selection process. He said that the selection process would be changed to include the top 16 applicants. Regent Sisolak said that the selection process stipulates that 8 slots would be available for OEC fellows. Regent Sisolak asked whether the slots would be offered to the top 16 applicants. Dean Ferrillo said that, based on the criteria set by the faculty, there would be more than 16 because the first 16 would not necessarily accept UNLV. UNLV would identify those selected by the faculty as being the top people in the pool. Regent Sisolak asked if UNLV would identify in by idomore the i nfahen, is An Felo re Ma said thk apl skeeld bol

the number of available slots. He said they may identify 50 people, with the hope of getting 16 acceptances. OEC would then be able to contact those 50 people identified as the best by the faculty under their criteria.

Regent Kirkpatrick asked how a government agency could reveal private, personal information to a profit-making corporation without the individual's permission. He asked whether the individuals would be informed that the information would be shared with OEC. General Counsel Ray replied that it was a FERPA issue. If it is necessary for OEC to have academic information there would need to be some kind of consent from the student. Regent Kirkpatrick asked whether the student would know upfront that OEC may be interested in them. General Counsel Ray replied that if that information was necessary, that would have to be part of the packet. Regent Kirkpatrick said he had received many letters from people opposed to this program. He did not want to vote on the matter until he could see the revised contract.

Regent Rosenberg said there would be 16 slots. UNLV would recruit students. There could be 50 applicants. They will all be ranked by a committee strictly on the basis of UNLV's dental school criteria. Provost Alden agreed. Sixteen people will be admitted. No one on the admissions committee will know whether they have been contacted by anyone until after they have been admitted. Provost Alden agreed that was true during the selection process. Regent Rosenberg said that then OEC may have spoken to two or three applicants. UNLV is obligated to keep 8 slots open for OEC. It is all right if there are less than 8 OEC candidates. No one knows anything until after the best and brightest have been admitted. Provost Alden agreed, adding that use of that model could keep Nevadans out because there are usually more out-of-state applicants. Regent Rosenberg said the models were purposely set up so UNLV would never have to rely upon the income stream from the program. Regent Kirkpatrick said the models were purposely set up so UNLV would never have to rely upon the income stream from the program. Regent Kirkpatrick said the models were purposely set up so UNLV would never have to rely upon the income stream from the program.

Regent Alden said he would not approve the request unless three conditions were met: 1) There must be full disclosure to the student regarding the financial obligations at any point they decide to leave the program and they are well aware they are going to pay back the debt with work time 2) If accreditation is removed there is no payback of funds given to UNLV and no interest 3) No automatic renewal, they must return to the Board for approval of renewal.

Regent Seastrand called the question.

Chair Anthony clarified the motion was to bring the MOU back with the suggested changes. The final decision will be made at the next meeting.

Regent Seastrand explained that a blind selection meant that UNLV would not consider whether or not the student was contracted to OEC as part of the selection criteria. President Harter agreed.

Regent Schofield said he wanted to vote for an orthodontics school in the worst way. He said he had heard things that had confused him. He now understands that the orthodontic associations are totally against this statewide. He said they had not been provided an opportunity to offer an alternative presentation. He was puzzled by that and said he would pass until he could review other alternatives.

Regent Bandera stated that she had been contacted by a representative of the associations opposing this in October. She requested an alternative to this proposal. She was again contacted in February and she again requested an alternative. She said that she also requested an alternative a week ago. No response was ever received.

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

President Harter requested a special meeting to consider this, issue adding that a decision in June would be too late. She related there are 11 other institutions waiting for this program. Chair Anthony agreed to consider the request.

