

# UCCSN Board of Regents' Meeting Minutes October 6-7, 1994

10-06-1994

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BOARD OF REGENTS

UNIVERSITY AND COMMUNITY COLLEGE SYSTEM OF NEVADA

October 6-7, 1994

The Board of Regents met on October 6-7, 1994 in Rooms 7, 8 and 9, in Berg Hall, Northern Nevada Community College, Elko.

Members present: Dr. James Eardley, Chairman

Mrs. Shelley Berkley

Dr. Jill Derby

Mrs. Dorothy S. Gallagher

Mr. Madison Graves, II

Dr. Lonnie Hammargren

Mr. Daniel J. Klaich

Mrs. Nancy Price

Mrs. Carolyn M. Sparks

Mrs. June F. Whitley

Members absent: Mr. Joseph M. Foley

Others present: Interim Chancellor John Richardson

President Anthony Calabro, WNCC

President Joseph Crowley, UNR

Interim President Kenny Guinn, UNLV

Interim President David Hoggard, CCSN

President Ron Remington, NNCC

President James Taranik, DRI

Vice President Rita Gubanich, TMCC

Mr. Donald Klasic, General Counsel

Mr. Ron Sparks, Vice Chancellor

Mrs. Karen Steinberg, Interim Vice Chancellor

Ms. Mary Lou Moser, Secretary

Also present were Faculty Senate Chairmen (or their representatives) Richard Finn (WNCC), Chris Gaub (Unit), Scott Hawkins (NNCC), Dan Mc Clure (TMCC), Barbara Nelson (CCSN), Marsha Read (UNR), James Stivers (UNLV), and Richard French (DRI), and Student Association Officers.

Chairman Eardley called the meeting to order at 9:40 A.M.,

Thursday, October 6, 1994, with all Regents present except

Regents Berkley, Derby, Foley, Hammargren and Klaich.

1. Approved the Consent Agenda

Approved the Consent Agenda, which contained the following

(see Ref. A, filed in the Regents' Office):

(1) Approved the minutes of the special meeting held

July 20, 1994 and the regular meeting held August

25-26, 1994.

(2) Approved the appointment of Dr. Dan Grubic to the TMCC

Advisory Board.

(3) Approved the Handbook changes, Chapter 16, Sections

8, 9 and 19, Requirements for Graduation for CCSN, UNR,

NNCC, TMCC, WNCC and UNLV:

A. CCSN, NNCC, TMCC, WNCC, Chapter 16, Section 8,

Paragraph 3:

Students may select either the catalog year under

which they initially enrolled or the year under

which they will complete the curriculum require-

ments for an Associate Degree or a Certificate of Achievement. (If a degree is offered for the first time after a student has enrolled, the student may choose the catalog year in which the degree or major was first offered.) In no case may students use a catalog which is more than six (6) years old at the time of graduation.

B. UNLV, Chapter 16, Section 19, Number 1:

1. Choice of Catalog to Satisfy Graduation Requirements for UNLV Students:

a. A student enrolled at a UCCSN institution who has not officially changed majors may elect to graduate under the catalog of the year of enrollment in a baccalaureate level program or the year of graduation.

b. Students who officially change their major with the registrar's office may choose the catalog of the year of the latest change of major or the year of graduation.

c. Whichever catalog is used, it cannot be more than 10 years old at the time of graduation.

C. UNR, Chapter 16, Section 18, Number 1:

1. a. A student enrolled at a UCCSN institution may elect to graduate under the catalog of the year of enrollment in a baccalaureate-level program or the year of graduation.

b. Students who change their major must choose the catalog of the year of the latest change of major or the year of graduation.

c. Whichever catalog is used, it cannot be more than 10 years old at the time of graduation.

d. In the case of UCCSN transfer students, any exceptions to this policy will be handled by the Transfer Center and the

transfer agreement contract process.

(4) Approved a Handbook change, Title 5, Chapter 6, Chapter III, Section 18, Guidelines for Unranked Position, UNLV, as contained in Ref. C-1, filed in the Regents' Office.

(5) Approved a Self-Supporting Budget at UNR, as follows:

School of Medicine, Surgery

Surgery Practice Income

To Be Established

1994-95

Estimate

RESOURCES:

Opening Account Balance           \$    0

Revenue:

Practice Income                   115,588

TOTAL SOURCE OF FUNDS           \$115,588

EXPENDITURES:

Professional Salaries           \$100,000

Fringe Benefits                   15,588

TOTAL EXPENDITURES                      \$115,588

ENDING ACCOUNT BALANCE                \$     0

TOTAL USE OF FUNDS                      \$115,588

(6) Approved a Handbook change, Title 5, Chapter 1,

3.2.2.2, Specific Procedures, CCSN Bylaws:

The College President shall receive a recommendation regarding the granting of tenure from a Peer Review Committee, the Administrator to whom the faculty or Administrator reports, and/or the appropriate Dean.

The Peer Review Committee will be constituted of tenured faculty members who do not hold administrative appointment. The Peer Review Committee shall be composed of one member of the faculty selected by the candidate for tenure, one member of the faculty selected by the Administrator to whom the candidate for tenure reports, and one member of the faculty who shall be acceptable to both the candidate and the Administrator mentioned above.

(7) Approved the assignment as provided under Section X

of the lease entered into on April 25, 1985, with DRI for the property described as Lots I and II, Block 1, Longacres Park Tract 1. The assignment requested is to Robert Joel Feinstock from Jacob and Eyra Bekhor and Billy H. Mathews. This assignment is necessary to allow the sale of the business, University Car Wash, located on the property.

(8) Approved the following to be included as Section 1.3 of Title 4, Chapter 11, Codification of Board Policy Statements, Desert Research Institute:

3. In conformance with NRS 396.7953, the Board of Regents hereby specifically states and declares that it is not bound by, among other provisions, NRS 286.3007.

Ref. C-2 is filed in the Regents' Office.

(9) Approved the following interlocal agreements:

A. UCCSN Board of Regents/WNCC and the Nevada Division of Wildlife (Interlocal Contract)



Effective Date: July 1, 1994 to September 30, 1995

Amount : \$6000 to WNCC

Purpose : Ecological Survey of Mountain

Yellow-Legged Frog in Nevada.

B. UCCSN Board of Regents/TMCC and the State Job

Training Office (Interlocal Contract)

Effective Date: July 1, 1994 to June 30, 1995

Amount : \$34,000 to TMCC

Purpose : Displaced Homemaker Program.

C. UCCSN Board of Regents/DRI and the Nevada Division

of Environmental Protection (Interlocal Contract)

Effective Date: October 1, 1994 through December

31, 1995

Amount : \$65,000 to DRI

Purpose : Urban strategy for the Truckee

Meadows Non-Profit Instream Flow

Bank.

D. UCCSN Board of Regents/UNR and the Nevada State

Health Division (Interlocal Contract)

Effective Date: September 1 to November 30, 1994

Amount : \$24,750 to UNR

Purpose : Community Health Surveys for communities of Elko, Eureka, Storey, Lyon, Esmeralda, Mineral and Clark Counties, Carson City and Bullhead City, Arizona.

E. UCCSN Board of Regents/UNR and the Nevada State Health Division (Interlocal Contract)

Effective Date: August 1, 1994 to March 31, 1995

Amount : \$3000 to UNR

Purpose : Report to be developed on study of interdisciplinary practice models and barriers to the use of mid-level practitioners such as nurse practitioners and midwives in community based primary care.

F. UCCSN Board of Regents/UNR and Nevada Army National Guard (Interlocal Contract)

Effective Date: Date approved by Board of Regents,

until September 30, 1995

Amount : \$6300 to UNR

Purpose : UNR to conduct plant, animal and

bird field surveys at Stead Train-

ing Site/Lemmon Valley Marsh to

ensure that actions of National

Guard do not negatively affect

these resources.

G. UCCSN Board of Regents/UNR and the Division of

Environmental Protection (Interlocal Contract)

Effective Date: August 1, 1994 through December

31, 1996

Amount : \$107,000 to UNR

Purpose : Irrigation with Drainwater for

Ecological Risk Reduction: Demon-

stration, Technology Transfer,

Training and Public Education.

H. UCCSN Board of Regents/UNR and the Division of

Child and Family Services (Interlocal Contract)

Effective Date: July 1, 1994 through June 30, 1995

Amount : \$69,564 to UNR

Purpose : 3/4 time Statewide Training Co-ordinator and 1/2 time Administrative Assistant to develop integrated, focused, effective training program that meets assessed training needs of employees who provide child welfare services.

I. UCCSN Board of Regents/UNR and the Division of Child and Family Services (Interlocal Contract)

Effective Date: July 1, 1994 through June 30, 1995

Amount : \$28,575 to UNR

Purpose : Secondary Prevention of Abuse and Neglect for the Children of Adolescents in Foster Care: Partners in Parenting.

J. UCCSN Board of Regents/School of Medicine and the Nevada State Health Division (Interlocal Contract)

Effective Date: April 1, 1994 to March 31, 1995

Amount : \$26,235 to School of Medicine

Purpose : Activities funded under this con-

tract will include programs for

School of Medicine as follows:

Generalist Initiative; Area

Health Education Center; Medical

Student Rotations; MEDEX Physi-

cian Assistant Training Program;

Family Practice Residents; and

Office of Rural Health.

K. UCCSN Board of Regents/School of Medicine and Division of Mental Hygiene and Mental Retardation  
(Interlocal Contract)

Effective Date: July 1, 1994 to June 30, 1995

Amount : \$2,557,906 to School of Medicine

Purpose : Psychiatric care, treatment and

training of Division's clients.

L. UCCSN Board of Regents/UNR Cooperative Extension  
and Clark County (Interlocal Contract)

Effective Date: Date approved by Board of Regents

and the Clark County Board of  
County Commissioners, for one  
year.

Amount : \$32,779 to Cooperative Extension

Purpose : Desert Ecosystems and the Tortise

M. UCCSN Board of Regents/UNR Cooperative Extension

(Interlocal Contract)

Effective Date: Date approved by Board of Regents,  
until July 30, 1995

Amount : \$24,466 to UNR

Purpose : Preventive Health Services Educa-  
tion Projects.

