

# UCCSN Board of Regents' Meeting Minutes December 11-12, 1970

12-11-1970

Pages 93-125

BOARD OF REGENTS

UNIVERSITY OF NEVADA SYSTEM

December 11-12, 1970

The Board of Regents met on December 11, 1970 in the Jot Travis

Student Union, University of Nevada, Reno.

Members present: Fred M. Anderson, M. D.

Mr. James H. Bilbray

Mr. Procter Hug, Jr.

Mr. Harold Jacobsen

Mrs. Molly Knudtsen

Louis Lombardi, M. D.

Mr. Paul Mc Dermott

Mr. Albert Seeliger

Dr. Juanita White

Members absent: Mr. Thomas G. Bell

Mr. Archie C. Grant

Others present: Chancellor Neil D. Humphrey

President N. Edd Miller (UNR)

President R. J. Zorn (UNLV)

Director Charles R. Donnelly (CCD)

Director John M. Ward (DRI)

Acting Vice President James T. Anderson (UNR)

Vice President Donald H. Baepler (UNLV)

Mr. Melvin Steninger, Regent-Elect

Dr. Edmund Barmettler, Faculty Senate Chairman

(UNR)

Dr. Don Fowler, Faculty Senate Chairman (DRI)

Mr. Bernard Sadowsky, Faculty Senate Chairman

(ECC)

Dr. John Vergiels, Faculty Senate Chairman

(UNLV)

Mr. Edward L. Pine, Business Manager (UNR)

Mr. Herman Westfall, Business Manager (UNLV)

Mr. Edward Olsen, Director of Information (UNR)

Mr. Daniel Walsh, Chief Deputy Attorney General

Mr. Richard Myers, CSUN President

Miss Frankie Sue Del Papa, ASUN President

The meeting was called to order by Chairman Hug at 10:45 A.M.

1. Approval of Minutes

Upon motion by Mr. Jacobsen, seconded by Dr. Lombardi, the minutes of the regular meeting of November 20-21, 1970 were approved as distributed.

2. Report of the Committee of the Whole Meeting of December 11, 1970

Mr. Hug reported that the Committee of the Whole had received Phase II presentations from UNLV on 3 new programs:

Additional options to the Ed. Specialist Program, of Elementary Education, Secondary Education and Special Education

Doctor of Education (Ed. D.)

Doctor of Business Administration (D. B. A.)

Mr. Hug noted that the Committee of the Whole had recommended that these new programs be approved subject to funding

and he requested approval by the Board.

Motion by Dr. White, seconded by Mr. Jacobsen, carried without dissent that the above new programs be approved for UNLV, subject to funding by the Legislature and subject to additional review at 1971-72 Work Program time.

### 3. Resolution from ASUN

Miss Del Papa introduced the following resolution by the ASUN Senate:

WHEREAS, the charges against Professor Paul Adamian, the actions of the Board of Regents in the matter and the Hearing Committee's recommendations have become issues of considerable controversy, and

WHEREAS, the Faculty Hearing was open to the public, and

WHEREAS, Nevada State Law, as cited below, requires an open hearing on the request of the individual concerned:

NRS, Chapter 241, section 241.030 (cross reference section 396.100 Board of Regents, same wording)

"Nothing contained in this chapter shall be construed to prevent the legislative body of a public agency...from holding executive sessions to consider...dismissal of a public officer or employee or to hear complaints or charges brought against such officer or employee by another public officer, person or employee unless such officer or employee requests a public hearing." and,

WHEREAS, Paul Adamian has requested that the Regents hold a public meeting to hear his case,

THEREFORE, the ASUN Senate respects and supports Mr. Adamian's request and asks the Board of Regents to abide by the laws of the State of Nevada and hold an open meeting on the charges against Adamian.

Miss Del Papa stated that she would like an opinion from Mr. Walsh or from Mr. Hug on the applicability of the statute she had referenced and a response from the Board of Regents as to whether the request for an open meeting would be granted.

Mr. Hug stated that he had received a request from Dr. Adamian that the Board consider his case in open session. He noted that the matter of an open session had been raised the previous day and Mr. Walsh had been asked to review the statute under discussion.

Mr. Walsh stated that he had done some research in the area of statutory construction which he noted was generally the routine followed when attempting to interpret the meaning of a statute. He noted that the courts have established certain principles which should be applied when interpreting this type of statute.

Mr. Walsh pointed out that the first paragraph of NRS 296.100 which refers to open meetings of the Board of Regents reads "...it is the intent of this section that the Board's action be taken openly and that its deliberations be conducted openly." However, he pointed out, paragraph 4 states that "Nothing contained in this section shall be construed to prevent the Board of Regents from holding executive sessions to consider the appointment, employment or dismissal of a public officer or employee..." and then it says "or to hear complaints or charges brought against such

officer or employee by another public officer, person or employee unless such officer or employee requests a public hearing." Mr. Walsh stated that the two parts of the clause must be considered, the first part being that the Board of Regents may not be prevented from holding executive sessions to consider the appointment, employment or dismissal of a public officer or employee. There is no record of any board in the State, or any county or city board, having held a public hearing to determine qualifications of the people they are about to hire. Mr. Walsh also stated that the courts have said when the term "or" is used, it is presumed to be used in the disjunctive; that is, separating or causing to separate, disjoining. These two clauses are therefore separate ideas since the use of the word "or" between clauses prevents the second clause from acting as a limitation on the first.

Mr. Walsh also stated that there are other rules of statutory construction which may also be considered. One is called parliamentary; that is, when a statute is found to be ambiguous you then consider statutes relating to the same subject matter. For example, the statute under discussion was adopted in 1960 along with 3 other statutes that applied to cities and counties which provide that

no city or county board can consider appointments for employment in public open meetings.

Mr. Walsh noted that there is a 3rd factor which influences interpretation and that is custom and practice. He pointed out that the University Board of Regents has been operating under this statute for several years and it has been the custom of this Board to hold personnel sessions considering appointment, employment or dismissal in executive meetings and this custom has gone unchallenged.

He suggested that comparisons might logically be made with a court or jury proceedings; that is, an open hearing as far as evidence was concerned was held and then the jury or judge retires to make its decision in closed session. He advised that the Board could also do this at its discretion; that is, deliberate in private.

Mr. Bilbray asked if it was Mr. Walsh's opinion that the Board of Regents could make the determination as to whether the meeting to consider the matter of Dr. Adamian would be open or closed. Mr. Walsh said yes.

Mr. Bilbray moved that the hearing be open to the public.



Mr. Hug said he believed that Mr. Walsh's analogy to a court is valid. He noted that no new evidence will come before the Board and therefore deliberations on personnel matters should be separate and apart from the public session.

Mr. Bilbray said he believed the Board should function more as an appeal or review board. He also stated that the allegations in this case have been made in public, therefore the hearing should be in public.

Mr. Jacobsen pointed out that there has already been a public hearing in the case of Dr. Adamian, and action taken by the Board of Regents at this point will be in light of evidence already introduced. He said he would oppose any new evidence being introduced and believed the Board of Regents is entitled to deliberate in private. Mr. Jacobsen also noted that the motion had not been seconded and suggested that further discussion was out of order.

Motion was declared to have failed for lack of a second.

Dr. Anderson noted that several matters had been introduced; that is, the request by Dr. Adamian that the Board consider

his case in public, the support of the ASUN for his request, the accompanying resolution by the ASUN stating that the Board must grant the request under requirements of the State Law; and an opinion by the Attorney General that the Board was not compelled to consider personnel matters such as this in open meeting. He suggested that a decision on the request be postponed to allow for discussion in the afternoon.

Dr. Anderson moved that decision on this matter be postponed until after lunch. Motion seconded by Mr. Bilbray, failed with 2 affirmative and 7 opposing votes.

