

**UCCSN Board of Regents' Meeting Minutes  
University of Nevada, Reno  
Room 109-110, Engineering Laboratory Center  
June 18-19, 1998**

Members Present: Dr. Jill Derby, Chair

Mr. Mark Alden

Ms. Shelley Berkley

Mrs. Thalia Dondero

Dr. James Eardley

Mrs. Dorothy S. Gallagher

Mr. David Phillips

Mrs. Nancy Price

Mr. Howard Rosenberg

Members Absent: Mr. Madison Graves, II

Mr. Tom Wiesner

Others Present: Chancellor Richard Jarvis

Vice Chancellor Tom Anderes

Vice Chancellor Jane Nichols

General Counsel Tom Ray

President Richard Moore, CCSN

President James Taranik, DRI

President Ronald Remington, GBC

President John Richardson, TMCC

President James Randolph, WNCC

President Joseph Crowley, UNR

President Carol Harter, UNLV

Secretary Mary Lou Moser

Chair Derby called the meeting to order at 1:00 p.m. on June 18, 1998, with all members present except Regents Graves, Phillips, and Wiesner.

Also present were Faculty Senate Chairs Dr. Alan Balboni, CCSN; Dr. Diane Barone, UNR; Dr. Lonnie Pippin, DRI; Dr. Jack Smith, GBC; Dr. Maria Teirumniks, TMCC; Mr. J. Scott Wiley, System Administration; Dr. Doris Dwyer, WNCC; and Mr. William G. Culbreth, UNLV. Student government leaders present were Mr. Kevin Webb, GSA-UNLV; Ms. Amber Joiner, UNR; Ms. Liza Micheli, GBC; and Mr. Otto MacLin, GSA-UNR.

1. Introductions – President Moore introduced Dr. Alan Balboni, CCSN Faculty Senate Chair. President Remington introduced Ms. Liza Micheli, GBC Student Body President; Dr. Jack Smith, GBC Faculty Senate Chair; Ms. Mara Van De Ven, GBC Student Development Specialist; and Dr. Charles Holt, Assistant to the Vice President for Academic Affairs. President Crowley introduced Dr. Diane Barone, UNR Faculty Senate Chair and Mr. Otto MacLin, UNR-GSA Student Body President. Regent Berkley introduced Dr. John Ellerton, a Regent candidate from Las Vegas.

2. Chair's Report – Chair Derby had the following announcements:

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- The national ACCT meeting in San Francisco will be held at the same time as the scheduled September Board meeting. The Board meeting was rescheduled to October 1-2, 1998. Dr. Crowley noted that this coincides with the UNR vs. UNLV football game. Mrs. Price added that she had attended the regional ACCT meeting and that next year it was scheduled for Lake Tahoe.
- The annual Chancellor evaluation process is approaching. The Board Secretary will be arranging a meeting with the new chair, vice chair and past chair after the election of new officers. The recommendations of the committee will be brought forward at the August Board meeting coinciding with the annual presidential evaluations.
- The Board's annual Retreat/Workshop is scheduled for December 2-3, 1998. The focus will be on Board performance and recommendations from the Code of Ethics Committee.
- New Committee Assignments are forthcoming.

### 3. Chancellor's Report – Chancellor Jarvis called for the Presidents' reports:

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#### President John Richardson, TMCC

- Community colleges typically offer a variety of community service programs. TMCC's motorcycle program received national attention. The Motorcycle Safety Program is conducted in conjunction with the Department of Motor Vehicles (non-credit). The National Motorcycle Safety Foundation recognized the program as one of the outstanding community training programs in the country as well as the instructor, Dr. Harold Lichtenwald, as one of the outstanding instructors in this field.
- TMCC's first high school graduation was held at the Reno Hilton Showroom and was attended by Regent Alden, Chancellor Jarvis, and Vice Chancellor Nichols. The program is patterned after the one at CCSN and together they are two of only twenty such programs nationally. There were 26 graduates this year; 75% are college bound. The students recorded messages that were played as they came to center stage. Some stated how much the TMCC high school had changed their lives; some reported that it had turned them around from non-performing, unhappy students to enthusiastic high school graduates looking forward to going on to college. The program began last fall with 75 students and grew to 105 students for the spring semester. Anticipated enrollment for next fall is 175 students.

#### President Jim Taranik, DRI

- The Board approved the Cooperative Institute for Atmospheric Sciences and Terrestrial Applications some time ago. The institute is one of nine NOAA-sponsored laboratories nationally and has been very effective for conducting research. Through this institute, DRI personnel have been stationed in other states with NOAA scientists. Information about this program can be found on the DRI WebPages. The collaborators in the institute are the National Oceanographic & Atmospheric Administration, the Office of Oceanic & Atmospheric Research, the Environmental Research laboratories of NOAA, the Air Resources laboratory, the National Weather Service, and the National Environmental Satellite Data & Information Service. The Western Regional Climate Center is also a part of this program and can also be accessed via the DRI WebPages. The Center is one of six national Climate Centers.
- The Nevada Medal dinner has been scheduled for Tuesday, March 23, 1999 at the Reno Hilton and Thursday, March 25, 1999 at Caesar's Palace in Las Vegas. Dr. Wallace Broecker will be honored.
- Dr. Taranik recently visited DRI's campus in Mendoza, Argentina. Dr. Taranik presented a paper at a symposium on the geology of the Andes. DRI is working with a water company in Mendoza that provides bottled water in Latin America. Dr.

Stephen Wells and Dr. Tom Bullard created this exciting program. As a result of this conference, Dr. Taranik was able to discuss the following items:

- Joint exchanges between faculty in Mendoza, Argentina and the universities.
- Sending Argentinean students to the UNR School of Mines.
- Opportunities for increased collaboration.

#### President Ron Remington, GBC

- Great Basin College hosted Reynolds Foundation staff members May 4<sup>th</sup> and 5<sup>th</sup> on the Elko campus. The college was invited to Tulsa, OK to meet with the board of directors and make a presentation of their renovation plans on June 8<sup>th</sup>-9<sup>th</sup>. Announcements for the recipient of the award will be made June 25<sup>th</sup>. Should GBC be selected, the money would be put to use to transform the landscaping of the college.
- GBC recently hosted the Legislative Counsel Bureau, Dr. Jane Nichols, Mr. Larry Eardley, and members of the Education Alliance. Discussions included the 4-year feasibility study.

#### President Richard Moore, CCSN

- Dr. Moore thanked Davan Weddle for his assistance with CCSN's website application and enrollment capability. Effective July 1<sup>st</sup> anyone can apply and enroll at CCSN via the Internet.
- Enrollment at CCSN is up 8-½% with no additional recruitment efforts.
- No state funding is provided for the summer programs, yet CCSN encountered a 25% growth in summer session enrollments.
- The Regent's proposal for a Teaching Initiative is beginning. CCSN is working with UNLV and CCSD to help create more teachers.
- CCSN has a community college high school on three campuses with 400 students enrolled. The first graduate completing two full years graduated this past June receiving her high school diploma and 45 units of college work. She plans to transfer to UNR.
- Dr. Moore expressed his feelings of pleasure and distinction in having served with Dr. James Taranik, adding that Dr. Taranik would be missed.

Mrs. Price requested clarification on the 8-½% growth with no recruitment. Dr. Moore responded that, at the request of the legislature, CCSN slowed their recruitment activity to remain in line with their funding level and still grew in summer enrollments by 25%. Dr. Moore indicated that this is a sign of the demand in the area for higher education.