25. Approved-Handbook Revision, Residency Accommodations - At its January 2004 meeting, the Board took action to amend its residency regulations to comply with the Nevada Revised Statutes, and accommodations were provided for qualifying students who matriculated as non-residents during the 2003-2004 academic year. The Chancellor provided an update on implementation of 2003-04 accommodations. The Board approved a Handbook revision (Title IV, Chapter 15, Section 4) to formally bring the residency regulations into compliance with the state statutes. Staff was further requested to research the legal status of providing accommodations to qualifying students who matriculated between Fall 1995 and Fall 2003. The Board was presented with options, costs, and other actions that may need to be taken, including but not limited to possible use of discretionary funds, investment funds, stale claims process, tort claims fund, statutory contingency funds and/or legislative appropriations for the payment of refunds. Other matters to be discussed included whether a statute of limitations should be applied to claims for refunds the ability to waive any applicable statute of limitations to what extent interest should be allowed on refunds and whether students should be given the option of receiving financial credit at System institutions (Ref. U on file in the Board office).

Chancellor Nichols provided a recap of the events leading up to this point.

- The Board directed the institutions to begin issuing tuition refunds to eligible students and directed staff to return in March with information on the statute of limitations and fiscal options for providing accommodations to students who matriculated between 1995 and Fall 2003.
- To date, there has been no opinion from the Attorney General however, the Legislative Counsel Bureau did provide an opinion.
- LCB determined that "matriculation" is defined, with certain limited exceptions, as when a newly enrolled student begins his/her first day of instruction at an institution.
- In LCB's opinion, the 3-year statute of limitations for refunds could be imposed under varying theories and would not begin to run until January 2004.
- LCB could find no legal precedent precluding the Board of Regents from voluntarily refunding tuition that was incorrectly assessed back to 1995.
- Regarding the Board's fiduciary responsibility and whether the Board is bound to limiting refunds, LCB noted that the Board must balance its responsibility to the state of Nevada with its responsibility to act in the best interests of students, including current students. LCB finds that it is at least arguable that the Board's fiduciary duty is not necessarily to insure that the System's coffers stay as full as possible, but also to stand as an example of fair play and obedience to the laws of this state. Under this premise, a person might reasonably assert that for the purpose of upholding the law and setting a good example the Board should voluntarily refund tuition. LCB noted that it is also clearly a duty of the Board to chart a course of fiscal responsibility and to ensure that the System remains financially viable.

- of the likelihood of success in a court action if the court did not go back to 1995.
- financial burden than issuing the refunds.
- considered broadly are owed not just to the System, but to the electorate of the state as
- weigh several considerations in determining whether the refunding of tuition is
- perceptions of fairness and the likelihood that aggrieved students would prevail in lawsuits
- prohibiting the issuance of credit for tuition/registration fees in lieu of cash reimbursements.

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Chan... ed that credits or vouchers are not feasible within the current accounting and student information
system... ns view them as a greater burden than the gain that could be made from the use of credits or
vouch... ns include consideration of refunds to 3rd party payers (i.e., employers, federal government). She
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Chap... will receive refunds after they satisfy all standing obligations to the institution.
Chap... refunds issued to date:

- CCSN – 41 applicants: 18 approved 14 pending 4 incomplete 5 denied due to ineligibility.
- GBC – 3 applicants: 3 approved. SC – v applicants: 3 approved, 3 denied
-

Regent Rosenberg observed that UNLV's Greenspun College of Urban Affairs building has \$12 million in-hand. If they do not get what they need they will lose the gift. He agreed it would be wonderful for each institution to have at least part of the money in-hand when making their requests.

Regent Sisolak suggested ordering the NSC and CCSN-Pahrump projects as priorities #4a and #4b.

Regent Rosenberg observed that the problem with raising money was that the System was drawing from a relatively small pool of donors who are repeatedly approached. Each campus must prioritize who will be approached for which project. He observed that put many at a supreme disadvantage. He firmly believed the Board should pay attention and move projects up in priority when having someone willing to donate a great deal of money in return for building the facility while they are still alive.

Regent Dondero felt it was important to consider the need, school population, and how to provide seats for the students. She agreed that Pahrump has a growing population and needed the building. She observed that CCSN and UNLV were also in desperate need for more room. She felt the Board should consider where the greatest number of students are when determining these priorities. She wondered what was necessary to complete the UNR library project, adding that she considers where the needs are the greatest.

