

Minutes are not final until approved by the Board of Regents at the January 2006 meeting

Blasco Event Wing, Foundation Building
University of Nevada, Las Vegas
4505 Maryland Parkway, Las Vegas
Thursday-Friday, December 1-2, 2005

Members Present: Mr. Bret Whipple, Chair

Mr. Mark Alden
Dr. Stavros S. Anthony
Dr. Jill Derby
Mrs. Thalia M. Dondero
Mrs. Dorothy S. Gallagher
Mr. Douglas Roman Hill
Mrs. Linda C. Howard
Mr. James Dean Leavitt
Mr. Howard Rosenberg
Dr. Jack Lund Schofield
Mr. Steve Sisolak
Mr. Michael B. Wixom

Others Present: Chancellor James E. Rogers
Executive Vice Chancellor Daniel Klaich
Vice Chancellor, Finance & Facilities Planning, Harry E. Neel
Vice Chancellor, Academic & Student Affairs, Jane Nichols
Vice Chancellor, Technology, Lee Alley
General Counsel Bart Patterson
President Richard Carpenter, CCSN
President Stephen Wells, DRI
President Paul Killpatrick, GBC
President Fred Maryanski, NSC
President Philip Ringle, TMCC
President Carol Harter, UNLV
President John Lilley, UNR
President Carol Lucey, WNCC
Secretary to the Board Fini Dobyns

Also present were faculty senate chairs Dr. Darren Divine, CCSN Dr. Paul Verburg, DRI Dr. Linda Uhlenkott, GBC Dr. Francine Mayfield, NSC Mr. Kurt Hall, TMCC Dr. Clint Richards, UNLV Dr. Leah Wilds, UNR Mr. Richard Kloes, WNCC and Ms. Kathryn Weiss, System Administration. Student government leaders present included Mr. Cory Drumright, CCSN Ms. Robbi Phillips, GBC Mr. Anthony Filippo, NSC Ms. Alanna Stewart-Bell, TMCC Mr. Peter Goatz, UNLV Mr. Frederick Krauss, UNLV-GPSA Mr. Jeff Champagne, UNR Mr. Ed Johnson, UNR-GSA and Ms. Elizabeth Contreras, WNCC.

Chair Bret Whipple called the meeting to order at 8:05 a.m. with all members present with the exception of Regents Anthony, Derby, Howard and Sisolak.

The meeting recessed at 8:06 a.m. for Committee meetings and reconvened at 1:00 p.m. with all members present with the exception of Regents Hill and Leavitt.

Regent Gallagher led the pledge of allegiance.

Mr. Leroy Spotted Eagle, Spiritual Advisor to the Moapa Band of Paiutes Color Guard, offered the invocation.

1. Introductions – President Carpenter introduced Vice President for Administration Jeff Foshee.

Regents Hill and Leavitt entered the meeting.

President Carpenter noted that Dr. Foshee began his duties at CCSN on November 1 and will oversee human resources, facilities, construction, campus security and contract administration. President Ringle thanked Regents Derby, Gallagher and Rosenberg for meeting with the accreditation team. President Wells introduced Kathleen Badgett, Vice President for Finance and Controller at DRI. Regent Whipple introduced Mr. Tom Gallagher, a new appointment to the UNLV Foundation.

2. Chair's Report - Chair Bret Whipple, as part of the Chair's report, requested the president of the hosting institution introduce one student and one faculty member to discuss a topic of the hosting president's choosing to help provide Board members with a focus on the reasons they serve as Board members. He also discussed current NSHE events.

Regent Whipple thanked President Harter for the gifts. President Harter stated she was thankful to be able to introduce faculty and students and thought it important to provide gifts representative of faculty and students. She continued that the School of Architecture has distinguished itself over a short period of time. The School has been an active participant in the National Organization of Minority Architects (NOMA). Four UNLV students won first prize in the 2005 national design competition held in Birmingham, Alabama. President Harter introduced Travis Allen, Jose Arteaga, Sorayos Chuenchomphu and Jose Guadalupe Macias. Mr. Allen thanked the Board for allowing the students to display their project. NOMA has the goal of fostering communications and fellowship among minority architects, to speak with a common voice on minority issues related to the profession and to be an effective source of motivation and inspiration for minority youth. The project was located in the heart of the Civil Rights historic district in Birmingham, Alabama and composed an entrepreneurial/business incubator center and a downtown presence for the School of Architecture at Tuskegee University. The design concept tries to be sensitive to the many contextual issues that surround the site, but at the same time foster interaction with the community. Four types of interactions that can take place in public buildings which are regulated, accidental, repeated and regular. The design concept allowed the team to produce a very engaging building that reflects the team's values and positively impacts the community of Birmingham, Alabama. President Harter introduced Alfredo Fernandez-Gonzalez, the faculty advisor for the team.

President Harter introduced Dr. Clemens Heske, Associate Professor in Chemistry, one of the outstanding faculty members hired in support of the growing research programs in

2. Chair's Report – (continued)

science and engineering. She continued that he joined UNLV in April 2004, after serving as a research and teaching scientist in Germany. #M5lf ovn ants thd

Regent Whipple stated that a joint meeting on Friday
1:30. Whipple stated that the RI Foundation Dinner is an
extraordinary event and Nevada has an opportunity. The
which fosters community and input. Leaders of the Regency are proud
hope, confidence and content. The joint meeting is an opportunity that have take
place in the past few months. All the work is necessary for change for
future success. Regent Whipple stated that the joint meeting restricts
future work longer K-12 and high school, it is K-16.

†
Regent Whipple stated that President Lilley and Assistant Vice
the System. He stated that he would miss President Lilley and that he had enjoyed working with him. In the
future, Regent Whipple thought people would realize his work moved mountains. Regent Whipple asked Mr.
Champagne and Mr. Johnson to come forward. Mr. Champagne thanked President Lilley for the time he spent at
UNR and that the Mission of UNR was stronger. He remembered being told he needed to meet with President Lilley
regarding inviting Michael Moore to the campus. President Lilley was supportive but did not want to take over
the event. He expressed his appreciation to President Lilley. Mr. Champagne stated the students at Baylor would
be proud to have President Lilley at UNR. President Lilley thanked Mr. Champagne for the acknowledgment and
President and part of UNR. President Lilley wrote him that leadership has it's challenges but it is rewarding. At

4. Public Comment - Regent Whipple anticipated that there would be several items that would require public comment and he would allow comment before each item. Those that want to comment need to approach the podium.

Mr. Richard Aberle, English Department at UNLV, thought issues cropping up among faculty members were worthy of bringing to the Board. He is a part-time instructor and has been teaching most of his life at various levels. He noted that increasingly those teaching undergraduate courses are fools. He has almost 100 students in 4 courses and spends 20 minutes per paper. He also teaches at the community college at night and on weekends. This semester, with the burden of his course load and grading, he finished his dissertation. His total salary is \$22,000 per year and his first month was without pay. He is only now getting health insurance, which will expire December 31 and will not have insurance in January. This is not unusual for part-time faculty. This is an interesting class system that has developed. He felt it was appalling to pay adjunct faculty almost nothing, and making it difficult to get insurance and to move to the next level. His goal was to bring this issue to the Board's attention. He loves the students and makes himself available to them. He noted there is a morale issue with part-time faculty members. He shares an office with 11 other part-time instructors and does not have access to a copier without a day's notice. It is difficult to get the resources. Part-time faculty stay because they love the faculty and students. It would be wonderful if the Board would take this situation seriously. Part-time faculty are ignored. When he went to human resources to fill out forms, he discovered there was not a classified position advertised paying lower than a part-time faculty member teaching 8 courses per year. He asked that: health benefits for those teaching semester to semester be extended from the beginning of one

4. Public Comment – (continued)

semester to the beginning of the next consideration of the amount of remuneration received and extend other benefits such as grants-in-aid to faculty members of part-time faculty.

Regent Whipple asked about his monthly salary. Mr. Aberle answered \$2,200 for the four months he teaches. When asked how many hours per week he worked, Mr. Aberle answered he is on campus 7:30 – 5:00 every day and then grades papers at home. He stated that to give students the comments and attention they deserve, he could not grade faster than one paper every 15 minutes. Students expect attention and take writing seriously and faculty need to look at their papers. There is no efficient way to deal with that in a writing class.

Regent Howard asked if he taught undergraduate or graduate courses. Mr. Aberle answered he teaches undergraduate courses. Regent Howard asked if he taught remedial courses. Mr. Aberle answered no, but many part-time instructors do. Part-time employment is done at the last minute. Regent Howard asked if the university offered insurance that could be applied for and paid for. Mr. Aberle responded he asked about the amount that his insurance would cost for January and it was \$780 per month. He is currently paying \$114 for his family out of his paycheck. He has to find a job for December and January as he will not receive a paycheck from December 31 to the end of February. Regent Howard asked if this was a System problem or a state problem. Mr. Aberle replied it is a national problem and a university-wide problem. He came here with enthusiasm and has been impressed with students. He would have no shame for his son to attend UNLV. He discovered that he will have to pay his son's tuition to attend UNLV which he cannot afford. The seeds of discord are being fed. He is advocating that the

System take the lead. He was paid more as a teaching assistant at Berkeley in 1983 than as a faculty member now. He noted that the more education he has, the less demand he has in the marketplace in terms of salary. He had a book proposal that he sent out which was accepted by an agent, but has not had time to work on it. Part-time faculty have the choice between starving and doing scholarship or avoiding scholarship to pay the bills.

