

UCCSN Board of Regents' Meeting Minutes November 2-3, 1979

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Pages 23-46

BOARD OF REGENTS

UNIVERSITY OF NEVADA SYSTEM

November 2, 1979

The Board of Regents met on the above date in the Pine Auditorium, Travis Student Union, University of Nevada, Reno.

Members present: Mr. Robert A. Cashell, Chairman

Mr. James L. Buchanan, II

Mrs. Lilly Fong

Mr. Chris Karamanos

Mrs. Molly F. Knudtsen

Louis E. Lombardi, M. D.

Mr. John R. Mc Bride

Mr. John Tom Ross

Mrs. June F. Whitley

Others present: Chancellor Donald H. Baepler

President William Berg, NNCC

President Joseph Crowley, UNR

President Jack Davis, WNCC

President Judith Eaton, CCCC

President Leonard Goodall, UNLV

President Lloyd Smith, DRI

Mrs. Bonnie M. Smotony, Secretary

Mr. Larry Lessly, General Counsel and Vice

Chancellor for Legal Affairs

Also present were: Faculty Senate representatives Christopher (CCCC), Elliott (WNCC/N), Jacobson (DRI), Marschall (UNR), Melrose (NNCC), Pugsley (WNCC/S) and Van Vactor (UNLV); Student Association representatives Bennett (NNCC), Campbell (UNLV), Koepf (USUNS), and Ritch (UNR).

The meeting was called to order by Chairman Cashell at 10:15 A.M.

Chairman Cashell announced that prior to consideration of the agenda, he wished to comment on the recent grant of \$2 million from the Fleischmann Foundation to the School of Medical Sciences and to take particular note of the efforts of Dr. Fred Anderson in securing this grant. He also reported receipt of a check for \$400,000 from the Mary Etta Sugden estate to UNR, noting that a

total of \$700,000 had been secured from Mrs. Sugden and from her estate through the efforts of Robert Laxalt. Chairman Cashell expressed the appreciation of the Board of Regents to both Dr. Anderson and Mr. Laxalt for their efforts in securing these substantial gifts for the University.

1. Approval of Consent Agenda

The Consent Agenda containing the following items, was submitted for approval (identified as Ref. A and filed with permanent minutes):

- (1) Approval of minutes of regular meeting of September 21, 1979.
- (2) Report of Gifts and Grants.
- (3) Proposed amendment to long-term disability income protection plan to extend coverage to employees of the National Judicial College and the National Council of Juvenile and Family Court Judges.
- (4) Reports from UNLV and CCCC of uncollectible Student Loans.
- (5) Approval of Estimative Budget for London Theater Experience, offered by UNR's Extended Programs and Continuing Education.

(6) Approval of a change in signature authority for DRI

revolving petty cash account.

(7) Approval of changes in drainage easements at UNLV.

(8) Approval of modifications of EPA/UNLV lease.

(9) Approval of observation well at CCCC.

Dr. Lombardi moved approval of the Consent Agenda as submitted. Motion seconded by Mr. Mc Bride, carried without dissent.

2. Resolution of Appreciation

The following resolution was submitted for adoption:

RESOLUTION #79-10

WHEREAS, Brenda D. Mason has served as a Regent of the University of Nevada continuously from January, 1975, until her resignation on September 6, 1979; and

WHEREAS, during this time she has freely devoted time and attention to this public office; and

WHEREAS, Miss Mason has consistently encouraged and fostered

increasing interest by all units of the University in the development and maintenance of effective affirmative action programs; and

WHEREAS, Miss Mason has now resigned to pursue a degree in law;

NOW, THEREFORE, BE IT RESOLVED that the Board of Regents expresses to Brenda D. Mason its sincere appreciation for the professional and effective manner in which she had discharged her responsibilities as a Regent of the University of Nevada; and

BE IT FURTHER RESOLVED that the Regents, individually and collectively, extend to her their best wishes for success in law school and in her future professional activities.

Dr. Lombardi moved approval of the resolution as submitted.

Motion seconded by Mr. Buchanan, carried without dissent.

3. Security Disclaimer

Chancellor Baepler recalled that in 1977, in response to a request from the U. S. Energy and Research Development

Administration, a Managerial Group for the University of Nevada System was established to negotiate, execute and administer contracts involving classified information.

That Managerial Group consists of the Chancellor and the Presidents of UNR, UNLV and DRI.

Dr. Baepler commented that the establishment of this Managerial Group has made it possible not to require each Regent to apply for and go through the procedure of an extensive security clearance. He also recalled that resolutions have previously been adopted to exclude Regents from access to classified information and submitted the following resolution to exclude Regent Whitley:

RESOLUTION #79-11

BE IT RESOLVED that June F. Whitley, Regent of the University of Nevada, shall not require, shall not have, and can be effectively excluded from access to all classified information in the possession of the University of Nevada System, and does not occupy a position that would enable her to affect adversely the policies and practices of the University of Nevada System in the performance of classified contracts for the Department of Defense or User Agencies of its

Industrial Security Program awarded to the University of Nevada System, and need not be processed for a personnel clearance.

Mr. Buchanan moved approval of the resolution as submitted.

Motion seconded by Mrs. Fong, carried without dissent.

4. Report of 1979 AGB National Trustee Workshop

Chairman Cashell reported that he and Regents Whitley, Mc Bride and Lombardi had attended the 1979 National Trustee Workshop in Dallas, sponsored by the Association of Governing Boards. He noted that each of them had attended different sessions in order to maximize the benefits of their attendance and he believed that they had all found the workshop worthwhile. Dr. Lombardi and Mr. Mc Bride agreed.

Mrs. Whitley commented that, as a new Regent, she had found the sessions particularly helpful.