N. UCCSN Board of Regents/Nevada Cooperative Extension

Lander County (Interlocal Contract)

Effective Date: August 1, 1994 through December  
31, 1996

Amount : \$48,000 to Cooperative Extension

Purpose : Subsurface Drip Irrigation of  
Alfalfa in Nevada.

O. UCCSN Board of Regents/UNR and the Crisis Call

Center, Inc. (Lease Agreement)

Effective Date: February 1, 1995 to January 31,

2005 (10 years)

Amount : Crises Call Center will make its facilities and business available to UNR's students as part of UNR's educational programs, as mutually agreed upon by the parties.

Purpose : Lease of residence and garage located at 1061 Evans Avenue, Reno.

P. UCCSN Board of Regents/UNR and Jack Douglass and

Channel 5 Public Broadcasting (Loan and Guarantee Agreement)

Effective Date: Date approved by Board of Regents

Amount : To induce Douglass to guarantee the loan and collateralize the same, UNR conditionally guarantees to Douglass the full payment of

the loan.

Purpose : Loan guarantee for final stages  
of a capital campaign to raise  
funds to construct Channel 5  
facility.

Q. UCCSN Board of Regents/UNR and Sierra Pacific  
Power Company (Grant of Easement)

Effective Date: Date approved by Board of Regents

Amount : \$1 to Board of Regents

Purpose : Easement for Sierra Pacific to  
furnish underground electrical  
to UNR building on Virginia and  
17th Street in Reno.

R. UCCSN Board of Regents/CCSN and Nevada Power  
Company (Easement)

Effective Date: Date approved by Board of Regents

Amount : \$1 to CCSN

Purpose : Grant of Easement to carry out  
Nevada Power Company operations at  
the Cheyenne Campus.



Mrs. Whitley moved adoption of the Consent Agenda and approval of the prepared agenda with the authority to change the order of times as specified throughout the meeting.

Mrs. Gallagher seconded. Motion carried.

## 2. Introductions

President Taranik introduced Dr. Jack Hess, who will serve as Interim Vice President for Research until a person is selected for the permanent position at DRI.

President Remington extended a warm welcome to those in attendance at the NNCC Campus.

President Remington introduced newly elected Associated Student Body President Laura Burger.

The following introductions were made throughout the meeting:

Chairman Eardley introduced former NNCC President Bill Berg.

President Crowley introduced ASUN representatives Janelle

Silva, Human and Community Sciences Senator; and Glenn Booth, Arts and Sciences Senator.

Vice President Gubanich introduced Ohne Mulder, Student Advisor, and ASTM representatives Toni Horn, President; Matha Ferris, Vice President; Wendy Knorr, Senator; Derrick Luckett, Senator; Paul Steimpeck, Senator; and Randi Wakefield.

President Calabro introduced Dianne Hilliard-Kraff, Student Advisor, and USA representatives Jeanine Powers, President; Mary Freedle, Vice President; and Mary Anna Lavelle, Secretary.

Interim President Hoggard introduced Autumn Keyes-Ita, Student Advisor, and ASCCSN representatives David Hernandez, President; Barbra Mc Millan, Vice President; and Dave Duarte, Treasurer.

### 3. Chairman's Report

On behalf of the System, Chairman Eardley expressed appreciation to Interim Chancellor Richardson, Interim Vice Chancellor Steinberg, and Interim President Hoggard for

their service to UCCSN during the interim periods. They have all performed well in these positions.

Chairman Eardley thanked President Remington, NNCC faculty and staff for their hospitality.

Chairman Eardley thanked Regent Gallagher for hosting a reception for the System on the prior evening, and requested her to extend his appreciation to Mr. and Mrs. Morris Gallagher for their contributions to the reception. Chairman Eardley wished her husband, Tom, a quick recovery from an accident which has caused a leg injury.

Mr. Klaich entered the meeting.

Chairman Eardley introduced newly appointed Chancellor Richard Jarvis and newly appointed Vice Chancellor for Finance Tom Anderes, and welcomed them to the UCCSN family.

Chairman Eardley announced that TMCC Vice President for Finance Rita Gubanich will represent President Gwaltney at this meeting.

#### 4. Chancellor's Report

Interim Chancellor Richardson requested Vice Chancellor Sparks to present a report on the State Public Works Board recommendations for the 1995-97 Capital Improvement Projects for New Construction and Major Renovations, which is filed in the Regents' Office.

Vice Chancellor Sparks reviewed the recommendations and reported that the UNLV Library Phase I is still under consideration by the State Public Works Board. In addition, UCCSN had requested \$12 million for minor repairs and improvements, \$10 million is being recommended by the State Public Works Board. Priorities 1 (CCSN Furniture and Equipment), 7 (CCSN Henderson - including Library), and 10 (New Projects for Advance Planning and Design) are recommended to be funded from the State General Fund. The remaining recommendations would be funded from State Government Obligation Bonds. He reported that \$61.3 million is the cumulative new construction and major renovation recommendation by the State Public Works Board and the total, including minor repairs, is \$71.3 million.

Upon questioning, Mr. Sparks suggested that Priority 1 (CCSN Furniture and Equipment) be proposed to Governor

Miller that it be separated from the list in order for UCCSN to seek an early appropriation from the 1995 Legislature so that it could be implemented earlier in the session.

With regards to the recommendation for UNLV's Wright Hall, Mr. Sparks stated that it is a major renovation that has been on prior Capital Improvement Projects lists to the Legislature. Interim President Guinn stated that it is not the intention of UNLV to change the priority list.

He added that the Americans Disability Act (ADA) must be addressed in the future for all institutions to be in compliance with the federal requirements. He has estimated that it would cost approximately \$8-10 million to retrofit UNLV for compliance with this federal mandate. He suggested that in the future the Capital Improvement Projects be set aside until the ADA requirements have been met. Mr. Sparks responded that a committee is studying the inventory and federal requirements throughout the System and it will be charged with keeping this information up-to-date.

5. Information Only: Report on Quality Assurance Review, UCCSN

The Board of Regents engaged Deloitte & Touche to perform a Quality Assurance Review of the UCCSN Internal Audit Division. That report was presented by Mr. Dennis Gaugher and Ms. Laura Humberger of Deloitte & Touche. The report and the response prepared by the Internal Audit Department is filed with the permanent minutes.

Deloitte & Touche performed a quality assurance review of the UCCSN Internal Audit Department for the year ended June 30, 1994 for the purpose of determining whether the Department was in compliance with the Standards for the Professional Practice of Internal Auditing adopted by the Institute of Internal Auditors, Inc. The procedures included reviewing documentation of internal audit policies and procedures, conducting interviews with various individuals and groups, reviewing the documentation relating to a sample of internal audits completed during the year ended June 30, 1994, and such other procedures that were considered necessary in the circumstances.

Mr. Gaugher stated that the results from the report have been reviewed and discussed with Ms. Sandi Cardinal, former Director of Internal Audit now on special assignment within the System; Mr. John Love, Acting Director of Internal

Audit; Nancy Price, Chairman of the Regents Audit Committee; and Mr. Tom Anderes, Vice Chancellor for Finance and Administration.

It has been determined that this report and its recommendations will be used as a foundation for the Audit Department to build on, realizing that there are limited resources.

Mr. Gaugher stated that in Deloitte & Touche's opinion, except for the limitations on the scope of the Department's work discussed in the report, the Internal Auditing Department of the UCCSN was in compliance with the Standard for the Professional Practice of Internal Auditing during the year ended June 30, 1994. Mr. Gaugher highlighted the report and recommendations, and answered questions posed by members of the Board of Regents.

Upon questioning, Mr. Gaugher responded that this is the first time the Internal Audit Department had an outside review and was measured against the standards. An external review should be performed every 3 years, and the Internal Audit Department has responded that in the meantime it would conduct its own internal reviews.

Mrs. Sparks requested a proposed budget for additional em-

ployees, staff development, travel, tuition, etc. in order to have some concrete material to present to the Legislature. This will strengthen UCCSN's position that it is serious about improving this Department.

Interim President Guinn pointed out that the Board of Regents is at risk without an EDP Auditor, and suggested that the Board aggressively seek to hire an EDP Auditor.

Mr. Gaugher agreed and added that the EDP functions are not being performed which puts the Internal Audit Department in a terrible position. Mr. Klaich agreed, but emphasized the need to put this request in priority order.

Interim Chancellor Richardson reminded the Board that a request has been built into the Biennial Budget Request for two audit positions. He pointed out that the Legislature has been critical of the lack of audits performed and it has been suggested that the Legislature perform the audits. However, the irony of all this is that the Legislature refuses to allocate funds for this function and then turns around and criticizes UCCSN for the lack of performance. UCCSN needs to make a very strong case for this need and then see how this issue plays itself out.



Mrs. Price stated that this is the best time to have this area funded because accountability is very important and popular at this time with the Legislature and the citizens of Nevada. She suggested that it be presented at the Legislature as a priority.

Mrs. Sparks left the meeting.

Chairman Eardley stated that he is appreciative of the past Audit Committee Chairs, because the Audit Committee has a hard time getting members of the Board to sit on the Committee and attend the meetings. the Board of Regents needs to become serious about this Committee and its functions.

Mrs. Sparks returned to the meeting.

Mr. Love stated that the UCCSN Internal Audit Department is appreciative of this audit performed by Deloitte & Touche. The recommendations will require more work to be placed on the current staff and they will perform to the best of their abilities. He suggested that the Department employ 9 Auditors, including an EDP Auditor. In addition, with all the IRS requirements being implemented, UCCSN should consider hiring a tax attorney or a tax accountant. At this time,

20 higher education institutions are being examined by the IRS and it takes approximately 2-3 years for this audit to be performed, which is a very comprehensive examination throughout the entire institution. He noted that Ohio State University was just assessed \$1.9 million. Mr. Love stated that this should be a concern of the Regents before UCCSN is audited.