Mr. Jacobsen stated that the Faculty Hearing Committee had conducted a public hearing, at the request of Dr. Adamian, but had deliberated in private and had reached its decision in private.

Mr. Jacobsen moved that deliberations of the Board concerning the Adamian matter be held in closed session. Motion seconded by Mr. Seeliger, carried with the following roll call vote:

No - Dr. Anderson, Mr. Bilbray

Yes - Mr. Hug, Mr. Jacobsen, Mrs. Knudtsen, Dr.

Lombardi, Mr. Mc Dermott, Mr. Seeliger,

Dr. White

Mr. Bill May, identifying himself as a student, stated that he was speaking on behalf of approximately 50 students and faculty who had participated in Governor's Day and wished to indicate their complicity in the demonstrations which occurred. Mr. May noted that some of these complicity statements were in the form of individual statements and some were signatures to the following petition (complete text of Mr. May's statements is filed with permanent minutes.)

At this time I feel compelled to make known the fact that I participated, out of moral objection, in all acts of disruption and demonstration related to Governor's Day of May 5, 1970. I accept full responsibility for my actions that day, feeling they were perfectly justified. Governor Laxalt and N. Edd Miller are guilty of irresponsible acts due to their negligence to recognize and respect our feelings due to the events preceding Governor's Day -- the tragedy at Kent State and the dictatorial, unconstitutional

decision to invade Cambodia followed by the blatant act.

The actions being taken as a result of our actions on that day are illegitimate, injudicious and beyond the powers of the Board of Regents. However, Dr. Adamian is being subjected to discipline by this improper authority and I deem it legally and morally correct to receive the same treatment, regardless of how ludicrous it is.

Mr. May noted that the above petition was signed by approximately 40 students, and individual statements had been submitted by 14 other students, 1 of which he read, as follows:

In the interests of a fair and impartial justice, I feel constrained to indict myself for, in your words, attempting to stop a motorcade, leading raucous and rude cat-calls, and encouraging others to disrupt the ceremonies on Governor's Day of last May 5.

I acknowledge no guilt and feel no remorse for what I did. My actions on May 5 were, in my opinion, legit-

imate, responsible and in fact obligatory responses to an intolerable situation. Following as it did the deaths at Kent State and the preceding and even more murderous hypocrisy of the Cambodian invasion, the offensive militaristic exhibition of Governor's Day was little less than a statement condoning and sanctioning extreme use of violence. This statement I could not, and can not accept, and I will continue to resist this obviously illegitimate authority.

If indeed you are persons of justice and integrity, my treatment should be the same accorded Professor Paul Adamian, and as such, I should be tried and disciplined in a similar manner, or he should be exonerated.

I await your response.

Mr. May submitted the statements and letters to which he had referred and urged the Regents to look them over carefully as they represented a written commitment by those who had signed them. Mr. May also urged the Regents to respond in some manner.

(Statements and letters on file in Chancellor's Office.)

Dr. Anderson commented on the points made by Mr. May, noting that the charge that the Governor's Day ceremonies were a condonement of violence was invalid since these ceremonies were an annual activity at the University and had been held for many years. The 1970 ceremonies had been scheduled many months in advance of the occurrence at Kent State and only by a very curious reasoning could the assumption be made that holding of scheduled ceremonies was in any way sanctioning the tragedy which occurred in Ohio.

Dr. Anderson also pointed out that where a mass demonstration occurs, it is not common practice that everyone who participates is charged; rather those who are prominent or who are believed to have a special type of responsibility which they have violated by their actions would be charged. However, he said, if any of those students or faculty who have submitted statements wish to voluntarily accept the same action that may be taken in the case of Dr. Adamian, they are certainly free to do so.

Mr. Jacobsen noted that Mr. May had stated that they could not get the attention of anyone and asked if they had made

a direct approach to the President concerning permission to demonstrate at Mackay Stadium. Mr. May stated that several people had approached both President Miller and Governor Laxalt and asked that they address the situation; that is, that they speak to the Kent State matter and to the Cambodian invasion.

Mr. Jacobsen asked if Mr. May felt that the only way they could be heard was to demonstrate. He suggested they try talking instead.

Mr. May stated that in his opinion the kind of talk the Regents refer to is not communication. If there is going to be communication between the students and the Regents, he stated, there must be some kind of listening and some kind of commitment to involvement. Mr. May continued by stating: "If we keep making petitions and statements to no avail then the only thing that will bring us out into the open, the only kind of statements that will have any effect is a statement which is disruption, non-violent disruption. We don't want to approach this. it would be much better if we did not have to tromp on the rights of others but our rights are being tromped on, too. We may have, in some way, disrupted the freedom of speech of the

ROTC Department. At the same time, our freedom to affirm life and not to take life had been tromped on."

Mr. Hug accepted the statements presented by Mr. May. He noted, however, that the Board of Regents has made considerable effort throughout the past years to listen to the student and the faculty. He pointed out that student representatives are invited to be present at each Board meeting and the Board has made a sincere effort to understand the student point of view. One problem, he noted, is that just because the view is expressed does not mean the Board of Regents is going to agree with it. He suggested there be no confusion between agreeing to listen and committing the Board to agree with, or acting on, every request.

Mr. May stated that the students did not require action by the Regents on every request, they just required that some of the requests be acted upon. He continued by stating that "all the talk in the world is fine but when there is no behavior modification then we begin to wonder what the effect of talking is."

Mr. Hug pointed out that students have had considerable



influence over the past years and many decisions have been made based on requests from students and faculty. There is no lack of concern on the part of the Regents, he said; although it is true there have been many times when the Regents have not been convinced and have referred matters back to the students or the Administration. Frequently, in these instances, the result has been eventual adoption of a policy more acceptable to all parties than that originally proposed.

#### 4. Report of Gifts

A. Dr. Donnelly reported that Mr. Mark Chilton of Elko has proposed a gift of 34.469 acres of land to Elko Community College, to be deeded in 2 parcels, 1 in 1970 and 1 in 1971. The land is located northwest of Elko, adjacent to property previously deeded to the University.

Chancellor Humphrey recommended acceptance.

Motion by Mr. Jacobsen, seconded by Dr. Lombardi, carried without dissent that the above recommendation be approved.

B. Chancellor Humphrey reported that the Kennecott Copper Corporation (Nevada Mines Division - Mc Gill) has given the University a replica of the Fremont Mountain Howitzer as a football trophy for use between UNR and UNLV. Replacement cost of this trophy has been estimated at \$3000. Chancellor Humphrey recommended that the gift be formally acknowledged and, further, that the involvement of the Tyson-Curtis-Wilson agency in researching, developing and coordinating this project be acknowledged.

Motion by Mr. Seeliger, seconded by Dr. Lombardi, carried without dissent that the above recommendation be approved.

C. President Miller reported that the family of the late Randy Aiazzi has indicated that they wish to establish a memorial fund to be known as the Buck and Randy Aiazzi Scholarship Fund for deserving students graduating from Yerington High School and attending the University of Nevada, Reno.

(Details of the management of the fund were listed in

Ref. A of the agenda and filed with permanent minutes.)

Chancellor Humphrey recommended approval.

Motion by Mr. Jacobsen, seconded by Mr. Seeliger, carried without dissent that the above recommendation be approved.

D. Gifts and grants were recommended for acceptance as indicated in Ref. B filed with permanent minutes.

Motion by Mr. Bilbray, seconded by Mr. Knudtsen, carried without dissent that the above recommendation be approved.