Mr. Cashell also reported that he and Regents Mc Bride and Lombardi had met with the two individuals who will serve as the Board Mentors for the workshop which AGB is sponsoring for the University of Nevada Regents and Officers in January in San Diego, and had agreed upon some of the procedures to

be followed.

Mrs. Fong questioned the location which had been selected for the workshop, stating that she was opposed to spending Regent's money for what she considered an extravagant trip when the workshop could be done closer to home.

Mr. Cashell explained that one of the strongest reasons for holding the workshop in San Diego was in response to advice from AGB that every effort be made to remove the participants from their normal environment in order to ensure maximum participation and productivity for the time spent. He also noted that the proposed agenda for the workshop provides little time for anything more than work, and urged the Regents to give this workshop top priority in their planning.

5. Association of Governing Boards of Universities and Colleges

Chancellor Baepler noted that the University of Nevada Board of Regents has been a member of the Association of Governing Boards of Universities and Colleges for approximately twenty years. He explained that the Association is a non-profit educational organization of governing, coordinating and ad-

visory boards of postsecondary education, and serves some 19,000 Trustees, Regents and Chief Executives representing nearly 1,300 Colleges and Universities – private, public, two-year, four-year, general and specialized.

Chancellor Baepler recommended the Board continue its membership in AGB and that the annual dues for 1980 of \$1,250 be provided by allocation from the Board of Regents Special Projects Account.

Mr. Ross moved approval. Motion seconded by Mr. Mc Bride, carried without dissent.

6. Association of Community College Trustees

Chancellor Baepler recalled that in 1978 an invitation was forwarded to the University of Nevada for membership in the Association of Community College Trustees. He noted that this organization is comprised of Governing Boards of Community Colleges and Technical Institutes, and its major objectives are to unify Governing Boards, to give direction to the Community College movement, to provide accountability and public understanding of the role of the Community Colleges, to encourage equitable and adequate support of two-

year postsecondary education, to function as a clearing house for collection and dissemination of information and to provide liaison with other national organizations concerned with the Community College movement.

President Eaton reported that she had attended the annual convention of ACCT in Detroit, Michigan, in October, and encouraged the Board to accept the invitation to affiliate with ACCT.

Chancellor Baepler recommended that the Board seek membership in ACCT, and that the annual affiliation fee of \$825, based on total head-count enrollment for the most recent Fall term registration for the Community Colleges in Nevada, be provided by allocation from the Board of Regents Special Projects Account.

Mrs. Fong moved approval. Motion seconded by Mrs. Whitley, carried without dissent.

7. Proposed 1980 Meeting Calendar

Chancellor Baepler proposed the following calendar of Board meetings for 1980 be adopted:

February 1, 1980	Reno
March 7	Las Vegas
April 4	Reno
May 9	Las Vegas
June 20	Reno
July 25	Las Vegas
August 29	Reno
October 3	Las Vegas
November 7	Reno
December 12	Las Vegas
January 23, 1981	Reno

Dr. Baepler noted that a regular meeting was not proposed for Elko this year; however, he suggested that once each year a meeting of the Regents and the Northern Nevada Community College Advisory Board be held in Elko. This procedure would provide the opportunity for exchange of information between the two Boards without the expense involved in holding a full Board meeting with Officers, faculty and student representatives and staff.

Mr. Mc Bride moved approval. Motion seconded by Dr. Lombardi, carried without dissent.

8. Proposed Amendment to Board of Regents Bylaws

Chancellor Baepler recalled that at the September meeting, the Board approved a proposal to change the Audit Committee to a Finance Committee, with expanded responsibilities, with such action to be treated as a "first reading" of the necessary amendment to the Bylaws.

An amended version of the Bylaws, reflecting the expanded responsibilities of the Finance Committee (Article IV, Section 4), and including a number of minor editorial changes, was included with the agenda (identified as Ref. B and filed with permanent minutes).

Chancellor Baepler requested approval of the proposed amendment.

Mr. Mc Bride moved approval. Motion seconded by Dr. Lombardi, carried without dissent.

Mrs. Fong noted the provision in the Bylaws that "Robert's Rules of Order shall govern the course of all business and debate so far as it may be applicable to the procedure of

the Board of Regents" and suggested this provision be followed. She also commented that she would like to see a registered parliamentarian attend a Board meeting as an observer to judge whether the Board follows the rules of parliamentary procedure.

9. Proposed Criteria for Postretirement Appointments

Chancellor Baepler recalled that at the June, 1979 meeting, the Board abolished the practice of granting postretirement appointments, with the understanding that at such time as acceptable criteria could be developed, the Board would be requested to reinstate such postretirement appointments.

Dr. Baepler presented the following proposed criteria, as developed by Vice Chancellor Lessly, and recommended its adoption to replace Section 3 of Chapter 4, Title 4 of the Board of Regents Handbook:

Section 3. Postretirement Appointments

1. A nonrenewable postretirement appointment of a professional employee may be granted by the Board of Regents for a period not to exceed one year under the following

conditions:

- (a) The position to which the postretirement appointment is made must have been advertised in accordance with required affirmative action search guidelines.

- (b) The search must have resulted in lack of any applicant who meets the minimal qualifications for the position to which the postretirement appointment is made.

- (c) The search for a minimally qualified candidate shall be continued even though a postretirement appointment is made to fill the position.

- (d) The postretirement contract shall be a nontenured contract.

- (e) The contract tendered the appointee shall contain appropriate provisions set forth in this section.

Mrs. Knudtsen expressed concern that the criteria was so stringent and asked if some revision to the wording was

possible to make the policy more flexible.

Mr. Lessly stated that the proposed criteria was in conformance with Federal and State law, and with the provisions adopted earlier concerning mandatory retirement, and advised against going beyond the criteria proposed above. He suggested that there would be a substantial chance of losing any litigation filed under these provisions if the criteria were relaxed.