Mrs. Price stated that these concerns should be reflected in the minutes, so that when IRS does its investigation it would be noted as a concern of the Board. She thanked Deloitte & Touche for this outstanding report and thanked the entire Internal Audit staff. She recognized that the staff is performing an impossible job with the limited resources that are available. She stated that it was unfortunate that this item is being addressed after the budget has been submitted to the Governor. She requested that this issue be revisited to make it a priority of the Board of Regents.

Mr. Graves directed incoming Chancellor Richard Jarvis to review the allocation of resources to see if these issues could be addressed before the next biennium. The Internal Audit Department should be properly staffed.

Mr. Anderes stated that the report contains valuable recommendations and should be utilized as the foundation for improving the Internal Audit Department. The Internal Audit Department needs to focus on making sure that audits are performed more regularly than every 10 years. Fiscal timing may not be good, but it does raise the issue. He stated that he will be working with the Committee to develop a plan and that some of the recommendations could be implemented within the next two months.

Upon questioning, Mr. Anderes estimated that the Internal Audit Department would need 3 additional Auditors to perform audits every 5 years and it would cost approximately \$200-225,000 plus fringe benefits, equipment and training.

Chairman Eardley thanked Deloitte & Touche for the report.

Dr. Derby entered the meeting.

#### 6. Approved Regents' Professorship

Approved the appointment of Dr. Anthony Calabro as a Regents' Professor effective July 1, 1995, in accordance

with the provisions of Regents' policy, Title 4, Chapter 3, Section 12, Presidential Transition.

In addition, request was made for Dr. Calabro to retain his status as a tenured member of the faculty of WNCC granted to him by the Board of Regents on July 1, 1979.

Effective July 1, 1995, Dr. Calabro will become a member of the instructional faculty of the University of Nevada, Reno under an agreement between him and the University.

All provisions of that agreement must be consistent with Regents' policy, Title 4, Chapter 3, Section 12, Presidential Transition.

Vice Chancellor Sparks stated that it is important to note that the Board of Regents' policy allows up to one year of paid leave; however, President Calabro has chosen to waive this part of the policy because he does not feel WNCC should be responsible to pay for this leave in times of budgetary constraints. Mr. Sparks felt that President Calabro should be commended for this decision.

Mr. Klaich moved approval of the appointment of Dr. Anthony Calabro as a Regents' Professor effective July 1, 1995,

and that he retain his status as a tenured member of the  
WNCC faculty. Mrs. Gallagher, Mrs. Sparks and Mrs. Whitley  
seconded. Motion carried.

7. Approved the Reappointment, Director of Institutional  
Research, UCCSN

Approved the reappointment of Mrs. Karen Steinberg as  
Director of Institutional Research, UCCSN, effective  
October 17, 1994, at an annual salary of \$67,021.

Mr. Klaich moved approval of the reappointment of Mrs. Karen  
Steinberg as Director of Institutional Research, UCCSN,  
effective October 17, 1994, at an annual salary of \$67,021.

Mr. Graves seconded.

Mr. Klaich thanked Mrs. Steinberg for the outstanding work  
she has performed over this period.

Motion carried.

8. Approved the Reappointment, Vice Chancellor for Academic  
and Student Affairs, UCCSN

Approved the reappointment of Dr. John A. Richardson as Vice Chancellor for Academic and Student Affairs, UCCSN, effective October 17, 1994, at an annual salary of \$116,484.

Mr. Klaich moved approval of the reappointment of Dr. John A. Richardson as Vice Chancellor for Academic and Student Affairs, UCCSN, effective October 17, 1994, at an annual salary of \$116,484. Mr. Graves seconded. Motion carried.

Mr. Klaich expressed his appreciation to Dr. Richardson for the work he has accomplished over this period.

9. Approved the Appointment, Interim Vice President for Academic Affairs, CCSN

Approved the appointment of Barbara Agonia as Interim Vice President for Academic Affairs at CCSN at a salary of \$70,000, pro-rated from October 17, 1994.

Ms. Agonia will remain in the Interim Vice President for Academic Affairs position until such time as the search for the Vice President for Academic Affairs at CCSN has been completed. This is a non-renewable contract.

Mr. Klaich moved approval of the appointment of Barbara Agonia as Interim Vice President for Academic Affairs at CCSN at a salary of \$70,000, pro-rated from October 17, 1994. Mrs. Gallagher seconded. Motion carried.

10. Information Only: Outstanding Faculty Recognition

At the request of the Board of Regents, each Faculty Senate Chairman reported on the outstanding faculty achievement for the institution. Ref. B is filed in the Regents' Office.

Northern Nevada Community College

Louis W. Tempel

University of Nevada, Reno

Tom Harrison

Western Nevada Community College

Sherry Black

11. Information Only: Outstanding Classified Employee

Recognition

At the request of the Board of Regents, each President reported on the outstanding classified employee achievement from the institution. Ref. C is filed in the Regents' Office.

Western Nevada Community College

Betty Panuzzi

Truckee Meadows Community College

Joyce Cox

Eva Deller

The open meeting recessed at 11:00 A.M. to convene the UCCSN Foundation meetings and reconvened at 11:46 A.M. Thursday, October 6, 1994 with all Regents present except Regents Berkley, Foley and Hammargren.

12. Information Only: Public Comment



No comment.

13. Approved Recommendations for Promotion or Assignment to Rank

The following recommendations for promotion or assignment to rank were forwarded for Board consideration.

A. University of Nevada, Las Vegas - Interim President

Guinn recommended the following promotions, retroactive July 1, 1994:

\*Ching-Shyang Chen to Associate Professor of Mathematics,  
College of Science and Mathematics

\*William Epstein to Professor of Social Work, College of  
Liberal Arts

\*Shashi Sathisan to Associate Professor of Civil and  
Environmental Engineering, College of Engineering

\*Also recommended for Award to Tenure.

Mrs. Gallagher moved approval of the recommendations for Promotion or Assignment to Rank at UNLV. Mr. Klaich seconded. Motion carried.

14. Approved Recommendations for Award to Tenure

The following recommendations for tenure were forwarded  
for Board consideration.

Note: The titles stated in this agenda item are descrip-  
tive only. Faculty are tenured in institutions,  
and not in particular employment positions.

A. University of Nevada, Las Vegas - Interim President

Guinn recommended the following awards of tenure,  
retroactive July 1, 1994:

\*Ching-Shyang Chen, Mathematics, College of Science and  
Mathematics

\*William Epstein, Social Work, College of Liberal Arts

Jan Klaassen, Clinical Laboratory Sciences, College  
of Health Sciences

Joan Mac Donald, Radiological Sciences, College of  
Health Sciences

Tom Mc Caslin, Accounting, College of Business and  
Economics

Charles Regin, Health Education and Sports Injury,

College of Human Performance and Development

\*Shashi Sathisan, Civil and Environmental Engineering,

College of Engineering

John Schibrowsky, Marketing, College of Business and

Economics

\*Also recommended for Promotion or Assignment to Rank.

Mrs. Gallagher moved approval of the Awards of Tenure at

UNLV. Mr. Klaich seconded. Motion carried.

15. Approved Regents' Special Projects Fund, Chancellor Search

At its October 1993 meeting, the Board approved an amount up to \$45,000 for the Regents' ad hoc Chancellor Search Committee. Based on Committee expenses to date, remaining outstanding expenses and travel of candidates, the Board approved a transfer of funds from Regents' Special Projects up to \$16,000 to cover these expenses.

Mrs. Sparks moved approval to expend \$16,000 of Regents' Special Projects Fund to cover remaining outstanding expenses and travel related to the Chancellor Search. Mrs.

Gallagher seconded. Motion carried.

16. Approved Regents' Special Projects Fund, WNCC Presidential

Search

Approved to use up to \$25,000 from Regents' Special Projects

Funds for the WNCC Presidential Search.

Mrs. Whitley moved approval to use up to \$25,000 from Re-

gents' Special Projects Funds for the WNCC Presidential

Search. Mr. Graves seconded.

Mr. Klaich, Chairman of the ad hoc WNCC Presidential Search

Committee, stated that he was hopeful that the Committee

will consider the excellent method in which the ad hoc

CCSN Presidential Search Committee, Chaired by Regent

Sparks, came in under budget. He stated that materials

have been generated from the CCSN search and will be pre-

sented to the WNCC Committee for consideration and adop-

tion as the Committee deems appropriate. He expressed

his appreciation to Mrs. Sparks, Chancellor's staff, and

Committee members for use of those materials.

Chairman Eardley announced the Regent members of the ad hoc

WNCC Presidential Search Committee, as follows:

Daniel Klaich, Chairman

Jill Derby

Nancy Price

Carolyn Sparks

June Whitley

Motion carried.

The open meeting recessed at 11:50 A.M. and reconvened at 1:00

P.M. Thursday, October 6, 1994 with all Regents present except

Regents Berkley, Foley and Hammargren.

17. Approved Changes to UCCSN Tax Sheltered Annuity Plan

Approved the proposed changes to the UCCSN Tax Sheltered

Annuity Plan for employees as contained in Ref. D,

filed in the Regents' Office. These changes appeared on

the August 1994 agenda for a first reading.

Mr. Klaich moved approval of the changes to the UCCSN Tax

Sheltered Annuity Plan for employees. Mrs. Gallagher

seconded.

Upon questioning, Vice Chancellor Sparks responded that these changes will not have financial implications upon the System.

Motion carried.

#### 18. Approved Proposed Bylaw Amendments, Regents

At the Chairman's request, proposed amendments to the Board of Regents Bylaws, Article V, Sections 4 and 8, have been prepared by General Counsel and were presented to the Board.

As provided by Board of Regents Bylaws, Article VIII this item appeared on the August 1994 agenda for information.

General Counsel Klasic explained that these proposed amendments increase the number of Regents necessary to call a special meeting and to put items on the agenda from 4 Regents to 5. Additionally, to be consistent with the Open Meeting Law, an amendment provides that the minimum number of days that agendas must be distributed before a Board meeting shall be decreased from 4 working days to 3 working days. Ref. E is filed in the Regents' Office.

Mrs. Whitley moved approval of the Regents Bylaws amendments. Mrs. Gallagher seconded.