Regent Derby thanked Mr. Aberle for coming forward as his story has highlighted the injustice in the System. She expressed her frustration at the tiny steps. She thought it was a disgrace the way part-time faculty are exploited. She noted the gaps in insurance were unconscionable and something needed to be done. She thought it was shocking to look at what presidents are paid and what part-time faculty are paid. Regent Rosenberg encouraged Chancellor Rogers that if the System can look for stars in administration, they need to look at stopping this practice. Part-time faculty is the market that needs to be taken care of. Regent Anthony stated that

before he became a member of the Board, he taught at the university and community college. He determined it was \$10 per hour. A serious look and a leadership role need to be taken. Regent Sisolak expressed his appreciation for Mr. Aberle bringing this issue forward. For 7 years he has heard this story. The Board needs to take a stand and make it a priority. Part-time faculty can be paid more from the reserve accounts at the universities and presidents will not do it until the Board takes a stand. Regent Schofield noted he made a decision to run for a position on the Board after hearing stories like this. This needs to be taken care of. Regent Rosenberg stated this is not just for us, this is endemic throughout the education system

4. Public Comment – (continued)

in the country. The value on education needs to be attended to. He knew that the instructional budget is a fixed situation from the legislature. Funds need to be reallocated and the priority placed where it needs to be. Regent Dondero recommended an agenda item to address this in the ARSA Committee.

Chancellor Rogers informed those in attendance that when he came into this job he talked about supplementing the pay of professors throughout the System. The foundation at Idaho State University has supplemented the pay of presidents and professors. Many of the law school faculty at UNLV have supplemental salary from outside sources. He was unsure if state funds could be reallocated but thought that making this an agenda item was important. He has discussed supplementing pay with the presidents and foundations. Dollars from the legislature are hard to come by and without other independent sources, we will never be able to catch up on salaries. Most of the professors teach because of their love and not for the pay. Regent Whipple asked that an agenda item be placed on the next agenda.

Lee Rowland, ACLU, stated the GPA issue is important to everyone. We are an education system that is not enrolling or graduating minority, low income or non first language English students in numbers approaching the general population of Nevada or college age students. With the changes coming in 2006, to institute a rush and increase standards in 2007 is the definition of putting the cart before the horse. This is a complex issue that affects minorities, those from lower incomes and those with English as a second language. Studies should be done linking trends before raising the GPA. When tied up with minority issues, to raise the requirements seems ill advised. She recommended that the System keep this in mind and have a discussion with high school administrators to see how this will affect high school teachers. She urged the Board to be mindful of the issues and measure the impact on minorities. She felt it was unwise to raise the GPA and potentially shut out students from low income families. She urged looking at the research and conducting further research. Ms. Rowland noted the ACLU was pleased that the System was looking at benefits for domestic partners. She stated that ACLU offers domestic partner benefits.

Peter Goatz, Student Body President, UNLV, stated there would be a speaker talking about higher education and he encouraged the Board to ask challenging questions regarding access. As tuition and fees rise, financial aid will decrease. He asked the Regents to encourage the speaker to support higher education by offering more financial aid. He referred to a handout (on file in the Board office) which provided information on what had been passed by the House on November 7. A petition was circulated which received 100 signatures.

Regent Derby stated she was running for a seat in the U.S. Congress and noted this required support and contributions from many. She is mindful of Regent policy to not solicit endorsements from fellow Board members. Out of respect for the office, she is operating beyond that policy and avoiding any appearance of conflict by not soliciting or asking for support from colleagues and those in higher education. Many have come offering support, which she has accepted. She wanted it clear that she would not discredit the office and will continue to be scrupulous to not solicit support.

5. Information Only-Presentation by Congressman Gibbons - Congressman Jim Gibbons shared his vision for the future of education in Nevada and his commitment to improving education in Nevada (Ref. B on file in the Board office) .

Congressman Gibbons stated he was before the Board as a U.S. Congressman and not as a candidate for public

of

invited. Regent Whipple answered that all candidates had been invited.

6. Approved-Consent Agenda – The Board approved the Consent Agenda with the exception of items 3 (Handbook Revision, Investment Committee Adds Properties to Responsibilities) and 11 (Handbook Revision, Appointment with Tenure by President) which were approved separately.

(1) Approved-Minutes – The Board approved the minutes from the public hearing held September 7, 2005 and the regular meeting held September 22-23, 2005.

6. Approved-Consent Agenda – (continued)

(2) Approved-Handbook Revision, Board Development Committee to a Standing Committee – The Board approved making the Board Development Committee a standing committee as requested. This was the second hearing of a proposed amendment to Regents' Bylaws (Title 1, Article VI, Section 3) (Ref. C-2 on file in the Board office).

amendments to the NSHE Code (Title 2, Chapter 5, Section 5.8 (5.8.2 and 5.8.3), Chapter 6 and the addition of a new Chapter 8). The changes to Chapter 5 will clarify the nonreappointment policy and add benefits and protection for faculty. The exemption to Chapter 6 and addition of Chapter 8 are being requested to make disciplinary actions

Dondero were saying that we are taking a gamble with an asset without adequate staff. Regent Whipple thought the question was if additional professional staff was needed and where it would come from. Executive Vice Chancellor Klaich responded there is an open position that has not been filled and he thought that the qualifications and expectations needed to be reviewed and a search conducted.

Regent Dondero noted this item was only to include properties on the Investment Committee. Executive Vice Chancellor Klaich confirmed that was correct. He believed the item was being discussed to determine how professionals in the System were going to serve the Board with advice. He continued that staff was not available at this time.

Regent Dondero asked if the Committee could recommend a staff member. Executive Vice Chancellor Klaich noted that the point being raised was if the person is currently available and the answer is no. Regent Derby asked if there was a recommendation from staff regarding this item. She noted transactions have come before the Board and wondered who had been providing advice. Executive Vice Chancellor Klaich replied that as transactions have moved forward, the legal staff at the institutions and System office have reviewed the documents for correctness. The Board is linking properties and investments and treating property holdings as an asset, which is not transactional legal work but asset management. Regent Dondero thought properties could be handled separately from the investment portfolio. Regent Rosenberg asked if a search for a replacement was being conducted and Executive Vice Chancellor Klaich answered no.

6. Approved-Consent Agenda – (continued)

Regent Rosenberg asked if a search was planned. Executive Vice Chancellor Klaich answered yes. Regent Rosenberg noted that Regent Dondero has asked for a complete inventory of properties owned by the System to have an idea of the property and its worth. He continued that by moving this issue into the Investment Committee it will have a home to get the inventory started and make future recommendations. Regent Wixom clarified the Board had approved property management plans in the past and he did not believe it was the intent to undo that. It was his understanding that the Board was trying to determine what was owned so intelligent decisions could be made. Regent Sisolak expressed his concern that many property issues would be addressed that would go to the Committee and the Board would not know about them. Executive Vice Chancellor Klaich responded that was correct as property issues would go to the Committee, be vetted by the Committee and come to the Board as recommendations of the Committee. Regent Sisolak wanted Board members to realize that issues that the Board discusses would not come before the Board except as a report. He also noted the time commitments for the Investment Committee would be expanded. Regent Anthony echoed Regent Sisolak's remarks. The only fail-safe was to review the agenda and discuss issues during the Committee report. Regent Alden stated most higher education systems in the country bring everything through committees. His problem was that properties should be a separate committee. Regent Hill did not think legal counsel was reviewing leases and contracts with the idea of sound business decisions. He did not mind it going to the committee, but long-term leases need to be reviewed by the Board. Regent Schofield stated with property fluctuations in Las Vegas, value is based on land, and land makes the System wealthy. He thought including properties on the Investment Committee was an excellent idea.

Regent Anthony moved approval of Consent Agenda item 3. Regent Schofield seconded. Upon a roll call vote, the motion carried. Regents Anthony, Derby, Dondero, Gallagher, Leavitt, Rosenberg, Schofield, Wixom and Whipple voted yes. Regents Alden, Hill, Howard and Sisolak voted no.

(11) Approved-Handbook Revision. Appointment with Tenure by President – The Board approved proposed amendments to the NSHE Code (Title 2, Chapters 3, 4 and 7) which would allow a President to grant an academic faculty member tenure upon hire without seeking approval of the Board of Regents. This was the second hearing of a proposed Code change (Ref.C-11 on file in the Board office).

Regent Rosenberg noted he had received many phone calls and suggested adding “The president shall report annually to the Board on the tenure with hire appointments.” He asked that a complete listing of the individual appointed, which department and that the departments voted on the appointment be provided.

Regent Rosenberg moved approval of Consent Agenda item 11 as amended. Regent Derby seconded.

6. Approved-Consent Agenda – (continued)

Executive Vice Chancellor Klaich clarified that any item could be discussed and amended. He continued that Regent Rosenberg was suggesting an amendment, which the Board could vote up or down. Regent Hill clarified the amendment called for annual reporting of all tenures upon hire, department and that the faculty approved the hire.

Motion carried.

The Board recessed at 3:19 p.m. and reconvened at 3:28 p.m. with all members present.

7. Approved-Naming the New Student Union Building. UNR – The Board approved naming the new student union the Joe Crowley Student Union (Ref. A on file in the Board office) .

Regent Sisolak moved approval of naming the new student union the Joe Crowley Student Union. Regent Dondero seconded.