In response to a question concerning letters of appointment, Mr. Lessly stated that a letter of appointment does not create an employer-employee relationship with the University and the provisions for postretirement appointments would in no way affect employees on a letter of appointment.

Mrs. Fong moved approval. Motion seconded by Mrs. Whitley, carried without dissent.

10. Policy Decision Concerning Establishment of Foundations

Chancellor Baepler recalled that there have been a number of proposals for establishment of foundations for purposes related to various University programs. He reported that

at his request, Messrs. Lessly, Partridge and Rivera had researched the legal and tax aspects of such foundations and noted that Vice Chancellor Lessly had sent a letter to the Board outlining certain options which he was prepared to discuss.

Vice Chancellor Lessly stated that, in his opinion, one of the major concerns throughout the University System with respect to fund raising activities was for the creation of a fund identifiable with a particular institution or entity.

He suggested the following four options:

- (1) Creation of a private foundation, outside of the administrative framework of the University.

Mr. Lessly stated that there were a number of problems with this approach. First, he said, University employees cannot be used to do administrative work for a non-University organization. A second problem, he noted, is the potential of a tax difficulty under Section 509 of the Internal Revenue Code. He pointed out that a foundation could be declared by IRS to be a private foundation, depending on how funds are received. If declared to be a private foundation, it would be liable

for an annual six percent tax on net investment income; base contributions are allowable only to the extent of 20% of the contribution base; contributions in excess of 20% of base may not be carried over to a future year; and only one-half of the appreciated value of long-term securities would be allowable as a tax contribution to a private foundation.

- (2) Formation of one or more foundations within the administrative structure of the University.

Mr. Lessly compared this option to the procedure followed in the creation, by statute, of the Land Foundations. He recommended that if this option is selected, it be done by statute to avoid any potential tax problem.

- (3) Renaming of the current endowment programs of the University of Nevada System Endowment Program and creation within that endowment of separate funds for each institution or other entity.

Mr. Lessly suggested that if this option is selected, public members could be invited to serve in an advisory

capacity for each separate fund with the Chairman of each such group serving as a voting member of the Regents Investment Advisory Committee.

- (4) Make no changes in the present methods of fund raising or of handling endowment funds.

President Crowley urged that some action be taken by the Regents to resolve what he described as a severe and proliferating problem with implications for the fund raising efforts and also, he suggested, for University governance.

He commented on the growing interest within the University and within the community for some identifiable entity toward which fund raising efforts could be directed. Dr. Crowley suggested that the third option described by Mr. Lessly offered some movement toward meeting the need, pointing out that it offers the possibility that if this procedure does not prove successful, a statutory foundation could be considered by the 1981 Legislature.

Dr. Crowley also spoke of the existence of one private foundation for the College of Agriculture, and the very strong interest currently being expressed for a private foundation for the College of Business, and suggested that

continued movement in the direction of private foundations for individual Colleges and other programs will enormously complicate the fund raising efforts of the University. He also suggested that creation of such private foundations could seriously undermine the governing function if allowed to proceed.

Mr. Mc Bride suggested that the Board approve the endowment foundations at the three institutions which have requested them (i. e., UNR, UNLV and CCCC) and that each of these foundations be authorized to accept funds on behalf of the appropriate program or purpose.

Mr. Lessly noted that the University presently has two major funds within the endowment portfolio: one for the benefit of UNLV, managed by Valley Bank; and one primarily for UNR, managed by First National Bank, but which had, as of June 30, 1979, \$1,000,538 of UNLV funds. He suggested that if a determination is made to go with individual funds, the Board would perhaps wish to consider reallocating those UNLV funds within FNB to Valley Bank.

President Smith asked how the creation of such foundations would affect the Associates Fund of DRI, which he noted had

previously been approved by the Board and which allows members of that program to make contributions directly to DRI, with the funds then managed at the discretion of the Institute, even to the extent of investing the funds.

Mr. Lessly suggested that perhaps it would be appropriate that the Associates Fund become the Foundation Fund for DRI; however, he pointed out that legally all contributions come to the Board of Regents, but may be used for a specific purpose and for the benefit of a specific institution if so directed by the donor.

President Eaton commented on discussions with the CCCC Advisory Board and the strong interest they have in an opportunity to establish an identifiable vehicle, such as a CCCC Foundation, within the structure of the University of Nevada System. She agreed with the need for coordination in the total fund raising efforts and suggested that if there are clearly identified projects associated with each institution, the necessary coordination would occur and duplication could be avoided.

Mrs. Knudtsen moved that the Administration be instructed to develop a recommendation from among the alternatives

discussed, and that this recommendation be placed before the Board for consideration at its next meeting. Motion seconded by Mr. Ross.

Chancellor Baepler suggested that there was sufficient consensus among the Officers to permit action by the Board. He reviewed the four options offered, suggesting that the alternative of doing nothing was not acceptable. A second option to permit and encourage private foundations with no relationship to the Board of Regents was also, in his opinion, not acceptable. A third option to seek Legislative approval for statutory foundations could not be acted upon until 1981 and was, therefore, not the most desirable alternative. He suggested that the remaining option was the only practical approach and recommended that the Board set up identifiable foundation boards within each institution, interface those foundation boards with the Investment Advisory Committee, and continue to handle the endowment funds under the current management agreements with the banks.

Mrs. Knudtsen, with Mr. Ross's concurrence, withdrew her motion, and it was agreed that the Officers would meet with Counsel during the lunch recess to develop a specifically

worded recommendation for action when the meeting had reconvened.

Mrs. Knudtsen moved to table further discussion until after lunch. Motion seconded by Mrs. Fong, carried without dissent.

