

5. CONSENT AGENDA INFORMATION/ACTION

Request is made for approval of the Consent Agenda.

[\(Consent Agenda\)](#)

ESTIMATED TIME: 10 mins.

6. PUBLIC COMMENT INFORMATION

Public comment will be taken during this agenda item. No action may be taken on a matter raised under this item until the matter is included on an agenda as an item on which action may be taken. The Chairman of the Board of Regents may place reasonable limitations as to the amount of time individuals may address the Board. The Chairman may elect to allow public comment on a specific agenda item when that item is being considered.

ESTIMATED TIME: 10 mins.

7. DISTINGUISHED NEVADAN AWARD INFORMATION/ACTION

Regent Dorothy S. Gallagher will present Reverend Caesar J. Caviglia for the Board of Regents' consideration as a 2010

Distinguished Nevadan recipient.

(Handbook, Title 4, Chapter 1, Section 14).

[\(Ref. BOR-7a and BOR-7b\)](#)

ESTIMATED TIME: 5 mins.

8. PRESIDENT EMERITUS, DR. JOHN W. GWALTNEY, TMCC INFORMATION/ACTION

Chancellor Daniel J. Klaike requests that former president of

TMCC, Dr. John W. Gwaltney be granted President Emeritus

status. Pursuant to Board Policy *(Title 4, Chapter 3, Section 29)*,

presidents that choose to retire after at least five years of service are eligible for emeritus status. Emeritus status for presidents must be recommended by the Chancellor and approved by the Board.

[\(Ref. BOR-8a and BOR-8b\)](#)

ESTIMATED TIME: 5 mins.

9. ***PROCEDURES & GUIDELINES MANUAL*** **INFORMATION/ACTION**
REVISION, STUDENT FEES

Interim Vice Chancellor Mark Stevens requests approval of revisions to Student Fees, Special Course Fees and Food Service Rates (P&GM Chapter 7, Sections 7, 8 and 10) as required by Board Policy (Title 4, Chapter 17). ([Ref. BOR-9](#))

FISCAL IMPACT: Revenue generated from the proposed fee changes will be expended on the specific activities noted in the reference material. Please see the narrative for individual fee revenue projections and related expenditure detail.

ESTIMATED TIME: 30 mins.

10. ***HANDBOOK REVISION ,*** **INFORMATION/ACTION**
DIFFERENTIAL PROGRAM FEES

At the September 2010 meeting, the Board approved policies and procedures concerning undergraduate differential program fees. Specifically, the Board approved a policy outlining the permissible use of revenue generated from such fees and further specified the information that must be submitted to the Board when proposing a differential program fee for approval. As indicated at the time, the policy is being brought back to expand the authorization for differential program fees to graduate level programs. The proposal also provides that institutions may establish policies and procedures to allow graduate assistants to register without a differential program fee. ([Ref. BOR-10](#))

Fiscal Impact: Approved differential program fees will generate revenue for the program for which they are associated.

ESTIMATED TIME: 5 mins.

11.

12. FACULTY HIRE ABOVE
SALARY SCHEDULE, UNSOM

INFORMATION/ACTION

UNR President Milton D. Glick requests approval of employment salary above schedule for John M. Ham, M.D., in the position of Professor, Transplant Surgery, Surgery, Las Vegas, UNSOM, at a salary of \$500,000, which exceeds the established maximum salary of \$433,664. ([Ref. BOR-12](#))

***FISCAL IMPACT:** Dr. Ham's salary will be funded 100% by University Medical Center (UMC). If UMC removes funding for this position, UNSOM will fund Dr. Ham's salary at \$200,000 from CMS funds for two years. In addition, if UMC removes funding for this position and Dr. Ham earns sufficient clinical revenues, he will have the ability to increase his salary based on the revenues generated up to the \$500,000 salary in accordance with the terms of addendum to the annual clinical contract. After two years, Dr. Ham's salary will be entirely funded from clinical revenues.*