### President Jim Randolph, WNCC

- Introduced Ms. Helaine Jesse, Director of Development, for the past four years. During her tenure she has averaged \$100,000 per month in contributions. She has had a significant impact on the operations of the college.
- She took the initiative to match legislative funds to build a facility in Douglas County.
- She was successful in receiving a \$2.5 million grant from a private foundation for a building on the Carson City campus.
- She belongs to a number of civic organizations and is the incoming president of the Carson area Chamber of Commerce.
- Ms. Jesse will be assuming new duties for the college in July. Her new title will be Dean of Institutional Advancement. Dr. Randolph stated his pride and pleasure in working with her.

### President Carol Harter, UNLV

- The UNLV golf team recently won the NCAA championship, breaking an NCAA scoring record in the process. Several of the team members are honor students.
- Coach Dwaine Knight was named the Outstanding Golf Coach of the year.
- The Southern Nevada Summer Research Experience program is in operation with 26 UNLV undergraduate students and 4 local high school students spending 10 weeks on research projects in Physics, Biology, Engineering, and Chemistry at UNLV. The students competed for the research positions and they are working with top scientists. The program is funded by a partnership between the National Science Foundation, the Department of Energy, and the Nevada Gaming Foundation for Educational Excellence. Professor John Farley is the mentor for the program.
- Two Distinguished Professors have been selected:
  - Professor Catherine Bellver, Department of Foreign Languages
  - Dr. Joe McCullough, Department of English
- Professor David Emerson, Department of Chemistry, will be retiring with emeritus status. He will chair the internal university steering committee to write the self-study for the Northwest Accreditation visit.

Ms. Berkley stated that she and Regents Alden and Dondero attended the celebration festivities on Fremont Street in honor of the golf team, adding that it was a joyous occasion. Dr. Harter said that the Wynn family honored the team at their home as well.

## President Joseph Crowley, UNR

- Dr. Crowley noted that the meeting was being held in the same building that houses the bridge structures lab, which is equipped with a shake table that simulates earthquakes. UNR will acquire another shake table to be housed in a new \$750,000 facility funded by a donor brought to the university by Regent Gallagher.
- UNR received a gift of \$5 million that will allow the construction of the Student Services component of the parking structure. Additionally, UNR has established three endowed chairs in response to a challenge grant from the National Endowment for the Humanities. The balance of the \$5 million will be used for scholarships for nursing, medicine and business students.
- Dr. Crowley visited Marcos Island, FL to attend the Honda Awards Dinner, which honors outstanding women collegiate athletes. The event is most inspiring and will be held in Reno next June.

## Chancellor Richard Jarvis

- Deputy to the Chancellor for External Relations, Ms. Suzanne Ernst, was recently named the outstanding graduate of the decade for UNLV.
- Governor Miller has appointed Dr. Jarvis to serve on the state facilitation committee for the visit of the National Gambling Impact Study Commission.

Dr. Derby commended Ms. Ernst and Mr. John Kuhlman on the fine publication of the Regents' Review. Dr. Derby announced that the WNCC campus presentation would take place Friday morning.

4. Election of Officers - In accordance with Board of Regents' Bylaws, Article IV, Section 2, an election was held for Chair and Vice Chair of the Board. These are one-year terms to commence July 1, 1998.

### A. Chair

Mrs. Dondero nominated Dr. Jill Derby. Ms. Berkley seconded.

Motion carried.

B. Vice Chair

Mr. Alden nominated Mr. Tom Wiesner. Mr. Rosenberg seconded. Motion carried.

Dr. Derby thanked the Board for their confidence in her and also thanked Ms. Berkley for her outstanding performance as Vice Chair.

5. Interim President Appointment, DRI – Approved the appointment of Dr. Peter Barber as Interim President of the Desert Research Institute, to take effect upon the departure of President Taranik on July 1, 1998 and last through the remainder of academic year 1998-99 or until the successful conclusion of the presidential search, whichever comes sooner. The Chancellor and Board Chair consulted with the Institutional Advisory Committee to the Presidential Search, the executive committees of the Faculty Senate and the Technologists Advisory Council, and the vice presidents and executive center directors of DRI. The salary is \$148,000.

Mrs. Gallagher moved approval of the appointment. Mr. Rosenberg seconded. Motion carried.

6. Appointment of Vice President, UNR - Following a national search, the Board approved President Crowley's request for approval of the appointment of Dr. Shannon Ellis to the position of Vice President for Student Services. Chancellor Jarvis has approved an initial annual salary of \$123,000. Dr. Ellis will begin her appointment on August 10, 1998.

Mr. Rosenberg moved approval of the appointment. Mrs. Dondero seconded. Motion carried.

7. Regents' Professor & Emeritus Status, Dr. James Taranik - In accordance with Board policy for presidents who have served at least ten years and who elect to assume a faculty position within the UCCSN, the Board awarded the title of Regents' Professor to Dr. James Taranik. In addition, and in

accordance with Board policy for presidents who retire from office after serving for at least five years, the Board awarded the title of Emeritus President to Dr. Taranik. Dr. Taranik is taking the position of Arthur Brant Chair of Geophysics at the University of Nevada, Reno effective July 1, 1998.

Mrs. Dondero moved approval of the Regents' Professor title and emeritus status. Ms. Berkley seconded. Motion carried.

President Taranik thanked the Board for their recognition and stated that it had been his distinct pleasure to serve as president of the Desert Research Institute for the past 11 years and that he was looking forward to motivate and mentor scientists of the future.

Dr. Derby stated that Dr. Taranik served with great distinction and was leaving big footprints for his successor to fill. Mrs. Gallagher commented that Dr. Taranik had done a great job for DRI and that the Presidential Search Committee would not "settle" for his replacement. Mrs. Price mentioned that Dr. Taranik was the first president to discuss quality and use technology and has been a leader in form and presentation.

8. Resolution, President James Taranik - Approved a Resolution in honor of retiring President James Taranik. Resolution No. 98-2 is attached to the permanent minutes.

Mrs. Gallagher moved approval of the resolution. Mr. Alden seconded. Motion carried

Mrs. Price suggested putting the resolution on the DRI WebPage.

9. Dental Residency Report –Approved an update given on the development of the dental residency programs in Nevada by Chancellor Richard Jarvis and the Director of Dental Programs for the UCCSN, Dr. Ray Rawson.

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Dr. Jarvis reported that the dental residency program meets a Strategic Direction of the Board to address state needs and makes a significant contribution to the System's capabilities. It will meet critically unmet service needs in the state. Nevada ranks #1 nationally in population lacking access to



dental services and #4 nationally in uninsured population. The WICHE program does not generate a large number of dental graduates who return to the state to practice. From 1954-1996 there are 174 known alumni originating from Nevada who have completed dental school; only 126 of these alumni have returned during that forty-two year period to practice in the state.

Dr. Rawson reported that the accreditation documents had been submitted, fees had been paid, and that library resources have been ordered. Dr. Rawson noted that he hoped this program would address the needs of children and the elderly. There will be a residency director appointed for southern Nevada and an assistant director for northern Nevada. In southern Nevada the residency will consist of a hospital-based residency based at University Medical Center, clinical facilities at the newly remodeled Family Practice Center, and a mobile clinic. The northern Nevada program is being discussed with Washoe Medical Center with the clinical facilities located at TMCC's Dental Hygiene/Assisting programs, and a mobile clinic that is currently operated through St. Mary's Hospital.