11. Advance Funding, Sports Pavilions

Chancellor Baepler reported that the architects for the two Sports Pavilions are proceeding with advance planning for both projects, with the advance planning funded from private gift monies available to the UNLV project, and a loan to UNR from the Board of Regents Special Projects Account. In both cases, there is a limitation of \$100,000 on the contracts, pending availability of the revenue bond proceeds.

Dr. Baepler stated that Mr. William Hancock, Manager of the State Public Works Board, has recommended allocation of an additional \$100,000 to each project to permit the architects to continue with the preliminary design work.

Chancellor Baepler recommended that (1) a loan of an additional \$100,000 be approved from Board of Regents Special

Projects Account to the UNR project, to be repaid from the proceeds of the revenue bonds; and (2) a loan of \$100,000 to the UNLV project be approved from the fund established for the Pavilion from private gift monies, also to be repaid from the sale of the revenue bonds.

Mr. Ross moved approval. Motion seconded by Mrs. Fong, carried without dissent.

12. Request from Nevada State Education Association

Chancellor Baepler reported that the Nevada State Education Association had requested consideration by the Board of Regents of payment for unused sick leave upon termination or retirement for professional employees. Dr. Baepler stated that normally such a request would be considered by the various Faculty Senates and he recommended this proposal be referred to the Senates for review and recommendation before further consideration by the Board of Regents, noting that the report to the Board on this matter will also include a general analysis of fringe benefits which is now underway in relation to the next Biennial Budget Request.

Mrs. Fong moved approval. Motion seconded by Mr. Karamanos,

carried without dissent.

13. Report of Finance Committee

Mr. Mc Bride reported that the Finance Committee had met the previous day and taken the following actions:

- (1) Reviewed the proposals for selection by the Board of Regents of a Senior Management Underwriter for the revenue bond issue for the two Sports Pavilions and recommends the Board of Regents designate Paine, Webber, Jackson and Curtis as the Senior Management Underwriter for the revenue bond issue for the Sports Pavilions, with the understanding that other firms submitting proposals (i. e., Bache, Halsey, Stuart, Shields, Inc.; Dean, Witter, Reynolds, Inc.; and Merrill, Lynch, Pierce, Fenner & Smith, Inc.) be encouraged to participate in co-managing the issue, and with the further understanding that should the anticipated merger of Blyth, Eastman, Dillon & Co., Inc., with Paine, Webber, Jackson and Curtis not be consummated, that firm also be encouraged to participate.

- (2) Reviewed the Report to Management from Kafoury,

Armstrong, Turner & Company, the University's independent auditors, with representatives from that firm. All points in the Management Letter were addressed by the Administration and staff and the following two items are specifically recommended for action by the Board at this time:

- a. The Finance Committee recommends the Board of Regents direct the establishment of a joint committee to review differences between the UNR and UNLV methods of accountability and budgeting for revenue and expenditures of the Intercollegiate Athletic Program funds, and to recommend policies to the Board of Regents regarding financial activities and inter-relationships of the Intercollegiate Athletics Department. It is further recommended that the Committee, to be appointed by the Chairman of the Board, be comprised of representatives of the Board of Regents, the Booster Clubs, the Business Centers, the Intercollegiate Athletic Departments, and that it be Chaired by the Vice Chancellor for Finance.

- b. The Finance Committee recommends the Board of

Regents allocate \$5,500 from the Board of Regents Special Projects Account to fund the expenses of training for Internal Audit staff in Transaction Flow Auditing (TFA).

- (3) Reviewed a proposed request to the Interim Finance Committee for augmentation of the 1980-81 appropriation. This request is submitted in response to a specific invitation from the 1979 Legislature that, in the event enrollment at UNR and UNLV increased above that projected in the Biennial Budget Request, the University return to the Interim Finance Committee, for additional funding.

The Finance Committee approved the parameters within which the proposed request will be developed and recommends that the Board of Regents authorize such a request to the Interim Finance Committee for additional funding for UNR and UNLV for fiscal year 1980-81.

Mr. Mc Bride requested approval of the Board of the recommendations of the Finance Committee.

Dr. Lombardi moved approval. Motion seconded by Mr. Ross,

carried without dissent.

14. Appointment of Acting Dean, School of Medical Sciences, UNR

President Crowley recommended appointment of Dr. Ernest L. Mazzaferri as Acting Dean of the School of Medical Sciences, effective immediately and continuing until appointment of a permanent Dean, expected by Summer 1980, at the conclusion of a national search. A copy of Dr. Mazzaferri's vita was included with the agenda (identified as Ref. C and filed with permanent minutes).

Mrs. Fong moved approval. Motion seconded by Mrs. Whitley, carried without dissent.

15. Request for Discussion of Reorganization of Audio-Visual, Communications and Broadcasting Departments, UNR

At the request of Mrs. Fong for a presentation concerning the recent reorganization of the UNR Audio-Visual, Communications, and Broadcasting Departments, President Crowley distributed a background paper and briefly summarized the reorganization which had occurred. (Background paper filed with permanent minutes.)

Mr. Ross moved that the Board approve the reorganization described and ratify the action of President Crowley.

Motion seconded by Mr. Mc Bride, carried with Mr. Buchanan opposing.

Mrs. Fong thanked President Crowley for clarifying the reorganization and said she would like to see further efforts made to bring the remaining Audio Visual activities, such as those within the College of Agriculture, under the supervision and control of the overall University Department.

16. Proposal for Study of Administrative Structure

President Crowley requested an allocation of up to \$5,000 from the Board of Regents Special Projects Account for the purpose of conducting a comprehensive review of UNR's administrative structure. He noted the 1978 Accreditation Report on the University of Nevada, Reno had commented on certain peculiarities of the University's administrative structure, and he suggested that there were perhaps other organizational anomalies not addressed in the Report.