Regent Sisolak withdrew his motion.

Regent Alden moved approval of naming the new student union the Joe Crowley Student Union. Regent Dondero seconded.

President Lilley noted that the Board approved a student request that they be able to tax themselves to build a new student union. It was his judgment that this was a building to be named for Emeritus President Crowley. He solicited help to get student support, which he felt was important because students were funding the building. Emeritus President Crowley was taken to lunch by many students who did not know him. The ASUN and GSA endorse naming the student union for Dr. Crowley. He thought this was appropriate to recognize his 23 years as president and hoped for approval. Regent Howard did not know why this item was moved before approving the presidential appointment. She wanted to know how many students were involved in the decision. President

Regent Rosenberg moved approval of the appointment of Dr. Joseph Crowley as the Interim President at UNR. Regent Hill seconded.

Regent Alden noted he had known Dr. Crowley for 40 years, and he is the right person at the right time. Regent Dondero asked what the effective date would be. Regent Whipple answered Monday, December 5, 2005. Regent Howard asked how many Regents, and which Regents, Dr. Crowley met with prior to this meeting. Regent Whipple answered he did not know who met with Dr. Crowley. He met with Dr. Crowley and there was a press conference with Regents present. Executive Vice Chancellor Klaich was aware of 3 Regents and he believed after the public hearings and identification of finalists, the Chancellor and Board officers spoke with Dr. Herzig and Dr. Crowley before making a recommendation. Executive Vice Chancellor Klaich continued that Regent Sisolak had met with Dr. Crowley and he was unaware of any other Regents who had met with him. Regent Howard thought she was supposed to meet with Dr. Crowley. Executive Vice Chancellor Klaich explained that was his fault. The Chair had asked Regent Alden to arrange social meetings with Dr. Crowley and he asked that those be cancelled. Executive Vice Chancellor Klaich was concerned that there would be a perception that the Board was interviewing or deliberating toward the decision of appointing Dr. Crowley. He did not want to see an open meeting law complaint filed. He thought the question to be asked during the search process would be how the Board has full and fair access to a candidate and how the Board makes a full and informed decision in light of the open meeting law. He cancelled the meetings because there was consensus about the nominee and he wanted to protect the Board. Regent Howard wondered if there was a problem with Tim Crowley being a System lobbyist and Dr. Crowley being the interim president. Chancellor Rogers answered that Mr. Crowley was employed by the System and reported to the System. No presidents would have input or a relationship with the lobbyists without the advice of the Chancellor. There would be nothing that Dr. Crowley or Mr. Crowley could do to interfere with process. Regent Whipple asked Dr. Crowley to come forward and expressed his appreciation for Dr. Crowley's willingness to return to to

with grades since 2001 (on file in the Board office). Chancellor Rogers stated that if everything had stayed the same with grades from high schools, the System would have slipped behind because of present requirements. Between 2001-2002 and 2004-2005, the total number of students in CCSD with a GPA above 2.5 increased significantly while the number of graduates did not. He wondered if 62% of the graduating seniors from high schools in Las Vegas were qualified to be admitted to the two universities. With the requirement of 2.5, getting further behind. Projecting the figures forward to 2010, it would be found that 100% of students would be qualified to enroll in the universities. He would take exception if 8,890 of the 11,194 graduates were qualified to be admitted to the universities. His analysis makes no differentiation between minorities and includes every student graduating from high school. If we are going to make the universities competitive, we cannot have this admissions practice. For students who come with a 2.5 GPA or below

9. Information Only-Handbook Revision, University Admissions Criteria –(continued)

or overall GPA. President Lilley responded the comparison between 2006 and 2010 was done with the core GPA. Regent Howard asked if the UNLV numbers were based on overall GPA. President Lilley did not believe that to be true. Regent Howard commented the numbers kept changing. President Harter stated the chart showed Fall 2006 criteria which includes core GPA and the data were related to the criteria including the core. She continued that there would be fewer students overall, but the distribution among ethnic groups would remain the same. President Lilley stated the presidents were happy to be able to say that going to the 2010 standards would not impact the diversity of the universities. Regent Howard felt there would not be an impact if the standards were implemented in 2010 but increasing the standards in 2007 would have an impact. President Lilley reminded the Board that the first group of Gear Up students would be ready for college in Fall 2007 and it was hoped those students would choose to study at the universities in Nevada. As a result of changing demographics in school age children, it was expected that the proportion of students of color to increase significantly. The impact on retention by ethnicity at UNLV and UNR was reviewed and it was noted that retention would improve with improved criteria. The impact on graduation rates was then reviewed with the six year graduation rates increasing from 40% to 49% at UNLV and African American students increased from 33% to 50%. At UNR, the six year graduation rates improved from 48% to above 55%. He felt it was likely that with fewer students, attention could be focused to ensure more students move more efficiently through their programs. The request to change the admissions standards for the two universities fits long range plans for NSHE, enhances retention, enhances graduation rates, maximizes student success, maintains diverse student bodies and uses limited resources wisely.

Regent Howard asked if the numbers were based on core classes because numbers shown to her by UNLV prior to the meeting were not based on core classes. President Lilley answered the data compared 2006 with 2010 and core courses. President Harter confirmed that was the data also used at UNLV. Regent Howard asked if the UNLV data had been changed. President Harter did not know what Regent Howard saw. UNLV decided it would be useful to show the 2006 criteria imposed upon the class of 2001-04. The 2006 criteria are 2.75 weighted GPA on 13 core courses. Regent Howard continued the numbers she saw were the same as those presented at the forums. Dr. Rebecca Mills, Vice President, UNLV, stated the numbers shown to Regent Howard at their meeting had not been changed to reflect the core. Due to questions she had asked, the numbers were adjusted to ensure the comparisons were true. The ethnic distribution is not different. Regent Howard asked if the numbers shown her by Dr. Mills were the same as those presented at the forum. Dr. Mills replied yes. Regent Howard asked if the core classes had been included, with Dr. Mills responding yes. Regent Howard then asked if the numbers had been changed. Dr. Mills answered yes. Regent Howard asked if the numbers were based on admission standards. Dr. Mills replied the numbers were the proportion of freshman for those years. Regent Howard stated that UNR's numbers were for six years. Dr. Mills answered UNR looked at one class of their freshman while UNLV looked at the compilation of four classes of freshmen. Regent Howard felt that games were being played with the numbers and asked how are the Regents to determine "what's what". President Lilley responded that her questions had allowed the universities to refine the data. He hoped the presentation would be seen as improved by questions.

9. Information Only-Handbook Revision, University Admissions Criteria –(continued)

Regent Howard appreciated that but the numbers are not matching. She asked why it could not be consistent. President Harter answered the universities were trying to make them comparable. The message is that the distribution shows the same thing. Regent Howard could not be convinced that the numbers were accurate. She continued that the numbers showed African Americans would be most negatively impacted and Hispanics second most. If that was not true, she wanted to know what happened. Dr. Mills replied it was still the same.

community colleges or the state college. President Harter stated if the new criteria is applied early, there will be 550 slots for students to come into UNLV by alternative criteria. UNLV has been admitting a smaller number in the past, but 2/3 have been students of color. She expected that to be true of a larger number in the future. There is a check and balance in the System to ensure that those who can be successful have a way to enroll at the universities. Regent Howard stated she had not heard anyone address going back on the word given when it was agreed that admissions criteria would be raised in 2010. President Lilley stated that was a good point and has been struggled with. He continued that circumstances are changing and students will be better served by the change. Regent Howard said that was not what she saw because if any group is negatively impacted it hurts students. She asked why the change had to be made in 2007.

Regent Whipple asked those that wanted to speak to form a line. He noted no action would be taken and a number of public hearings will be held.

Alex Templeton stated the reality is that the Latino high school dropout rate is 9.6% and neighboring with the black community the graduation rate was 50% in 2004. Latino high schools are in dangerous and crime ridden communities. With the accountability report of CCSD, 15 schools were deemed inadequate. A misunderstanding of minority students is lack of access, there is limited or no data for guidance into honors or AP courses. Enrollment in advanced placement classes has increased, it has not increased in the amount of the student population. Of those who took the PSAT he wondered how many passed and how many were Latino. Mr. Templeton noted the current structure is not matriculating enough students. He saw there were lies in statistics and the issue is that the university is part of the community and needs to work with the community and district on new programs to improve schooling, teaching and matriculation. It is the universities responsibility to address the community at large and help to choose programs that will help future generations.

Anita Revilla, Professor of Women's Studies, UNLV, came to Las Vegas to serve the growing Latino student community in Las Vegas and the state. She is concerned about the decision being mMprms\$ ciuing numunity int

Social science is not an exact science. To force two changes in a row without evidence of what the change will bring, smacks of a lack of confidence in the figures. Need to keep in mind that minorities are severely underrepresented and will be affected.

Francisco Gonzales thought that to go back on a previous decision was unethical and wrong. Cannot slam the door. Demographics are not symmetrical. He has a gut feeling that this is going against people of color and waiting would be beneficial to people of color. Need to consider demographics.

Gil Lopez asked why are we trying to fix the universities when the schools need to be fixed. He is a tutor at Bridger Middle School and he commented that teachers do not care and students are out of control. He felt there should be a better transition and it is too sudden. He was hearing that looking at figures not the students.

Michael Klein stated this was discrimination against lower income schools. He has been working with Rancho High School where most students have one textbook in the English classes. It is unfair. Need to work with CCSD to get low income schools up to par. It is not fair and not equal.