## 5. Report of Personnel Appointments

Approval of the following personnel appointments was recommended by the appropriate officers:

UNIVERSITY OF NEVADA, RENO

NATIONAL COUNCIL OF JUVENILE JUDGES

Frank Dell 'Apa, Adjunct Associate Professor of Judicial  
Administration, 8/1/70-6/30/71 - (new appointment)

UNIVERSITY OF NEVADA, LAS VEGAS

COLLEGE OF ALLIED HEALTH PROFESSIONS

Leon Harry Steinberg, Adjunct Professor of Radiology,  
7/1/70-6/30/71

COLLEGE OF SCIENCE AND MATHEMATICS

Harold F. Stewart, Adjunct Assistant Professor of Biology,  
9/1/70-6/30/71

SYSTEM COMPUTING CENTER

Robert N. Knittel, Administrative Systems Analyst/Program-  
mer, 11/24/70-6/30/71 at a salary of \$8337.50 based on  
annual rate of \$13,650 (replacement for G. D. Vance)

Motion by Mrs. Knudtsen, seconded by Mr. Jacobsen, carried  
without dissent that the above recommendation be approved.

6. School of Medical Sciences, UNR

President Miller reported that a detailed report from the School of Medical Sciences concerning the progress of planning for the School, including the planning for physical plant, and all other aspects preparatory to receiving students in Fall 1971, will be made at the February meeting.

7. Student Publications Code, UNR

President Miller recalled that in November the Board reviewed a statement of policy concerning student publications at UNR but deferred action until December in order that consideration might be given to inclusion of a clause prohibiting obscenity in such publications. The policy statement proposed by ASUN was included with the agenda as Ref. D and is filed with permanent minutes.

Miss Del Papa presented the following statement on behalf of ASUN in response to the Regents expression of concern:

In response to the Publication Code presented to the Board of Regents at the June, 1970 meeting, we sent to President Miller a copy of ASUN Publication Board

By-Laws and a copy of our "Criteria of a Good News-paper".

Of special interest to the Regents are the following sections of the By-Laws that pertain to the Sagebrush

Editor:

420-101B1 Shall determine the editorial policy of the Sagebrush subject to the supervisory control of the Publications Board.

420-101B2 Shall determine with the Business Manager of the Sagebrush the size of the paper per issue and the number of publications per semester, subject to the approval of the Publications Board and the Finance Control Board.

420-101B3 Shall be responsible to the Publications Board for all material that appears in the Sagebrush.

420-101B4 Shall adhere to the canons of good journalism in all material printed in the Sagebrush.

420-101B6 Shall insure that no material violates the laws of libel, copyright, obscenity, or postal regulations.

In light of the recent opinion letters that were printed in the Sagebrush, the ASUN Publications Board adopted the following additional policy statement for all ASUN publications:

ASUN publications will avoid printing vulgar words.

If "four letter" words must be used in the context of a news story or in opinion pieces, they will be run with a first letter followed by blanks according to the number of letters. ASUN publications also will not print obscene pictures.

We feel that student publications are an integral part of the College experience. We further feel that the proper control of student publications rests with the ASUN Publications Board.

The above statement was signed by Frankie Sue Del Papa, ASUN President, and Peter Moss, Vice President of Finance and Publications.

In the discussions following, opinions were expressed concerning the use of profanity or obscenity in a student publication.

Dr. Anderson questioned the desirability of including this kind of language, pointing out that the Sagebrush has, in effect, captive subscribers in that a fee is assessed the student whether he reads the paper or not. He stated that he has received many complaints concerning this factor.

Mr. Jacobsen agreed with Dr. Anderson, pointing out that the students must recognize that the Sagebrush contributes to the image of the University throughout the State and accept the responsibility of protecting that image.

Miss Del Papa stated that she has received no complaints concerning the Sagebrush but suggested that if students do not approve of the newspaper they should address their complaints to the student body officers.

In response to a question from the Board concerning the policy of commercial newspapers, Regent-Elect Steninger expressed the opinion that the Board of Regents must be



considered to be in the position of publisher of the student newspaper and the Publications Board would be compared to an editorial board. He stated that it is his policy to avoid objectionable words whenever possible and suggested that for a student newspaper this requirement should be more stringent than for public newspapers.

President Miller pointed out that the proposal by the ASUN Publications Board stated that "ASUN publications will avoid printing vulgar words."

Mr. Mc Dermott stated that it appeared that this is a commitment on the part of the students and should be recognized as such. He agreed the proposal was proper.

Sheila Caudle, editor of the Sagebrush, stated that she did not agree with the amended policy in that she believed that if profanity is relevant it should be included. She said she considers the proposal to be a compromise and that she personally believed she would be misrepresenting a faction of the student body if she did not print letters to the editors even though they do contain objectionable language.

Mr. Carl Haviland, reporter for the Reno Evening Gazette, commented on the proposed policy at the request of the Regents. He pointed out that freedom of the Press is established constitutionally; however, he noted that use of profanity in a commercial newspaper depends on the policy of the publisher. A working reporter will often hear profanity but is not compelled to quote it. There should be no effort to restrict the Press; however, there must be discretion on the part of those in the business.

Nedra Joyce, reporter for the Las Vegas Review Journal, also commented at the request of the Regents. She stated that she had used profanity in stories, particularly in quoting public statements by public officers. She agreed there are words which are considered indelicate and perhaps should not be used; however, she stated that she believed the ASUN proposal was an acceptable compromise. She disagreed with Regent-Elect Steninger's statement that the Board of Regents was the publisher of the student newspaper.

President Miller recommended approval of the policy statement "Criteria of a Good Newspaper", together with the substance of the additional statement submitted earlier and

reflected above.

Motion by Mrs. Knudtsen, seconded by Mr. Jacobsen, carried with Mr. Seeliger opposing, that the statement be approved as amended.

The meeting adjourned for lunch and reconvened at 1:50 P.M.

#### 8. ASUN Petitions

With the concurrence of Chairman Hug, 3 petitions were presented as follows:

- (1) Paul Basta submitted the following petition, noting that it had been circulated at an ASUN rally for the student government earlier in the day:

We support the ASUN government as a responsible and effective authority on the Campus of the University of Nevada, Reno. We ask that you reaffirm confidence in the ASUN as being able to handle responsibly this authority. We feel that decisions which affect the students of this Campus can best be made by delegating

appropriate authority to the personnel (students, faculty and Administration) who live and work on this Campus. Let us help you make a better University.

Mr. Basta stated that student government is having a difficult time reaching the student on Campus and they believe that student government needs more power.

(Petition filed in Chancellor's Office.)

(2) The following petition was presented by Neal Artz and Kelly Clark:

We, the undersigned students and faculty members of the University of Nevada, believe that by his disruption and disrespectful actions involving last year's Governor's Day ceremonies, Dr. Paul Adamian demonstrated an attitude unsuitable in an instructor at this University.

Further, by his actions he forfeited any rights he held as a member of this University community.

(Petition filed in Chancellor's Office.)

(3) Kevin Weatherford presented the following list of

demands:

1. Resignation of present Board of Regents.
2. Governor reappoint interim Board in a democratic manner representing the people who are governed:

4 students, 4 faculty, 5 State at large.

All Regent meetings will be open and all Regents will be required to be on Campus at least 10 days per month with an open door policy.

3. Legislature will reconstitute Board of Regents to above democratic representation.
4. New Board of Regents will have powers delegated by the State Constitution and in cases of over-extension of power and jurisdiction, a faculty-student-Regent committee will provide interpretation.
5. The immediate problems to be resolved by the new Board of Regents will be:

- 1) Abruptly break the University's role as a capitalist, imperialist, racist, chauvinist, elitist institution and assume a leadership role in eliminating these cancers from society.
  
- 2) All University committee membership will be proportionate to University population; "one man, one vote". This population will only include academic persons; and administrative personnel where involved by that particular committee.
  
- 3) All University contracts, positions, plans, policies, curriculum and structure will be reviewed by the Board of Regents and/or by the appropriate committees.
  
- 4) There will be a moratorium on all current University plans; these plans will be reviewed and a new long range plan will be instituted.