Dr. Crowley pointed out that the administrative structure at

UNR has developed over time, with particular offices or functions created at particular periods to meet particular needs. Thus, the current structure is an accumulation of organizational decisions made over a period of time and he suggested that with a new President installed and two Vice Presidential positions in the process of being filled, certain improvements in the administrative structure can and should be made at this time.

Dr. Crowley proposed that the review be undertaken by a team appointed on the basis of consultation with the Northwest Association of Schools and Colleges, with the report on this review providing a basis for recommendations on reorganization. Subsequent to discussion of the report and recommendations with appropriate Campus units, they would be submitted to the Board of Regents for action, with the goal of accomplishing any recommended reorganization by July 1, 1980, or as soon as possible thereafter.

Chancellor Baepler recommended approval, noting that the accreditation report was mildly critical of certain organizational aspects at UNR, and suggested that if there are also critical comments in the accreditation report of UNLV next Summer, a similar study of UNLV will be proposed.

Mr. Buchanan moved approval. Motion seconded by Dr.

Lombardi, carried without dissent.

17. Request for Loan for Sage Building Remodel

President Smith reported that an Ad Hoc Commission of the International Nucleation Committee of the International Commission on Cloud Physics (ICCP) had recently selected the Desert Research Institute to host a nucleation workshop in October, 1980. Participants from all over the world, including Russia, have indicated an interest in the workshop. Co-sponsorship is anticipated from the National Aeronautics and Space Administration and National Science Foundation.

To accommodate this workshop, and to correct a safety hazard in the Sage Building, President Smith requested a loan of up to \$75,000 from Board of Regents Special Projects Account to fund the necessary remodeling of the Sage building, with the loan to be for a five-year period and to be repaid from Indirect Cost Recovery. Information concerning the proposed remodeling to correct the safety problem and to convert vacated space to an aerosol laboratory was included in a memorandum from President Smith (identified as Ref. E and

filed with permanent minutes). Chancellor Baepler recommended approval of the loan.

Mrs. Fong moved approval. Motion seconded by Mr. Mc Bride, carried without dissent.

The meeting adjourned for lunch and a meeting of the Investment Advisory Committee, and reconvened at 1:45 P.M.

18. Report of Investment Advisory Committee

Mr. Karamanos reported that the Investment Advisory Committee had met during the lunch recess and had taken the following actions:

- (1) Received a proposal from Mr. Lew Shuman of American Investors Managements, Inc., for the investment of \$200,000 in a note paying 15% interest; this note is secured by an assignment of a \$308,000 note secured by a first deed of trust on a warehouse in Las Vegas. Income from this investment would constitute a portion of endowment income for a Chair in Historic Preservation at UNR. The \$200,000 principal was received within the past week from the estate of Mary Etta Sugden, and the

remaining \$200,000 from that estate will be managed by Security National Bank (proposal filed with permanent minutes).

The Investment Committee recommended approval of Mr. Shuman's proposal.

(2) Recommended approval of the request of Mr. Monte Miller of Valley Bank to purchase the following stock:

700 shares of Halliburton at \$70, total purchase of \$49,000

1300 shares of Union Oil at \$38, total purchase of \$49,400

1000 shares of International Paper at \$38, total purchase of \$38,000.

The Committee also recommended an extension in the maturity range of previously-approved purchases of \$200,000 in U. S. Government Bonds, 1985 to 2010.

(3) Recommended approval of the request of Mr. Bob Lee of First National Bank for open authorization for the following purchases at no more than 10% above the

prices listed:

5200 shares of Bankers Trust at \$38

approx. value: \$ 197,600

4200 shares of General Electric at \$47

approx. value: \$ 197,400

5000 shares of Alcan Alumnum at \$38

approx. value: \$ 190,000

3000 shares of Merck at \$65

approx. value: \$ 195,000

4500 shares of Union Oil at \$44

approx. value: \$ 198,000

2100 shares Texas Instruments at \$92

approx. value: \$ 193,200

6200 shares of Syntex at \$32

approx. value: \$ 198,400

10000 shares of Inco at \$19

approx. value: \$ 190,000

5000 shares Conoco at \$40

approx. value: \$ 200,000

200M Bally Corp. 6% cvt bond at par

approx. value: \$ 200,000

200M Pan American Air cvt 7-1/2% bond

approx. value: \$ 190,000

6800 Crocker National at \$29

approx. value: \$ 197,200

4500 Mc Donald's at \$44

approx. value: \$ 198,000

5000 Allied Chemical at \$40

approx. value: \$ 200,000

3000 NCR Corp. at \$66

approx. value: \$ 198,000

1500 Ex-Cell-O at \$32

approx. value: \$ 48,000

600 Datapoint at \$80

approx. value: \$ 48,000

3100 Ponderosa Systems at \$16

approx. value: \$ 49,600

2000 Spectra-Physics at \$25

approx. value: \$ 50,000

1500 Advanced Micro Devices at \$32

approx. value: \$ 48,000

1400 Computervision at \$34

approx. value: \$ 47,600

2600 Concinnati Milicron at \$19

approx. value: \$ 49,400

Total \$3,283,400

The following purchase recommendations are for the

Engel Unitrust:

100 shares Esmark, Inc. at \$28

approx. value: \$ 2,800

200 shares Bankers Trust at \$39

approx. value: \$ 7,800

150 shares General Electric at \$48

approx. value: \$ 7,200

100 shares American Brands at \$62

approx. value: \$ 6,200

400 shares El Paso Co. at \$20

approx. value: \$ 8,000

200 shares Exxon at \$57

approx. value: \$ 11,400

200 shares Beneficial Corp. at \$26

approx. value: \$ 5,200

100 shares General Motors at \$59

approx. value: \$ 5,900

400 shares Cincinnati Gas & Elec. at \$17

approx. value: \$ 6,800

200 Alcan Aluminum at \$37

approx. value: \$ 7,400

Total: \$ 68,700

(4) Received a brief report from Mr. Tom Josephson of Security National Bank; no new recommendations were presented.

