

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 March 2015 meeting.

SPECIAL MEETING
BOARD OF REGENTS
NEVADA SYSTEM OF HIGHER EDUCATION

System Administration, Las Vegas
4300 South Maryland Parkway, Board Room
Tuesday, November 18, 2014

Video or Telephone 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, Chairman
Mr. Rick Trachok, Vice Chairman
Dr. Andrea Anderson
Mr. Robert J. Blakely
Mr. Cedric Crear
Dr. Mark W. Doubrava
Dr. Jason Geddes
Mr. Ron Knecht
Mr. James Dean Leavitt
Mr. Kevin C. Melcher
Dr. Jack Lund Schofield
Ms. Allison Stephens
Mr. Michael B. Wixom

Others Present: Mr. Daniel J. Klaich, Chancellor
Dr. Constance Brooks, Vice Chancellor, Govt. and Community Affairs
Ms. Brooke Nielsen, Vice Chancellor, Legal Affairs
Dr. Marcia Turner, Vice Chancellor, Health Sciences
Mr. Scott G. Wasserman, Chief of Staff and Special Counsel to the Board
Mr. Richard S. Young, Deputy Chief of Staff to the Board
Mr. Donald D. Snyder, President, UNLV
Mr. Chet Burton, President, WNC

Mr. Alex Culley, Student Government, UNLV; Mr. Sam Lieberman, Regent Elect; Faculty Senate Executive Committee, UNLV; Mr. Michael W. Yackira, Foundation Board Chairman, UNLV; and Dr. Len Jessup, Dean of Eller College of Management at the University of Arizona.

Chairman Kevin J. Page called the meeting to order at 2:01 p.m. with all members present.

The Regents recited the Pledge of Allegiance.

1. Information Only-Public Comment (Agenda Item #1) – Dr. Christopher Hudgins, Dean of the College of Liberal Arts and Professor of English at UNLV since 1976, thanked the UNLV President Search Committee for a diligent and thorough job. He welcomed Dr. Len M. Jessup, Dean of Eller College of Management at the University of Arizona, offered help with Dr. Jessup's transition and said he is looking forward to working together.

Mr. Jose Solorio, Chairman of Higher Education, Latino Leadership Council, commended the work of the UNLV President Search Committee's inclusive community process and fully supports the recommendation of Dr. Jessup as the next UNLV president. Mr. Solorio, as a member of the Latino Leadership Council and the UNLV President Search Committee, said he participated in numerous meetings and the Committee brought Dr. Jessup forward as a top three candidate based on his credentials. He thanked the UNLV employees for participating, providing input and supporting the search process.

2. Approved-Appointment, President, UNLV (Agenda Item #2) – As a result of its November 17, 2014, meeting, The Regents' UNLV President Search Committee provided its recommendation of Dr. Jessup's appointment as President of the University of Nevada, Las Vegas. The Board of Regents approved the appointment of Dr. Jessup as President of the University of Nevada, Las Vegas. The salary and terms of a contract were approved at the Board meeting as presented. (*see Handouts 2a and 2b on file in the Board office*).

Chairman Page thanked Mr. Donald D. Snyder, President, University of Nevada, Las Vegas (UNLV), Chancellor Daniel J. Klaich, Mr. Scott G. Wasserman, Chief of Staff and Special Counsel to the Board, the Board and UNLV staff, Mr. Jerry Baker, President, Baker and Associates, and the advisory members of the UNLV President Search Committee.

President Snyder thanked everyone involved in the UNLV president search process and stated he has been and continues to be proud to serve at UNLV.

Regent Doubrava, Chairman of the UNLV President Search Committee, thanked Chancellor Klaich, Mr. Wasserman, Mr. Baker and Chairman Page for their involvement in the UNLV president search process.

2. Approved-Appointment, President, UNLV (Agenda Item #2) –continued

Chancellor Klaich stated there has been much time invested in the UNLV president search process. The direction from the UNLV President Search Committee and Committee Chairman Doubrava was to make the decision as difficult as possible. At the culmination of the initial review three very qualified candidates were brought forward to be vetted, Dr. Ricardo Azziz, President, Georgia Regents University, Provost John White, UNLV, and Dr. Len Jessup, Dean of Eller College of Management at the University of Arizona. The search process pulled together representatives from across the many diverse communities throughout Las Vegas. The sessions were extremely well attended. Yesterday the meeting started at 8 a.m. and lasted until 7 p.m. This included question and answer sessions with the three top candidates. Following the question and answer sessions the Committee Chairman guided the Committee through a very detailed process. On a vote of five to one the recommendation was for Dr. Len Jessup to be forwarded to the Board as the Committee's number one candidate. The Committee asked excellent questions and took detailed notes and this resulted in a very thoughtful recommendation to the Board.