- 5) Campus Police will be controlled by a student-faculty committee.
- 6) All personnel matters of the past 10 years will be reviewed.
- 7) All current financing of the University will be reviewed and all alternative methods will be evaluated and implemented where appropriate.
- 8) Free and open education available to all.
- 9) The current Board of Regents will end the Adamian affair with the recommendation of the faculty committee.
- 10) The Board of Regents will take positive action on this last demand and the petition presented by the ASUN government immediately, before the students leave this room.

Mr. Hug noted that several of the demands submitted by Mr. Weatherford would require rather significant constitutional

and Legislative changes. If such action is desired, he said, then normal channels such as those available to effect a constitutional amendment are open to anyone wishing to pursue such action.

#### 9. Summer School Budgets, UNR

President Miller recommended approval of the Summer School Budgets for calendar year 1971 (budgets identified as Ref. E and filed with permanent minutes).

Motion by Mr. Bilbray, seconded by Mr. Seeliger, carried without dissent that the above recommendation be approved.

#### 10. Refund Schedule

President Miller recommended that the refund schedule for the registration fee and the capital improvement fee for students who have registered for 7 credits or more (and have therefore paid a consolidated fee) and who are changing to part time status (6 credits or less) be changed from the existing policy of no refund to one in which the per credit cost of the reduced load will be subtracted from the original payment for the registration and capital



improvement fees and the difference refunded as follows:

1 - 2 weeks	75% refunded
3 - 6 weeks	50% refunded
7 - 8 weeks	25% refunded
9 - 16 weeks	No refund

Chancellor Humphrey noted that, if approved, this schedule would be consistent with the refund schedule presently being followed for non-resident tuition for students who change from full-time to part-time status for fee purposes and for students who withdraw from the University.

President Zorn reported that he had discussed this proposed amendment to the refund schedule with the UNLV Business Manager, who had, in turn, recommended that this schedule also be adopted for UNLV, recognizing, however, that a part-time student at UNLV is one registered for 8 credits or less.

Chancellor Humphrey recommended approval of the proposed amendment to the refund schedule for UNR and UNLV.

Motion by Mr. Bilbray, seconded by Mr. Seeliger, carried

without dissent that the above recommendation be approved.

#### 11. Request for Matching Funds

President Miller reported that UNR has received \$100,975 for the National Defense Student Loan Program for the Spring semester 1970-71 and \$7,078 for the Nursing Student Loan Program. He requested \$12,006 be allocated from the following accounts to provide the 1/9 matching funds:

David Russell Loan Fund (1-070-3001)	\$ 4,210.07
Goodfellow Loan Fund (1-070-3005)	7,795.93
Total	\$12,006.00

Chancellor Humphrey recommended approval.

Motion by Mr. Jacobsen, seconded by Dr. Lombardi, carried without dissent that the above recommendation be approved.

#### 12. Installation of Carpeting in Student Union Building, UNR

Mr. Pine requested approval of an expenditure of \$1800 from the W. E. Travis Grant (1-1-057-4129) to purchase and install 250 square yards of carpet in the main lounge of the

Jot Travis Student Union. He noted that Commercial Carpet Corporation had agreed to a joint venture agreement with the University to replace the present carpet. The cost to the University will be as follows:

250 yards carpeting @3.50 per yard	\$ 875
Decorator's Service	100
Freight	200
1/2 of installation cost	625
Total	\$1,800

Mr. Pine also requested authorization to purchase from the W. E. Travis Grant the following items of furniture for the main lounge of the Union, at an estimated cost of \$1720.

- 9 chairs
- 4 5-foot benches
- 2 3-seat 6-foot benches
- 2 2-seat couches
- 2 bean bag chairs

President Miller recommended approval. Chancellor Humphrey concurred.

Motion by Mr. Seeliger, seconded by Mr. Bilbray, carried without dissent that the above recommendation be approved.

### 13. Utilization of the Dr. Reno Building

President Miller recalled that the Board of Regents had previously instructed that several University owned structures on Sierra Street be demolished and the area landscaped. One of these buildings is a combined home and medical office acquired from Dr. Reno which is now being used by the National Council of Juvenile Court Judges.

President Miller requested that the Dr. Reno building be continued in service to be used in connection with a program between the School of Medical Sciences and the Washoe County Advisory Board on Mental Retardation for a period of 2 years. Under this arrangement, Washoe County would pay a rental of \$50 per month for the space used; the balance of the space would be used in a teaching program in the Health Sciences.

Chancellor Humphrey recommended approval.

Motion by Dr. Lombardi, seconded by Mr. Seelige, carried

without dissent that the above recommendation be approved.

#### 14. Progress of University Projects

A report on the progress of University projects under the supervision of the Director of Physical Plant, UNR, was distributed with the agenda. A similar report for projects under the supervision of the State Planning Board was distributed at the meeting (both reports are on file in the Chancellor's Office).

Mr. Dan Teglia interrupted the meeting to repeat a demand which he stated had been presented earlier "on whether the Committee report on Professor Adamian's case would be the final say. One of our demands was that the Committee report, the Committee that you appointed, that Committee's recommendation would be the final recommendation."

Mr. Hug pointed out that this matter had been discussed earlier in the morning when the students had endorsed Professor Adamian's request that consideration of his case be held in open meeting and a decision had been made. He commented that it may be a demand of the students but pointed out that it had not been agreed to by the Board.

Mr. Teglia challenged Mr. Hug's understanding of the meaning of a demand and charged that "you have totally disregarded everything we have said; we want some discussion on this and we want it now."

Mr. Hug stated again that discussion had been held and the matter had been determined. Mr. Hug called for a recess, at which time President Miller announced that a telephone call had been received reporting that a bomb had been placed in the meeting room and ordered the building evacuated.

The meeting reconvened at 3:00 P.M., after a thorough search of the building by police officers.

#### 15. State Plan for Community Colleges in the State of Nevada

Director Donnelly commented on the State plan for development of Community Colleges which had been distributed with the agenda. He noted that the plan would be discussed with the Advisory Committees in Elko, Clark County and Western Nevada and would be presented to the Board of Regents in January for adoption.

Following presentation of the plan, Mr. Jacobsen read a resolution from the Carson City Chamber of Commerce requesting consideration of Carson City as a location for a Community College.

Dr. White reported that Boulder City has land available and would also be interested in being considered as a location for a Community College.

Dr. Anderson asked about a statement on Page 44 of the State Plan that "It is assumed that all 2-year technical programs at UNLV would be placed into Community College programs in Clark County Community College and those at UNR would be placed into Community College programs in Western Nevada Community College." He suggested that there might be some 2-year programs in either of the Universities which would be better served if left with the University and perhaps should be considered individually before determination is made on where they will be placed.

Mr. Humphrey noted that one of the purposes in scheduling this for action in January is to be in a position to make specific recommendations as to which programs will be transferred. This recommendation can only be made after

agreement between the Divisions. He pointed out that it will be necessary that the decision is made prior to consideration of the University's budget request by the Legislature.

#### 16. Graduate Record Examination

President Zorn reported that the UNLV Graduate Council has recommended, and he had approved, that, effective Fall 1971, once a candidate has been admitted to Graduate Standing he will not be required to take the Graduate Record Examination.

President Miller reported that it was his intention to request the UNR Graduate Council to consider this action for possible adoption.

#### 17. Modification of Exterior of Chemistry Building

Mr. Westfall reported that the following bids were opened November 23, 1970 for the application of a decorative and waterproofing multmil textured coating to the Chemistry building.



Hanco, Inc., San Diego	\$11,840
W. J. Thompson, Las Vegas	11,920
Nevada Contracting, Las Vegas	12,000

President Zorn recommended that award be made to W. J. Thompson of Las Vegas, the low bidder considering in-State preference and that funds be provided from the UNLV Capital Improvement Fee Fund.

Chancellor Humphrey reported that the UNLV Capital Improvement Fee Fund cash balances, plus anticipated receipts Spring semester 1971, less budgeted debt service, is adequate to fund this expenditure and recommended that the bid of W. J. Thompson be accepted.