Mr. Karamanos requested approval of the Committee's recommendations.

Dr. Lombardi moved approval. Motion seconded by Mrs. Knudtsen, carried without dissent.

Discussion resumed on Item #10, Policy Decision Concerning Establishment of Foundations

Mr. Lessly read the following proposal developed by the Officers:

To officially designate the present University of Nevada System endowment program as the University of Nevada System endowment.

To create within that endowment framework the University of Nevada, Reno, Foundation Fund; the University of Nevada, Las Vegas, Foundation Fund: the Desert

Research Institute Associates Foundation Fund; the Clark County Community College Foundation Fund; the Northern Nevada Community College Foundation Fund: and a foundation fund for each of the present Campuses of Western Nevada Community College to be officially designated by name at such time as the name of each institution is arrived at by the Board of Regents.

To sever from the account presently maintained by First National Bank of Nevada on June 30, 1980, those funds dedicated to the benefit of the University of Nevada, Las Vegas, and to transfer those funds to the University of Nevada, Las Vegas, Foundation Fund to be managed by Valley Bank of Nevada.

To authorize the President of each institution having a foundation fund to nominate, subject to the approval of the Board of Regents, individuals to serve as members of a foundation fund board.

To authorize each foundation fund board to elect its own Chairperson.

To designate each Chairperson elected as a voting member

of the Regents Investment Advisory Committee with authority to vote on investment matters pertaining to the foundation fund he or she represents.

To continue the special funds presently existing for the support of the Fleischmann Atmospherium/Planetarium and the Veterinary Sciences program at the University of Nevada, Reno, without necessity of appointment of a foundation board for such funds.

To authorize each institution within the System to seek approval from the Board of Regents for additional foundation funds on a case by case basis should the need arise.

To maintain existing subsidiary accounts for deferred giving that presently exist throughout the University of Nevada System.

To provide for review by the Board of Regents of the performance of the University of Nevada System Endowment one year from the date hereof to determine whether it would be in the best interests of the System or any of its entities having a foundation fund to seek Re-

gents' approval to secure legislative authority for

the formation of statutory foundations.

Mrs. Knudtsen moved approval. Motion seconded by Mrs. Fong, carried without dissent.

19. Collective Bargaining Election Results

Chancellor Baepler reported the following results of the secret ballot elections held in conformance with the Board's action at the September 21 meeting:

		Yes	No	Void
NNCC	October 16	5	8	0
WNCC/S	October 17	0	34	1
CCCC	October 18	33	35	2
WNCC/N	October 19	28	10	0
Total		66	87	3

Dr. Baepler also reported that the costs for services and expenses of the election supervisor employed to oversee the election were \$1400, plus transportation costs of \$122, for

a total cost of the supervision of the election exclusive of University personnel of \$1522. He requested these costs be funded by allocation from the Board of Regents Special Projects Account.

Mrs. Fong moved approval. Motion seconded by Mr. Karamanos, carried without dissent.

20. Proposed Actions Concerning Community College Division

Chancellor Baepler recalled that at the September meeting, the Board approved a proposal to amend the Board of Regents Bylaws, the University Code, and all other pertinent University documents to remove the word Division as it pertains to an organizational entity of the University System, and that hereafter the organization of the University of Nevada System include UNR, UNLV, DRI, CCCC, NNCC and WNCC as autonomous and independent institutions.

The action of the Board also directed the consideration of the elimination of the as-yet unfilled position of Vice Chancellor for Community Colleges. The Board also requested that consideration be given to the feasibility of separating WNCC into two Colleges.

Dr. Baepler reported that the necessary revisions to the Bylaws have been prepared and included with the agenda for first reading, with final adoption by the Board possible at the December meeting. (Proposed revision identified as Ref. F and filed with permanent minutes.) In addition, the necessary revision to the Code to dissolve the Division structure of the University System and to separate WNCC into two Colleges has also been prepared and is now before the various Senates, needing only a recommendation on names of the two resulting Colleges. Assuming consideration by all Senates is completed sufficiently in advance, action by the Board to approve the necessary Code revisions can also be scheduled for the December meeting.

Chancellor Baepler commented on the suggestion at the September meeting that consideration be given to the abolition of the as-yet unfilled Vice Chancellor position. He recalled that for some time a position has been budgeted in the Chancellor's Office to provide for coordination among the Community Colleges. The position, originally titled Community College Coordinator, had been retitled in June to Vice Chancellor for Community College Affairs, the search was reopened and re-advertised, with an application deadline

of October 1. Dr. Baepler commented that he was now in the final stages of recruiting for a Vice Chancellor for a Division that the Board has indicated it will abolish, but the Community Colleges are still left with the need for some centralized help which cannot be provided by the current staff in the Chancellor's Office.

Dr. Baepler recommended that the position be retitled "Community College Analyst", at a salary range of \$18,000 to \$20,000, that a secretary be provided, and that applicants for the Vice Chancellor's position be informed that the position has been abolished. He further proposed that the position be filled by internal recruiting, noting that there are currently two individuals within the Chancellor's Office who would be qualified.

Mr. Buchanan moved that the position of Vice Chancellor for Community College Affairs be eliminated and that action on the proposed analyst be deferred until final decision is reached on the Division status. Motion seconded by Mr. Karamanos.