Mr. Klaich questioned whether, as a Regent, he wished to place an item on the agenda, it was denied by the Chairman and the Vice Chairman, and he had to seek support from other members of the Board, wouldn't that be considered "polling" of the Board of Regents. General Counsel Klasic responded that it would not, because the number of members to support the request is less than the quorum.

Mrs. Berkley entered the meeting.

Mrs. Price questioned further whether, as a Regent, she solicited support from other members of the Board to place an item on the agenda, and the first 4 replies are negative. Mr. Klasic stated that the first 4 are declining to participate, and this would not be considered "polling".

Mrs. Price stated that her comments made at the Board of Regents' meeting held August 25-26, 1994, still represent her concerns, in that each member of the Board represents different constituents and members of the Board should

be allowed to meet this responsibility by placing items on the agenda.

Mrs. Sparks stated that her comments made at the August meeting still represent her concerns, in that if only 1 Regent wishes to place an item on the agenda, then possibly that item could be handled by the Chancellor and staff. She felt that this amendment is intended to utilize the Board's valuable time for efficiently and not penalize the other members of the Board who did not want to address the requested item. Mrs. Sparks indicated that previously the issue of polling had been discussed with the Attorney General and it was determined that seeking support to place an item on the agenda is not considered polling.

Mrs. Whitley withdrew the motion and Mrs. Gallagher withdrew the second to the motion.

It was suggested that the item be voted on in two parts:

Section 4 and Section 8.

Mrs. Gallagher moved approval of Section 4 as presented in Ref. E. Mrs. Sparks seconded. Regents Berkley, Derby, Graves, Klaich and Price opposed. Motion failed.



Mr. Klaich moved approval to accept the change regarding the mailing or distribution of the agenda to all members of the Board from 5 to 3 working days prior to the meeting, and to leave the number of 4 Regents to request an item be placed on the agenda. Mrs. Gallagher seconded.

Dr. Hammargren entered the meeting.

A roll call vote was taken:

Aye: Regents Gallagher, Graves, Klaich, Sparks,  
Whitley, Eardley

Nay: Regents Berkley, Derby, Price

Abstain: Regent Hammargren

Motion carried.

Some members of the Board were confused about the voting rights of the Chairman, and Mrs. Berkley directed General Counsel Klasic to review Robert's Rules of Order and report back. Mrs. Sparks requested Mr. Klasic to also report on the voting procedure for committees. Mr. Klasic had a copy of Robert's Rules of Order with him and he read a portion

of it that stated the Chairman would vote only when the Chairman's vote would affect the final outcome of the matter being voted upon.

Dr. Hammargren left the meeting.

19. Approved the Amendment, 1995-97 Biennial Budget Request, UNR

Approved the acceptance of a gift of land and associated building located in downtown Reno. The gift is designated for the exclusive benefit of the University of Nevada, Reno. The property currently has a restriction attached, which requires repayment of a \$1,254,000 EDA grant, in the event the property is sold prior to November 2024. The University is in the process of attempting to remove this restriction; however, it is UNR's position that the gift should be accepted even if the restriction cannot be removed. The property is valued at over \$3,000,000, and it is a facility that will be utilized by University outreach programs and activities rather than held for resale.

The property was formerly occupied by Old College and has a 47,605 gross square foot facility. Upon acceptance by the Board of regents and subsequent transfer from Old

College, it is expected the facility would be fully occupied and operational by July 1, 1995.

Mr. Graves moved approval to accept a gift for UNR of land and associated building located in downtown Reno. Mrs. Gallagher seconded.

Mrs. Sparks questioned if the property was in good condition and that asbestos abatement has been completed, and President Crowley responded that several years ago when UNR considered this property there was too much work to be done to the building to justify UNR's consideration.

However, UNR staff have recently evaluated the property and have noted that several changes have been made since the first consideration. The building is now in good condition.

Upon questioning, President Crowley responded that the Behavioral Analysis Program, which is being considered as one program to be housed at the facility, produces its own income and is used to assist in the increased needs. All that income is returned to the program.

Motion carried.

In order to operate and maintain the facility, the Board approved that the Operations and Maintenance of the Physical Plant budget be increased by \$241,500 for fiscal 1996 and \$250,600 for the fiscal 1997. The estimated cost of operating the Old College facility reflects standard per-square-foot costs experienced by the University. University personnel have inspected the property and have concluded the facility is in good condition and that the property is in substantial compliance with most ADA and OSHA requirements.

President Crowley explained that the budget would begin July 1, 1995, even though UNR intends to take possession of the building in January 1995. UNR proposed to keep the present tenants until July 1, 1995.

Vice Chancellor Sparks explained that the base budget would be adjusted and calculated using the present formulas.

Mr. Klaich moved approval of the Operations and Maintenance of the Physical Plant budget be increased by \$241,500 for fiscal 1996 and \$250,600 for fiscal 1997. Mrs. Gallagher seconded.

Mrs. Berkley stated that she wants to do what is right for UNR, but questioned whether the other institutions' space needs would be affected if the Board approves this adjustment to UNR's budget. Mr. Sparks responded that all the other institutions' space needs have been considered in the budget request. This request will allow UNR to enjoy the same opportunity to acquire new space.

Motion carried.

20. Approved the Naming of Building, TMCC

Approved the naming of the new technology building at TMCC, the International Game Technology Applied Technology Center. The TMCC Foundation raised funds for this building.

Mrs. Sparks moved approval of the naming of the new technology building at TMCC the International Game Technology Applied Technology Center. Mrs. Berkley seconded. Motion carried.

Mrs. Price requested that the Board review its policy on naming buildings.

21. Approved a Loan Guarantee, UNR

Approved a loan guarantee from UNR in the amount of \$500,000 for Channel 5 to commence construction of a new facility on the land they leased in March 1994. Repayment of the loan will be made on or before August 1, 1997 by Channel 5.

Mrs. Gallagher moved approval of a loan guarantee from UNR in the amount of \$500,000 for Channel 5 to commence construction of a new facility. Mrs. Whitley seconded. Motion carried.

President Crowley explained that if Channel 5 should default on the loan, the facility will then be turned over to UNR and UNR will then utilize Capital Improvement Fee funds to pay off any remaining debt. To date, Channel 5 has raised approximately \$1.6 million for this facility.

Mrs. Price questioned what the legal reference was for the Board of Regents to allow granting this loan, and General Counsel Klasic responded that statutorily UCCSN can manage its own affairs and assets and that he is not aware of any constitutional prohibition to this effect.

Mr. Klaich noted that this loan guarantee is UNR's obligation, and he felt a little uneasy about approving this item. However, he will support the motion because this is another creative method to keep educational programs from deteriorating.

President Crowley agreed with Mr. Klaich in that this is an unusual request and stated that it probably will not occur again in the future. This request is to allow the construction project to get started in a timely manner. He is confident that additional funds will be raised by Channel 5.

Mrs. Sparks questioned why UNR is requesting this loan for a person who has never given to the University, and President Crowley stated that a legal arrangement has been worked out with First Interstate Bank, in which Mr. Douglass is employed.

Mrs. Price opposed. Motion carried.

## 22. Information Only: UCCSN Academic Faculty Salary Study

Interim Vice Chancellor Karen Steinberg presented the find-

ings of the 1993-94 Academic Faculty Salary Study. The study is conducted biennially to provide comparative data on average faculty salaries from peer institutions of both land grant Universities and medium enrollment urban Community Colleges. The findings from the study are used to monitor UCCSN academic faculty salaries against the Board's salary goal for such faculty. The 1993-94 Academic Faculty Salary Study is filed in the Regents' Office.

Mrs. Steinberg explained that this report was compiled for the lay audience and is not as sophisticated as in the past when the report was prepared by an outside group. In light of the budget constraints, it was decided to prepare an in-house report using the same peer groups as before.

Mrs. Steinberg reported that this report contains the Academic Faculty Salary Study for 1993-94 at State Land-Grant Universities and at Peer Group Community Colleges.

The report covers faculty salaries and total compensation at 51 Universities for the 1993-94 academic year. The group of 51 institutions utilized in this study consists of State Universities, 49 of them being land-grant institutions. One University is included from each state,



except Nevada, which has both UNR (Nevada's land-grant institution) and UNLV in the study population.

This population of Universities was first used by Blatz and Dobra in "A Comparative Analysis of Faculty Compensation at Principal Land Grant Universities", published in 1986, 1988 and 1990. This study draws comparisons with the finding in, and utilizes data from, those surveys.

The data for the 1993-94 study were obtained from the American Association of University Professors' (AAUP) survey, published on an annual basis in "Academe" magazine.

This same data source was utilized by Blatz and Dobra in all previous versions of this study.

Salary and compensation data for each University in the study population are averages for faculty at all ranks -- Professors, Associate Professors, Assistant Professors, Instructors and Lecturers. The averages were computed by AAUP using each institution's respective distribution.

Compensation data include salary and benefits such as retirement, medical/dental, disability, tuition, social security, unemployment and workers compensation taxes, group life and benefits in kind.

Nationally, the mean salary of the 1993-94 study (\$50,147) represents a 2-year percentage increase of 5.6% from the 1991-92 mean of \$47,500. The mean compensation for 1993-94 (\$62,265) represents a 2-year percentage increase of 6.4% from the 1991-92 mean of \$58,500. These modest 2-year gains are considerably lower than salary progress in earlier cycles. The modest gains experienced recently have occurred at many State Universities across the nation which have continued to face budget constraints. The national data are displayed in the report for comparison purposes.

Between 1991-92 and 1993-94, UNLV's average salary for all ranks increased by 0.6% and the average compensation increased by 2.3%. In the ranking of the study population of 51 institutions, UNLV fell from 34 to 40 in average salary and from 39 to 47 in compensation.

Between 1991-92 and 1993-94, UNR average salary for all ranks increased by 4.8% and the average compensation increased by 5.0%. In the population ranking, UNR fell from 23 to 25 in average salary and from 32 to 33 in compensation.