9. Information Only-Handbook Revision, University Admissions Criteria –(continued)

Pedro Espinoza, Student Body President at UNLV, commented he loves Las Vegas and UNLV. He went to an underprivileged high school. Students will not transfer from the community college to the university. He thought the GPA increase was too early. Need to take time and think about how it will impact the students. Numbers do not reflect the numbers in the school district. A negative impact of even 1% is large.

Christian Marquez noted he was in favor of raising standards but thought 2007 was too soon. Before the standards are raised, need to help high school underprivileged students. There are problems in the system and community and we need to improve both before standards are raised. There are many ways to get what you want and not getting it done this way. Setting up for failure by changing the GPA from one year to another.

Yazel Navarrete stated raising standards will impact the future. She was in favor of raising the GPA, but not now. Need to tackle the problem in the school system. The university offers solutions and help. Want to be part of the solution not the problem just need time.

Enrique Jimenez, Senator of the Liberal Arts college, represents over 2,500 students at the university. He believed that if this would help the university, need to look at how to help other ethnicities. He agreed the GPA needed to be raised in the future. He felt the numbers were not correct and the number of minorities will decrease. He would not be here with 3.0, however, his GPA is increasing. This will affect half of the high school students and he did not understand why the increase could not wait.

Maria Raquel Casas, Associate Professor of History at UNLV, has degrees from Fresno State, Cornell, U C Santa Barbara and Yale and taught at Madison, Wisconsin. The major difference between them and UNLV is that they have services to make the student successful. In order to make students successful, you need to look at services and quality of education. Asking the students to raise the level of the universities and denying access is not the way. If we want to be a top tier university, need to look at other institutions.

Adrian Havas, Professor of Journalism at CCSN, underscored that Nevada faces steep challenges in education. Massive population growth does not mask deficiencies. Need to upgrade the system and not increase barriers to that system. Need to improve lagging levels of educational achievements in the state's racial and ethnic minorities. The rush to implement the 3.0 GPA is a rush. The proper groundwork has not been made in K-12 or in the community colleges. CCSN remains under funded. This rush to change will cause other institutions to shoulder the burden of educating freshmen.

Ed Johnson, GSA President, UNR, observed that standards send a message. Being a minority did not mean that a person was unable to excel academically and aspire to attend a competitive institution. He was for minorities

excelling but felt we should be discussing funding minority families for education and embracing high standards. He felt that the Board was setting standards for CCSD and he wondered where CCSD'

2010 needs to be respected to give participants time to catch up. If enrollment rates are down, she did not see the
ur

Board for the opportunity to make this presentation. He noted the lease purchase approach is the cutting edge of project delivery.

TAX EXEMPT TURNKEY LEASE PURCHASE PROJECT DELIVERY PROGRAM – Swisher Garfield Traub Development

TAX EXEMPT turnkey lease purchase project delivery is the best way for the Nevada System of Higher Education to acquire critical facilities to meet educational goals

Program Benefits

- Lowest Cost of Ownership
- No developer ownership or arbitrage Fee only developers
- Usually .15% to .25% over bond rate
- No buyout at the end of the project
- Maximum owner control
- Non-profit “owner” is the educational institution
- Review of construction line-items
- Fastest Project Delivery
- Collaborative design build approach can establish GMAX and break ground in less than one year

Swisher Garfield Traub

- Stephen L. Swisher, AIA-Principal, Las Vegas Office
- 25 years of Las Vegas community invol

- Support learning
- Create industry partnerships
- Ignite redevelopment
- Civic/Campus integration
- Collaboration and stakeholder involvement
- Transparency – Accountability
- Life Cycle Costing/Energy Reduction/Sustainability
- Assembly/Education building type expertise

High Performance Teaching and Learning Environments

- Safe and secure
- Technology rich support multiple modes of teaching and learning
- Flexible and Efficient
- Daylighting
- Energy reduction/Sustainability
- Provide Presentation/Display space
- Provide breakout/collaboration space
- Integrate with the campus and community
- Develop through a collaborative process

10. Information Only-Presentation by the Swisher Company – (continued)

Two types of Public Private Lease-Purchase Development

Conventional

- Developer “owns” and controls the building
- Leases over 25-50 years
- Employs conventional financing
- Pays property tax and sales tax
- The private developer profits on rent plus equity
- Construction costs are “closed book” lump sum
- NSHE system pays “buys out” at the end of 25 years
- Tax-Exempt
- Owner controls project through Non-profit entity
- Interest cost 35% lower than conventional financing
- FEE ONLY developer
- No sales or property tax

Free Developer

Collaborative process

Maximum transparency and accountability

Ä High performance teaching and learning environment

9. Information Only-Handbook Revision, University Admissions Criteria –(continued)

There is a problem caused by the K-12 system that we have no control over and the issues need to be worked out. There has been little effort to talk to CCSD and WCSD about students being sent to NSHE.

Regent Whipple left the meeting.

President Maryanski stated that NSC has plans in place to accept a larger class in 2007. NSC was created as the middle tier of the System and a detail plan will be brought to the Board next year. In the state funding formula, over 5 years, the budget will increase by \$13.5 million and the faculty will triple following the formula as is. NSC will ask for additional initiative funding to augment. The administration has consistently said NSC is ready to take the students. With state funding through the facilities formula, NSC will be able to provide classrooms and faculty offices. President Maryanski noted that all degree programs are accredited. NSC students participated in two national surveys: the educational benchmarking program looked at teacher preparation graduates and showed NSC students were above average on 69 of 70 questions the national survey of student engagement showed that there were 11 questions where NSC was 3 standard deviations above the mean. The surveys demonstrate the quality of the educational experience at NSC. A proposal is being developed for a member of NSC's foundation board interested in funding outreach programs. The goal of the proposal is to provide educational opportunity for high potential, low income minority students by developing a support structure that will point them in the direction of a college education. NSC has started to work with the CCSD east region and is focusing on promoting higher education to parents and dual enrollment courses at the high schools. The proposal would augment that, offer transportation to college campuses and additional mentoring for at risk students and their parents. He provided a dramatic statistic that 60% of Latino males and 50% of Latina females in Clark County do not have a high school degree. Before getting into the issues of college admissions and graduation rates, something needs to be done about high school for minority students. The data is indicative of significant problems. NSC is poised to grow and plans are in place.

Regent Whipple entered the meeting.

Regent Howard believed the role of the chancellor needs to be redefined and asked what the Chancellor's role was. Ms. Neilsen tried to get the attention of the chair. Regent Howard was disappointed that the Chancellor took a public stand on this issue. Regent Whipple stated this discussion was off the agenda item and more of an evaluation. Regent Howard stated she did not appreciate the fact that the System's representative took a position before it came to the Board. She continued that the original plan was disturbing by having the GPA go from 2.5 to 3.0 in a few months. The problem is that these kinds of decisions will impact thousands who are trying to overcome other problems. No studies or assessments are done. She wondered how the presidents and campuses could be expected to respect diversity when the Board doesn't. There was no data on how low income students would be affected. She wondered why the question of urgency had not been answered. Students are the ones who need to be worried about. The Board needs to stick to its word it is a breach of contract. She felt increasing standards to increase the quality of a university is hypocritical, especially with UNLV. Standards are being lowered at some colleges. The English Department wants to lower standards to not lose students to CCSN so that CCSN can take care of remedial students. Provost Alden asked if Regent Howard wanted him to address the issue. Regent Howard replied he could when she was finished. Regent Howard continued that every time the university did not want to do something, they say the community college can do it. The community colleges are the dumping ground. She believed the Board is dysfunctional. Good systems that people talk about do not react by increasing standards. What makes them good is how they treat students. Increasing tuition rates and admission standards at the same time is a "double whammy" on minority students by not benefiting students. She did not want admissions standards lowered. She believed in raising the bar, but felt it is how and when you do it. If this admissions requirement is put into place in 2007, the minority retention and graduation rates will go down because their numbers will be decreased. Regent Howard stated steps taken to put the item on the agenda were disregarded which needs to be addressed. If UNLV wants to do all this research, they should become a private institution like DRI.

Regent Whipple thanked Regent Howard for her comments and noted this is a serious matter.

9. Information Only-Handbook Revision, University Admissions Criteria –(continued)

Regent Wixom understood that if a student was admitted to UNLV or UNR with a GPA of 2.5, their failure rate is guaranteed. He wondered what the percentage was of graduates from UNR and UNLV who entered with a 2.5 GPA. President Lilley agreed with Regent Rosenberg. He noted that Washoe County is not a paragon of public school education, but they are supportive of the increase. UNR also has the support of underrepresented groups. The county is becoming more Hispanic and they are supportive of the change. Data for UNR is available for students from low socio-economic areas and there is no disparate impact. Dr. Shannon Ellis, Vice President for Student Services at UNR, stated the average entering GPA of the freshman class is 3.38. The majority of students have well over a 3.0 GPA. There is not a large percentage of students who have less than a 2.75 GPA and those students are known to not succeed. Regent Wixom felt there has been a disconnect. On one hand there is a drive for students to succeed and the emphasis is to try to create admissions standards where they will succeed and on the other hand it has been called elitist. He thought the disconnect needed to be addressed and wondered where do we go from here to address it.

Regent Howard left the meeting.