Blue Cross/Blue Shield awarded a grant for a motor home equipped with two chairs, x-ray units, a dentist and driver (Miles for Smiles). It will operate out of the dental residency program and will provide the program's initial patients.

The Dental Hygiene/Dental Assisting programs will take rotation through the residency:

South North

3 residents per year 1 resident per year

1 or 2 year residency 1 or 2 year residency

Maximum of 6 residents Maximum of 2 residents

7/1/98 start date 1/1/99 start date

Mrs. Gallagher acknowledged Dr. Rawson's work with the Blue Cross/Blue Shield foundation. Mrs. Price thanked Dr. Rawson for bringing a good program forward with equipment and money to support it. Mrs. Price noted that this is a stand-alone program with no link to the university dental school.

Ms. Berkley thanked Dr. Rawson for putting together a wonderful program and asked who ultimately pays for the service. Dr. Rawson responded that Blue Cross/Blue Shield would support the program for three years. The program would require at least 50% of the patients paying something for the service. No one will be turned away who needs care regardless of their ability to pay. Ms. Berkley asked what the reaction from the dental community had been. Dr. Rawson stated that the dentists in the state

would co-sponsor this program and supply volunteers from existing practices.

Mrs. Gallagher clarified that this is not a stand-alone program because it is part of the dental program at CCSN. Dr. Rawson added that they are building all of the dental programs to support each other. This program provides a new treatment site and a new teaching opportunity for all dental students in the existing programs. If there were a future dental school, it would associate in the same manner.

Mr. Phillips entered the meeting.

Dr. Derby asked if the program was affiliated with the School of Medicine, with Dr. Rawson responding that it was.

Ms. Berkley asked to whom the dental program would report, with Dr. Rawson responding that he, as director of dental programs in the UCCSN, and the Dean of the School of Medicine would be in charge of the program.

Mr. Rosenberg expressed his concern of the program being overwhelmed with business. Dr. Rawson agreed that the program would not be able to serve the needs of everyone. The program will attempt to treat those with the greatest need first.

Dr. Eardley mentioned that TMCC busses children to their program on Fridays with volunteers from the dental community assisting. Dr. Rawson stated this program would refresh these kinds of efforts all over the state.

Mr. Rosenberg moved approval of the report. Mrs. Price seconded. Motion carried.

10. Action Plan, School of Medicine – Approved an action plan for the School of Medicine (SOM). Following the discussion of the current status of the SOM and the financial condition of its faculty practice plans, President Crowley presented a set of five recommendations designed to enhance university and Regental oversight of the practice plans and guidance regarding the School. Recommendation #5 calls for creation of a special ad hoc committee of the Board to provide leadership and oversight with regard to health education. Ref. A on file in the Board office.

Dr. Crowley reported that these recommendations were intended to provide the Board with measures for greater control:

- An annual external audit of the practice plans, perhaps by the USSCN auditors.
- Presentation of the audit and an annual comprehensive report on the school, including practice plan matters, to the Board of Regents.
- University representation (the vice presidents for academic affairs and for finance & administration) on both practice plan boards of directors.
- Appointment of a member of the chancellor's staff to serve as a liaison from the chancellor's office to the two practice plans' boards of directors.
- Creation of an ad hoc committee, or other group, from the Board of Regents to receive reports, provide leadership and oversight with respect to the school of medicine and other areas of health education and to convey information and recommendations to the Board.

Mr. Alden recommended the ad hoc committee act as an advisory committee with no voting power. Mr. Alden also suggested the practice plan be subject to internal and external audits just as other units of the university are, and that requests for proposals (RFP's) should be requested from firms other than Coopers & Lybrand so as to keep the external audit distinctly separate and meaningful. Dr. Crowley stated that the School of Medicine is open to the Board's and Chancellor's wishes for the external auditing firm. Dr. Crowley added that the committee was intended to be made up of Regents.

Mrs. Gallagher moved approval of recommendations #1-4 and to direct the Chancellor to submit at the next Board meeting a draft charge for the special committee proposed in recommendation #5. Mrs. Dondero seconded.

Mr. Alden asked if it was necessary to specifically exclude Coopers & Lybrand at this point. Mrs. Gallagher said that she did not understand why Regent Alden was opposed to using Coopers & Lybrand since the firm is the System's external auditors. Mr. Alden responded that the foundations all use auditors independent of Coopers & Lybrand. Dr. Derby asked President Crowley for clarification on the process of selection. Dr. Crowley responded that they had purposefully left that open for the Board's determination because there had been some discussion relative to extending Coopers & Lybrand's current audit agreement to encompass the School of Medicine. Vice Chancellor Anderes stated that he was not opposed to soliciting RFP's from firms but that he felt that

Coopers & Lybrand should also be able to participate in the process. Mr. Rosenberg suggested waiting until the Regents' committee had been appointed.

Ms. Berkley asked how these recommendations would help solve the short-term problem currently existing. Dr. Crowley responded that he believed the mechanisms were in place to resolve the current problem, but the recommendations would provide several vehicles for communicating progress to the Board. Dr. Crowley added that if the Board desired the SOM could provide regular reports on a periodic basis as to the school's progress, flaws in the system, and what is being done to resolve them. Ms. Berkley stated she felt it important for the Board to receive periodic updates to ensure that progress is being made in accordance with the Board's wishes.

Mrs. Price stated she would be voting no on this item because she felt that the underlying problem of the foundations and corporations is a constitutional problem. She added that the Board is accepting a liability that it should not. She reiterated that it is a constitutional issue, one that she brought to the Attorney General's attention.

Motion carried. Mrs. Price voted no.

Dr. Derby stated the ad hoc committee would be appointed at the August Board meeting and commended President Crowley for his responsiveness to the Regents' concerns relative to the medical school.

11. Purchase Agreement, UNR - Approved the proposed purchase agreement between the Board of Regents/UNR and Del Webb Conservation Holding Corporation pertaining to the former Whittel estate at Lake Tahoe.

Dr. Crowley noted that Ms. Harriet Burgess from the American Land Conservancy and Mr. Scott Higginson from the Del Webb Corporation were present at the meeting if any members of the Board had questions for them. General Counsel Tom Ray worked on the details of the purchase agreement to protect the interests of UCCSN, Regents, and UNR. UNR can remove itself from this proposal with no penalty should they be unsuccessful in raising the necessary funding.

Mr. Ray reported the basic terms:

- The System has the ability to close the agreement and to pull out of the obligation of the agreement.
- Upon approval an escrow will be opened with \$1,000. The total purchase price is approximately \$10 million and will be paid solely by donations.
- The agreement is contingent upon TRPA approval and any other governmental entity requirements to conduct research operations and building improvements (including environmental issues).
- The System is only purchasing the improvements on the property and the purchase is contingent upon reaching an agreement with the Forest Service.

A round of questions and answers revealed the following:

- The current agreement is specific to UNR and no others.
- A business plan exists that covers the costs to get the place in shape, annual costs of operation, estimated income, and private donations for operation. A consultant (Ms. Jane Fisher) has been hired and a consultant's report has been prepared that outlines approaches for the university to break even or cover the costs of operation.
- A commitment has been made not to seek state funds.
- Dr. Crowley is comfortable that the property could support itself.

Mrs. Price asked about appraisals on the property, with Dr. Crowley responding that the BLM had provided the only appraisal on the property and it was this appraisal or no deal. Mrs. Price noted that it provided no basis of comparison. Dr. Crowley replied that the appraisal was based on the highest standard of residential development. Mrs. Price asked what kinds of environmental impact studies had been performed. Dr. Crowley stated that the major issue was the sewer system that eventually would have to be replaced.