Regarding the Community Colleges, the study covers faculty

salaries and total compensation at 50 Community Colleges in the United States. The group of 50 Community Colleges used in this study includes mostly medium-enrollment Community Colleges (4000+ students) in urban areas (100,000+ population). In a few instances, a College falling just outside these criteria was included because it has been used in other salary peer groups in the UCCSN. Both of Nevada's medium-enrollment urban Community Colleges, CCSN and TMCC, are included in the sample. Since NNCC and WNCC fall well outside the medium-enrollment urban classification, their data are not computed in sample averages, but are listed in the report for comparison purposes.

Data were requested from this group of 50 Community Colleges, 47 of which were first used by Blatz and Dobra.

Through the AAUP survey the data were obtained for the majority of the Colleges. Those Colleges in the sample that did not provide data to AAUP were contacted to get the salary and compensation information they would have submitted to AAUP. This particular study draws broad comparisons with the findings in, and utilizes data from, those previous surveys. Compensation data in this study includes salary and benefits such as retirement, medical/dental, disability, tuition, social security, unemploy-

ment and workers compensation taxes, group life, and benefits in kind.

The mean salary of the 1993-94 study (\$40,950) represents a 2-year percentage increase of 3.7% from the 1991-92 mean of \$39,500. Mean compensation for 1993-94 (\$51,350) represents a 2-year percentage increase of 4.4% from the 1991-92 mean of \$49,200. These modes 2-years gains are considerably lower than salary progression in earlier cycles. Many public Community Colleges have faced budget constraints for several years.

Between 1991-92 and 1993-94, the CCSN average salary increased by 5.9% and the average compensation increased by 5.2%. Between 1991-92 and 1993-94, the TMCC average salary increased by 12.9% and the average compensation increased by 11.7%.

An overall conclusion is that over the last few years UCCSN institutions have not moved up and have generally stayed steady or declined.

Mrs. Steinberg reported that neither the two Universities meet the Regents' goal of the top quartile; UNR barely falls

below and UNLV is clearly below the median. The explanation for this difference between UNR and UNLV is found on page 6 of the report and Mrs. Steinberg added that UNLV is a younger but growing institution. UNLV tends to hire a larger number of faculty at a lower level who will then work their way through the promotional structure. UNLV has a much larger proportion of faculty at this lower level.

Mr. Graves stated that this report does not really tell the Board anything and will only stir up much controversy over the difference between UNR and UNLV. The report needs to reflect that UNLV has chosen to hire more lecturers to get "more bang for the buck". UCCSN is a competitive system in what it pays its faculty and he did not think this report reflects that competitiveness. Mrs. Steinberg responded that this report does reflect Mr. Graves' concerns. She noted that on page 7 of the report, in relation to the peer groups, UCCSN is not making progress towards the Regents' stated goal of paying within the top quartile. In fact, over the last four biennia, UNR has stayed even and UNLV has actually slipped.

Mr. Graves stated that UNLV is the fastest growing institution and it has chosen to hire more lecturers, but this

information is not reflected in this report.

Mrs. Steinberg stated that this report was compiled for the purpose of relaying information to the Legislature to support UCCSN's request for an 11.9% salary increase in order for both Universities to move toward the Board's stated goals.

Mrs. Sparks suggested that Table 5, 1993-94 University Faculty Salaries, of the report, include previous years' information and Mrs. Steinberg responded that she would include that information.

Interim President Guinn stated that this report is an important document and he has used this salary data when meeting with various groups, such as the local editorial boards. The most important issue is that UCCSN is barely at the median salary.

Interim Chancellor Richardson stated that although he has mentioned this before, the Board must make a distinction between the appropriation process vs. the allocation process. The difference that is being demonstrated in this report is the allocation, not the appropriation. The

budget formulas are compiled the same throughout the System. It is not an issue of fairness, but an issue of allocation. Vice Chancellor Sparks pointed out that if the System were to approach the Legislature with differentiated pay increases, then it would have to deal with a different set of issues. Salary schedules have been adopted by the Board of Regents and they are intended to work at creating a balance in the salaries. He stated that this document would be helpful at the next legislative session.

In response to a question, it was projected that the faculty salaries would not be able to move up to the top quartile, the Regents' goal, in one legislative session.

Mr. Graves questioned where UCCSN's salary ranges compare to the national comparison, and Mrs. Steinberg stated that she would make an evaluation and report back to the Board.

Mr. Graves questioned why the cost-of-living or taxes are not included in the data, and Mrs. Steinberg responded that in the past data was collected but the targeted audience did not understand the information, so it was determined to drop this information.

Mr. Klaich stated that this report has a very limited use, in that it establishes a single set of data points that can be constructed to make comparisons year after year. Alone the data points are useless and irrelevant, but consistent. However, when making comparisons to the past data, it becomes very relevant and useful. In the past, some Legislators would ask for information and UCCSN would provide several different lists. At this time, UCCSN provides a more established list that tracks consistent data over time with the same comparison groups. He agreed that there may be other management reasons for UCCSN to collect other relevant data, but this report is consistent so UCCSN does not get whipsawed at the Legislature. It provides an historical base and a peer group that does not change, even though the peer group does get challenged regularly.

Mrs. Berkley requested a comparison between the different categories, and Mrs. Steinberg stated this would be done.

Mrs. Price stated that the Legislature is trying to work with the budgets in a more rational manner. She questioned that when the Legislators look at this document, will UCCSN be getting a better product in the end. She stated that



the product is at a level point, but there is a quality of knowledge that should be measured. President Crowley stated that these issues should be discussed by the Board, but he did not think it wise to bring this issue before the Legislature. It is very important that each institution asses the effect of its faculty, but, again, it should not be taken up with the Legislature.

### 23. Information Only: Report on Western Athletic Conference Membership

Interim President Guinn presented a progress report regarding UNLV and the Western Athletic Conference membership. He reported that UNLV has agreed to pay an entry fee of \$75,000 over a 5-year period, totaling \$175,000.

A donor has indicated that s/he will pay the first \$75,000 by October 1, 1994 and possibly \$35,000 each year thereafter. Dr. Guinn indicated that there will be no cost to the Board of Regents nor UNLV.

Secondly, Dr. Guinn reported that when the money is divided between the WAC schools, the estimated annual income is \$485,000. It has been estimated that \$38,500 will be earned for away games. This will allow UNLV to have more money

per year.

Dr. Guinn stated that the negotiations went well and UNLV received the right to become immediate voting members even though UNLV will not be in the conference until 1996.

Upon questioning, Dr. Guinn responded that the funds earned by WAC are for equity in the partnership.

Chairman Eardley suggested that UNR continue to seek an invitation to join the Western Athletic Conference.

Chairman Eardley noted that several years ago the Board passed a resolution calling for UNR and UNLV to meet annually in competition in football and basketball.

Mrs. Price indicated that she did not remember the Board of Regents authorizing UNLV to join WAC, and Chairman Eardley stated that the Board approved UNLV to join WAC subject to negotiations.

24. Approved the Report on Administrative Officer Investigation,

UNLV

Interim President Guinn reported that at the Board of Regents August 25-26, 1994 meeting, he had requested, in accordance with the UCCSN Code, approval to appoint an administrative officer to investigate whether any University employee violated the prohibitions of Chapter 6 of the UCCSN Code relating to athletic contracts at UNLV. Dr. Guinn stated that it was determined, through meetings with General Counsel Klasic, that UNLV could hire legal counsel in this matter, rather than proceed with an appointed administrative officer. By hiring a legal counsel, client confidentiality could be maintained.

Dr. Guinn read his letter, dated September 22, 1994, to Interim Chancellor Richardson, and requested it be made a part of the minutes. He read as follows:

I feel compelled, after considerable deliberation, to request your approval for employment of special counsel for the President of UNLV. The scope of the special counsel's duties would be to provide the President with legal advice regarding potential rights and liabilities, if any, of the University as related to the Massamino employment contract signed in April 1992 and for any other documents relating to Mr. Massamino. It is im-

perative that the University receive the above legal advice regarding these matters in order to eliminate any appearance of bias.

I have discussed this request with Donald Klasic and both of us will be available to provide you with any analysis you may need to support approval of special counsel. Time is of the essence in having a special counsel appointed and I would appreciate very much your attention to this request.

Mr. Klaich clarified that the request is to go from appointing an administrative officer to hiring a special counsel to the President, and Dr. Guinn affirmed.

Upon questioning, Dr. Guinn explained that if this matter would need to be settled in a court of law, then records would become private due to attorney-client privileges.

Mrs. Price stated that an administrative officer would allow for a broader discussion to take place on this matter, and Dr. Guinn responded that this request is being made so that UNLV does not violate any legal technicalities that may be involved.

Mrs. Gallagher moved approval to change the administrative officer to special counsel to the President at UNLV. Mrs. Berkley seconded.

Mrs. Berkley requested that the motion include the specific hiring of Morton Galane, Attorney at Law, to serve in this capacity. Dr. Guinn stated that he will officially notify Mr. Galane of the action taken by the Board.

Mrs. Gallagher amended the motion to include Mr. Morton Galane to serve as special counsel to the President at UNLV. Mrs. Berkley seconded. Mrs. Price opposed. Motion carried.

#### 25. Approved the Reassignment of TMCC President

President John Gwaltney requested approval of his request to be reassigned as President of the Truckee Meadows Community College to his tenured faculty position, effective October 7, 1994. Dr. Gwaltney has also requested Board approval of his request for leave during the remainder of his contract year, with the payment of full compensation and benefits as provided in this current employment contract with the Board of Regents, for the purpose of prepar-

ing himself for his teaching duties at the Truckee Meadows Community College for the Fall semester, 1995. As authorized by Title 4, Chapter 3, Section 19(4) (b) of the Board of Regents Handbook, Dr. Gwaltney has also requested approval by the Board of Regents of his request for a "B" contract academic year salary in the amount of \$83,767.13 (82% of Dr. Gwaltney's 1994-95 Presidential salary), effective July 1, 1995.

Interim Chancellor John A. Richardson recommended that Dr. Gwaltney's requests be approved by the Board of Regents.