Executive Vice Chancellor Klaich responded part of disconnect came from different interpretations of data or lack of data. A different kind of disconnect is the one in the pipeline between what we are getting and how to help them succeed. He did not know how to bridge that gap other than talking to the stakeholders to examine issues and come to a conclusion that all looking at the same data, the data is solid and it shows what is or isn't. There are not easy solutions or decisions. He did not know how to make decisions without involving other stakeholders. Dr. Ellis stated when the admissions standards were raised in 2001, the WCSD developed the Gateway Curriculum. Every student entering a Washoe County high school will automatically be on the college track and all are eligible to attend the university. Parents must sign a document removing a student from the

program. W

The meeting recessed to hear the foundation reports at 8:00 a.m. and reconvened at 8:51 a.m. with all members present except Regents Anthony, Howard, Leavitt, Rosenberg and Sisolak.

12. ~~Approved-~~William S. Boyd School of Law Fee Increase, UNLV – The Board approved President Carol C. Harter’s request for approval to increase tuition and registration fees for students “grandfathered” from the previous tuition increase, approved by the Board of Regents in March 2004, by an amount equal to 10% of their current tuition effective July 1, 2006. This increase is consistent with assurances made at the Legislature during an April 8, 2005 hearing of the Joint Subcommittee on Higher Education and Capital Improvements (Ref. C on file in the Board office) .

President Harter recalled that last year Dean Dick Morgan recognized the need to raise tuition at the law school while not hurting students currently enrolled, which was not popular in the legislature. There was a sense that there needed to be a tuition increase to take effect on the current students. A way was found to not penalize current students which appeased the legislature

MmMmMMMMMMMMmmMMMMmM

gan re reMMMMMMMMMMincre Æ âMytt, RosvoundeM

~~MMMM~~ Regent Hill proceeded to support for the adoption of this plan, as have the presidents. Dean Morgan thanked the Board, Chancellor and presidents for considering a very important issue. He thanked President Harter who has been a great champion of this issue. His purpose was to build a great law school as part of a great System and to do that he needs to recruit and retain excellent people. In that process, benefits and fairness are important. Benefits can make a difference in who applies and who stays. Domestic partner benefits can be an important factor in the institution's tone and atmosphere. Faculty do not want to worry about losing colleagues to other institutions. Faculty and staff want to know the System is treating people fairly. He wants to be able to recruit and retain the best people. He assumed it was that business sense that has motivated most of the Fortune 500 companies to adopt these benefits. He asked for serious consideration of the matter and noted the System will need to go to the legislature to consider health benefits. Regent Hill stated he did not have problems extending domestic partner rights to those who cannot legally marry, but he has problems extending benefits to those legally allowed to marry and asked to be enlightened. Dean Morgan answered benefits would be extended to those who committed to life long partners. He noted the business men who are not married but the relationship will be more meaningful and valid if they do not succumb to societal pressure. He did not think it was something they were doing lightly, it was a personal choice. Regent Anthony did not see a specific definition of domestic partner. Dean Morgan replied it was included on the form at the end of the briefing paper. The definition was crafted by the System Office and it will be up to the Board to decide if it was appropriate. ~~MMMM~~ The Boar

to offer separate from the State of Nevada. She noted that a study showed great cities with great

13. Information Only-Extending Board Controlled Benefits to Domestic Partners of NSHE Employees – (continued)

economies have domestic partnership benefits. Regent Derby acknowledged and thanked staff for putting together background information on the issue and continued that this has not been a simple issue for the Board. She thanked everyone for bringing forward the information. She thought it was more an issue of sexual orientation, however she noticed that 90% of those impacted were heterosexual couples. She was interested in the timing issue for those in committed life relationships. She expressed her curiosity about other systems who have this in place.

Regent Rosenberg stated in 71 years he did not think he would hear this discussion. Regent Wixom stated it was positive to have discussion and have it in a civil way. He noted that over the last two weeks he attempted to do his own investigation and found few materials that were not put forward without a point of view with little objective analysis of the nature of consequences of extending domestic partner benefits. The information he received indicated that costs were being underestimated, administrative difficulties in addressing the issue were being underestimated, and it seemed to him that by extending benefits recognition would be given to a relationship with no precedent. He did not think the Board was empowered to give that recognition and he asked staff to address this issue. He stated it was the Board's responsibility to understand the consequences of the decision. Regent Derby was curious about the range of options when other policies and models were reviewed. Regent Howard asked if it was the intention to put it on the next agenda. Regent Whipple answered no as he wanted to provide staff the opportunity to gather the information. Regent Howard asked how long it would take to gather information and when it would come back. Executive Vice Chancellor Klaich felt it could be prepared by the March meeting.

Regent Leavitt entered the meeting.

14. Approved-Handbook Revision, Hiring Above the Executive Salary Range – The Board approved Chancellor James E. Rogers' request of a change in Board Policy (Title 4, Chapter 3, Section 21(2)) to clarify that the Chancellor may, in extraordinary circumstances, approve initial placement above the executive salary range, subject to annual report to the Board. For the Chancellor to approve placement above the schedule, the institution president must demonstrate that the placement is appropriate based on extraordinary qualifications, the competitive nature of the field or discipline and the candidate's salary history (Ref. D on file in the Boar_

Academy would be a public 6-12 Nevada school which received special legislation for its creation. Children are not subject to seat time in a course, they proceed at their own pace. The children are profoundly gifted and represent about 1 in every 25,000 births and approximately 200 of these children are born in the U.S. each year. The Academy is expected to graduate 50-100 students per year, which would mean UNR would receive 25-50% of the students. Permanent quarters are being planned and the university will not be bearing the cost. Mrs. Davidson stated they have been serving this population for six years. The main program serves 800 students and will serve over 1,000 next year. Students are served on an individual basis according to their needs. Students have a desire to learn and it is difficult for them to be placed in a classroom where they have to wait for others to catch up with them. They have been working hard to find appropriate educational accommodations. She noted she had never worked with a

16. Approved-Agreement Regarding the Davidson Academy of Nevada, a University School for Profoundly Gifted Children, UNR – (continued)

university so focused on meeting the needs of students as UNR and the attitude from professors and administration is what is right for the students. Families at a gathering did not believe how interested the faculty were. Executive Vice Chancellor Klaich commented that when a contract comes to the Board, legal counsel is asked if they reviewed it. He noted this contract had not been reviewed, it was done by the Davidsons and through a brainstorming session to put together a document to benefit the children and the university. He expressed his appreciation for the spirit brought to discussions of the contract. Executive Vice Chancellor Klaich continued that this was an example of work being done between K-12 and higher education.

Regent Derby thanked the Davidsons for their generous philanthropy and a creative proposal. She noted the System was committed to diversity and inclusiveness and this was an issue of inclusiveness for a group of children that had not been addressed. She expressed her excitement about the program and felt this was a great opportunity. Regent Dondero thanked the Davidsons for the program. She asked if the professors were from the university or others brought in to teach. Mr. Davidson answered that while the children were taking 6-12 courses they will be taught in the academy and the courses will be free. An individual education plan will be developed for each student and appropriate instructors will be selected for the student. Teachers will be trained on how to deal with the population. When the children take a college course, they would have the normal college instructors. Regent Howard also commended the Davidsons and felt it was important. She discovered accommodating gifted children was just as important as those with disabilities. Mr. Davidson stated the level being accommodated is the very most talented and gifted and most are relocating to Nevada. Regent Derby asked how students are recruited. Mr. Davidson replied there are other programs and there are many outreach programs. Regent Rosenberg asked if children taking pre-college courses would be taught by academy staff. Mr. Davidson answered yes. Regent Rosenberg asked if they would be degree seeking students. Mr. Davidson believed so. The initial cadre will be residents of Nevada, however, they will be young. A residential program will be looked

at in the future. He expected the students would be highly recruited. He continued that the students would be the honors college and the Davidsons and university will be working to introduce the student to the university and the university to the student. He noted there were many young people in college all over the country and they are good students. Regent Rosenberg commented that older students enrich programs and he could see that happening with the younger students.

Regent Alden moved approval of the agreement regarding the Davidson Academy of Nevada. Regent Howard seconded. Motion carried.

President Lilley stated the Davidsons were contributing \$15 million to the new math and science building and the Davidson Academy will be located in that building.

The meeting recessed at 10:32 a.m. and reconvened at 10:50 a.m. with all members present.

17. Approved-Lease Agreement – Golden Baseball League, UNR – The Board approved President John M. Lilley's request for a 10-year lease agreement between the Board of Regents of the Nevada System of Higher

Education on behalf of the University of Nevada, Reno Intercollegiate Athletics and The Diamond Project, LLC (dba The Golden Baseball League (GBL)) for GBL to use Peccole Park for the team's home games and pre-games practices (Ref. R on file in the Board office) .

Regent Hill stated he had reviewed the contract and noted amendments had been distributed (on file in the Board office) , which he reviewed.

Regent Hill moved approval of the lease agreement with the Golden Baseball League. Regent Gallagher seconded.

Regent Sisolak asked when the team would start using the field. Ms. Groth answered their season would be Memorial Day to Labor Day. Regent Sisolak noted the lights needed to be put in before May 1, but GBL would not pay rent until December 1. Mr. Dave Kaval, Founder and CEO of GBL, replied that putting in lights serves as rent credit and assists with turf improvement. Regent Sisolak noted it was confusing that GBL would take possession but not pay rent. Mr. Kaval responded it was an offset for the lights. Executive Vice Chancellor Klaich confirmed the contract was supported by the consideration but there is an offset so there is no payment of rent for the first several months. Regent Sisolak stated the contract did not view the improvements as rent and he thought facility improvements were in addition to rent. Mr. Kaval noted the value will be taken as rent payments over time. Regent Sisolak stated he had not had time to read the addendum. Regent Whipple noted this item would be continued later in the meeting.

