

Minutes are intended to note (a) the date, time and place of the meeting; (b) those members of the public body who were present and those who were absent; and (c) the substance of all matters proposed, discussed and/or action was taken on. Minutes are not intended to be a verbatim report of a meeting. An audiotape recording of the meeting is available for inspection by any member of the public interested in a verbatim report of the meeting. These minutes are not final until approved by the Board of Regents at the December 2015 meeting.

**BOARD OF REGENTS and its
ad hoc BOARD OF REGENTS CHIEF OF STAFF SEARCH COMMITTEE
NEVADA SYSTEM OF HIGHER EDUCATION**
System Administration, Las Vegas
4300 South Maryland Parkway, Board Room
Friday, September 18, 2015

Video Conference Connection from the meeting site to:
System Administration, Reno
2601 Enterprise Road, Conference Room
and
Great Basin College, Elko
1500 College Parkway, Berg Hall Conference Room

Members Present: Mr. Kevin J. Page, Chair *(via telephone)*
 Dr. Jason Geddes, Vice Chair
 Dr. Andrea Anderson *(via telephone)*
 Mr. Sam Lieberman
 Ms. Allison Stephens

Members Absent: Mr. James Dean Leavitt

Others Present: Ms. Brooke Nielsen, Vice Chancellor, Legal Affairs
 Mr. Nicholas Vaskov, System Counsel
 Ms. Christine Casey, Director, Human Resources
 Ms. Lori Mandracchio, Search Coordinator
 Ms. Angela Palmer, Special Assistant and Coordinator to the Board
 Ms. Patty Rogers, Special Assistant and Coordinator to the Board
 Ms. Nancy Stone, Special Assistant and Coordinator to the Board
 Mr. Scott G. Wasserman, Special Advisor to the Board

For others present, please see the attendance roster on file in the Board office.

Vice Chair Jason Geddes called the meeting to order at 11:04 a.m. with all members present except Regents Anderson and Leavitt.

1. Information Only-Public Comment – None.

Regent Anderson joined the meeting via telephone.

Items 2 and 3 were taken together.

2. Approved-Position Description, Board of Regents Chief of Staff and Special Counsel – The Committee recommended approval of a position description for the Board of Regents Chief of Staff and Special Counsel.
3. Approved-Organization and Search Procedure – The Committee recommended approval of the proposed search process and charging the Committee Chair, in consultation with Committee staff, to narrow the initial pool of applicants meeting minimum qualifications to at least three and not more than 10 semi-finalist candidates, and ideally seven to 10 semi-finalist candidates, for review and consideration by the Committee at its October 9 meeting.

Chair Page said the search for the chief of staff and special counsel to the Board will be conducted in the same manner as a president search. The Committee will review candidate materials and conduct candidate interviews in an open meeting with full transparency.

Mr. Scott G. Wasserman, Special Advisor to the Board, reviewed the draft position description for the chief of staff and special counsel to the Board (*on file in the Board office*).

Under the Knowledge, Skills and Abilities section, Mr. Wasserman recommended changing the language from “The candidate must...” to “The candidate should...” possess the following knowledge, skills and abilities.

Regent Anderson asked if specifying that applications must be received by October 4, 2015, to ensure full consideration allows enough time. Mr. Wasserman said the two week period will be sufficient because one of the avenues for announcing the position will be the State Bar of Nevada. The State Bar of Nevada sends job announcements to its entire membership and, since current membership in the Nevada Bar is a requirement of the position, the candidate pool for this recruitment will be those members.

Mr. Wasserman reviewed the proposed search process and timeline (*on file in the Board office*).

The Committee is scheduled to meet on October 9 and October 16. If the Committee desires, staff can arrange for the semi-finalist candidates to be available by telephone on October 9 to answer questions or participate in a brief telephone interview. The Committee will then identify the finalists to bring forward for interviews at the October 16 meeting.

Following the interviews on October 16, the Committee may take action and recommend a candidate for consideration by the full Board at its October 23 meeting. If the Committee is not prepared to recommend a candidate to the full Board, the agenda will be written so the Committee may opt to continue the search instead.

2. Approved-Position Description, Board of Regents Chief of Staff and Special Counsel – (continued)
3. Approved-Organization and Search Procedure – (continued)

Vice Chair Geddes asked if disseminating the job announcement to the entire Nevada Bar membership sufficiently addresses diversity issues in the recruitment process. Mr. Wasserman affirmed every single member of the Nevada Bar should receive notice under that distribution.