Mrs. Whitley moved approval to reassign Dr. John Gwaltney to his tenured faculty position, effective October 7, 1994; to grant leave during the remainder of Dr. Gwaltney's contract year, with the payment of full compensation and benefits as provided in his current employment contract; and to grant Dr. Gwaltney a "B" contract in amount of \$83,767.13, effective July 1, 1995. Mrs. Gallagher seconded.

Interim Chancellor Richardson stated that the members of the Board have been provided an agreement that has been signed by himself, Dr. Gwaltney, Dr. Gwaltney's attorney, and General Counsel Klasic.

Mr. Klaich suggested that the agreement contain a mutual release, which should have been included in this type of agreement, to allow for an amicable adjustment of those rights of UCCSN and Dr. Gwaltney and that future action against each party would be suspended. He requested that the motion be approved upon this condition.

Mr. Klaich mentioned that the media has written articles regarding this resignation; however, they have failed to mention that the Board of Regents has a contract with Dr. Gwaltney that it must honor.

General Counsel Klasic stated that Mr. Klaich's suggested amendment could be included in the agreement, but only conditional upon the parties' agreement of the amendment.

Interim Chancellor Richardson requested a recess. Upon return, all Regents were present except Regents Derby and Foley. Mr. Klaich requested that this item be tabled.

Mrs. Whitney withdrew the motion. Mrs. Gallagher withdrew the second to the motion.

Mrs. Berkley stated that many members of the Board have made it quite clear that if the Board is to consider contracts, that the contracts be provided to the members prior to the meeting. She stated that she will consistently vote against any contracts that she does not receive ahead of time. Dr. Richardson responded that one of the conditions of the agreement was that it not be distributed before the meeting.

Mrs. Price stated that guidelines should be developed for negotiating agreements and contracts.

The discussion continued the following day, and is found after item 29.

#### 26. Information Only: NNCC Presentation

President Remington introduced Vice President Bill Bonaudi who reported on NNCC's strategies to meet NNCC's Academic Master Plan and the System's Strategic Directions. He distributed a document which highlights the 15 strategies proposed by NNCC, and is filed in the Regents' Office.

Dr. Bonaudi stated that various institutions are offering



courses at NNCC, such as UNR, UNLV and most recently Sierra Nevada College at Incline Village. The courses offered are very helpful and on target with what NNCC is trying to accomplish. For the first time, A UCCSN Community College has arranged an articulation agreement with a baccalaureate granting institution. Sierra Nevada College has determined that NNCC's associate programs are appropriate in achieving the baccalaureate degree. The articulation agreement is not based on a course by course articulation and NNCC is very proud of this arrangement. Sierra Nevada College intends to come into the Elko community and offer upper division courses. This will give NNCC the opportunity to provide an upper division and a baccalaureate program to its students.

Mrs. Gallagher stated that she was very pleased with the articulation agreement between NNCC and Sierra Nevada College.

Dr. Bonaudi reported that NNCC is considering a name change for the institution to better reflect its service area. Two prominent names that have been discussed are "College of the Great Basin" and "Great Basin College".

Dr. Bonaudi stated that NNCC faculty are impressive and with their quality and willingness to work together they contribute to the success of the College. Another strategy that is working well is regarding assessment. Dr. Bonaudi introduced Mr. Cliff Ferry, Director of Institutional Research and Assessment at NNCC, who gave a presentation on the various assessment studies that have occurred at NNCC. He distributed a document which contained samples of the assessment studies, filed in the Regents' Office. Several entities, which have been assessed since 1987 in order for NNCC to derive pertinent information, include students, public, graduates, businesses and agencies, and employers. Much of the data confirms what NNCC is already providing, although there are still areas for improvement.

NNCC Faculty Senate Chairman Scott Hawkins welcomed those in attendance to Northeastern Nevada. He introduced Ms. Val Easterly who invited everyone to join her on a Campus tour.

Prior to recessing the meeting for the Campus tour, Ms. Easterly presented each Regent with a poster commemorating the Cowboy Poetry Gathering and presented Regents Hammargren and Whitley with farewell gifts. She thanked them for all their hard work while serving on the Board of Regents.

The open meeting recessed at 3:45 P.M. in order for the NNCC faculty to give a tour and presentations on selected programs at the College. The meeting reconvened at 9:05 A.M. Friday, October 7, 1994, with all Regents present except Regents Foley, Hammargren and Klaich.

27. Information Only: Facility in Ely, NNCC

Interim Chancellor Richardson and President Remington provided an update report on the proposed NNCC facility to be located in Ely, Nevada.

President Remington introduced Mr. Jack Smith and Mr. Norm Goeringer, both from Ely, Nevada. Mr. Smith had requested that this item be placed on the agenda.

Mr. Smith stated that Mr. Goeringer was the person who influenced the proposed NNCC facility in Ely. The Ely residents were extremely disappointed with the cost of the building when it was recently taken to bid. Due to this disappointment, they took it upon themselves to investigate other alternatives. A foundation has been formed and they have received a bank loan to back pledges received. It was

never the intention of the foundation to cause a controversy. After further investigation, the foundation has determined to return to the original plan in order for NNCC to receive the EDA grant and to pledge its own money to the facility. A sizeable amount of donations has already been collected. Ely is a proud little City and does not want to become a ghost town. Mr. Smith stated that two weeks ago it was Ely's intention to build the facility with its own money and donate it to NNCC as a gift. However, that would not be for the betterment of the College nor the citizens of Ely. Mr. Goeringer has pledged \$500,000 for a child care facility in Ely and is a catalyst for the future of the people in Ely. The Ely residents are very appreciative of his efforts. The newly formed foundation will dedicate itself to various educational needs. Mr. Smith stated that he is glad to be on track with NNCC and apologized for inconvenience.

Mr. Goeringer agreed with Mr. Smith's comments and added that after yesterday's meeting the Ely residents are happy and confident. He wished to clarify that they were only trying to investigate other plausible ways to get the facility built. During this investigative period, it became a concern that a major donor would withdraw his

pledge.

Mr. Goeringer reassured the Regents that he would continue his pledge payments and that the Regents' \$600,000 loan guarantee would remain secured by the existing pledges to the NNCC Foundation. Mr. Smith also assured the Board of Regents that pledge payments to the NNCC Foundation for the project will continue to be paid to the NNCC Foundation; thus, insuring the solvency of the Regents' loan guarantee and thereby the viability of the entire project. Mr. Smith felt strongly that Bob Pratt's pledge, along with the other existing pledges, would be forthcoming to the NNCC Foundation.

The facility's plans will have to be altered to fit in line with the budget. He is confident that additional funds can be raised and he will advocate the raising of these funds in order to make additions to the original footage of the facility that has been approved. He, too, feels good about being on track with NNCC and the facility plans.

Chairman Eardley explained that several members of the Board were unaware of this situation until today and he felt it in the best interest of the Board to bring this issue before

them for information.

Mr. Goeringer explained that the other foundation was formed because of its concern to build other projects, such as the child care facility. If it wasn't for this new foundation, Mr. Goeringer could not have proposed this child care facility. He stated that something good has come out of something that could have been detrimental. It was determined that they were too far into this project and did not want to jeopardize the progress. The new foundation wanted to work hand in hand with the funds that were available and to provide fund raising efforts for the NNCC facility and the child care facility.

President Remington gave a progress report on the Ely facility. On September 30, 1994, he facsimiled information to the members of the Board. NNCC was on track with the cash and pledges, and the building was projected to be completed at a cost of \$1.35 million. When the bids came in for the facility they were 60% over the budget. Ely residents became discouraged. They thought they could do it better without the State Public Works Board and the EDA grant which is significant. It is possible that the facility will be scaled down to accommodate the funding. Since

this upset, everyone has come together on this plan and it is back on target.

Mr. Tom Stephens, State Public Works Board Manager, stated that he did meet with the Ely supporters, the State Public Works Board in-house architect, the Las Vegas architect and the Ely architect the previous day. Mr. Stephens explained the square footage and the cost per square foot. The budget price greatly influenced the decision to reduce the square footage to 10,000 sq. ft. from 15,000 sq. ft. at \$90 per square foot. It was also influenced by the construction costs of the new high school in Ely. It has now been agreed upon to build an 11,500 sq. ft. facility and to remove some of the custom features previously requested and bring it to bid in Spring, 1995.

Mr. Stephens stated that the State Public Works Board has very little requirements. However, it does enforce the building codes to especially meet safety requirements. When State funds are utilized on a facility, the State Public Works Board then becomes the funds manager. The State Public Works Board is required to pay the minimum prevailing wage which is set by the State Labor Commission. In addition, when Federal funds are utilized, the Federal

Board is willing to work with whatever entity necessary to complete this project.

A discussion was held regarding private foundations donating facilities to UCCSN, and it was determined that all government entities must abide by the State law. If a foundation is associated with a government entity then it must build its facilities by code before it donates the facility. Mr. Stephens stated that, for example, NNCC's child care facility that is being built at this time is being constructed by a private individual. The State Public Works Board inspects the facility to be sure it meets the building codes, but does not check on the bidding process of the prevailing wages. For example, any facility being constructed at 5000 sq. ft. and above must have a sprinkler system.

President Remington stated that in order to receive the EDA grant NNCC must go through the State Public Works Board. NNCC has accepted the EDA grant in good faith and has gone through the expenses and EDA requirements thus far. Interim Chancellor Richardson emphasized that the EDA grant was given to NNCC, not to a foundation at the College nor a private foundation. NNCC is ultimately responsible for



this project. If a private organization were to take over this project the \$850,000 EDA grant that was received by the Board would have to be forfeited.

Vice President Carl Diekhans explained the financial aspect of this project. Thus far, \$150,000 has been spent from the cash on hand from the NNCC Foundation. This project could have been forfeited if the EDA grant was rejected. The water and sewer have been paid for by White Pine County and the City of Ely. The County and City have provided \$130,000 each for in-kind work. The project is well on its way. The \$600,000 loan which was approved by the Board is covered and will be repaid within 4-5 years by pledges that are to be received and cash on hand. There are approximately \$600,000 in pledges still to come in. NNCC is utilizing \$150,000 from its Capital Improvement Project Fee Fund. \$100,000 will help to repay the loan.