Mr. Jacobsen asked about the communication from the architects in which they recommended against this procedure.

(Letter from Jack Miller & Associates, A. I. A., on file in Chancellor's Office.) Dr. Zorn commented that the building has not lightened and that he did not believe it would lighten. He also stated that they believe the concrete stain would cause problems.

Mr. Seeliger asked about recommendations of the State Plan-

ning Board that application of the coating be deferred for one year and then give consideration to the pigmented stain applications.

Dr. Zorn stated they had determined they did not wish to follow the recommendation of the State Planning Board. He added, however, that the action proposed is not a reflection on the architect or the State Planning Board, stating that the interior of the building is considered to be excellent.

Motion by Dr. White, seconded by Mr. Bilbray, carried without dissent that the bid of W. J. Thompson be accepted and the contract awarded.

#### 18. UNLV Campus Bookstore

President Zorn reported that since 1968-69 the Student Union Board has operated the Rebel Shop, the UNLV Campus bookstore. He noted that the enterprise was launched on the basis of loans from the Capital Improvement Fee Fund. Due to a variety of management and fiscal problems the bookstore has persistently incurred deficits. The Union Board has recommended that the operation be liquidated and the

bookstore leased to a private firm.

Dr. Zorn introduced Winston Burbank, Chairman of the Moyer Campus Student Union Board, who stated that the status of insolvency poses problems for the Spring semester. He reported that 4 companies were invited to submit proposals for leasing the bookstore. Two proposals were received and after review of the two proposals the Union Board recommended that a contract be signed with Nebraska Book Company to operate the bookstore. Mr. Burbank noted that the proposal by Nebraska Book Company provides for a payment to Moyer Campus Student Union Board of a commission of 6% of gross sales minus refunds for a 5-year period with renegotiation at the end of that period and purchase of all existing inventory and supplies in the bookstore at not less than 66 2/3% of the wholesale price. Mr. Burbank also stated that it is anticipated that liquidation of the bookstore's assets will satisfy existing deficits and revenue will retire the loan from the capital improvement fee fund by June 1972.

Mr. Paul Greenberger, Associate Dean of Students, endorsed the recommendation of the Student Union Board.

The meeting was interrupted by a group of students clapping and singing. President Miller requested quiet and stated:

"Let me make a plea to you. You have had your opportunity to present your petitions and make your position known. I urge you -- I cannot urge you too strongly -- don't jeopardize the thing you want by action of this sort. Don't attempt to disrupt in order to achieve something which you cannot achieve in this way. Let me urge you also, don't jeopardize the kind of Campus that I think all of us want. A great many people have been working on this Campus to provide freedom, to provide opportunity for expression of ideas, and any kind of disruptive action now will jeopardize not only your interest in the Paul Adamian case but you very well may jeopardize the kind of Campus I think we all want. I plead with you, you have made your position known. Be mature and use wisdom. Please. I have been defending you around this State because I believe you are mature and wise people. Show it now."

Dr. Paul Adamian spoke from the audience, stating "I would like to make one comment in response to what President Miller said.

I don't think that there is anything that any of the students could do here to jeopardize my position. I don't think that should be a consideration."

There was continued disruption with several charges made that "you have already made the decision." "How can we jeopardize him, you intend to fire Paul Adamian because you don't like him."

President Miller emphasized that no decision had been made and again urged the students not to jeopardize their position by continuing to disrupt.

One student who did not identify herself charged that "we have not been allowed discussion at all. In avoiding a verbal confrontation here you are just creating frustration which will lead to a different kind of confrontation."

Dr. Miller pointed out that the students had been given an opportunity during the morning to state their position, to present their statements and petitions. He urged them again to recognize that they had been heard. He requested that the meeting be allowed to proceed, pointing out that the Adamian case would be discussed the next day.

There were comments from the audience objecting to the Regents' decision to deliberate the Adamian matter in a closed meeting.

Mr. Weatherford repeated his charge that they had demanded that the Regents "end the Adamian affair with the recommendation of the Committee. No action has been taken. We have been told that this is an open meeting and we will be allowed to present our side of it. We have presented our side and made what we consider to be a very simple request. This request has not even been touched upon, much less met in any way. We don't think it's too much to ask of the Board of Regents to consider Paul Adamian and this case right now in front of everyone who is most concerned with Paul Adamian, that being the students, because those are the people who benefit or those are the people who lose from this educational system. It's not the Regents, it's not even you (speaking to President Miller). We realize your position, we appreciate what you have done. We have made several requests and all our requests have been ignored. Now it has once more been requested that we silence ourselves and that we don't create a disruption. I would say that the only disruption since I have been at the University for 4 1/2 years -- the only thing that has significantly disrupted the process of education as I understand it, is the Paul Adamian affair.

If there is any disruption going on here, it is the way the Board is considering the Paul Adamian case and the fact that they will not bring it out into the open and hear it before the

students. This is not a disruption on behalf of the students; this is a disruption on behalf of the University and the Board of Regents, and we do not hold that this is within the interests of education, the interests of the students as human beings or as students, or within the interests of the University and therefore we do not find that what we are doing is disruption in any way."

Dr. Miller again pointed out that the students had expressed themselves and had stated their positions. He repeated again what had been announced during the morning; that is, that this matter would be taken up the following day. Dr. Miller stated that this would not be changed, the matter would not be considered earlier. Dr. Miller also again pointed out that the students had a great deal to lose in persisting in the kind of action they were engaging in, not only for themselves but also for those students who follow in subsequent years.

Dan Teglia again stated that "all they were asking for was an open session. You say it's going to be considered tomorrow and you say you want open communication and open discussion and at the same time the hearing remains closed."

Dr. Miller pointed out that the procedures which have been fol-

lowed in this case provided for an open hearing in this matter and the final decision will be made as provided in the policy statement in a closed personnel session. He stated, "that there is nothing new about this, it is not a change in plan, it is not something unpredicted, it is something you have known all along."

Kevin Weatherford stated "assuming that nothing can be done to change the Board of Regents agenda, which I consider to be a somewhat nebulous assumption, since the Adamian affair has been so extraordinary, and since so many policies have been violated, as has been pointed out by the former President of AAUP and by several students, since the Student Senate and several other student petitions circulated by independent student groups, I do not think it would be inconsistent with the proceedings to be carried out tomorrow if we could ask, if you don't want the disruption to go on now and if you would like to be able to continue the meeting, to have some sort of guarantee of a 100% open meeting with the Regents tomorrow or at their earliest convenience before they consider Paul's case in their closed session and that Paul's case not be considered in closed session because that would not be inconsistent with numerous other violations they have made of University procedure. So we would like to ask for that guarantee right now."



President Miller pointed out that he was in no position to make guarantees of that sort and further stated that he would not make such a recommendation to the Board. He noted again that the policy statement had been followed and would continue to be followed. President Miller requested again that the meeting be permitted to proceed. He stated that if they did not they would do so much harm to so many people. He suggested they not be so selfish and let the meeting go on.

Dan Teglia asked why Dr. Miller was talking for the Regents.

Dr. Miller stated that he was not talking for the Regents -- he was talking for himself. He added that he was "pleading for the kind of University that I think we should have."

Kevin Weatherford said that, "We recognize that the Board of Regents has silenced themselves and you are speaking in your role as President of the University, which we appreciate, but the Board of Regents is here and it is not necessary for you to defend them or to speak for them and you are not doing it. We have a request -- I have made the request -- that the Regents take some action right now to give us some guarantee of an open meeting with them concerned specifically with the case of Paul Adamian and that at this meeting, or right now, we can discuss the possibility of an open personnel hearing which would be

exceptional and we differ on whether or not there have been exceptions made. Now I don't think this requires an answer from you, I would like an answer from the Board of Regents on whether or not they will take some action to give us this opportunity."