Dr. Eardley moved approval of the purchase agreement. Mrs. Gallagher seconded.

Mrs. Gallagher asked if these issues are covered in the agreement reviewed by General Counsel, with Mr. Ray responding yes. Mrs. Gallagher asked if UNR could sell the property or what would happen if UNR wanted to relinquish the property. Mr. Ray responded that UNR would have a long escrow, if the contingencies were not satisfied then UNR would never take title to the property and it would remain the property of Del Webb.

Mr. Rosenberg asked about the coverage for discovering problems at a later date. Mr. Ray responded

that the problem would have to be discovered during the escrow period.

Mrs. Dondero stated she would abstain from voting since her son works for the U.S. Forest Service. Dr. Crowley responded that the purchase is solely from the Del Webb Corporation and that no conflict should exist. Mr. Ray agreed.

Mr. Phillips asked if there would be full disclosure of any environmental impact issues or problems with the escrow. Mr. Ray stated he was not involved in that aspect of the negotiations. Mr. Phillips asked whether the Board was to vote on this issue prior to knowing the results of the investigations. President Crowley stated that UNR performed their own thorough examination of the premises and the only serious issue that was found was with respect to the sewer. Mr. Scott Higginson from the Del Webb Corporation reported that a very extensive environmental research had been completed on this property as part of the land exchange, conducted by the engineering firm of Dames & Moore. The buildings and land has been thoroughly examined and all of the environmental questions have been addressed. The sale price for the entire property was \$50 million, of which \$10 million was attributed to the improvements and lease holding. Significant appraisal work was done on this property. Both Forest Service and BLM appraisers determined the \$10 million figure. Mrs. Price asked if the environmental report was available, with Mr. Higginson responding yes that it is a public document that has been published and is available for the public to read. Mrs. Price stated that besides the environmental and appraisal questions is the issue of how and where the System locates facilities. Because there is no clear guide for obtaining property or locating facilities the System jumps at so-called "good deals" with no consideration for standards. In the absence of policies for site locations that have never been addressed Mrs. Price stated she would be voting no.

Dr. Derby stated that this effort advances UNR's research interests focused at Lake Tahoe. The System is always open to windows of opportunity such as this one.

Mrs. Price requested that it be noted that her "no" vote was not on the basis of whether it is a good site but that the Board has not addressed the larger issue of siting facilities.

Ms. Berkley asked for clarification that there is no cost to the state, no cost to the System, and no cost to UNR. Dr. Crowley responded that there is no intention of seeking funding from the state for acquisition of the property or for the operation of the property. It is possible that UNR might use some of their Buildings & Grounds money for maintenance and/or upgrades. There would be no other institutional funding apart from the money they raise through donations. Ms. Berkley took exception to Regent Price's remarks about site location. She stated that she felt the Board had done an extraordinary job in determining where facilities will be located to further higher education in Nevada.

Motion carried. Mrs. Price voted no.

The meeting recessed at 3:00 p.m. and reconvened at 3:15 p.m. with all members present except Regents Graves and Wiesner.

12. Information Only-Alleged Comments by UNLV Athletic Director - Assemblyman Wendell Williams, Chair of the Assembly Education Committee, made a presentation to the Board on the comments alleged to have been made by UNLV Athletic Director Charles Cavagnaro and as reported in the media. He asked for clarification of the public statement issued by UNLV President Carol Harter.

Chancellor Jarvis provided the framework and details as the situation developed:

- April 23<sup>rd</sup> a disguised witness made allegations of offensive statements allegedly used by UNLV's athletic director, Mr. Charles Cavagnaro, to the media.
- President Harter invited people to contact the Administrative Code Officer, Marc Cardinalli, or Director of Diversity Initiatives, Ann Casados-Mueller.
- By May 5<sup>th</sup> the press reported that possible informants were unwilling to come forward for fear of retribution.
- President Harter asked the Chancellor for an independent investigation. Asst. General Counsel, Kwasi Nyamekye conducted the 3-week investigation. There was no regent involvement.
- The investigation was conducted independently of campus officers at UNLV, but the responsibility for judgement in a personnel matter remains with the president and not with the Chancellor or Board.
- The Chancellor made the decision to have Mr. Nyamekye provide an oral report at a debriefing meeting for the Chancellor, President Harter, and Mr. Ray. To that point no witness or informant had come forward publicly to file a grievance or suit. President Harter left the May 27<sup>th</sup> meeting to seek an informal resolution with the agreement of Mr. Cavagnaro.
- A May 29<sup>th</sup> press release described the resolution and contained an apology by Mr. Cavagnaro.

Mr. Ray addressed the potential legal issues that could be raised as a result of these issues:

- It is his opinion and advice to the Board and those privy to the debriefing that the contents of the Asst. General Counsel's investigation cannot be divulged because they are matters pertaining to the conduct of an employee and as such are a

personnel matter. The employee is entitled to confidentiality of the contents of that information.

- Mr. Ray advised that the Board not discuss the merits of the allegations because:
- The personal or professional conduct of an employee should take place in a closed forum.
- Pursuant to the UCCSN Code and Bylaws, the individual employee has been disciplined by the appointing authority and cannot be re-disciplined.
  
- These are personnel-related matters and the affected employee has the right to maintain or insist upon the confidentiality of that information. There is no federal or state law, or any Board code, regulation, or policy that would allow the public inspection of confidential personnel matters.
- The federal Freedom of Information Act acknowledges and recognizes the right of privacy of the individual person.
- The state NRS regarding public records and the Nevada Administrative Code specifically recognize that matters relating to the conduct of personnel or an individual employee are to be kept confidential. The Nevada Open Meeting Law recognizes that as well, and allows the Board to go into closed session to conduct personnel sessions to consider an individual's conduct. Records of the meeting are public information except for those matters pertaining to confidential personnel matters.
- The Board of Regents is the controlling authority for the UCCSN. This includes the creation of policies and procedures for the operation and management of the System. According to the Code established by the Board, the presidents are the appointing authority of all professional personnel. This includes the ultimate authority covering hiring, terminations, promotions, and discipline. All matters pertaining to personnel regarding the conduct or disciplinary history of an individual employee are to be confidential.

Mrs. Price asked if it was a legal or ethical problem if someone outside of the closed meeting discloses the nature of the business, with Mr. Ray responding it could be both. Mrs. Price asked whether the law needs to be strengthened if it is unclear. Mr. Ray stated that the affected employee would have a civil cause of action. Mrs. Price asked if the Regents could have access to the contents of the inquiry, with Mr. Ray responding that he advised against it as it would be outside the chain of command that supervises that employee. Mrs. Price stated she felt there is a problem if the Board cannot be privy to that information. Mr. Ray stated that the Board has delegated that authority to the presidents. Mrs. Price stated she felt that should be changed.

Mr. Phillips requested guidance from General Counsel as to how to respond to the press. Mr. Ray responded that the Regents:

- Should not discuss anything that was discussed in the debrief meeting regarding the athletic director.
- Can discuss the Board's policies relative to such allegations.



- Can discuss the public's perception as long it does not enter into a discussion regarding the allegations against the individual employee.
- Are not in a good position to discuss this matter, but are free to listen to the public's comments.

Dr. Derby stated she had asked General Counsel to notify members when the conversation was approaching inappropriateness.

Ms. Berkley expressed her frustration with the Board's role in controversies of this nature. Dr. Derby responded that it is a policy-making board that holds campuses accountable for policies and has delegated to the campus presidents the authority for personnel matters. Mr. Ray concurred with the chair's comments. The Board's remedies are to address the broader picture system-wide and discuss areas of dissatisfaction during the annual evaluation of the presidents.