Chancellor Klaich asked the Board members if there were any questions regarding the UNLV president search process. There were no questions from the Board.

Chancellor Klaich stated the most significant needs identified through the search process were long term stability and aggressive leadership. He met with Dr. Jessup last night and again this morning to discuss details of a proposed contract. Based on the concerns of the Committee, the Chancellor said he is recommending to the Board a five year contract. Tenure is also recommended, to be approved by faculty according to Board policy.

Regent Stephens asked for clarification regarding the tenure recommendation. Chancellor Klaich explained he was not asking the Board to take any action on tenure today, rather he is requesting the process of faculty review be followed as outlined in Nevada Higher Education Code Section 3.3.1 (b)(2).

Chancellor Klaich stated the salary recommendation is \$525,000.

Regent Leavitt stated he did not have any issues with the recommended salary; however, he questioned the midterm review provision included in the contract. He asked if this provision is necessary considering the generous salary.

Chancellor Klaich said he considers this a market driven salary recommendation. Due to the length of the contract it seems that a review after two and a half years is reasonable based on potential changes in the market.

Regent Leavitt said he would not be comfortable including the midterm review unless it is included in all of the other NSHE president contracts.

Ms. Brooke Nielsen, Vice Chancellor, Legal Affairs, explained the provision of a midterm review was included in the previous UNLV president contract.

Regent Blakely stated he is comfortable in including the review in the contract.

2. Approved-Appointment, President, UNLV (Agenda Item #2) –continued

Regent Trachok asked for clarification regarding the review, and if upon review could the contract potentially be adjusted down as well.

Ms. Nielsen clarified that Dr. Jessup would be subject to the rules of the contract; unless he agreed today to include a possible reduction in the contract it would not be included. Both sides, the Board and Dr. Jessup, must agree.

Regent Wixom stated due to the length of the contract he is comfortable with including the midterm review provision.

Regent Knecht asked how the \$525,000 total compensation amount in the proposed contract compares to the total contract amount for Dr. Marc A. Johnson, President, University of Nevada, Reno (UNR).

Chancellor Klaich said President Johnson's total gross contract amount in round terms is \$416,000.

Regent Knecht asked if the proposed contract was given any consideration in view of the economy as it relates to other employees in state service and the legislature imposing an approximate three to five percent cut on constitutional officers.

Chancellor Klaich stated the clear desire by the Advisory Committee was to bring the best candidate forward and there were discussions about the earnings associated with this directive. Based on the past, when a president with no past experience as a president was hired at UNLV for a higher salary than the sitting UNR president it did cause some concern. Many believe that UNLV is at a crucial point in its history to lead this state forward. This is one of the most important factors that led to bringing forward the best candidates regardless of market driven salaries.

Regent Knecht said his impression is the candidate being brought forward to the Board is the best candidate. The problem is in the real world when experiencing inconsistent growth it is risky to pay based on anticipated results rather than proven accomplishments.

Regent Melcher said president contracts should be an item for a future Board meeting. He said he is extremely impressed with the process and the end result.

Regent Melcher moved to the appointment of Dr. Jessup as UNLV President and the contract provisions as presented. Regent Leavitt seconded.

Regent Blakely stated he supports the motion.

Regent Crear said he is concerned with the salary and that the candidate has never served as a president. The Board does not have any evidence of Dr. Jessup's ability at a presidential level. This is a big risk and how the \$525,000 is justified is questionable. He expressed concern over the compensation for Presidents Wells and Johnson and asked if there were any provisions in Dr. Jessup's contract regarding liquidated damages.

2. Approved-Appointment, President, UNLV (Agenda Item #2) –continued

Ms. Nielsen explained there were no provisions for liquidated damages in the NSHE president's contracts, those provisions are only included in athletic contracts.

Regent Crear asked if the NSHE terminates Dr. Jessup's contract for cause, would the NSHE have to buy out the balance of his contract. In several of the conditions it appears the salary would need to be bought out.

Ms. Nielsen stated the termination provisions in the proposed contract are the standard termination provisions included in the NSHE president's contracts.

Chancellor Klaich confirmed the terms in the contract (*see Handouts 2a and 2b on file in the Board office*) are consistent with the terms for every president contract NSHE has brought to the Board.