Dr. Anderson noted that this was discussed earlier in the day and the Board had already determined by majority vote that their deliberations would be held in a closed meeting. He suggested proceeding with the regular agenda. Dr. Anderson also stated that the Regents did indeed speak for themselves and pointed out he had no intention of being intimidated.

Mr. Weatherford said they did not intend to be intimidating in any way. He stated, "we are here to make a request. You have ignored all our other requests." "Perhaps you were not aware that there were this number who do not go along with your somewhat arbitrary actions. Now we are asking you, out of respect for what the University is all about -- to educate the people and we are those people who are supposed to be educated -- and we have voiced an opinion. We have asked -- I consider politely. We have gone through all the various procedures and you are still resorting to something you did this morning before this happened. Now I think that what has happened so far, at

the very least, should have opened your eyes that there is a definite opinion on this Campus that disagrees with what you did this morning. Now, all we are asking is that you reconsider and that you do so now. You cannot keep closing off the students. The students are a very important part of the University. The students are a very necessary and integral part and sooner or later, if you don't meet a few demands of the students, then the students' demands will be made in what might be termed a much more irrational way, in a much more felt way, and that will be with destruction. I am sure that all of us who disagree on everything else agree that destroying the University does not help education. But neither does never answering a student's demands or never answering a student's requests and we ask once again that you please consider this while we are here."

In response to a demand for dialogue with the Board of Regents, President Miller pointed out that there had been dialogue with the Board of Regents. He repeated again that the decision had been made that the personnel session would be closed.

Kevin Weatherford spoke again to President Miller, stating, "We have come to you a hundred times and have produced what I consider to be an open dialogue with you. A lot of significant things have been carried out. Now we have been told that the

Board of Regents would open their meetings and we all thought that in opening their meetings we would be able to develop with them the rapport we have developed with you. A rapport developed only through respect for each other as human beings, for each other in their role within the University and for each other as to what they are saying. Unfortunately, where your ears are open, where your mind is open, and where you show what the best points of a University can be, the Board of Regents, in most cases, has chosen to ignore us."

Before allowing a response, Mr. Weatherford charged that "if the Board has chosen this time not to ignore us, please come forward and talk to us and take some action that we have requested or at least take some action on the action we have requested."

Dr. Miller emphasized that a great many things have happened for the good at the University during the past 4 or 5 years and a great many of these have happened because of action by the Board of Regents "and you cannot convince me, no matter how hard you try, that this Board of Regents doesn't listen to students. They have been listening and they are listening now. All I am asking you is give up this kind of approach -- it will do no good and will do much harm."

Mr. Weatherford interrupted President Miller by stating that "no dialogue was even developed by merely listening. Both sides have to participate and the only thing we are asking now is participation of the Board of Regents. He charged that the Regents have said, "Yes, we are listening. Yes, we have heard you." Now, he stated, "we would like to see them do something about what they heard."

We have asked them to guarantee us an open session about the Paul Adamian affair and the possibility to discuss whether or not they will make exception and open this and we have said this and they have said nothing in reply. We have asked them to reconsider their action of this morning, they have said nothing; they have done nothing. What is happening to Paul Adamian and all the surrounding affairs is not a step forward in any direction, it is a step backwards."

Dr. Miller objected to a judgement on this matter prior to a decision. He pointed out that the Board has made its decision about the process it is going to use, and is following a process which was developed over 2 years ago. Again, he pointed out, there is nothing new about this. He suggested again that they abide by the procedure.

Mr. Weatherford stated "We are not asking they open it at the time they make a decision, we are asking a chance to have the time to express ourselves and how we feel about Paul and we also want them to express themselves. I don't care to be there when they vote. We want to hear their side of what has been going on with Paul Adamian."

President Miller asked again that the meeting be allowed to proceed.

The audience resumed clapping briefly but responded to Chairman Hug's request for attention.

Mr. Hug made the following statement: "The matter which you wish to have before the Board of Regents was discussed this morning.

The resolution of the Senate was presented. We have asked for an opinion of the Attorney General. It is equivalent in our opinion, and in his, to the proceedings of a jury. No new evidence is going to be presented. The only thing that is going to be presented is the evidence that was presented in an open hearing at the time that it was considered by the faculty.

This was the basis of the action this morning. This is the equivalent to deliberations of a court or jury when evidence

has been presented. There is now no point in reopening that.

The decision was made and will be considered in that fashion.

I agree with President Miller. It is very important that you not continue to disrupt; instead we proceed with the meeting.

We have tried our best to listen to you, we have heard you, we have received your petitions. The only thing that I must mention is that in every case in which you present an opinion does not necessarily mean that you are going to always convince us, or any other body to which you make presentations. Part of the function of a policymaking body such as this is to consider all the points of view, and then to act on them. That's our responsibility. That is why in some Universities and Colleges they are called trustees. We have a trust and we are trying our very best to carry it out as we see it. We are listening to students, to faculty, to Administration, and indeed we are listening to the general public as well. And we propose to do this and to do it as fairly and equitably as we possibly can. But there is never going to be a time when any Board is going to consider all of your suggestions and just rubber-stamp them. We are not going to rubber-stamp those of the public or of the faculty.

We are going to listen, we are going to consider them and then we are going to make our decision. That is what we have been doing for the past 8 years and that is how we are going to continue."

Mr. Hug was interrupted by comments from Dr. Adamian who stated that "perhaps this is an extraordinary situation which requires an extraordinary response. Just because a thing was done this way 8 years ago does not warrant continuing to do it in this same manner. When special situations arise, it seems to me that individuals ought to be free to respond to them in the way that they require."

Mr. Hug stated to Dr. Adamian that he did not consider him a special situation. He added that he believed that he fell within the category of any member of the University community and he would be treated in the same way as any other member.

Dr. Adamian argued with Chairman Hug and with President Miller until Chairman Hug was able to restore order by insisting that the meeting return to the agenda. Mr. Hug noted again that the Board would consider the Adamian case on Saturday.

Dr. Adamian announced that the meeting would be open.

Discussion resumed on Item 18, UNLV Campus Bookstore.

Chancellor Humphrey recommended that (1) the bookstore be



closed immediately; (2) its assets be liquidated to satisfy liabilities; (3) a contract be made with the Nebraska Book Company to operate the store in conformity with the terms stated; and (4) any unsatisfied liabilities after liquidation be paid by the Student Union Board out of subsequent rebates by the Nebraska Book Company. He stated that these recommendations were developed with President Zorn and the Student Union Board and endorsed by them.

Motion by Mr. Bilbray, seconded by Mr. Seeliger, carried without dissent that the above recommendation be approved.

#### 19. Summer School Budgets, UNLV

President Zorn recommended approval of the Summer School budgets for 1971 as reflected in Ref. I filed with permanent minutes. Chancellor Humphrey concurred.

Motion by Dr. Lombardi, seconded by Mr. Seeliger, carried without dissent that the above recommendation be approved.

#### 20. 1971-73 Capital Improvement Program

Chancellor Humphrey recalled that the 1971-73 Capital Im-

provement Program request was approved by the Board in June, 1970 for submission to the State Planning Board.

Events since that time have caused the Administration to carefully re-examine the project priorities and the proposed method of funding. Chancellor Humphrey noted that this has been discussed within the Chancellor's Advisory Cabinet and although consensus was not reached on the revised priority list, agreement was reached concerning an increase in the Capital Improvement Fee.

Chancellor Humphrey recommended that:

- (1) The Board of Regents approve an increase in the Capital Improvement Fee of \$42 per semester to a total of \$84 per semester, effective Fall semester, 1971 at UNR and UNLV, and a Capital Improvement Fee of \$2 per credit in the Community Colleges;
- (2) The Board agree that no increase in registration fee will be adopted for 1971-73 but that the \$100 increase per semester in out-of-state tuition anticipated in the 1971-73 budget request be ratified; and
- (3) The revised priority list be adopted as reflected in

Ref. J (filed with permanent minutes).