Regent Howard shared Regent Dondero's concerns, feeling that the Board should look more at growth and what the needs are now and in the future. She observed that each time the Board moved an item up in priority it moved another one down. She felt the Board should be conscious of growth. She asked what priority #11 (System Health, Safety and Code compliance projects) entailed. Chancellor Nichols replied that it was outlined in the material provided. Regent Howard asked whether it included security. Chancellor Nichols replied it did not as it was already funded. Regent Howard asked why only \$0.5 million was coming from the institution(s). Chancellor Nichols replied that it was difficult to get donors for these types of projects. She said the Board was looking at whether or not the institution could set aside CIP funds or some other source of non-state funds that can be dedicated to this. She said it was not feasible for campuses to have to match funds for these types of projects. She said they would be more successful with buildings, which are much more attractive to donors. Regent Howard asked whether priority #15 (UNR-Academic Medical Center) was a Board-approved project. Chancellor Nichols replied that it had come before the Board before and had been priority #20 on the last capital list. Regent Howard asked whether the Board approved it. Chancellor Nichols replied that they had.

Regent Howard asked whether the Academic Medical Center was a UNR project and outside of the School of Medicine. President Lilley clarified that it was for the School of Medicine. Currently, UNR has leased space for the School of Medicine's Las Vegas campus. This would be permanent space for the Las Vegas campus. Chancellor Nichols clarified that it has been a UNR/UNLV project. UNLV has considered bringing over part of the dental school program to be a part of it. Regent Howard asked whether it was in conjunction with the City of Las Vegas. Chancellor Nichols replied that it was. Regent Howard asked whether it would be fully funded by the institution. Chancellor Nichols replied that it would be funded by the institution or private donors. Regent Howard asked about the use of city funds. Chancellor Nichols replied that none were committed at this time. She said it was possible that the lease payments could be re-directed to support this project. At this time there is no state capital money for this project.

Regent Alden left the meeting.

Regent Rosenberg said it was important to recognize that as the System builds they are also complying with certain state mandates (i.e., 20:1 teaching ratios). The goal cannot be attained without the necessary space. Chancellor Nichols said that the only limitation on class sizes was fire restrictions. Regent Rosenberg said that classes should be at least 15:1 in order to accomplish the kinds of things that are necessary. He said it was difficult when there were not rooms large enough to accommodate larger class sizes. He said that UNR can only accommodate 12:1 on a regular basis. Without larger spaces and additional classroom space the institutions cannot do what they need to do in order to be funded properly.

Regent Seastrand left the meeting.

Regent Kirkpatrick observed that a \$20 million building had been built for CCSN every year that he had been on the Board. He noted that CCSN was further behind than when he came to the Board. He asked how many times the UNLV student services addition had been on the list. President Harter replied it had been on the list for at least five or six biennia. Regent Kirkpatrick said that he had tried to move this project ahead of the second new building for NSC in the last session. He felt it was finally time for this project to be funded. He supported moving the other two projects up, but cautioned the Board that they could lose priority #7 (UNR-Science and Math Education Center), which included an \$18 million commitment in private funding. He advised the Board to be careful.

Regent Dondero asked about the renovation timeframe for the Dawson building. President Romesburg explained that renovation was necessary because there is no access to the second level and the building does not meet ADA requirements. He said the urgency was in buying the building because the lease will expire before the next legislative session.

Regent Schofield left the meeting.

27. Appro

Regent Bandera clarified that while members became frustrated when rushed, that it had nothing to do with the leadership of this committee. She said the leadership had been extremely patient and accommodating with everyone's concerns. She observed that the Board had consumed some time earlier and were now running a bit late. She did not feel that anyone was rushing anything on purpose.

Regent Hill said he could appreciate that people may have had questions. He said there was time to ask questions, adding that Board members had the material. He said that he had toured this facility, read the material provided, and understood what was going on. He said he did not want to cutoff anyone's questions on any matter. He suggested that members should raise their hand when they have a question.

Regent Bandera left the meeting.
Regent Schofield entered the meeting.

Chair Anthony said the Board would discuss the item. If changes were necessary, based on the discussion, the Board could then make those changes.