President Berg expressed concern that this substitute position, filled at the level proposed by the Chancellor,

would not offer the kinds of services originally envisioned when the coordinator position was first proposed, particularly in the areas of institutional research, budget management, master planning, and essential coordinating functions in areas of statewide concern. He urged that the Board consider a position at the level originally proposed before it was converted to a Vice Chancellor and emphasized the need for a resource person with the appropriate background to provide the kind of assistance needed from time to time.

Mr. Buchanan suggested that perhaps it would be better to provide this kind of assistance directly to NNCC through an assignment of an additional position to that College, rather than having a System-wide position in the Chancellor's Office.

President Eaton reported that the Advisory Board for CCCC, as well as Student Government, Faculty Senate, and members of the administrative staff, had reviewed the question of Division status and the role of the Vice Chancellor, and believed that the essential thrust of the Chancellor's recommendation would best serve CCCC. She suggested that because of the size and number of students which CCCC is

attempting to serve, there is a need for someone in Reno who can function in this resource capacity, to maintain the master course file, and to take care of essential staff functions affecting all of the Community Colleges.

President Davis also supported the Chancellor's recommendation, stating that he believed a person at the analyst level would meet the needs of WNCC.

Mr. Ross suggested that consideration be given to providing NNCC with the necessary assistance through the sharing of resources and staff from the other Campuses from time to time as needs are identified by the President.

Mr. Ross moved to amend Mr. Buchanan's motion to direct that it be the policy of the Board of Regents to provide necessary support services to NNCC as needed. Motion to amend seconded by Mr. Buchanan.

It was agreed that at the December meeting the Chancellor would provide information concerning the areas in which the Community College Analyst would work, the necessary qualifications and requirements, and a position description.

Motion to amend carried without dissent. Amended motion then carried without dissent.

21. Assistant to the President, CCCC

President Eaton requested approval to shift an administrative budgeted vacant position from the Office of the Dean of Instruction to the Office of the President, to be titled "Assistant to the President", with responsibility for master planning, grant preparation, budget management, and the College Planning, Management and Evaluation System.

Mr. Mc Bride moved approval. Motion seconded by Dr. Lombardi, carried without dissent.

22. Institutional Studies Special Project, CCCC

President Eaton commented on a series of major institutional studies initiated by CCCC to determine short and long range program and service needs of the community. These include a community needs assessment, student profile study, and student perception study.

Dr. Eaton requested authorization to allocate \$22,660 from

the CCCC Bookstore Account in order to provide for completion of this special project. The amount requested will cover postage, mailing, printing and paper, personnel and clerical costs for the undertaking. Chancellor Baepler recommended approval.

Mr. Karamanos moved approval. Motion seconded by Mrs. Fong, carried without dissent.

23. Northwest Accreditation Expenses, CCCC

President Eaton reported that CCCC is currently preparing its self-study documents for consideration by the Northwest Association for reaffirmation of accreditation. Self-study efforts will culminate in a three-day site visit in April, 1980. The estimated cost, including the visitation fee, preparation of self-study documents and appropriate hosting of the visiting team, is \$9,531.

President Eaton requested authorization to allocate this amount from the CCCC Bookstore account. Chancellor Baepler concurred.

Dr. Lombardi moved approval. Motion seconded by Mrs. Fong,

carried without dissent.

24. Allocation from Board of Regents Special Projects Account,
NNCC

President Berg requested an allocation of \$5,185 from the Board of Regents Special Projects Account to fund the purchase by NNCC of a new automobile to replace one of the two 1973 vehicles available to the College. He stated that he anticipated that sufficient funds would be available at year end for this purchase and the vehicle was ordered on that assumption; however, sufficient funds did not materialize. Chancellor Baepler recommended approval.

Mrs. Knudtsen moved approval. Motion seconded by Mrs. Fong, carried without dissent.

25. Appointments to Advisory Board, NNCC

President Berg recommended that Carl Schuck and Art Glaser be appointed to the NNCC Advisory Board to replace Mr. Hugh Mc Mullen and Mr. Mel Lundberg.

Mrs. Knudtsen moved approval. Motion seconded by Mr. Ross,

carried without dissent.

26. Allocation for Advisory Board Expenses, WNCC

President Davis requested an allocation of \$1,200 from the Board of Regents Special Projects Account to fund host expenses related to dinner meetings for the WNCC Advisory Board. Chancellor Baepler recommended approval.

Mr. Karamanos moved approval. Motion seconded by Mr. Buchanan, carried without dissent.

27. Chancellor's Report

Chancellor Baepler reported that President Davis will be traveling out of the country in December to Casablanca and Rome to attend a World Boxing Council meeting.

Chancellor Baepler also reported that the Senate Chairpersons are forming an ad hoc committee to analyze possible alternatives which might offer relief to the critical salary situation created by inflation. Recommendations coming from that ad hoc committee will be referred to the Finance Committee.

28. Commendation to Dr. Thomas Scully

Mrs. Fong moved that the Board of Regents send a letter of commendation to Dr. Thomas Scully for his service to the School of Medical Sciences. Motion seconded by Mr. Mc Bride carried unanimously.

29. Proposed Law School

Chairman Cashell recalled that at the September meeting, Mr. Mc Bride had requested that the November agenda include discussion of whether action taken by the Board in December, 1978, endorsing the concept of a Law School, should be reaffirmed. Subsequently, a copy of the previous Law School Study of 1975 and its 1979 update and pertinent excerpts from minutes of the Board of Regents were furnished to the Regents and Officers.

Mr. Buchanan suggested that before proceeding there would have to be a motion for reconsideration of the Board's action at the previous meeting. Mr. Mc Bride disagreed, recalling that the Board's action at the previous meeting was to authorize the Chairman to appoint a committee to raise

funds and that was not what he had requested be discussed.