Chancellor Humphrey reviewed the recommended revised list, noting the inclusion of a new #4, Site Development and Utility Extension, UNR, and the reason for its inclusion.

He also noted the movement of the Community College Division projects to priority numbers 8, 9 and 10, placing them on the list below the first phases of the two Physical Education Complexes but ahead of the second phases of these projects.

Chancellor Humphrey emphasized that the revised capital improvement request did not represent Cabinet agreement but was his recommendation. He requested the Division officers to comment.

President Zorn spoke with reference to the proposed increase in the Capital Improvement Fee, noting that he had consulted with the CSUN Senate and believed there was understanding of the need for the increase and no serious opposition was expressed. With reference to the priority list, President Zorn said he recognized the need for some provision for the Community Colleges but questioned the need for 3 projects located in sequence.

President Miller reported that he had discussed the Capital Improvement Fee increase with officers of student government and receive no opposition to the proposed increase. He stated also that he agreed with President Zorn and his reservation with grouping of the Community College projects. He said he would like to see the second phases of the Physical Education Complexes placed after the first Community College building.

Director Donnelly commented on the Community College projects, pointing out that each College needs its own separate facility and the Community College System needs to be developed in order to serve the State equally. He noted the difficulty in finding existing facilities in Las Vegas and the importance of a centralized facility in Reno. Dr. Donnelly also pointed out that the facility presently occupied by Elko Community College is, first of all, a condemned structure, and is further complicated by the fact that it is leased and there is no guarantee that it will continue to be available. He emphasized that the Community College System is only asking for a beginning in each of the 3 location.

Miss Del Papa and Mr. Myers expressed concurrence with the proposed fee increase.

Motion by Mr. Bilbray, seconded by Mrs. Knudtsen, carried with Dr. White opposing, that effective Fall, 1971 the Capital Improvement Fee at UNR and UNLV be increased to \$84 per semester, a Capital Improvement Fee of \$2 per credit be assessed at the Community Colleges and that out-of-state tuition at UNR and UNLV be increased by \$100 per semester.

Mr. Bilbray moved the recommended revision to the Capital Improvement program be further revised by moving #10 (Elko Instructional Building) to #8 position, #11 (UNLV Natatorium) to #9 position, and #12 (UNR PE Complex, Phase II) to #10 position. Motion was not seconded.

Mr. Hug expressed concern that the Community College program would not get off the ground in all areas if they were not funded during this biennium.

He said he recognized the importance of the Physical Education facilities which have been repeatedly delayed until the need has become quite severe. However, he stated the University also has an obligation to the Community College

System.

Chancellor Humphrey recommended that the revised priority list be approved as he had recommended, pointing out that it is important that the System move ahead together. He recalled that the Regents had assumed the responsibility of developing a Community College Division as one of the University System. He said that the need for Physical Education facilities on both Campuses has been recognized for a number of years and he fully supported the placement of Phase I of these Complexes above the Community College projects; however, he stated that he could not justify placing Phase II ahead of the beginning of the Community College facilities.

Motion by Mr. Jacobsen, seconded by Dr. Lombardi, carried with Mr. Bilbray opposing, that the revised priority list be approved as submitted.

The 17 projects included on the Capital Improvement Program Request as revised are as follows:

1. UNLV Land Acquisition
2. UNR Flood Control, Peavine Mountain

3. UNLV Site Development
4. UNR Site Development and Utility Extension
5. UNLV Athletic Fields
6. UNLV Gymnasium
7. UNR P. E. Complex, Phase I
8. CCD Instructional Building, Clark County
9. CCD Instructional Building, Western Nevada
10. CCD Instructional Building, Elko
11. UNLV Natatorium
12. UNR P. E. Complex, Phase II
13. UNS & CCD Administration Building
14. UNLV Life Science and Physics
15. UNLV Central Air Conditioning - Chill Water Line
16. UNLV Library and Computing Center Area
17. UNR Addition to Getchell Library

Summary by Division	Total Projects
Requested for UNLV	\$ 20,777,000
Requested for UNR	10,316,000
Requested for DRI	-0-
Requested for CCD	3,938,000
Requested for UNS	328,000
Total	\$ 35,359,000

## 21. Tenure Policy

Chancellor Humphrey recalled that in June a discussion was initiated concerning the review and screening process for tenure recommendations. The Regents requested the Administration to consider and respond to:

(1) The manner in which tenure is allowed and to whom;

(2) How cases are handled when tenure privileges are abused;

(3) What tenure regulations are at other Universities; and

(4) The legal status of tenure within the University and the nature of the contract created by awarding tenure.

Mr. Humphrey noted that President Zorn and President Miller had submitted reports to the November meeting concerning the procedures following in processing recommendations for tenure and these reports were again included with the agenda (reports identified as Ref. K and Ref. L and filed with permanent minutes). A report concerning tenure poli-



cies of Western State Public Universities was also distributed at the November meeting and included with the agenda (identified as Ref. M. and filed with permanent minutes), and a report from the Attorney General was re-distributed (identified as Ref. N and filed with permanent minutes).

In addition, Chancellor Humphrey noted that a proposed regulation for the granting of tenure to Community College Division faculty was submitted by Director Donnelly; however, Dr. Donnelly has now requested that it be withdrawn for consideration at a later date.

Chancellor Humphrey recalled that the apparent purpose of the Board in initiating the review as to encourage action by the Administration which would result in better procedures and in response to this understanding he wished to submit the following report and recommendation:

The granting of tenure to a faculty member is the equivalent of granting a life-time contract. The Board has expressed continued concern that the procedures used in the initial employment of faculty and the granting of tenure be effective tools to

assist Department Chairmen, Deans, Academic Vice Presidents, Presidents and the Board in securing and retaining the highest quality faculty possible.

In addition to this review of tenure procedures the Board earlier requested a detailed review of procedures followed before issuance of the initial contract.

Review of these two areas (i. e., initial contract and award of tenure) has not, in my opinion, revealed any major Systemwide weakness in procedure. I believe that in the overwhelming majority of cases the stated procedures are followed and that quality faculty are secured and retained.

I believe that the following procedures, which are followed in some cases, would result in Systemwide improvement if adopted as policy by the Board of Regents:

1. Initial employment be authorized when, in addition to following existing procedures outlined in the University Code or by the College Dean or University President, the

Department Chairman has accomplished the following:

- A. Secured a positive letter of recommendation from the candidate's most recent employer;
- B. Discussed by telephone or in person the candidate with his most recent employer; and
- C. Conducted a personal interview with the candidate.

If these steps are not completed, a written explanation by the Department Chairman be approved by the Dean, the Academic Vice President and the President.

- 2. The recommendation for awarding tenure should include, in addition to following the existing procedures and criteria outlined in the University Code or by the College Dean or University President, specific review of the

faculty member's teaching effectiveness, including his ability to communicate effectively with students as evidenced by classroom visitation, and student evaluation conducted in a manner approved by both the faculty and the Administration.

Chancellor Humphrey stated that this statement in draft form had been discussed with the Chancellor's Advisory Cabinet and revised in conformity with suggestions made. He said he believed there was consensus in that group favorable to this statement. He further noted that Faculty Senate Chairmen had been present at all discussions in the Cabinet over a period of several months.

President Miller spoke in support of the above recommendation, commenting that this recommended procedure adds 2 important steps to existing procedures but does not take away from present practice.

President Zorn stated that he is in agreement with the proposed supplemental procedure concerning employment. However, he stated, he did not see any difference in the present procedure from that proposed in paragraph 2 and

that he did not see any need for this legislation and anticipated that it might cause problems.

Vice President Baepler stated that matters such as tenure are of such importance that this should be run through the faculty as a Class A Action. He said he did not like to see pushing student evaluation as a prime device in determining tenure.