Regent Crear requested a copy of President Johnson's contract.

Chancellor Klaich stated this candidate does not have presidential experience; however, he does have extensive experience with a superb record of scholarship, grantsmanship and understanding the workings of a complex medical organization, tech transfer and innovation, fundraising and mentoring of deans and other individuals in a university setting. The Chancellor reminded the Board that Dr. Jessup is earning more in his current position at the University of Arizona.

Regent Knecht vetted a friendly amendment to the maker of the original motion, to separate the candidate recommendation from the contract details.

Regent Melcher refused Regent Knecht's friendly amendment.

Regent Knecht moved to amend the original motion into two separate motions; the first motion being the approval of the committee's recommended individual to be President of the University of Nevada, Las Vegas and the second motion being the approval of the contract details. Regent Blakely seconded. Upon a roll call vote Regents Blakely, Crear, Knecht, Schofield and Stephens voted yes. Regents Anderson, Doubrava, Geddes, Leavitt, Melcher, Page, Trachok and Wixom voted no. Motion failed.

Regent Stephens said she will support the original motion. She stated the Board should conduct a review of the current president contract templates at a future meeting. She said excellence is a culture and Tier 1 status is not.

Regent Stephens said she felt the unspoken tension in the room needs to be discussed. UNLV Provost John White is black. The Board says diversity is important and the Board needs to be mindful of hiring leadership that represents the Nevadans it serves.

2. Approved-Appointment, President, UNLV (Agenda Item #2) –continued

Regent Leavitt said he will support this motion; however, future president contracts should not include a review provision. He thanked President Snyder for his service and leadership. The Board is recognizing the vital importance of higher education in our state as we move forward. It is setting a precedent with this decision and this is an historic day.

Chancellor Klaich stated he has noted the discussion today and understands that if he comes back to the Board regarding the midterm review included in this contract he understands it must be something extremely extraordinary that prompts the review.

Regent Blakely thanked President Snyder. He stated Dr. Jessup and Provost White were his top two choices and hopes they can work together as a team for the future of UNLV.

Regent Anderson stated the community and those involved in the process have asked the Board to be forward thinking with its decision. She is pleased with the process and the decision.

Motion carried. Regents Anderson, Blakely, Doubrava, Geddes, Knecht, Leavitt, Melcher, Page, Schofield, Stephens, Trachok and Wixom voted yes. Regent Crear voted no.

Dr. Jessup thanked everyone involved and stated the evaluation process has been a tremendous experience. His research in the role universities play in lifting up their communities, cities and economic ecosystems leads him to express how honored and optimistic he is knowing from experience how bright the future is for UNLV and the State of Nevada and the vital role UNLV plays both economically and socially. He is committed. He thanked Regent Stephens for the previous day's comments regarding metrics and stated he is very supportive of using metrics. He looks forward to choosing a strong set of metrics to use going forward and fully understands culture and metrics are intertwined. All things are aligned for a great opportunity and great progress.

Chancellor Klaich thanked Dr. Kyle Kaalberg, Special Assistant to the Chief of Staff, UNLV, and all of the great staff at UNLV, the chambers of commerce and the foundation for their incredible help during this process.

3. Information Only-New Business (Agenda Item #3) – Regent Melcher requested an item to discuss and consider president contract consistency, wording and provisions be placed on a future meeting agenda.

4. Information Only-Public Comment (Agenda Item #4) – Chairman Page thanked Provost John White.

Regent Doubrava read a letter (*on file in the Board office*) from Provost John White into the record, thanking the Board for its thorough and open search process and welcoming Dr. Jessup to UNLV.

Mr. Jose Solorio, Latino Leadership Council, thanked President Snyder for listening to concerns regarding Latino students and the enrollment percentages. Mr. Solorio said he thought all three candidates for president were excellent and thanked the Board for their service.

Mr. Alex Culley, Consolidated Students of the University of Nevada, Las Vegas (CSUN) thanked those involved in the president search process. He thanked President Snyder and congratulated Dr. Jessup. This is a very big day for UNLV. Mr. Culley said retention rates are still too low and dropout rates are still too high. As a student it is good to know we have exceptional leadership to address these challenges. He thanked the Board for its outstanding work.

The meeting adjourned at 3:23 p.m.

Prepared by: Patricia Rogers
Special Assistant and Coordinator to the Board of Regents

Submitted for approval by: Scott G. Wasserman
Chief of Staff and Special Counsel to the Board of Regents
and
R. Scott Young
Deputy Chief of Staff to the Board of Regents