Regent Hill left the meeting.

18. Approved-North Las Vegas Federal Land Reservation, UNLV – The Board approved President Carol C. Harter's request for permission to increase the proposed UNLV North Las Vegas federal land reservation in the City of North Las Vegas, authorized by the Board of Regents in January 2004, from 761 to approximately 2,009 acres and to discuss with the Nevada U.S. Congressional delegation options to acquire the property via specific federal legislation. UNLV will consult with the City of North Las Vegas and BLM to draft special legislation that includes specific conditions requiring remediation of the former Nellis Small Arms Range prior to conveyance of the property to NSHE. This draft legislation will then be submitted to the Board of Regents for approval prior to submission to the Nevada U.S. Congressional delegation (Ref. S on file in the Board office) .

Regent Alden moved approval to increase the proposed UNLV North Las Vegas federal land reservation. Regent Dondero seconded.

President Harter noted NSHE had a tremendous window of opportunity to increase the proposed North Las Vegas federal land reservation to over 2,000 acres. Land in prime areas in the Las Vegas Valley is becoming increasingly valuable and this land acquisition will advance UNLV and other System institutions. The request is to formally request that the BLM increase the land reservation from 761 acres to 2,009 acres and grant

18. Approved-North Las Vegas Federal Land Reservation, UNLV – (continued)

permission to formally discuss with the Nevada delegation options to acquire the property via specific federal legislation. She has had informal discussions and the delegation is supportive. Regent Derby asked how this fit in with the master plan of the System. She noted that consultants in the AB 203 process stressed the need to grow the state college level of institutions and not have branch university campuses. President Harter replied UNLV was working with all three institutions in the south and the first building foreseen would be an innovative center to include CCSN, NSC and UNLV teaching at different levels and programs. The additional land, which has potential for research, would include a partnership with DRI in that regard. It is a model of higher education partnerships that the System has not had. She continued that feasibility studies would need to be done. This is a long-term project and plans will be coming to the Board. She saw this as an innovative campus that will bring together all the institutions in the south. UNLV is taking the lead as requested by the City of North Las Vegas on behalf of the System. Chancellor Rogers added that he had extensive conversations with CCSD, which has an interest in building a high school on the property integrated with the three System institutions. Regent Derby

stated there were members of the Board who were new and the master plan and recommendations of the AB 203 committee were clear about expansion of the System regarding access to accommodate growth. It was clear that the System needed the state college system to expand to accommodate the growing number of Nevadans who want a baccalaureate degree.

Regent Sisolak asked how much was being requested from the state for operating and maintenance. Mr. Bomotti

continued that the policies are in writing and have been provided to GBL. Regent Sisolak asked if it was the practice to sell or rent the season ticket holder list. Ms. Groth answered that schools who have partnered with GBL have done that and it has helped enhance the university's baseball program. UNR felt it was a good partnership to cross promote. Regent Sisolak asked if permission was asked from the season ticket holders. Ms. Groth noted the cross promotion would be done with information provided in the season ticket holders' mailing. GBL will not be given the list. Regent Sisolak asked if the insurance was typical and sufficient. Executive Vice Chancellor Klaich answered he did not negotiate the terms, but noted there are statutory tort liabilities that would apply to the university. The insurance in the agreement would be for the benefit of GBL if they should incur liabilities. Mr. Ron Zurek noted these were the updated limits that Jon Hansen, Risk Manager for the System, worked with UNR to establish.

Motion carried.

19. Approved-Tuition Waivers for Community College Athletes – The Board approved Regents Stavros S. Anthony, Jack Lund Schofield and Bret Whipple's request regarding providing athletic fee waivers to community college student athletes (Ref. N on file in the Boar

community college issue might have had some influence, but it was not critical. The System needs to be mindful of it, but the issue can be brought forward to the legislature without prejudicing the university programs. Regent Gallagher echoed President Harter's concerns. She stated it was a fight to get athletics at the community colleges. She did not believe it could all be pinned on Senator Raggio. Her concern was that if the issue was pushed now, all fee waivers would be eliminated. Caution needs to be used.

Regent Wixom asked if the fee waivers would take effect in FY 2007 and approving the motion would forward a request for funding to the legislature. Regent Anthony was under the impression that the fee waivers would take effect the next semester. Executive Vice Chancellor Klaich answered there is no funding provided in the biennium. He thought there needed to be clarification from Regent Anthony if presidents should be allowed to find funds in their budgets as funds cannot be requested from the state before 2007. Regent Wixom asked if this item was approved, are we approving a budget request to the 2007 legislature to approve fee waivers and if the community college presidents desire, they can find funds in their budgets they could make the fee waivers effective now. Executive Vice Chancellor Klaich replied yes to the first part but could not answer the second part. Regent Anthony asked the presidents if they would be able to begin tuition waivers at the next or following semesters. President Carpenter reminded the Board that CCSN had athletic fee waivers. Without fee waivers, CCSN does not have a team because they cannot compete. CCSN had a major donor to the baseball program who is now contributing significantly less. The donor's concern was that the state was not doing anything. CCSN is on the brink of discontinuing athletics as he either violates Board policy or finds funds for the expenses of the program. CCSN is dramatically reducing the program to keep it afloat. This is a serious problem. He needs the means to support athletic programs. Regent Wixom asked President Carpenter if he had the funds to implement fee waivers if they were approved. President Carpenter replied it would not take significant resources. It would be not collecting fees from 50 students. Regent Wixom was trying to find a clear path for the authority to provide fee waivers. President Carpenter noted it is a long time between now and the next biennial budget and he did not know if there would still be a program at that time. Regent Wixom asked what good the approval would do if fee waivers were not in place. Chancellor Rogers stated his view was to show good faith to the donors. If the resolution was passed to go back to the legislature, he would find the money.

Regent Rosenberg asked for clarification of the motion and if it was to go to the legislature to ask for money at the next session and did not include support from existing funds. Regent Whipple responded the motion just adopts language.

Regent Derby stated this was a matter of equity and was an important issue for the community colleges. She wanted to vote for going back to the legislature and making donor funds available. Chancellor Rogers thought it would be a mistake to pass a resolution to have the community college presidents move funds to athletics. They are trying to bridge with private funds. Regent Dondero thought the Board was losing perspective and she did not want students to think the programs would not continue. She believed it needed to be resolved.

19. Approved-Tuition Waivers for Community College Athletes – (continued)

President Lucey provided perspective on the WNCC program. It was not her intention to hurt CCSN or the universities and she apologized for the consequences. When the request for athletics came forward, it was thought that WNCC would join a small conference in California in Division III which does not permit fee waivers. WNCC was not admitted to the conference. CCSN helped WNCC get into another Division III conference. WNCC has other resources that have been used for athletic scholarships. She noted there is a chilling effect on her ability to raise money because WNCC is not eligible for fee waivers. She thought, if the Board were to take a step to affirm for community colleges to have fee waivers, that would go a long way to alleviate concerns of donors. President Lucey mentioned the women's soccer team finished their freshman year with a record of 500.

Regent Anthony noted there is support for going to the legislature. He asked why tuition waivers could not start next semester. Executive Vice Chancellor Klaich replied because there is a limited number of funded tuition waivers which have been allocated. Regent Anthony stated the Board had approved tuition waivers during his tenure and funding was never discussed. Chancellor Rogers replied the legislature provided a total amount and

designated the areas. Vice Chancellor Nichols clarified the Board has the power to waive any fees. Most of the System fees are state approved fee waivers. This means that, into the budget calculations of the dollars from the state, the state does not expect the System to give the tuition money for those students to them. When the Board provides a fee waiver not in the legislative budgetary process, money has to be found from a source other than state funding. In the budget process the legislature has said it will not provide state funding. She did not believe there was a prohibition on private funding for community college fee waivers. The problem is that CCSN does not have a source of money, but the Board could approve the fee waivers and if CCSN could find the money they could be implemented. Regent Gallagher stated she was not against fee waivers. Her fear was that if fee waivers were provided to the community colleges effective January 1, the legislature would not provide further funding. President Lucey clarified she provides scholarships for athletes from private sources. Regent Schofield noted there are many high schools in the state and students need athletics at the community colleges.

Regent Whipple read a resolution: Resolved: That the NSHE Board of Regents affirm their support for community college athletic programs, express their intent to request funding for community college athletic fee waivers in the 2007-2009 biennial budget, encourage the Chancellor and community college presidents to endeavor to secure private donor non-state funds to continue existing programs for the current biennium. The resolution was accepted by Regents Schofield and Anthony.

When Regent Sisolak asked if there would be a way to reallocate existing dollars from the legislature if the resolution was passed, the answer was no. Regent Derby spoke in favor of the motion. This is the opportunity for presidents to find private funds to support the programs to go forward.

Dr. Roger Schmid#

21. Information Only-Handbook Revision, Title 2, Section 6.9.6 - President John M. Lilley presented for information a proposed amendment to the NSHE Code (Title 2, Section 6.9.6), requiring, in the event a person charged advises that he or she will be accompanied by an attorney as advisor, that the administrative officer advise the Executive Vice Chancellor so that an attorney will be present at the hearing to represent and advise the administrative officer and to present the evidence on behalf of the administrative officer. This is the first hearing of a Code amendment, with final action to be taken at the January 2006 meeting (Ref. G on file in the Board office).