Assemblyman Wendell Williams stated that it appeared that most of the Regents were uncomfortable with discussing this issue. Mr. Williams had the following responses to the Chancellor's comments:

- This issue did not surface as a news item on Channel 13. Three weeks prior to Channel 13's report, UNLV individuals contacted the law firm of David Chesnoff to attempt to keep the issue out of the press.
- Most people in Nevada expect the best higher education environment for the students and to have universities with high standards of excellence. If the Board does not move to take the public eye off of this situation, all of the good that has been accomplished will mean very little.
- When did this issue become a personnel matter? In a May 7<sup>th</sup> meeting with Dr. Harter a discussion was held regarding the specific remarks allegedly to have been made and whether or not they were offensive.
- Sports Illustrated has published two articles addressing this issue.
- Kwame Coleman, a former UNLV football player and current UNLV engineering student, was mentioned in one of these articles. Mr. Coleman's mother wrote to Mr. Cavagnaro in 1995 to contest her son's release from the football team and never received a response. (President Harter later provided copies of letters written by Mr. Cavagnaro in response to Mr. Coleman's mother as well as an appointment reserved for her with the Athletics department.)
- The most recent article interviews a UNLV basketball player who regrets his decision to attend UNLV.
- It appears there is a problem at UNLV.
- The allegations were serious enough to warrant the president to request an inquiry; yet a gag order was issued to the employees.
- The oral debriefing was an intentional means of avoiding a written document.
- Questions arise over Dr. Harter determining what are offensive remarks.

- The overall authority lies with the Regents.
- Suggest the Regents look at the findings.
- Suggest the need for a real investigation to transpire.
- Concern for future generations of students.
- Elected board has a responsibility to the people of Nevada
- This issue could affect future televised sporting events.

Mr. Phillips asked what knowledge they could hope to gain, with Assemblyman Williams suggesting he could arrange a meeting with the source of information. Mr. Phillips indicated he came home early from his vacation to meet with an alleged source who never showed up or called. Mr. Phillips stated the Board supports zero tolerance for any type of racism, sexism, homophobic statements, and religious preference but needs to be fair to the person involved, the university, and the public. Mr. Phillips added that the press had persistently contacted him for his opinion as the "only African-American on the Board." Mr. Phillips stated he wanted to see an accuser or witness and hard evidence prior to making any decision. Assemblyman Williams responded that "the buck stops" with the Regents.

Mrs. Gallagher stated she found it offensive that the media had contacted Mr. Phillips as the "only African-American on the Board." She added that the Board represents all the people of the state regardless of color. She added that she felt it unethical for Board members to review personnel files. The Board does not support racist remarks and has made diversity a priority, but personnel matters are private. Assemblyman Williams responded that he was not suggesting the Regents look at all personnel files but felt it appropriate to look at the athletic director's in this instance.

Mr. Alden requested verification of Mr. Coleman's mother's letter and that there had been no response from UNLV in three years.

Ms. Berkley stated she did want to know the results of the investigation and felt it is part of her responsibility. Since no one has come forward publicly to date and the issue has been so public, concerns for retribution appear to be unfounded. Everyone has the right to face his or her accuser. Ms. Berkley asked who Assemblyman Williams envisioned conducting the investigation, with Mr. Williams responding that the investigation should be independent of UNLV and the Board should decide. Ms. Berkley stated that the informant should come forward and face the accused.

Dr. Derby asked that people limit their comments to 4 minutes.

Ms. Patricia Cunningham stated she had met with the source, found them credible and made calls to the Regents to make arrangements to meet with the anonymous source. She stated it was not a just a racial issue for her as she was equally concerned with gays and lesbians being offended by this issue

as well. Constituents feel that their best interests are represented by the Regents regardless of their racial origin. The anonymous source has not come forward because their current employer has restricted them from doing so.

Mr. Phillips expressed the irony that the press knows the source yet the Regents do not. He added that as a member of the Board, color never enters into his decisions.

Mr. Rosenberg asked Ms. Cunningham what the Board was expected to do with no evidence. He suggested giving the information to President Harter so that she could make an informed decision.

Ms. Cunningham submitted that there are individuals who have come forward with the promise of anonymity and it would not be fair to now ask them to reveal themselves. She questioned the viability of a written reprimand for the athletic director based on an oral report and asked at what point the issue became a personnel matter that prevents open discussion of the matter.

Mrs. Price asked Mr. Ray whether he was aware of arrangements being made with the source's employer. Mr. Ray responded that he was not present at any of those meetings. Mrs. Price commented that this is typical of the manner in which the System conducts business and cited past examples.

Mrs. Gallagher stated she wants knowledge about this issue to be brought before the Board but not by the Board going through personnel files. Mr. Phillips agreed adding that personnel sessions are protected by law.

Ms. Cunningham stated that they could not change what they will not acknowledge and thanked the Board for their time.

Mr. Gary Peck, Executive Director of the ACLU for Nevada, expressed his deep respect for universities as an open forum for learning. Mr. Peck stated he found the conversation frustrating and unusual for the following reasons:

- The employee in question has been disciplined; clearly something happened.
- If the allegations are true, the issue involves harassment in the form of a hostile work environment.
- People have come forward to the person charged to conduct the investigation.
- Mr. Ray's opinion sounds like a brief to the Board on why the Board does not have to do anything or say anything publicly.

Mr. Peck asked the Regents to ask themselves what their moral obligations and responsibilities are. He added that he had no desire to trample the privacy rights of the athletic director or anyone else.

Dr. Derby stated the Board has made an enormous commitment to Affirmative Action and diversity on the campuses. She took offense to Mr. Peck's comments that questioned the Board's commitment. Mr. Peck responded that he felt the Board has an obligation to be pro-active and not look for ways not to be. Ms. Berkley asked how the Board could be pro-active and still protect and respect the rights of the employee. Mr. Peck responded that he could meet with each regent to discuss that issue.

Mrs. Dondero commented that the issue is on the agenda for the Board to address. Mr. Peck expressed his appreciation and assured the Board that the issue would not go away.

Reverend James M. Rogers, President of the Las Vegas branch of the NAACP, stated the branch's major concerns upon being notified of this issue:

- Were the allegations legitimate?
- Substantiate the allegations or exonerate the athletic director.

He added that the matter had not been handled properly and had yielded the appearance of a cover-up. Rev. Rogers reminded the Board that they have a fiduciary responsibility to investigate, analyze the information, and make an informed decision. He added that the public believes that the Board has the ultimate authority and thanked them for hearing the matter.

President Carol Harter emphasized her personal and professional commitment to equity and diversity in every aspect of university of life. She has worked toward a goal that is also part of the UNLV strategic plan, to create a just and inclusive campus environment. She has discussions with the NAACP, ALCU and others present about things that can be done now and in the future to enhance the environment for all. Dr. Harter stated the process has been difficult for the entire university community particularly because of the struggle with rumors and allegations of racial and homophobic use of language by Athletic Director Charles Cavagnaro. She has never condoned nor will she ever condone racist, sexist, or homophobic behavior by any employee or student of UNLV. She stated she would not terminate an employee nor expel a student of UNLV without unequivocally clear evidence that grievous offenses have in fact occurred. Dr. Harter stated that public employees and university students have rights to privacy, fair and impartial hearings, and the opportunity to respond to charges raised against them. She believes the letter of reprimand and public apology were appropriate actions to take for evidence presented to her from the investigation.