Mrs. Price questioned whether she was a stockholder of the new Foundation, and General Counsel Klasic stated that this Foundation is not connected with UCCSN in any way. He referenced the Lied Foundation and stated that this new organization is similar to that Foundation.

President Remington stated that the pledges made to NNCC will remain, and be held separate from the Foundation in Ely. The Ely residents wish to form their own foundation in order to construct the child care facility for the County, and to provide furnishings and some building costs for NNCC subject to the Regents' approval. The Ely Foundation also intends to raise monies and provide a gift to UCCSN.

Mrs. Gallagher stated that the Ely residents have been very enthusiastic in raising the money for this project. Some of their questions have been resolved at this time. Their enthusiasm has been wonderful and she is very pleased that NNCC is back on track and the project will go ahead as planned. The Ely Foundation is outside of the System and is not connected to NNCC or to UCCSN.

Mr. Goeringer informed the Board that the new Foundation will be called the "Eastern Nevada Foundation for Higher Education" and will be devoted to educational issues.

Dr. Hammargren returned to the meeting.

Mr. Smith clarified that the Eastern Nevada Foundation for

Higher Education has applied for a 501(c)(3) tax-exempt foundation, and it is an open ended corporation with no restrictions, except to abide by the IRS Codes.

Chairman Eardley stated that the Board has been receptive to this issue and appreciated the time Mr. Smith and Mr. Goeringer and others have spent.

Mrs. Price requested an agenda item regarding the Board's relationship with the foundations.

## 28. Report and Recommendations of the Ad Hoc UNLV Presidential Search Committee

A report and recommendations of the ad hoc UNLV Presidential Search Committee was made by Regent Jill Derby, Chairman. She reported that the Committee has agreed to an open search with the aid from an executive search firm. The Committee has developed a "Statement of Desired Presidential Leadership Characteristics", and is filed in the Regents' Office. This statement was formed through a collaborative effort of 175 persons from various constituencies. This statement will be used as a recruitment tool and to aid in the screening process of candidates. The Committee will bring forward

3-5 candidates to the Board for consideration. This leadership statement will convey the sense of the challenge and the opportunity to draw the best candidates for this search.

Dr. Derby highlighted the leadership statement and stated that the Committee has spent much time on this and feels very good about it. The statement is honest, and lists the challenges ahead for the next President.

The Committee will meet on October 14, 1994 to approve the advertisement. The Committee will seek suggestions from others throughout the System to form a network. The Committee will need to persuade people to apply. She noted that there is a special challenge with working within the public eye.

The Committee will determine a time line and process. It is the Committee's intention to have the candidates to the Board by February, 1995.

Dr. Derby moved approval of the report and recommendations of the ad hoc UNLV Presidential Search Committee. Mrs. Berkley seconded.

Mrs. Whitley commended Interim President Guinn on a good job since he has held this position. She stated that she was an advocate for a business person as the next UNLV President and questioned whether the Committee is going to require an earned Ph. D. in the advertisement. Dr. Derby responded that the advertisement will require a person who is able to be tenured in his/her own academic discipline.

It was explained that the Committee is very adamant to obtain a person who is an academician with a strong administrative background. Dr. Derby stated that the organization and leadership required is explained in the leadership statement. There were many persons who voiced various concerns about this requirement. Many supported that this person be tenurable in his/her own academic discipline.

Mrs. Price requested an agenda item regarding a discussion on the tenure policy. She noted that the Association of Governing Boards warns against bringing people to the institutions with a tenured position. Chairman Eardley clarified that the Board does not tenure its Presidents, rather they may be tenured in their own disciplines.

Motion carried.

President Remington announced that UNR has donated \$80,000 towards NNCC's interactive learning center.

Dr. Hammargren distributed a document which contains a charted map that will plot the Earthwinds Hilton flight around the world. This document will be distributed to every Nevada school student and is being provided by Hilton Hotels, DRI and himself.

#### 29. Approved the Concept of an Economic Development Proposal

Regent Hammargren requested that the concept of a Nevada Economic Development Network (Nev-Ed-Net) be briefly introduced to the Board of Regents, as contained in Ref. F, filed in the Regents' Office. He explained the theory is that of setting up a central point of contact for questions from representatives from business and industry for relocation within the State of Nevada and requested the Board to approve in concept.

Mr. Doug Burris, Director of Community College Affairs, stated in more detail the concept for this proposal. The Nev-Ed-Net is a program of service as a central point of contact within the State. A professional staff member will

act as a "broker", a facilitator, a referral agent and determine from inquiring business representatives just what type of training or educational programs are needed and direct them to the appropriate source. This center would not attempt to deliver programs or offer services, but would act as a central point of contact for businesses with questions about needs for staff development, pools of trained potential employees available through the existing educational program pipelines, or availability of the opportunity for custom designed classes with costs being covered by the employer, which would meet specific periodic needs of that employer. Mr. Burris stated that a thorough study has been completed by the California Business Journal which reported that of all 50 States, Nevada is rated number one as the place to be.

The 4 Community Colleges of Nevada will continue to play a major role in delivering and maintaining the workforce.

The Nevada Business Plan for Education has suggested that by the year 2000, 84% of Nevada's workforce will require post-secondary technical training.

Mr. Burris stated that Nev-Ed-Net would be a center that would coordinate and focus on a Community College response

that would meet Statewide workforce priorities as it helps to attract, retain and expand business in the State.

Dr. Hammargren moved approval to establish, in concept, a UCCSN center as a central point of contact for questions from representatives from business and industry for relocation within the State of Nevada. Mr. Graves seconded.

Mrs. Sparks questioned whether this center would require funding from the System and suggested that funding be requested from economic development entities such as EDawn or Niset, etc. Mr. Burris responded that ideally this center should be funded by UCCSN, but felt that fund raising efforts from outside sources is certainly viable.

Mrs. Sparks stated that this center is an extension of what these entities already do, and it would be most logical for them to provide start-up funding. They should be made aware that this is not on UCCSN's priority list and it would be for their benefit at this time.

Mr. Burris indicated that there are procedures that must be followed within the System, which have not been discussed at this time. If the Board should approve the concept, then he will move this project forward and search



for outside resources to fund the project. Dr. Hammargren stated that it was his intention to approach the industries and request funding for this project.

Interim Vice Chancellor Steinberg stated that there is a rigorous process to be followed when implementing a new program, center or unit. She reminded the Board that this center should follow the established process in being fully accepted. The program must relate to the master plan and academic plan. Mr. Burris agreed, but at the same time the Strategic Directions address this very issue as a high priority.

Mr. Graves agreed with Mrs. Steinberg and requested that this project be pursued vigorously and state its sources of funds, etc., possibly at the December Board meeting for consideration by the Board.

Mrs. Price stated that the role of the University is not to provide economic development, and that by keeping business apart from higher education will allow higher education to operate accordingly and not be taken over by the business and industry. This is a challenge to the academic faculty, and the Board's role is to provide edu-

cation and to protect this role from the outside political influences. The Board must be sure it is making the right decision and not be influenced by what businesses should actually perform on their own.

Mrs. Berkley stated that UCCSN should be working with government and businesses in attracting industry to Nevada. She stated that she agreed with the concept, but emphasized the critical need to follow the established process in seeking approval of a new center.

Motion carried.

25. Approved the Reassignment of TMCC President (continued)

Mrs. Gallagher moved approval to reassign Dr. John Gwaltney to his tenured faculty position, effective October 7, 1994; to grant leave during the remainder of Dr. Gwaltney's contract year, with the payment of full compensation and benefits as provided in his current employment contract; and to grant Dr. Gwaltney a "B" contract in the amount of \$83,767.13, effective July 1, 1995. Mr. Graves seconded.

Interim Chancellor Richardson reported that he had spoken

to Dr. Gwaltney regarding the request for a "Hold Harmless Clause". Dr. Gwaltney has stated he wished his attorney to review the clause prior to his consent. General Counsel Klasic reported that the attorney has stated he prefers to review the clause prior to final agreement. However, the attorney is on vacation and cannot be reached until next week. Mr. Klasic suggested the Board could approve the contract along those terms to resolve and achieve an amendment with Dr. Gwaltney and his attorney at such time.

Dr. Richardson highlighted the proposed contract:

- 1) Reassignment to tenured faculty, effective October 7, 1994, and granted tenure when he was hired;
- 2) Paid leave for the remainder of the year;
- 3) Receive current salary and fringe benefits for full contract until June 30, 1995;
- 4) Return to TMCC faculty on a "B" contract and receive \$83,767 as salary beginning July 1, 1995;
- 5) Receive same percentage salary increases as granted

to other faculty;

6) Agree not to make negative comments against the Board of Regents, TMCC nor the System, and that we do the same for him;

7) All other previous agreements and undertakings are superceded by this agreement, except for the employment contract; and

8) If the Board of Regents does not approve this agreement, it shall be void and have no effect, and Dr. Gwaltney will remain as President of TMCC.

Mrs. Price requested that the Board schedule a teleconference to vote on the final contract. She requested that the Board not rush into this decision.

Dr. Derby stated that there is a real widening gap of business and perception of what is fair and equitable for UCCSN employees. The Board should review its policies on severance arrangements. The public sector is very unhappy with this arrangement and the Board should be sensitive and responsible to its constituents. UCCSN needs public support

for higher education.

Mr. Graves agreed with Dr. Derby, but did not wish to postpone the vote on this issue.

Upon questioning, Mr. Klasic stated that if the Board amends its motion contingent upon the agreement between the two parties on the hold harmless clause, and the two parties do not agree with the language, then the issue is dead and Dr. Gwaltney remains President of TMCC.

Mrs. Gallagher amended the motion with the contingency that the two parties will agree to the hold harmless clause.

Mr. Graves seconded.

Mr. Klasic clarified that if Dr. Gwaltney should take another position outside UCCSN, then the agreement becomes void.

Dr. Derby opposed. Motion carried.

Dr. Derby left the meeting.

Interim Chancellor Richardson, Interim President Hoggard and other representatives from CCSN reported on the CCSN merit pay for 1994-95.