Mr. Hug pointed out that at the Regent's initiation, this matter has been discussed between the Board and the Administration for several months and the Regents have expressed their continuing concern that the procedures be improved. He stated that he was reassured to learn that the present procedures are considered effective; however, it is vital to insure that teaching effectiveness is evaluated properly and that its importance is emphasized.

Mrs. Knudtsen said she was concerned that no new procedure be adopted without faculty review.

Chancellor Humphrey pointed out that he had no desire to initiate a change in the tenure policy without adequate opportunity for review by all concerned. He expressed

himself as being surprised at the statements by President Zorn and Vice President Baepler in that no such concern had been expressed earlier when the matter was discussed, either in the Chancellor's Advisory Cabinet or in previous Board meetings. Mr. Humphrey also noted that his recommendation was an attempt to bring to a conclusion concerns expressed by the Board of Regents which had not resulted in a recommendation by the Presidents. He agreed that faculty are satisfied that the present procedures are adequate and suggested that if the Regents now determine the present procedures are satisfactory from their standpoint, the recommendation not be considered further.

Dr. Barmettler stated that the faculty is concerned about the quality of instruction and the UNR Faculty Senate is presently looking at a University-wide system of teaching evaluation. He agreed with Chancellor Humphrey's statement that the faculty is generally pleased with the present procedure used to advance faculty for tenure.

Dr. Vergiels also agreed that the faculty are satisfied with the present procedure and suggested they be continued.

Chancellor Humphrey suggested that perhaps he had misunder-

stood the Board's expressions of concern which had prompted him to submit a recommendation for clarification of the procedure to be used throughout the System. He withdrew his recommendation.

Mr. Seeliger said he did not believe the Chancellor was mistaken; the concerns expressed by the Board of Regents were valid and the recommended additions to existing procedure were good. He pointed out that this concern of the Board has existed for a long time and has been vocalized on a number of occasions but no action has been proposed by the Administration or taken by the Board.

Dr. Zorn stated that he saw no reason for doing something further that may trigger problems, that this matter does touch faculty and should be referred to the Faculty Senates.

Dr. Anderson moved that the Chancellor's recommendation be referred to the Faculty Senates for consideration and brought back to the Board at a later date, and agreed to either March or April as an appropriate meeting for further consideration. Motion seconded by Mr. Jacobsen, carried without dissent.

## 22. Administration of Scholarship Programs

Chancellor Humphrey recalled that at the July 1970 meeting the following motion was made: "Mr. Jacobsen moved that the recommendations submitted by Dr. Anderson be made a part of the minutes and be referred to the Presidents for review with a report back to the Board in October, at which time they be adopted as a statement of policy. Motion seconded by Mr. Seeliger."

Dr. Anderson's recommendations are identified as Ref. Q and are filed with permanent minutes.

Mr. Humphrey noted further that before the motion was voted upon, Mr. Jon Wellinghoff, Administrative Assistant to the ASUN President, read an excerpt from a recent Northwest Accrediting Association report concerning UNR (see Ref. R filed with permanent minutes). Mr. Wellinghoff asked that consideration be given to this in the review called for in Mr. Jacobsen's motion. Mr. Jacobsen agreed and expanded his motion to provide that it be included in the President's review. The motion then carried without dissent.

In October, the Board agreed to defer the requested re-



ports until December.

Reports by Presidents Zorn and Miller and Director Donnelly were included with the agenda (identified as Ref. S, T and U and are filed with permanent minutes). Chancellor Humphrey submitted an interpretation for Regents' Handbook use which he had prepared of Regent Anderson's proposal. However, he noted that consensus on this problem had not been developed in the Chancellor's Advisory Cabinet and he recommended that an additional month be allowed and final action be scheduled for the January meeting.

Motion by Mr. Seeliger, seconded by Mrs. Knudtsen, carried without dissent that the requested delay be approved.

Dr. Barmettler requested that the Board of Regents reserve at least 1/2 hour of the following morning and devote that period to listening to the students who had presented petitions. Dr. Vergiels joined in the request, suggesting that if granted the students be required to adhere to established rules.

Dr. Anderson moved that the requested 1/2 hour be granted the students. Dr. Lombardi seconded the motion.

Dr. Miller suggested that perhaps 1 hour would be more reasonable and stated that he supported an orderly presentation under a set of procedures which the Board of Regents would explain in advance. Dr. Anderson agreed that the time period should be increased to 1 hour.

It was agreed that an hour would be reserved, and the ASUN President, in cooperation with President Miller, would make arrangements for presentation of both sides of the issue; further, that no new evidence would be presented and the discussion would be limited only to the Adamian matter.

Motion carried without dissent.

Meeting adjourned at 5:35 P.M.

The regular meeting of the Board reconvened on Saturday, December 12, 1970 at 9:20 A.M. with Chairman Hug presiding.

All members of the Board, officers and staff who were present the previous day were again in attendance.

Mr. Hug reported that, as agreed the previous day, the next hour would be devoted to presentation by those persons designated by

the ASUN officers of comments addressed to the matter concerning

Dr. Adamian.

Miss Del Papa reported that she and President Miller had agreed

on the following procedure:

The first 20 minutes would be handled by Kevin Weatherford, the second 20 minutes would be handled by Neal Artz, and the final 20 minutes would be devoted to answering questions. No new evidence would be presented and all participants must evidence respect for the rights of others.

Mr. Weatherford introduced the following speakers who, in addition to himself, spoke in support of Dr. Adamian's retention by the University.

Mr. Tom Myers, Mr. Dan Teglia and Mr. Randy Wright.

(Transcript of statements are filed with permanent minutes.)

Mr. Neal Artz introduced the following speakers who, in addition to himself, spoke in support of Dr. Adamian's termination.

Mr. Kelly Clark, Mr. Louis Test, Mr. John Kravchonik,

Mr. Rick Elmore, Mr. Don Drake, Mr. Tim Albers, Mr.

Gilbert Weibel, Mr. Bill Cobb. (Transcript of statements are filed with permanent minutes.)

In the discussion period following, Mr. Hug reviewed the sequence of events from May 5 to the present in an effort to clarify what Dr. Anderson termed continuing misunderstanding about the period of time devoted to the Adamian case.

Statements were made by Regents Bilbray, Jacobsen, Knudtsen, Mc Dermott and Seeliger in response to the students' presentation. (Transcript of statements are filed with permanent minutes.)

Additional statements were made by several members of the audience including Dr. Adamian (transcript of statements filed with permanent minutes).

Mr. Hug closed the discussion and expressed appreciation to the students for their presentation.

### 23. Interim Rules and Procedures

Mr. Hug commented that discussion of this matter in sufficient depth to permit adoption of a permanent policy state-

ment would take more time than appeared to be available.

Mr. Jacobsen agreed and suggested postponing consideration until the January meeting. Dr. Lombardi also agreed and suggested that the 4 faculty groups make an additional effort to develop a single set of procedures.

Mr. Jacobsen moved that consideration of the Interim Rules be postponed until the January meeting and the Interim Rules as adopted in June 1970 remain in effect until that time. Motion seconded by Mr. Bilbray.

Mr. Seeliger asked that the motion be expanded to include a recommendation that the 4 faculty groups involved attempt to develop a single recommendation on procedures.

Mr. Jacobsen and Mr. Bilbray agreed. Motion carried without dissent.

Dr. Anderson moved that this matter be referred to a meeting of the Administration and Personnel Committee, but agreed that the Committee of the Whole would be more appropriate, prior to the next meeting of the Board of Regents and that members of the committees who worked on the revision to the document be invited to attend.

Motion seconded by Mr. Jacobsen, carried without dissent.

The meeting adjourned at 11:15 A.M.

(Mrs.) Bonnie M. Smotony

Secretary to the Board

12-11-1970