Mr. Phillips asked if the source had met with President Harter, with Mr. Peck responding no but that the source had met with Mr. Nyamekye. Mr. Phillips stated that the Board couldn't take action without

evidence. Mr. Peck stated the real injustice has been done to Mr. Cavagnaro and that the Board should look at the information and make their own determination.

Ms. Berkley asked if the source spoke with Counselor Nyamekye, with Mr. Peck responding yes. Ms. Berkley stated that the information was contained in his report to President Harter and she made the determination for what she felt was the appropriate punishment. She asked if as a regent she should revisit everything that Dr. Harter has reviewed and overrule those decisions in favor of her own opinion. Mr. Peck responded that the matter was handled badly and that there is a perception in the community of a cover-up.

Mrs. Price expressed her concern for whether Dr. Harter received all of the information and suggested a closed session with the parties involved particularly the attorneys. Mr. Ray responded that there is no point to comment, it is a point of law that the employee cannot be re-investigated or re-disciplined.

Dr. Derby reminded those present that they had been through a process that involved the opportunity for people to come forward to the Assistant General Counsel who summarized his findings in a briefing to the university president who then made a decision on a certain course of discipline for an employee. Dr. Derby expressed her frustration in the Board not having access to that information, but added that it is according to the policies in place. Assemblyman Williams asked the Regents if the process was performed in a fair manner. He asked the Board to review the process and allow the community to move forward. Dr. Derby responded that the Chancellor, General Counsel, and the chair would need to explore alternatives. Mrs. Gallagher cautioned that the Board couldn't discuss process in private according to the Open Meeting Law.

Mr. Williams added a final point that everyone is faced with a dilemma in which everyone would like to see closure. Mrs. Gallagher asked him if he would be satisfied if the process were reviewed and the Board developed a process with which he and his compatriots felt more comfortable. Mr. Williams stated that there was no desire for retribution or loss of employment and expressed the following:

- The process was obviously flawed. A person was disciplined and no one knows what he did and a single person has the power to decide what is minor and what is offensive to other people.
- A process within the university system needs to be developed that would allow any employee to be treated fairly and allow students to feel that they are in an environment that provides a fair and equal chance to receive an education without feeling uncomfortable.

Mrs. Gallagher stated that was exactly what the Board had been trying to achieve all along. She added that the process could be reviewed but they could not look at the individual any longer.

Mr. Peck expressed his hope that the Board would instruct counsel to review the possibility of the Board's review of how this situation was handled and the manner in which the process unfolded with no further disciplinary action at issue.

Mrs. Dondero suggested the issue be included at the next meeting.

Ms. Berkley offered encouraging words to Dr. Harter adding that this was no attack on her record. She suggested moving forward and addressing the issues in general.

President Crowley expressed his hope that when the Regents discuss methods to improve the process that they do not consider allowing Regents to review personnel files.

13. Public Comment – Mr. Brian Paco Alvarez, a student activist representing the Rock Avenue Alliance from Las Vegas discussed the change in programming at KUNV Radio station. Verbatim minutes are attached to the permanent minutes.

The meeting recessed at 5:50 p.m. and reconvened at 8:05 a.m. with all members present except Regents Graves, Phillips, and Wiesner.

14. Approved Audit Committee Report - Chair Mark Alden presented a report on the Audit Committee meeting held on June 18, 1998 and thanked Dr. Eardley for sitting in on the meeting. The Committee reviewed the following Internal Audit Follow-up Reports:

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Human Resources Department, TMCC

Career Services Department, UNLV

Client Services Center, UNLV

CSUN Preschool, UNLV

Child Development Laboratory, CCSN

Performing Arts Center, UNLV

Admissions and Records TMCC

Mr. Alden reported that Internal Audit Director Sandi Cardinal reported that with the exception of UNR bank reconciliations were up to date. UNR's has since been corrected. Mr. Alden stated that part of the reason was the change over from Bank of America to Wells Fargo.

Mr. Alden moved approval of the report. Ms. Berkley seconded.

Mrs. Price wanted to notify the Board that at least one item was significant. Business Center North denoted an overpayment of approximately \$500,000 on payroll taxes filed the 4<sup>th</sup> quarter of 1995. Since the System is going to be audited by the IRS she suggested that items such as unrelated business tax and responses to audits be more closely reviewed. She did not understand the praise of this department. Mr. Alden stated he would address the Business Center North report later in the report.

Motion carried.

Mr. Alden stated for the record that the Performing Arts Center for UNLV is now in balance and that Norval Pohl could clarify any questions. A new system is in place for daily review of departmental expenditures. Mr. Alden commended Dr. Pohl for his good work and that of the finance department at UNLV.

14.1 Approved Internal Audit Reports - Approved the following Internal Audit reports as presented. Ref. B on file in the Board office.

- Business Center North Payroll Department
- Centrex Office, UNR
- Summer Term, UNLV
- E.L. Cord Child Care Center, TMCC

Mr. Alden stated that the IRS is not auditing the System to check for overpayment on payroll taxes. When depositing payroll taxes for UNLV, some employees had requested additional withholding which caused a double deposit to be recorded at Business Center North. The error was

recognized and the money was refunded with interest. A system is now in process to coordinate the payroll deposits with quarterly reviews and Coopers & Lybrand will also perform a full examination of payroll deposits. This did not affect any self-funded taxes. Mr. Alden stated his satisfaction with the measures in place to avoid this error in the future and conveyed his thanks to Internal Audit and the assistance of UNR financial people.

Mr. Alden moved approval of the internal audits. Ms. Berkley seconded.

Mrs. Price stated that the problem for her is that the Audit Committee is responsible for this and these are repetitive errors. Mrs. Price stated she felt the Chancellor should use these audit responses for presidential evaluations.

Mr. Alden asked Mr. Tom Judy to explain the overpayment on the 941's. Mr. Judy explained that one deposit was made by BCN on all 941's. Errors on a report were discovered on a final 1995 report. BCN pursued a refund. It continued to occur until Internal Audit brought it to their attention. Now there is a complete reconciliation of all deposits made.

Mrs. Dondero asked how much interest was received and what was done with it. Mr. Judy responded that it was approximately \$60,000 and it was being held while they determined its disposition.

Dr. Pohl explained that there was a programming software error that has now been corrected. Also, up until a short while ago, UNLV was also not reconciling the 4<sup>th</sup> quarter but now are. Direct deposits will now be made from UNLV on the same account number for the System.

Assuring Regent Price that there is a link from the reports to the Chancellor, Vice Chancellor Anderes stated that the System level consults with the Chancellor on audit exceptions prior to the presidential evaluation process.

Dr. Pohl stated that UNLV has implemented a data warehousing project



that takes the financial data from the mainframe system CUFS (College & University Financial System), a large transaction-based system that does not provide managerial reports, into a nightly download to a relational database that provides management reports for daily review. It is web-accessible for all users on campus. Mr. Alden added that it provides immediate notification of overspending.

Mrs. Price stated that Dr. Pohl has always responded quickly and efficiently and that her comments are not directed to any one individual but to the entire System and how presidential evaluations are linked to the Audit Committee reports.

Motion carried.

15. Approved Academic, Research & Student Affairs Committee Report - Chair Dorothy Gallagher presented a report on the Academic, Research & Student Affairs Committee meeting held on June 18, 1998. The Committee heard the following reports:

Teacher Education Programs/Study: The System is responding to the growing need for teachers in Nevada. There is a study underway on the teacher education programs currently offered. Several new initiatives are being proposed that will produce more Nevada graduates to meet the dire need of the state for new teachers. There also are new initiatives for those individuals who hold degrees but require additional courses in teacher preparation.