Regent Sisolak noted a point of order, asking whether the Board could entertain discussion prior to rescinding the vote. General Counsel Ray recommended a motion to reconsider.

Regent Kirkpatrick moved to reconsider. Regent Whipple seconded.
Motion carried. Regents Alden, Bandera and Seastrand were absent.

Mr. Chris Ault, Head Football Coach-UNR, introduced Mr. Robert Armstrong, who has provided legal services to the Athletic Association. Mr. Armstrong reported that the Varsity Village project would provide student athletes with the resources and health management program necessary to compete at this level. The project combines a health rehabilitation center, expansion of current weight facilities, football office media areas, and a new stadium entrance. The current 2,000-sq. ft. training center was built in 1970 and expanded in 1990. Nevada was a Division I program with 267 athletes before 98. There are now 420 athletes in the program. The current facility cannot handle the number of student athletes. The project would convert the 5,600-sq ft weight room to a training center with therapy and rehabilitation pools for treating student athlete injuries. The current training center is inadequate and does not meet the Division I standards. By allowing Nevada to have a physical therapy center, the state would be able to attract more athletes and provide a better training environment. The project would cost \$150,000. By allowing each school to have a physical therapy center, the state would be able to attract more athletes and provide a better training environment. The project would cost \$150,000. By allowing each school to have a physical therapy center, the state would be able to attract more athletes and provide a better training environment. The project would cost \$150,000.

that it was with the assumption of approval of the Nevada Physical Therapy lease. Regent Sisolak asked whether this was contingent upon approval of the following item. Mr. Zurek replied that it was. Regent Sisolak asked why that item had not been addressed first. General Counsel Ray suggested that the two items could be combined. Regent Sisolak stipulated that the revenue stream identified had not yet been approved. Regent Hill said that if this was not approved, they would not have a weight room to lease for the following item. Regent Sisolak suggested combining the two items. No objections noted.

Regent Alden entered the meeting.

27. Approved-Varsity Village Project, UNR – (Cont'd.)

28. Approved-Lease Agreement, Nevada Physical Therapy Group, UNR – (Cont'd.)

Regent Rosenberg said he had nothing against sports, but he did object to a lack of balance between programming. He asked how many students would be impacted. Coach Ault replied 420. Regent Rosenberg noted they had discussed 100 athletes dressing in an area designed to accommodate 85. He said he has a design class with 83 students that meets in a room designed to accommodate 29. He said that music students rehearse and practice at 2:00 a.m. because they cannot get in at any other time. The English department is spread all over campus. He said that thousands of students could not get into the English department because the building was specifically designed for the intercollegiate athletics program. Coach Ault said that the University of Nevada at Reno had raised \$48 million for intercollegiate athletics in 18 years in private funds. Not one facility had been built during his tenure with state funds. There is no state support to build athletic facilities. All of these funds have been privately raised. Regent Rosenberg observed that they drew from the same pool of donors. When the academic side is restricted from asking for money it puts them at a distinct disadvantage. He felt that more of a balance was required, adding that faculty and students were frustrated beyond belief. He felt that should change and that some attention should be given to balance.

Regent Alden moved approval of the Varsity Village project and the lease agreement with Nevada Physical Therapy Group for UNR. Regent Schofield seconded. Motion carried. Regent Rosenberg voted in favor. Regent Alden and Regent DePeters also voted in favor.

29. Accepted-Fallon Campus Master Plan, WNCC – The Board accepted President Carol Lucey's presentation of the 2004 WNCC Fallon Campus Master Plan (Ref. Y on file in the Board office).

Mr. Bus Scharmann, Deiarcolleon dion C e o e c h t b n A a r m a n A a S s th a e i r A t u d e n t s w o u l d b i d o u r o l a n l u d l a n d b e r t t h a l r m

Regent Schofield left the meeting.

Regent Howard said she was disturbed, adding that she serves in the same district with Assemblyman Arberry. A few years ago, she tried to secure funding for the Millennium Bound Outreach Center to serve the needs of the underrepresented. She was really surprised that Assemblyman Arberry would approach UNR to establish a heart transplant facility. She did not feehee

Regent Sisolak noted a point of order, asking whether the amendment violated the legislative intent for the allocation. Chancellor Nichols suggested that staff would convey this to the State Public Works Board, which is responsible for the expenditure of those funds. She felt it would be allowable if the language was broad.