Executive Vice Chancellor Klaich stated this was an item brought forward by UNR due to a situation that occurred on campus. The revision provides that both parties be treated equally at a grievance hearing.

Regent Derby and Hill left the meeting.

Approved-Handbook Revision, Rebel Yell Guidelines/Rebel Yell Operating Policy, UNLV - Title 2, Section 6.9.6
Approved President Carol C. Hunter request for proposed changes to the Rebel Yell Operating Policy the change
to more broadly include individuals eligible to serve as Rebel Yell

is g i o a b l e

23. Approved-Handbook Revision, Employment of Regents at NSHE Institutions, Units Or Foundations –
(continued)

position to influence the award. He thought it was clear that Regents could not use their official position to enhance economically. Regent Wixom answered the purpose of the subsection was to mirror provisions in NRS. Regent Alden asked if that was the exact wording of the statute. Regent Wixom believed it was. Regent Alden expressed another concern that it should be clear that Board members should not be applying for jobs while a Regent. Regent Wixom believed that was inherent. Regent Alden asked what the impact would be for promotion or receiving raises if a current Board member who works in the System was elected. Regent Wixom responded the language says they could not apply for or accept a different position, they would be frozen in their current position. The purpose of the language is to allow the Board to move forward without creating legal problems. Regent Alden had a problem because an elected person would be frozen in a position. Executive Vice Chancellor Klaich noted the language is identical to the statute sighted with the exception of the addition of gender neutral language. Regent Leavitt noted the statute mirrors existing state law that applies to all elected officers. The second section is the amendment.

Regent Rosenberg stated he had no problem with this policy. If there is a problem, it would come in the future and not affect him. He asked, if the Board enacted a policy, could they also suspend the policy. Executive Vice Chancellor Klaich answered yes. Regent Rosenberg noted the Board would have flexibility.

Regent Whipple left the meeting.

Regent Anthony asked, under 3b, if a Regent left the Board they could not apply for a position for one year. Executive Vice Chancellor Klaich replied that was correct. Regent Howard asked if contracts were included and wondered if a business owner, that was a former Regent, could do business with the System. Executive Vice Chancellor Klaich responded the wording of 3A and the statute was reflective of using a position for an advantage. A former Regent seeking to do business with the System the policy of 3A and statute would not apply. Regent Howard asked why it would not apply. Executive Vice Chancellor Klaich answered because the cooling off period was for seeking of employment but not for seeking contracts. Regent Howard wondered if there was a cooling off period for business owners who wanted to do business with the System. Executive Vice Chancellor Klaich did not think so.

Regent Howard offered a friendly amendment to include business owners. Regent Wixom offered friendly amendment language which added "...position, contract or business relationship..." to subsection 3B.

Regent Howard stated she could think of one more instance such as a Regent being on the Board of Directors.

Regents Wixom and Leavitt accepted the language.

23. Approved-Handbook Revision, Employment of Regents at NSHE Institutions, Units Or Foundations –
(continued)

Regent Whipple entered the meeting.

President Maryanski asked if the language applied to internal personnel actions and promotion and tenure decisions should a Regent be employed by the System when elected, with the answer being yes. Regent Hill expressed his concern that a Regent could not apply for a position prior to the one year mark, as long as they took the job after the one year. He thought the Board should be addressing issues of Regents making demands for privileges not available to all Regents, orders for operations, management and admissions given by Regents. Regent Hill stated he would give his language to Regent Wixom and Leavitt and asked them to help him with this item. Regent Alden expressed his concerns that subsection 3A did not say that Regents should not seek employment within NSHE thought 3B should be "for the period of 1 year after termination of service on the Board" and if 3A addressed that standing Regents could not apply for a job. Regent Wixom did not see that adding NSHE to 3A would present an issue, however, as indicated before, 3A mirrors the provisions in NRS and

he was hesitant to make substantive revision to that.

Regent Leavitt called for the question. Regent Gallagher seconded.

Ms. Nielsen clarified calling for the question took a 2/3 majority vote and was not debatable.

Regent Howard stated she needed to hear the motion.

Regent Sisolak noted a point of order observing there could not be an explanation after a call for the question. Ms. Nielsen clarified a vote needed to be taken on the issue of calling for the question which requires a 2/3 vote to pass, then debate is ended and the main motion needs to be voted on.

Regent Howard noted a point of order as she did not know what she was voting on and needed a ruling from legal counsel. Regent Whipple answered the call for the question was being voted on. Ms. Nielsen stated the motion was to call for the question. If it passes by a 2/3 majority then the main motion must be voted on without further discussion. She noted this was a procedural motion. Regent Howard noted a point of clarification and stated she understood there could be no debate. She needs clarification as she cannot vote on something when she does not know what she is voting on. Ms. Nielsen responded that once a motion is adopted a vote needs to be taken. Regent Howard asked for a clarification of the motion. Executive Vice Chancellor Klaich responded the motion was amended to include "...position, contract or business relationship" in 3B.

23. Approved-Handbook Revision, Employment of Regents at NSHE Institutions, Units Or Foundations –
(continued)

Upon a roll call vote, the motion failed. Regents Gallagher, Leavitt, Sisolak, Whipple and Wixom voted yes. Regents Alden, Anthony, Derby, Dondero, Hill, Howard, Rosenberg and Schofield voted no.

Regent Alden asked for clarification on subsection 3A.

Regent Sisolak noted a point of order as this was the third time Regent Alden had spoken and Regent Derby had not had the opportunity to speak.

Regent Derby recalled only one instance where there was a sense of infraction. She believed it was a public trust issue and she was in favor of the motion. Regent Leavitt noted if this was adopted, these are public policy statements and the Board was sending out a message that we are going as far as other bodies and he supported the language prepared. Regent Alden asked that NSHE be added to 3A and "for a period of one year" be added to 3B.

Regents Wixom and Leavitt accepted the modifications. Motion carried.

24. Approved-Handbook Revision, Host Expenditures – The Board approved Executive Vice Chancellor Daniel Klaich's request for a proposed amendment to the Board's policy on host expenditures (Title 4, Chapter 10, Section 17) clarifying that certain expenditures shall be considered normal expenses and not host expenses (Ref. L on file in the Board office).

Executive Vice Chancellor Klaich stated this change was to make it clear that expenditures for marketing of programs were program expenses and not considered host expenditures. This change was recommended by the business officers

Regent Galagher moved approval of the policy on host expenditures. Regent Alden seconded. Motion carried.

25. Approved-School of Dental Medicine Student Honor Code, UNLV – The Board approved President Carol C. Harter's request of a student honor code for the UNLV School of Dental Medicine (Ref. Q on file in the Board

Regent Alden moved approval of the School of Dental Medicine Honor Code. Regent Rosenberg seconded.

Regent Whipple acknowledged Dean Ferrillo.

Regent Hill did not know what the standard of conduct for dentists was and nothing in the proposed code referred to lying. Dr. Rebecca Mills, Vice President for Student Life,

25. Approved-School of Dental Medicine Student Honor Code, UNLV –

answered the UNLV student conduct code provides the umbrella for student conduct of all students at the university and this is a subset of that code. Provisions for lying and academic dishonesty are included in the UNLV conduct code. This code is specific to the School of Dental Medicine. Regent Hill stated section 2F noted that students “should” report incidents that violate the honor code and he thought this should be “must”. Dr. Mills responded that faculty, students and staff of the School of Dental Medicine created the honor code from similar ones across the country and she was not involved in the creation. Dr. Ferrillo stated the suggestion was well taken and the honor code was pushed to be as rigid as possible and Regent Hill’s suggestion could be incorporated without problem. Regent Hill asked if the language should be amended now or be brought back. The student body generated the code. Student doctors are harsh on themselves and he thought they would accept the change.

Regent Hill offered a friendly amendment that students “must” report. The amendment was accepted by Regents Alden and Rosenberg.

Regent Leavitt left the meeting.

Regent Hill suggested the umbrella code be attached so that students know it is part of it. Dr. Mills replied that is part of the practice at UNLV. Regent Sisolak asked if there were consequences for students who knew but did not report. Dr. Mills responded that would be part of the investigative process. Regent Rosenberg noted this is a difficult time in education because there are different ways for students to be dishonest. Dr. Mills did not believe the System puts students in harm’s way, they put themselves there and that is why processes are needed to treat them fairly and have reasonable consequences attached. Regent Sisolak expressed his concern about what would happen if a student knew another did something and was intimidated. Dr. Mills noted that intimidation does happen and there are hearing officers and others on campus to be student advocates. Intimidation is a violation of the conduct code. She stated it was typical in professional schools to have the requirements. Regent Hill noted that lawyers have the duty to report other attorneys. Regent Anthony stated that was also the case for law enforcement.

Motion carried as amended. Regent Leavitt was absent.