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Teaching Excellence: The UCCSN Strategic Directions provides for quality instruction for students. The Committee discussed policies in support of this.

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Trimester & Flexible Class Scheduling: Vice Chancellor Jane Nichols provided an overview of the issues and current policy which relates to flexible class scheduling available to the campuses.

Mrs. Gallagher moved approval of the report. Mr. Alden seconded. Motion carried.

15.1 Approved Policy, Campus Agreements with Other Institutions – The Committee discussed the necessity for a policy on campus agreements with other institutions and recommended that staff be directed to develop such a policy.

Mrs. Gallagher moved approval to direct staff to develop a policy. Ms. Berkley seconded. Motion carried.

15.2 Approved Development of Policy, Hazing - The Committee reviewed the request of Regent Berkley to direct staff to develop a policy to prohibit hazing at UCCSN campuses and recommended approval.

Mrs. Gallagher moved approval to direct staff to develop a policy prohibiting hazing at UCCSN campuses. Ms. Berkley seconded.

Dr. Derby asked if alcohol and drinking was mentioned as part of the discussion on hazing. Mrs. Gallagher responded that it was discussed as hazing as a broad category.

Motion carried.

15.3 Approved Master Plan Revisions, WNCC & GBC - The Committee reviewed the proposal for Master Plan revisions at WNCC & GBC and recommended approval.

Mrs. Gallagher moved approval of the revisions. Dr. Eardley seconded. Motion carried.

15.4 Approved Master Plan Revisions, DRI - The Committee reviewed the

Master Plan revisions proposed by DRI and recommended approval.

Mrs. Gallagher moved approval of the revisions. Dr. Eardley seconded. Motion carried.

15.5 Approved Applied Research Initiative - The Committee reviewed the report on the Applied Research Initiative and recommended approval.

Mrs. Gallagher moved approval of the report. Mr. Rosenberg seconded. Motion carried.

15.6 Approved Manufacturing Assistance Program (MAP) - The Committee reviewed the Manufacturing Assistance Program (MAP) report and recommended approval.

Mrs. Gallagher moved approval of the report. Mr. Rosenberg seconded.

Mr. Alden expressed his thanks to Mr. Ray Bacon, the executive director of the MAP program, for his work.

Motion carried.

15.7 Approved New Programs - The Committee reviewed the following new programs and recommended approval. Ref. C on file in the Board office.

- Ph.D., Anthropology, UNLV
- Ph.D., Geoscience, UNLV
- AAS, Construction Technology, WNCC
- AAS, Golf Facility Management, WNCC

- Restructure an Existing Major and Emphasis in Postsecondary & Adult Education, UNLV

Mrs. Gallagher moved approval of the new programs. Ms. Berkley seconded.

Dr. Eardley asked about the golf management program. Dr. Randolph responded that there are 38 courses in the Reno-Carson City area with more planned. Mr. Alden reported that Clark County needs more golf courses and they are building them as quickly as they are able. Dr. Harter stated that UNLV has a golf program included in the Hotel Administration school.

Motion carried.

15.8 Approved New Organizational Units, UNLV - The Committee reviewed the following new organizational units for UNLV and recommended approval. Ref. D on file in the Board office.

- Center for Health Promotion
- Cognitive Interference Laboratory
- High Pressure Science Center, College of Sciences

Mrs. Gallagher moved approval of the new organizational units. Dr. Eardley seconded.

Dr. Derby asked what cognitive interference is, with Provost Ferraro responding that it is an attempt to understand how learning in one context interferes with learning in another.

Motion carried.

15.9 Approved Handbook Revisions, Associate of Business Degree - The Committee reviewed the proposal for Handbook revisions, Associate of

Business Degree and recommended approval.

Mrs. Gallagher moved approval of the revisions. Ms. Berkley seconded. Motion carried.

15.10 Approved Amendment, Instructional Sites, GBC - The Committee reviewed the amendments to the list of instructional sites presented by GBC at the March, 1998 meeting and recommended approval. Ref. E on file in the Board office.

Mrs. Gallagher moved approval of the amendments. Mr. Rosenberg seconded. Motion carried.

15.11 Approved Regents' Award Program - The Committee reviewed the proposed recommendations for the Regents' Award Program and recommended approval. Ref. E on file in the Board office.

Mrs. Gallagher moved approval of the recommendations. Mrs. Dondero seconded. Motion carried.

16. Approved Campus Environment Committee Report - Chair Howard Rosenberg presented a report on the Campus Environment Committee meeting held on June 18, 1998. The Committee held the following discussions:

- Review of Recent Affirmative Action Cases. General Counsel Tom Ray provided an overview of recent court cases impacting affirmative action programs at higher education institutions.
- UCCSN Consensual Relations Policies – An overview of current campus policies in regard to consensual relations was provided. General Counsel Tom Ray and Assistant General Counsel Mary Dugan provided legal guidelines for such policies.

Mrs. Price asked for clarification of the discussion on consensual relations policies. Mr. Rosenberg explained that CCSN professor Gary Elliott appears to be for the concept and its attempt to protect both faculty and students, but that he does not care for the process in place to enforce it. Mrs. Price asked if the policies applied to married individuals. Dr. Derby stated that marriage has nothing to do with the policy. Mr. Rosenberg explained that when a power situation exists it could set up a hostile situation for other students and the institution. Mrs. Price asked if there was a relationship between a consensual relationship and nepotism. Dr. Derby responded that the Board established that they are absolutely committed to creating an environment that is fair and equitable, friendly and welcoming and that these kinds of relationships can seriously undermine that. Mr. Ray reported that the policy does not address nepotism but attempts to prevent or discourage relationships for students in a faculty member's class. Professor Elliott felt it was a violation of his privacy rights. Ms. Berkley commented that Professor Elliott has some merit to the issue of having a relationship reported as part of an employee's file. Mr. Ray stated that it is incumbent upon the faculty member to report the relationship so the student can be placed in another class, not to make it part of someone's personnel record. Mr. Ray added that the System's position was that this is a reasonable restriction that could be placed upon a faculty member to avoid sexual harassment.

Mr. Rosenberg added that Professor Elliott disagreed with the System's definition of sexual harassment. It was a vital and stimulating conversation.

Mrs. Price asked for a discussion on the Farmer case. Mr. Ray responded that the Board has aspirational goals regarding Affirmative Action and instructs each institution to adopt their own policies to implement those goals. UNR had a minority bonus program for a few years that enabled the hiring of an additional position for each department hiring a minority. The intent was for the program to not impact anybody else because it in fact created an additional position. It only lasted a couple of years due to financial problems. The program was not the issue of the litigation. The minority faculty member was hired at a higher rate of pay than the Caucasian faculty member.

Mrs. Price asked what the System's policy is and expressed concern over not knowing what diversity means to each individual institution and how they would know when they have reached diversity. Mrs. Price requested a clarification of the policy and a definition of diversity for each institution. Sr. Deputy to the Chancellor, Ms. Karen Steinberg, explained that these issues were all addressed in the committee meeting. There is a Board policy that outlines the Board's Affirmative Action and Equal Employment Opportunity policy that was reviewed at the committee meeting. The Board adopted a statement on diversity, some diversity goals, and there is a diversity statement in the Strategic Directions document. Ms. Steinberg agreed to forward copies of those documents to Mrs. Price and assured her that the Board has a very clear policy. Mrs. Price asked how an institution knows when it has reached diversity. Ms. Steinberg responded that the Board has set aspirational goals for each campus (not quotas) with timelines that are monitored on an annual basis. They are part of the performance indicators of the System. Reasons for meeting, not meeting, and exceeding the goals are also monitored. This information is all presented to the Board in the report format. There is a policy statement that UCCSN has a goal as a system to diversify its institutions to match the communities served. The communities are defined differently for each campus.