Regents Alden and Howard accepted the friendly amendment.

Regent Sisolak noted a point of order, stating that this did not follow the agenda item. Regent Whipple clarified that in addition to studying the feasibility of a heart transplant facility in Las Vegas, they would rank the heart transplant facility with regard to other medical needs of UNR in Las Vegas. General Counsel Ray established that Regent Whipple was suggesting the study include a ranking of other medical needs, which he felt was acceptable. Regent Sisolak asked whether this was not similar to Regent Kirkpatrick's request to study alternate sites for the state college. At that time, he was told it could not be done because Henderson was specified. General Counsel Ray replied that his memory was refreshed as to what the issues were. He did not view Regent Whipple's amendment as beyond the scope of what was intended.

Chair Anthony asked whether anyone could establish the intent of SB 507. President Lilley said it was essentially to study the feasibility of a heart transplant facility in Las Vegas. He said they would request that the study be as broad as possible and should report the results personally.

Regent Kirkpatrick reminded the Chair that the next item was also part of SB 507.

Motion as amended carried. Regents Bandera, Schofield and Seastrand were absent.

31. Approval of the Request for Appropriation of Funds for the Construction of Laboratory Facilities for the Medical and Dental Schools of UNLV & UNR – The Board approved President John M. Lilley's and President Carol C. Harter's request for expenditure of funds at the rate of \$10,000,000 for the 2003 Nevada Legislature in SB 507 authorizing and funding certain capital improvements for the construction of laboratory facilities for the Medical and Dental Schools of UNLV & UNR.

- A.A.S., Radiation Therapy Technology, CCSN (Ref. ARSA-4 on file in the Board office).
- B.A.S., Land Surveying/Geomatics, GBC (Ref. ARSA-5 on file in the Board office).
- Ph.D., Nursing, UNLV (Ref. ARSA-6 on file in the Board office).
- Ph.D., Radiochemistry, UNLV (Ref. ARSA-7 on file in the Board office).
- New Program/Degree Change, A.A.S., Dental Hygiene to A.S., Dental Hygiene, CCSN (Ref. ARSA-3 on file in the Board office). – The Committee recommended approval of replacing the existing Associate of Applied Science degree in Dental Hygiene at CCSN with the Associate of Science degree, which will provide better articulation and transfer to the Bachelor of Science degree program.
- 2004 Board of Regents' Awards – The Committee recommended approval of the following Regents' awards:
- Nevada Regents' Creative Activity Award

Ms. Catherine G. Senger, UNR

- Nevada Regents' Researcher Award

Dr. David Schooley, UNR

- Nevada Regents' Teaching Award—Community College Faculty

Dr. John Clevenger, TMCC

- Nevada Regents' Teaching Award—Senior Faculty

Dr. George Senger, UNR

Regent Howard asked about the demise of the committee that formerly addressed issues concerning women, ADA, minorities and diversity, stating that she had not seen any of those issues addressed on other Committee agendas. Chancellor Nichols replied that the ARSA and Budget & Finance Committees had assumed those responsibilities. She said she would remind the Committee chairs to continue their surveillance of those issues. Regent Howard found it unacceptable, adding that those issues were going unaddressed. She said she had not seen those issues addressed in the past two years.

Regent Derby acknowledged Dr. Deborah Kuhls, UNR's recipient of the Academic Advisor award (graduate

- Workshop Budget – The Committee recommended a budget not to exceed \$10,000 for the workshop, anticipating that the cost would be less, but wanting to assure that they could hire a facilitator for the primary topic.
- Regent Workshop – The Committee recommended that the Regent workshop be held all day on Friday, May 7 and half a day on Saturday, May 8.

Regent Dondero moved approval of the Committee recommendations and acceptance of the report. Regent Rosenberg seconded. Motion carried. Regents Bandera, Howard, Seastrand and Sisolak were absent.