26. Approved-Revision of Great Basin Plant Materials Center (PMC) Lease, UNR – The Bof~

President Carol C. Harter's request of the Grant of Easement with Nevada Power on approximately 17 acres of the Sunrise Mountain/Rainbow Gardens property that is required for the Harry Allen/Man Transmission Line Project in exchange for consideration based on the updated appraisal to be received, but not less than \$111,113.00. Initially, Nevada Power offered NSHE \$111,113.00 for this easement based on an October 8, 2004 appraisal. That offer was deferred due to the pending sale of the entire 517 acres to the Bureau of Land Management (BLM). The easement is now required due to the fact that the sale of the 517 acres to BLM will not occur prior to Nevada Power needing to begin construction on the site. UNLV has reviewed other options for access to the site by Nevada Power prior to the sale to BLM, but none were feasible for their construction needs. The Nevada Power appraisal is being updated and will be submitted for independent review by UNLV and NSHE prior to the Board of Regents' meeting. UNLV is requesting approval of the easement described above and further requesting delegation of authority to the Chancellor for execution because timing of the easement is critical to Nevada Power and their construction plans, and will be required prior to the January 2006 Board of Regents' meeting (Ref. T on file in the Board office).

Regent Alden moved approval of the grant of easement. Regent Rosenberg seconded.

Regent Rosenberg left the meeting.

President Harter informed the Board that conditions have improved in the cost of remediation and the offer received for the easement from Nevada Power. She stated Mr. Bomotti was available to answer any questions. Regent Sisolak asked why this was not an issue previously. Mr. Bomotti answered UNLV was given authority to sell the property to BLM. In 2003, the Chancellor authorized Nevada Power to do survey work on this easement. It was thought that the BLM activity would be done prior to the time that Nevada Power would need to be on site for construction. UNLV's schedule has moved to the end of February to have the sale completed and Nevada Power's timeframe is earlier. Trying to accommodate their schedule. Regent Sisolak requested these be

27. Approved-Grant of Easement – Sunrise Mountain/Rainbow Gardens, UNLV– (continued)

presented at the same time. Mr. Bomotti noted it was UNLV's intent to limit the time spent on this item.

Motion carried. Regents Leavitt and Rosenberg were absent.

28. Approved-Update on Advanced Dental Education Building, UNLV – The Board approved President Carol C. Harter presentation of an update on the Advanced Dental Education Building. A special Board of Regents' meeting will be required to approve the final contract award and to receive authorization to move forward with the installment-purchase financing of this project (Ref. U on file in the Board office) .

Regent Rosenberg entered the meeting.

Mr. Bomotti noted UNLV was asking that in order to accelerate the schedule on the project to have action for approval of the contractor and authorization for financing at a January meeting. Regent Alden asked if all private funds would be used. Mr. Bomotti replied all funds would be generated from the orthodontics program.

Regent Alden moved approval of the Advanced Dental Education Building. Regent Gallagher seconded.

Regent Sisolak stated the reference material noted that no state funds would be used for any portion Mr. Bomotti answered that once final design is received, the amount of space orthodontics will use will be identified. Funds for O & M for the orthodontics space will not be requested. Another review will be conducted once the building is completed. Regent Sisolak asked if state money would be requested because the building will be used by other programs. Mr. Bomotti replied O & M money would be requested if there are other state funded programs housed there. Regent Alden noted he shared Regent Sisolak's concerns.

Motion carried. Regent Sisolak voted no. Regent Leavitt was absent.

Regent Whipple welcomed the participants from the State Board of Education.

31. Approved-Academic, Research & Student Affairs Committee - Chair Howard Rosenberg presented a report on the Academic, Research & Student Affairs Committee meeting held December 1, 2005 and requested Board action on the following Committee recommendations:

The Committee reviewed NSHE institutions' graduation rates and an overview of transfer 2+2 issues related to the Associate of Applied Science degree and the Bachelor of Applied Science degree as compared to the Associate of Arts and the Associate of Science and the Baccalaureate degree. The Vice Chancellor for Academic and Student Affairs was asked to bring back to the next meeting a recommendation for completion of an associates degree prior to transfer.

Regent Rosenberg requested Board action on the following Committee recommendations:

Minutes – The Committee recommended approval of the minutes from the September 22, 2005 ARSA Committee meeting

New Unit Proposals – The Committee recommended approval of the following new unit proposals:

Center for Corporate Governance and Business Ethics, UNR (Ref. ARSA-4 on file in the Board office)

Department of Environmental and Occupational Health (EOH), UNLV (Ref. ARSA-5 on file in the Board office)

Center for Materials and Structures, UNLV (Ref. ARSA-6 on file in the Board office)

Energy Materials Interaction Technology Initiative of Nevada (EMITION), UNLV (Ref. ARSA-7 on file in the Board office)

Center of Atmospheric, Oceanic & Space Sciences (CAOS), UNLV (Ref. ARSA-8 on file in the Board office)

Center for Advanced Visualization, Computing and Modeling (CAVCaM), DRI (Ref. ARSA-9 on file in the Board office)

Committee Review and Approval of Institutional Initiatives – The Committee reviewed a list of academic partnerships, organizational units and plans that currently require Board review

Regent Rosenberg moved approval of the Committee recommendations and acceptance of the report. Regent Gallagher seconded. Motion carried.

32. Approved-Audit Committee - Chair Douglas Roman Hill presented a report on the Audit Committee meeting held December 1, 2005 and requested Board action on the following Committee recommendations:

The Committee heard follow-up responses for seven internal audit reports that were presented to the Audit Committee at the June 2005 meeting. Ms. Denise Baclawski, Executive Director, UNR Fire Science Academy reported on the status of the University of Nevada, Reno Fire Science Academy. The FSA is on target with projected revenues and expenses for this fiscal year as reported in the Business Plan. Enrollment has increased by 27% compared to the same period as last year. Dr. Jane Nichols, Vice

32. Approved-Audit Committee – (continued)

Chancellor for Academic & Student Affairs, presented an update on the Management Assistant Partnership (MAP) internal audit report. Ms. Sandi Cardinal, Assistant Vice Chancellor, presented an update on the Audit Exception Report that was presented at the September 2005 Audit Committee meeting. A status report was presented on the Audit Committee responsibilities noted in the AGB Publication, The Audit Committee .

Regent Hill requested Board action on the following Committee recommendations:

Minutes – The Committee recommended approval of the minutes from the September 22, 2005 Audit Committee meeting

The Committee recommended the approval of the following External Audit Reports:

Consolidated Financial Statements, NSHE (Ref. A-2 Bound Report on file in the Board office)

Management Letter, NSHE (Ref. A-3 Bound Report on file in the Board office)

Financial Statements, UNR (Ref. A-4 Bound Report on file in the Board office)

FY 2004-05 Accountability Report-Board of Regents' Approved Budget to Actual – The Committee recommended approval of the fiscal year 2004-05 Accountability Report (Bound Report on file in the Board office)

33. Approved-Budget & Finance Committee – (continued)

Debt Policy and Procedures – The Committee reviewed the System's current debt policy, including, but not limited to, the refunding policy and determined if the policy should be an internal policy or a Board policy and if any revisions needed to be made. The Committee also reviewed the refunding status of all outstanding bonds (Ref. BF-6 & Bound Report on file in the Board office)

IFC Approval for Additional Student Fee Revenues – The Committee recommended approval to seek Interim Finance Committee authorization to expend additional student fee revenues (Ref. BF-12 on file in the Board office)

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

Regent Alden asked that when budgets are received they be presented in the same manner to prevent confusion.

Motion carried.

34. Approved-Cultural Diversity & Security - Chair Linda C. Howard presented a report on the Cultural Diversity & Security Committee meeting held L

Minutes – The Task Force recommended approval of the minutes from the September 16, and October 14, 2005 Technology Task Force Meetings

Organization, Oversight and System Coordination of the Integrated Information System Project – The Task Force reviewed and recommended approval of plans for project organization, system-wide coordination and communication

Goals for the NSHE Integrated Information System Project – The Task Force recommended approval of specific goals and priorities for the NSHE Integrated Information System Project

Scope of the NSHE Integrated Information System Project – The Task Force discussed and recommended approval of a scope for the NSHE Integrated Information System Project

Selection of Vendors for Software and Implementation Services – The Task Force recommended approval of the criteria and process for selecting vendors for the NSHE Integrated Information System Project

Rescission of December 2005 Meeting Date – The Task Force rescinded the December 7, 2005 meeting date

Request for Proposal – The Task Force recommended approval of the request for proposal for the NSHE Integrated Information Project (Ref. X on file in the Board office)

Regent Anthony moved approval of the Task Force recommendations and acceptance of the report. Regent Hill seconded.

Regent Alden thought the Task Force did a good job, however, he requested accountability for the money spent on consultants, which he has. There should be no communication between

The Committee discussed the potential expanded scope of the Investment Committee to include real property issues of the System, Capital Market Returns and Valuations as of September 30, 2005 and Asset Allocations and Investment Returns for the period ended September 30, 2005. Endowment investments returned 3.6% for the quarter compared to its benchmark of 3.5% and 6.9% for the calendar year compared to its benchmark of 5.3%. The total return for the pooled operating funds was 2.1% for the quarter compared to its benchmark of 2.2% and 3.9% for the calendar year compared to its benchmark of 4.0%.

Regent Dondero requested Board action on the following Committee recommendations:

Minutes – The Committee recommended approval of the minutes from the August 24, 2005 Investment Committee meeting

Regent Dondero moved approval of the Committee recommendation and acceptance of the report. Regent Rosenberg seconded. Motion carried.

38. New Business - none noted.

Regent Whipple complimented the Board for their work over the past one and one-half days.

The meeting adjourned at 1:46 p.m.

Fini Dobyms
Secretary to the Board