***ESTIMATED TIME:** 10 mins.*

13. APPOINTMENT, VICE CHANCELLOR
FOR FINANCE, NSHE

INFORMATION/ACTION

In accordance with Title 4, Chapter 3, Section 24.2(b) of the NSHE Handbook, Chancellor Daniel J. Klaich requests approval of the

15. EMPLOYMENT CONTRACT,
PRESIDENT, UNLV AND CODE REVISION
WAIVER FOR PRESIDENT SEARCH

INFORMATION/ACTION

At the August 6, 2009, meeting of the Board, the Board appointed Dr. Neal Smatresk as the Interim President of UNLV and approved an initial contract of two years with an option for a third year. The underlying assumption was that Dr. Smatresk's performance would not be reviewed until after the 2011 Legislature adjourned, and then the appropriate process, if any, would be determined and followed in the third or option year.

Chancellor Klaich will ask the Board to revisit his original recommendation to the Board. The Chancellor will report to the Board the broad input he has received from various stakeholders, including faculty senate representatives, student officer representatives (*graduate and undergraduate*), administrative staff, alumni association representatives, classified council representatives, the affirmative action/diversity officer, UNLV Foundation representatives and community leaders. In addition, the Chancellor will report on input he has received on the perceived need or desire for a formal search process.

Based on this input, Chancellor Klaich will make a recommendation regarding the employment contract of Dr. Neal Smatresk. One possibility is that a recommendation would be made for the appointment of Dr. Smatresk as the permanent President of UNLV. If the Chancellor brings forth a recommendation for a permanent appointment and if the Board chooses to accept that recommendation, the Board would be required to waive the Code provisions relating to the president search process found in Title 2, Chapter 1, Section 1.5.4. Essentially this would act as a deletion or strikethrough of these provisions and is in the nature of a temporary Code amendment. Notice was provided to the Regents, Chancellor, System institution president, each faculty senate and each student body president on October 21, 2010, to the extent that this waiver would constitute a one-time amendment of the Code provisions found in Section 1.5.4 and any associated provisions. Pursuant to Section 1.3.3 of the Code if such a recommendation is made, the Board will take final action after giving due consideration to the opinions of the senate representatives and officers of the System.
([Ref. BOR-15a](#) and [BOR-15b](#))

ESTIMATED TIME: 60 mins.

FOUNDATION REPORTS

Friday, December 3, 2010, 10:00 a.m.

16. FOUNDATION REPORTS

INFORMATION/ACTION

Sitting as members of the corporation of the respective institution foundations, the Board will review presentations from the institution foundations.

Order of Presentation: CSN, DRI RESEARCH, DRI RESEARCH PARKS, LTD., GBC, NSC, TMCC, WNC, UNLV and UNR.

NOTE: Please refer to the specific Foundation agenda for description of action items and complete reference materials and/or reports.

ESTIMATED TIME: 1 hr. 30 mins.

INFORMATION/ACTION

17. UPDATE ON THE REGENTS' EFFICIENCY AND EFFECTIVENESS INITIATIVE FOR THE NEVADA SYSTEM OF HIGHER EDUCATION

INFORMATION/ACTION

Vice Chairman Jason Geddes, Regent Kevin J. Page and Vice Chancellor Bart Patterson will report on the progress of the Efficiency and Effectiveness (E&E) initiative. The Board may provide direction to staff in regard to next steps to be taken.

ESTIMATED TIME: 15 mins.

18. REPORT ON FORMULA FUNDING

INFORMATION/ACTION

Chancellor Daniel J. Klaich will provide an update on the progress of the formula funding study, including preliminary findings as well as possible recommendations that may be presented to the Nevada legislature. The Board may approve or modify the recommendations presented.

ESTIMATED TIME: 15 mins.

22. WASHOE COUNTY SCHOOL DISTRICT
STRATEGIC PLAN

INFORMATION

Dr. Heath Morrison, Washoe County School District Superintendent, will present the Washoe County School District strategic plan.