Mr. Buchanan requested an interpretation of the request for this agenda item. Chancellor Baepler reviewed the request as stated in the September minutes and Counsel advised that this was a request for reaffirmation of the concept of a Law School and did not require a motion for reconsideration.

Mr. Mc Bride moved that the Board reaffirm the concept of a Law School. Motion seconded by Mr. Ross.

Mr. Mc Bride stated that even though he was offering the motion for reaffirmation, he intended to vote against it, explaining that he had originally intended to offer two separate motions but had been challenged by Mr. Buchanan, and had thus decided on this procedure.

Mr. Buchanan stated that he had a list of 6 persons who wished to be heard concerning the Law School. It was agreed that each speaker would be limited to three minutes.

Speaking in support of a Law School were Lisa Wyman, Rick Oshinski, Susana Reyes, Dale Hulen, Kelly Campbell and Belinda Malone, all students at UNLV.

In addition, Katherine Slocum, Clark County Law Library Director, presented a report she had prepared at Mrs. Fong's request concerning the startup costs for a Law Library. Ms. Slocum stated that the standards of the American Bar Association and the American Association of Law Schools require that for a Law School to achieve accreditation, the Law Library must have a minimum of 60,000 volumes to start. She calculated that acquisition of these volumes would cost about \$990,000, but suggested this could be reduced perhaps to \$750,000 by careful purchasing of used materials and by taking advantage of publishers' discounts. She stressed that this was the minimum for the first year, with the accrediting agencies looking very carefully at how much is spent each year for additional acquisitions, whether all sets are kept updated, whether discretionary volumes are meeting the needs of the curriculum, whether they are providing assistance for special areas of interest. Ms. Slocum also pointed out that the American Bar Association standards specify that physical facilities of the Law Library shall be under the exclusive control and reserved for the exclusive use of the Law School.

Vice President Dixon reported that he had recently talked

with the Business Officer of Lewis and Clark College in Portland, Oregon, who had stated to him that their Law School is presently running at a break-even point, and is not subsidized from general University resources. Their experience, he said, is that the tuition for the Law School is sufficient for the operating budget, staff and Library of the School.

Mr. Buchanan stated that he believed the impetus for a Law School at this time was strong and that sufficient money could be obtained from private donors for the necessary capital improvements and a Law Library on the UNLV Campus and suggested that beyond those initial expenses, the Law School could be self-sustaining. He urged the Board to vote to reaffirm the Law School, after which he said he would go forward with his committee to raise the necessary funds.

Mr. Mc Bride commented on his motion, stating that he was not against the Law School and regretted very much that he had been put in the position of having to vote against his own motion and to, in effect, ask the Board not to reaffirm its earlier action endorsing the concept of a Law School at this time. Mr. Mc Bride expressed concern that if the Uni-

versity were to proceed with plans for a Law School, after having had two separate requests rejected by the Legislature, it would be regarded by the Governor and the Legislature as nothing less than a "thumbing of the nose", and would most certainly, in his opinion, result in some form of retaliation. He advised that the Board direct a further study to determine the facts that are missing and that the results of that study be submitted to the Board in April, 1980.

President Goodall stated that he believed that every State should, at some point, have a Law School, and that when Nevada has a Law School, he believed it ought to be in Las Vegas. However, he said, he would prefer to speak to both of these points on another occasion. He noted his concern at this time was that the issue before the Board would seem to be leading toward a vote of yes or no on a Law School and suggested that was perhaps not the precise issue the Board wanted to address. He suggested a substitute motion, along the lines of the additional study proposed by Mr. Mc Bride, be considered.

Mr. Ross agreed, stating that the matter of a Law School was a decision that was too important to all concerned to be

made in the midst of confusion and disagreement. Mr. Ross moved to amend Mr. Mc Bride's motion to reaffirm the concept of a Law School, with the understanding that if reaffirmation is given, the Board also authorize the Chairman to immediately appoint a select committee of Nevadans to review and recommend to the Board professional consultants to update the 1975 Law School Study and to recommend consultants to review a Law School within the priority of other needs and to report back to the Board of Regents.

Motion to amend seconded by Mrs. Knudtsen.

In response to a request for clarification of the intent of the amendment, it was agreed that if the amendment and the original motion passed, the Board would be on record as reaffirming the concept of a Law School, the Chairman would appoint a committee of select Nevadans to recommend (1) consultants to update the 1975 Law School Study, and (2) consultants to review and develop a master plan for professional schools (e. g., Architecture and Veterinary Medicine) for the next decade, with funds for these consultants to be provided from the Board of Regents Special Projects Account.

It was further agreed that a master plan for professional schools would also address the question of location of the

Medical School. Both reports -- the Law School Report and the Master Plan for Professional Schools -- would be submitted to the Board at its April meeting.

It was also agreed that the Board's earlier action creating Foundation Funds, each with its own Board, would obviate the appointment of a committee for the Law School.

Motion to amend carried without dissent. Amended motion carried without dissent.

30. New Business

(1) Mr. Cashell asked that the December agenda include an action item calling for the appointment of a System Committee to conduct a study of Faculty Workload, and a second committee for the study of Graduate Programs. He also requested that the December agenda include consideration by the Board of a request for the development of a master plan examining and defining the roles and relationships of the several institutions within the University of Nevada System.

(2) Mr. Mc Bride requested that the Presidents of each of

the institutions be requested to submit to the Chancellor and to the Board of Regents a comprehensive plan outlining where the institution is today, where it plans to be in two years, and in five years, in terms of its goals and objectives.

At the request of the Chairman, Mrs. Fong moved that the Board go into personnel session for the purpose of considering the professional competence of an individual. Motion seconded by Mr. Mc Bride, carried without dissent.

Following a personnel session, the meeting adjourned at 4:35 P.M.

Bonnie M. Smotony

Secretary of the Board

11-02-1979