Interim Chancellor Richardson gave a chronology of Community College Presidents' Council meetings relating to the discussion of funding of faculty salary schedules. The salary schedule for Community College faculty includes a 2.5% merit increase. Historically, the Nevada Legislature has only appropriated 2% for the merit pool for the Community Colleges and the Universities. The 1995-97 biennial budget request includes funding to resolve this difference between the allocation and the salary schedules. In the past, when UCCSN also received a cost-of-living increase for faculty and staff, the institutions made up the difference between the 2.5% and 2% from funds provided by the cost-of-living increases. However, the cost-of-living increase has not been granted and has created this issue.

Interim Chancellor Richardson stated that it was his understanding that during the 1992-93 academic year the Community College Presidents met with Chancellor Mark Dawson to seek granting of a 2.5% merit effective January 1, 1993. The

annual effect on budget in granting 6 months into the year was realized at 1.25%. The faculty did not raise any objections to that decision. The procedure was done by the Community College Presidents and Chancellor Dawson and was never considered by the Board of Regents. President Paul Meacham, CCSN, granted bonuses at 1.25% that year, thereby giving his faculty an effective 2.5% increase for the entire year while the other Community Colleges only received 1.25%. No authority was given to grant these bonuses in the Board of regents' policy nor in the State law. A year ago, the faculty received 2.5% for the first year of the current biennium, and in 1993 the Community College Presidents began discussions regarding the budget reductions, with the possibility of repeating this procedure in the second year of the biennium.

Interim Chancellor Richardson stated the following chronology:

June 9, 1993 - Concern was expressed regarding funding the 2.5% salary schedule when it appeared that the Colleges would only receive 2% from the State budget. At a time of severe budget cuts, this could create serious Campus budget problems. It was agreed that

each Campus would somehow find the money for the coming year but should begin discussions on how to resolve the problem for the following year.

August 9, 1993 - Item of discussion of strategy to approach salary schedule issues is listed on this agenda, but meeting is cancelled.

October 6, 1993 - As a follow-up from the June meeting, a discussion took place regarding the 2% vs. 2.5% problem as it related to the faculty's salary schedule. It was agreed that the next step would be to meet with the System Budget Office and examine budget implications.

November 17, 1993 - It was agreed that the integrity of the 2.5% merit step schedule should be maintained. It was agreed that UCCSN should try to fully fund the schedule in the 1995 legislative session. In order to maintain the integrity of the 2.5% schedule, it was agreed that the salary increase be delayed a few months to allow for an annualized 2% increase as funded by the Legislature. All agreed to take this approach back to their Campuses.



February 2, 1994 - A document prepared by the System Budget Office reflected a cost at \$140,000 to the 4 Colleges (this was later adjusted to \$153,000 since fringe benefits had not been included in the previous report). The President again agreed that since the budget conditions are so severe for 1994-95, they should hold to their November decision to limit the salary increase to an annualized 2% as funded by the State. The effective date of first payment would be October 1, 1994.

March 16, 1994 - After a lengthy discussion about faculty salary planning strategy for the 1995 legislative session, it was agreed to maintain the earlier agreed to position of maintaining the integrity of the 2.5% salary schedule, but paying out the equivalent of 2%.

May 4, 1994 - The Community College Presidents and the Chancellor confirmed for the 4th time their agreement to a 2.5% merit for the faculty, deferred so that it is actually a 2% increase for the year.

June 9, 1994 - It was learned that a problem had sur-

faced related to the way contracts were issued to faculty at CCSN. The group was reminded that all had agreed to issue contracts at 2.5% but delay implementing the increase until October 1, 1994, for an annualized amount of 2.0%. Delaying the increase would equate to approximately the amount allocated by the State. However, at CCSN, contracts were issued at 2.5% beginning July 1, 1994 -- not delayed until October 1 as was the agreement. Paul Meacham apologized for the difficulty this has created and said he simply didn't communicate to (any) of his staff the agreement made by the Presidents.

It was agreed that Dr. Meacham would send a letter to the faculty who had received the 2.5% requesting that they return the contracts and another contract would be issued to reflect the October 1 date for the increase. Some CCSN faculty agreed to that request, while others did not. According to Interim President Hoggard there are currently 80 CCSN employees who have the contracts calling for the 2.5% increase effective July 1, 1994; 78 CCSN employees who have the contracts calling for the 2.5% increase effective October 1, 1994; 6 CCSN employees who have not signed any contract

because of the conditions contained in the letter from Dr. Meacham; 4 CCSN employees who are above the step or range who do not receive automatic increases; 57 CCSN administrative employees have signed a contract with the effective date of October 1, 1994; and 15 CCSN employees are not eligible until July 1, 1995.

In summary, Dr. Richardson reported that 1/3 of the CCSN faculty have received the increase effective July 1, 1994, while 2/3 of the CCSN faculty have received the increase effective October 1, 1994. In context of all Community College employees, those 80 CCSN employees who have received the increase effective July 1, 1994, represent 16% of the total eligible Systemwide Community College employees.

Dr. Richardson stated the problems that have occurred are based upon an institution not following the agreement that was agreed to by the Community College Presidents. This action has posed the following problems:

- 1) The administration of the funds and whether the President had authority to distribute the funds in this manner; and

2) If the Board of Regents should choose to grant the 2.5% to all faculty at CCSN for this year, what is the impact at the other 3 Community Colleges who have not received this increase.

Interim President Hoggard stated that Dr. Richardson has described the events as he understands them. Once the situation was identified, CCSN Administration tried to discontinue the mistake, but had to honor the contracts that were already executed. This has caused a great morale problem throughout the institution.

Chairman Eardley requested the other Community College Presidents to respond to this issue. On behalf of TMCC, Dr. Rita Gubanich stated that she was not involved in the Community College Presidents' discussion but has been made fully aware of the situation at CCSN.

President Calabro stated that the Community College Presidents did have an agreement and were instructed to relay this agreement to their faculty. At WNCC the Faculty Senate was included in the discussions, including the budget building discussions. President Calabro noted

that when salary increases are deferred, the integrity of the established salary schedule is questioned. If a salary increase is given in January, then it becomes the base salary for consideration in July.

President Remington stated that he concurred with what has been said and emphasized the importance in maintaining the integrity of the salary schedules. In time of strict budgets the implementation of the salary schedules must occur some time in the course of the year. There was consensus of the Community College Presidents and he stated that he went back to his institution and received concurrence of the faculty. NNCC does recognize that its faculty is worth a great deal, and would want to give more, but this constitutes an agreement that was made, and it was determined that it was the best way to maintain integrity and to balance the formulas for these difficult economic times. NNCC does not have a pool of personnel with advanced degrees and it wants to perform the best job possible for the students, while maintaining a balance.

Barbara Nelson, CCSN Faculty Senate Chairman, requested that the integrity of the salary schedule be maintained.

It has been her understanding that at CCSN the President

verbally communicates directives from the Council of Presidents' meetings, and to her knowledge there were not written communications regarding merit pay. Ms. Nelson urged that the solutions to this problem should keep faith with the faculty at CCSN.

Mr. Graves moved approval to refer the matter to the new Chancellor and CCSN President for resolution. Mrs. Gallagher seconded.

Ms. Joanne Vuillemot, Nevada Faculty Alliance President at CCSN, relayed the concerns of the NFA and urged that the step increase be given to all CCSN faculty, effective July 1, 1994.

Mr. Dan Mc Clure, TMCC Faculty Senate Chairman, stated that TMCC faculty feel that all Community College employees should be treated the same.

Ms. Candace Kant, State President of NFA, urged the Board of Regents to award the full merit pay retroactive to July 1, 1994. She stated that the System Compensation Committee will address this concern and submit a draft proposal in the near future.

Mr. Scott Hawkins, NNCC Faculty Senate Chairman, stated that their faculty were fully informed and agreed with the decision of the Presidents.

Dr. Hammargren left the meeting.

Dr. Richardson stated that he strongly believed that people should be held accountable for their decisions and mistakes. He had proposed that the 2.5% merit increase be granted effective July 1, 1994, but that funds also be transferred from CCSN's budget to accommodate the other 3 Community Colleges in order to cover the 2.5% merit increase effective July 1, 1994 for all Community College faculty. If this were endorsed, he guaranteed that this type of situation would never happen again. He added that State law does not allow for transfers between institutions; however, Dr. Richardson stated that if the Board supports a salary schedule that encompasses all 4 Community Colleges, then the Board should not make exceptions for one institution.

Mrs. Gallagher stated that this is a fairness issue at CCSN, but felt that this issue should be addressed objectively. She stated that she supported the motion and did not think

it appropriate for the Board of Regents to solve this issue.

The Board has established a salary schedule, and what is done with the salary schedule is an administrative issue.

Upon questioning, Chairman Eardley explained that the Board of Regents approved a salary schedule that contained a 2.5% merit increase; however, the Legislature has only appropriated funds to cover 2%. The Community Colleges have had a difficult time funding the entire 2.5%.

Mrs. Berkley stated that she resented being placed in this position. She did not feel comfortable in shirking this decision, and passing it onto two newcomers to the System.

This issue may cause the new President and Chancellor some distress and may alienate their counterparts throughout the System.

Dr. Hammargren returned to the meeting.

Mrs. Berkley opposed. Motion carried.

### 31. New Business

Chairman Eardley announced that a retreat is being scheduled



for members of the Board and Chancellor Richard Jarvis. He requested the members of the Board to prepare questions for discussion during this retreat.

Mrs. Price stated that she will be unable to attend the retreat. She will meet with Dr. Jarvis after the retreat.

Chairman Eardley just learned that this is Vice Chancellor Ron Sparks' last Board of Regents meeting.

Chairman Eardley announced that Dr. Rita Gubanich will be placed in charge of TMCC until a permanent Interim President is selected by Vice Chairman Graves, Chancellor Jarvis and himself.

Interim President Guinn announced that the following week at UNLV looks to be very lively, and he will be pushing the limits of his authority to solve the problems that may arise.

He took this opportunity to personally thank Interim Chancellor Richardson for his insight during Dr. Guinn's time at UNLV.

The meeting adjourned at 12:18 P.M.

Mary Lou Moser

Secretary of the Board

10-06-1994