Regent Whipple left the meeting.

37. Accepted-Faculty Workload Task Force Recommendations - Chair Jill Derby reported the ad hoc Faculty Workload Task Force met February 5, 2004 and heard a presentation from faculty representatives concerning their perspectives on workload. Each presenter focused on a different area of faculty responsibility that the group wanted the Task Force to be aware of as it continues its work. These areas included: rural education, clinical education, distance education, vocational/technical education, graduate students, undergraduate courses, scholarly activity and mentoring, student portfolios and advising. The Task Force also heard a presentation from Assistant Vice Chancellor Tyler Trevor on a quantitative faculty workload model that the Task Force may wish to examine for possible adoption in Nevada. The Delaware Study, as it is called, is used by more than 300 colleges and universities nationwide. Although some Task Force members expressed concerns about the usefulness and logistics of collecting the detailed data contained in the Delaware Study, the Task Force agreed to invite the principal developer of the study to the next meeting on April 1 to further discuss its design and components. The Task Force heard a report from staff on the UCCSN's current consulting policies and practices. System policy was compared to similar policies in other states, and staff presented several recommendations for improvements, which will be further acted upon at the next Task Force meeting. The Task Force also examined how community service is currently defined in the UCCSN Code and discussed potential language for strengthening this section to clarify the intent of what kinds of service should count for evaluation, promotion and tenure. Staff was directed to bring back draft language to the next meeting for the Task Force's consideration.

Regent Derby moved acceptance of the Task Force recommendations and the report. Regent Schofield seconded. Motion carried. Regents Bandera, Howard, Seastrand, Sisolak and Whipple were absent.

Regent Whipple entered the meeting.

Regent Sisolak entered the meeting.

38. Approved-Health Education Task Force Recommendations – Regent Thalia Dondero reported the ad hoc Health Education Task Force met February 5, 2004 and adopted several recommendations brought forward by Caroline Ford of the Center for Education and Health Services Outreach. These recommendations address various matters including the Medical Education Center in Reno, a rural interdisciplinary training center, allied health programs and other issues related to health care. Regent Dondero requested Board action on the following Task Force recommendations:

- Support the University of Nevada School of Medicine (UNSOM) in meeting the requirements of Assembly Bill 11 (Chapter 11, Statutes of Nevada 20th Special Session) and seeking fiscal resources to hire the personnel necessary to implement the provisions of the bill.
- Endorse the UNSOM's development of a Rural Interdisciplinary Education and Clinical Training Center in Elko to provide coordination of healthcare services in rural Nevada.
- Endorse expansion of the UNSOM's targeted residency programs and investigate the development of a Family Practice Rural Training Track program.
- Endorse the UNSOM's development of a Rural Health Certificate program.
- Recommend the incorporation of expanded rural nursing development*³⁴ among the next met F

Regent Dondero noted that steps have been taken by System Computing Services to upgrade the Telehealth Network to Internet Protocol by July 2004. Therefore, any equipment needed to support this conversion will be purchased and delivered before July. The conversion will be complete prior to the final approval of the 2005-07 budget. The Center for Education and Health Services Outreach is working on funding for the site equipment necessary to connect to NevadaNet. System Computing Services will work with the appropriate parties and specify the equipment needs. On-site equipment will be purchased by the end user via rural health grant funding. Therefore, while this recommendation was formally adopted by the Task Force, it has already been addressed by SCS.

Regent Dondero moved approval of the Task Force recommendations and acceptance of the report. Regent Sisolak seconded. Motion carried. Regents Bandera, Howard and Seastrand were absent.

Regent Howard entered the meeting.

39. Approved-CCSN Presidential Search Committee Recommendations - Chair Tom Kirkpatrick reported the ad hoc CCSN Presidential Search Committee met March 16, 2004 in conjunction with the Institutional ~~M~~ ds. aach i^{tit}

Regent Derby moved acceptance of the report. Regent Kirkpatrick seconded.