Mr. Wasserman reviewed the options for reviewing the applications and narrowing the pool. Under the first option, the Committee charges its Chair, in consultation with Committee staff, to narrow the initial pool of all applicants meeting the minimum qualifications to at least three, and not more than 10, semi-finalists to be reviewed by the Committee at its October 9 meeting. The Committee would then select the finalists to be interviewed at its October 16 meeting. Under the second option, the Committee reviews all applicants that meet the minimum qualifications at its October 9 meeting and narrows the pool to the finalists that will be interviewed at the October 16 meeting.

Regent Anderson said she is representing the Board at the ACCT conference on October 16 and will not be able to attend the Committee meeting. Vice Chair Geddes asked staff to check if another date is available. If not, Chair Page and Board Chairman Trachok can discuss appointing a replacement member to the Committee.

Regent Stephens asked if a Juris Doctor is preferred or required for the position. Regent Lieberman asked if applicants are required to have seven years of Nevada Bar membership or if seven years of experience directly applicable to the position is sufficient.

Mr. Wasserman said the person in this position will be providing confidential legal advice as well as legal advice to the Board and its committees. They will provide advice on the Nevada Open Meeting Law and will make final decisions with regard to the Board's agendas. In addition, this person will advise Board members on conflict of interest and ethics issues. Mr. Wasserman noted there are situations where the Board and/or the Board Officers need counsel when there are divergent interests from the Chancellor's office. NSHE policy provides that System counsel advises the Board when that occurs but it always presents a conflict of interest issue for the counsel and the Board. In that situation, if a Board Officer needs legal advice, they can come to their Board counsel.

In response to Regent Lieberman's question, Mr. Wasserman indicated a minimum of five to seven years of progressive experience directly applicable to the position is sufficient. Applicants are not required to have seven years of Nevada Bar membership.

2. Approved-Position Description, Board of Regents Chief of Staff and Special Counsel – (continued)
3. Approved-Organization and Search Procedure – (continued)

Regent Lieberman moved approval of the position description for the Board of Regents Chief of Staff and Special Counsel with the revision of “must” to “should” within the Knowledge, Skills and Abilities section as discussed. Regent Stephens seconded. Motion carried. Regent Leavitt was absent.

In response to a question from Vice Chair Geddes, Chair Page, and Regents Anderson, Lieberman and Stephens indicated a preference for charging the Committee Chair, in consultation with Committee staff, to narrow the pool of applicants meeting minimum qualifications to at least three but not more than 10 semi-finalist candidates.

Mr. Wasserman said an ideal range would be seven to 10 candidates. Three to 10 was suggested in case there are not seven qualified candidates.

Vice Chair Geddes suggested narrowing the pool to at least three and not more than 10 semi-finalist candidates, and ideally seven to 10 semi-finalist candidates, for the Committee’s review and consideration.

Regent Lieberman moved approval of the proposed search process and charging the Committee Chair, in consultation with Committee staff, to narrow the initial pool of applicants meeting minimum qualifications to at least three and not more than 10 semi-finalist candidates, and ideally seven to 10 semi-finalist candidates, for review and consideration by the Committee at its October 9 meeting. Regent Anderson seconded.

Regent Stephens noted in her experience in the public sector, she has seen position announcements such as this be included in publications such as *El Mundo* and others that are in touch with communities that may not have general access to the announcement. Ms. Christine Casey, Director of Human Resources, said the Committee can instruct staff on where to advertise the position. She noted it is part of NSHE’s practice to reach out to the local chambers of commerce when there is a job opening.

2. Approved-Position Description, Board of Regents Chief of Staff and Special Counsel – (continued)
3. Approved-Organization and Search Procedure – (continued)

Vice Chair Geddes asked Ms. Casey to document the expanded outreach activities performed with respect to advertising this position announcement.

Motion carried. Regent Leavitt was absent.

4. Information Only-New Business – None.
5. Information Only-Public Comment – None.

The meeting adjourned at 11:38 a.m.

Prepared by: Keri D. Nikolajewski
Manager of Board Operations

Submitted for approval by: R. Scott Young
Acting Chief of Staff to the Board of Regents