ESTIMATED TIME: 30 mins.

23. FAREWELL TO OUTGOING REGENTS

INFORMATION

The Board members will express their gratitude to outgoing Regents for their service to the Nevada System of Higher Education.

ESTIMATED TIME: 40 mins.

COMMITTEE REPORTS

ESTIMATED TIME: 15 mins.

NOTE: Please refer to the specific committee agenda for complete reference materials and/or reports.

24. AUDIT COMMITTEE

INFORMATION/ACTION

Chair Mark Alden will present a report on the Audit Committee meeting held on December 2010, and Board action may be requested on the following:

- Minutes – The Committee considered for approval the minutes from the September 9, 2010, meeting. ([Ref. A-1](#))
- Office of Management & Budget (OMB) Circular A-133 Report – The Committee considered for approval the OMB Circular A-133 Audit Report for the year ended June 30, 2010. ([Ref. A-2](#))
- Financial Statements, NSHE – The Committee considered for approval the NSHE Financial Statements for the year ended June 30, 2010. ([Ref. A-3](#))
- Communications with those Charged with Governance, NSHE – The Committee considered for approval a report on the Communications with those Charged with Governance for the year ended June 30, 2010. ([Ref. A-4](#))
- Report on Internal Control Matters, NSHE – The Committee considered for approval the NSHE Report on Internal Control Matters for the year ended June 30, 2010. ([Ref. A-5](#))
- Financial Statements and Report of Certified Public Accountants, UNSOM – The Committee considered for approval the UNSOM Combined Financial Statements and Report of Certified Public Accountants for the year ended June 30, 2010. ([Ref. A-6](#))

24. AUDIT COMMITTEE – (Cont'd.)

- Report on Internal Control Matters, UNSOM – The Committee considered for approval the UNSOM Report on Internal Control Matters for the year ended June 30, 2010. ([Ref. A-7](#))
- Internal Audit Reports – The Committee considered for approval the following internal audit reports: ([Ref. Audit Summary](#))
 - ✓ Nevada Public Health Laboratory Follow-up Audit, UNR ([Ref. A-9](#))
 - ✓ Hosting UNR ([Ref. A-10](#))
 - ✓ Hosting, UNLV ([Ref. A-11](#))
 - ✓ Office of International Programs, UNLV ([Ref. A-12](#))
 - ✓ Purchasing Department, UNLV ([Ref. A-13](#))
 - ✓ Health Science System Foundation, NSHE ([Ref. A-14](#))
 - ✓ Risk Management/Worker's Compensation, DRI ([Ref. A-15](#))
 - ✓ Risk Management/Worker's Compensation, TMCC ([Ref. A-16](#))
 - ✓ Automotive Department, CSN ([Ref. A-17](#))
 - ✓ Child Development Center, WNC ([Ref. A-18](#))
 - ✓ Network Security Audit, GBC ([Ref. A-19](#))

25. INVESTMENT & FACILITIES COMMITTEE

INFORMATION/ACTION

Chair Michael B. Wixom will present a report on the Investment & Facilities Committee meeting held on December 2, 2010, and Board action may be requested on the following:

26.

27.

29. HEALTH SCIENCES SYSTEM COMMITTEE INFORMATION/ACTION

Chair Raymond D. Rawson will present a report on the Health Sciences System Committee meeting held on December 3, 2010, and Board action may be requested on the following:

- Minutes – The Committee considered for approval the minutes from the September, 2010, meeting ([Ref. HSS-1](#))
- Update on the Health Sciences System Mission and Scope of Services– The Committee heard a report regarding the Health Sciences System Mission and Scope of Services and may take action based on the recommendations presented ([Ref. HSS-5](#))

30. NEW BUSINESS INFORMATION

Items for consideration at future meetings may be suggested. Any discussion of an item under “New Business” is limited to description and clarification of the subject matter of the item, which may include the reasons for the request.

ESTIMATED TIME: 5 mins.