Regent Kirkpatrick asked Regent Derby how she felt about the Committee's direction. Regent Derby replied that she felt good about the Committee, adding that they had spent a lot of time reviewing the current status of education in Nevada and what is needed. They have hired some fine consultants. She felt it was a great educational opportunity for the legislators and community representatives.

Regent Howard entered the meeting.

Regents Rosenberg and Sisolak left the meeting.

Chancellor Nichols said that the next meeting would be critical when the consultants would be returning with recommendations.

Motion carried. Regents Alden, Bandera, Rosenberg, Seastrand and Sisolak were absent.

The meeting recessed at 4:35 p.m. and reconvened at 4:47 p.m. with all members present except Regents Bandera and Seastrand.

41. Information Only-2005-2007 Bill Draft Requests - NRS 218.2455 permits the Board of Regents to request up to five bill drafts on behalf of the UCCSN. The Board had an initial discussion on potential UCCSN bill drafts for the 2005 legislative session. Final action will be requested at the June meeting (Ref. EE on file in the Board office).

Chancellor Nichols reported they anticipated submitting five bill drafts at this time, adding that details would be provided at the June meeting.

- Changes to SB 277 – seek to remove purchasing requirements that were placed on UCCSN during the previous session.
- UCCSN name change – previously approved by the Board.
- Revenue bond authorization – increase the revenue bond capacity for UNLV, UNR, CCSN, WNCC, and possibly GBC.
- Drivers license for international visitors – an issue for international students brought to attention by UNR.
- Changes to non-resident tuition statute (NRS 396.540) - changes will be necessary to return to the one-year residency requirement.

Chancellor Nichols said that UCCSN would support changes to the Millennium Scholarship statute to allow for disability accommodations. Other potential issues include the PEBP state health insurance changes, which will likely be submitted by the interim study committee. The campuses have discussed requesting carry-forward appropriations, specifically attributed to information technology requirements. There are also some issues on the P-20 data warehouse that may require a bill. Chancellor Nichols reported that they did not anticipate a request for scholarship funds for teacher education students because the source of funds for those scholarships no longer exists. She asked whether Board members wanted any other bill drafts.

Regent Whipple asked about the procedure. Chancellor Nichols explained that bill drafts are submitted to the governor, who then submits them to the legislature.

Regent Kirkpatrick asked whether the Board was limited to the number of bills that could be submitted. Chancellor Nichols replied that they were limited to five bill drafts, adding that if more were required they would need to look for a friendly legislator to submit on the Board's behalf. Regent Kirkpatrick suggested having a legislator submit the non-resident bill if the Board had more than five bill drafts. Chancellor Nichols said they could do so if they required an additional bill. She said the carry-forward of unexpended appropriations could occur through the budget process and would only require language in the budget appropriation bill. She was certain they could find someone to submit the non-resident bill on UCCSN's behalf.

42. Denied-Presidential Transition Plan - The Board of Regents Handbook (Title IV, Chapter 3, Section 25) provides a process for presidential transition when a UCCSN president resigns or is reassigned. The transition process requires that the Board of Regents approve the transition plan, which includes an academic rank in a specific unit in the institution, an academic year salary and may include a period of professional development leave. Chancellor Jane Nichols provided a recommendation for a presidential transition plan for Dr. Ron Remington. The terms of the presidential transition plan, including academic rank, specific unit and institution, academic salary and the professional development leave, including the duration and salary, were presented at the meeting. The Board denied the presidential transition plan proposed by Chancellor Nichols.

Chancellor Nichols reported that it was the Chancellor's responsibility to conduct an evaluation of the president's overall professional performance in office and the location of the assignment where the outgoing president might best contribute to

an academic unit at the institution. She noted that Dr. Remington's contract indicated that he serves at the pleasure of the Board of Regents and could be removed by the Board at anytime for any reason and the contract terminated upon payment of the remaining contract, base salary only. In the event the president holds tenure in an appropriate academic department of the Community College of Southern Nevada, the president shall be reassigned from the presidential position to an employment position as full-time member of the academic faculty of the institution. When Dr. Remington requested reassignment in an e-mail to the Chancellor, he indicated a preference for becoming a part of UNLV's educational leadership department. He also indicated that he requested