Mr. Rosenberg stated that the bonus program at UNR worked only for a short time because it ultimately took away positions from other departments.

Mr. Rosenberg moved approval of the report. Mr. Alden seconded.

President Moore stated his appreciation for the Board's discussion of consensual relations adding that CCSN has tried for three years to get a policy approved as per the Board's direction but to no avail. Dr. Moore requested the Board adopt a policy for all institutions to follow.

Mr. Rosenberg stated the importance of the autonomy of the individual units and that Board mandates may prove more troublesome.

Motion carried.

Mr. Phillips entered the meeting.

17. Approved Investment Committee Report – In the absence of Chair Madison Graves, Board Chair Jill Derby presented a report on the Investment Committee meeting held on June 3, 1998. The Committee accepted an invitation from the Common Fund for Director Tim Ortez to visit fourteen investment managers under the Common Fund in London and Edinburgh. Travel and lodging will be paid by the Common Fund. UCCSN does not normally accept any type of gift or attend any meetings unless paid for by the system. UCCSN will be one of four institutions serving in this review process. UCCSN has \$43 million in international funds and \$100 million invested in the short-term liquid funds with the Common Fund.

Dr. Derby moved approval of the report. Dr. Eardley seconded.

Mrs. Price requested the record reflect it was never the intent for the Investment Committee to have autonomy. Dr. Eardley asked what the Board policy was. Dr. Anderes explained that when dealing with investment managers the Committee needed to be able to terminate immediately and move forward. Mrs. Price agreed but stated she felt that the matter should then be brought before the full Board for

approval as the Board ultimately approves every other committee report. Director Ortez stated that in the Regents' Handbook it is clearly outlined that the delegated responsibilities to the Investment Committee include the hiring, evaluation, and termination of investment managers. The Committee may also reimburse expenses or other items of that nature to investment officers of the System. Changes in Board policy must come before the full Board and Dr. Anderes addressed that issue in a memo to Regent Price and the rest of the Investment Committee.

Motion carried.

17.1 Approved Securities Custody RFP - The Committee reviewed the recommendation for a three-year contract for securities custody to State Street and recommended approval.

Dr. Derby moved approval to award a three-year contract to State Street Bank for security custody for UCCSN. Mr. Alden seconded. Motion carried.

17.2 Approved Investment Policy Revision - The Committee reviewed the proposed changes to the Handbook, Title 4, Chapter 10, Section 5, Investment Policies and recommended approval. Ref. G on file in the Board office.

Dr. Derby moved approval of the Handbook changes as presented. Mr. Alden seconded. Motion carried.

18. Approved Estate Tax Committee Report - Chair Dorothy Gallagher presented a report on the Estate Tax Committee meeting held on June 5, 1998. The Committee discussed priorities for the use of Estate Tax funds for the coming biennium. After considerable discussion it was agreed to continue the priorities of the last biennium: research, technology, and financial aid and an amount to be determined for the corpus of the endowment. The Committee will meet during the spring after the amount of the Estate Tax fund has been determined.

Mrs. Gallagher moved approval of



the recommendation. Mr.  
Rosenberg seconded.

Mrs. Price expressed her feelings that the Board should take the position that the money should continue to be put back into the endowment. She stated the Board has an obligation to keep the money for the long-term even if it entails going to the Legislature.

Motion carried. Mrs. Price voted  
no.

19. Approved GBC Feasibility Study & Proposal for Selected Four-Year Programs - Dr. James Samels of the Education Alliance reported on the feasibility of GBC offering selected four-year programs. President Ron Remington reviewed the cost for the biennium and asked for approval to develop selected four-year programs uniquely suited for GBC.

Dr. Nichols provided an overview of the process taking place since the Board voted to support a feasibility study for selected four-year programs at Great Basin College. The patterns of college going in the rural counties revealed the following:

- The college-going rate is low.
- Students do not generally perceive themselves as college-bound.
- If students do go to college they do not go to Nevada institutions. They tend to go to small, rural schools where they feel more comfortable.

Dr. Remington stated that due to the isolation of Elko, people in northeastern Nevada have no close access to an institution of higher learning. The desire was to find an unbiased evaluation of the appropriateness of moving to a four-year program. GBC intends to remain a community college but expand its services to include the offering of selected four-year degrees. Dr. Remington introduced Dr. James Samels.

Dr. Derby left the meeting.

Dr. Samels lauded the Regents for their aspirations to provide higher education to rural Nevadans and thanked the Chancellor and Dr. Jane Nichols for their assistance in helping him understand this project. Dr. Samels reported on the results of the survey, scope and methodology employed.

- The Alliance listened to staff, faculty, students, alumni, and civic leaders and employers of the local community.
- The project's aim is to determine the viability of offering selected four-year programs in areas of high employment and student demand.
- High school students wanting to achieve college credit while attending high school is a healthy sign.
- 80% of the students surveyed want to go on for a baccalaureate or masters degree at GBC.

Dr. Derby entered the meeting.

- The project is based on preserving the community college mission.
- Nine out of ten teachers in Elko are recruited out of the Elko area. There is a serious inability to produce qualified teachers for the Elko area.
- Polling results for course preferences:
- Business Administration
  - Accounting, Management, Finance, Mining Technologies Management
- Elementary Education
- Computer Technology
- Nursing
- Social Work/Human Services
- The Alliance suggested renaming some programs to accommodate a rapidly changing job market.

Dr. Derby asked about the range of the survey, with Dr. Samels responding that the survey encompassed Elko, Ely, and Winnemucca.

Mr. Alden asked if residents of Utah and Idaho were also surveyed, with Dr. Samels responding that interviews were conducted in both Utah and Idaho. Utah respondents saw the distance to Elko as too great. There may be some interest for students in Idaho, but the primary interest was from northeastern Nevada. There is interactive distance learning for some of the regional locations. Mr. Alden asked about the size of the first class, with Dr. Samels responding 30-50 for purposes of maintaining quality, with the primary need in Elementary Education.

Dr. Remington commented that the cost for this program has been included in the current budget request; an additional \$600,000 for the first year and \$900,000 for the second year of the biennium. Dr. Remington provided a synopsis of the planning that included faculty and staff positions, additional library and student services resources.

Mr. Alden asked if arrangements had been made with the school districts to incorporate training the students how to teach, with Dr. Remington responding that GBC had developed a good partnership with the superintendents of the five school districts GBC serves. The college is employing use of shared facilities and distance learning techniques. Dr. Remington stated that GBC would look for innovative approaches to provide access to remote locations. Mr. Alden indicated a strong show of support for the program.

Mrs. Price complimented the professional work of Dr. Nichols and Dr. Remington.

Mr. Rosenberg asked about fees, with Dr. Remington responding that the fees were yet to be determined and would be presented to the Board for approval. Early indications are that the registration fees would be midway between the community college and university fees with a per credit rate of \$58-59. Dr. Nichols stated that Dr. Anderes has yet to develop a funding formula for this model. Tuition is based on cost and it is anticipated there would be a cost differential from the undergraduate programs at the universities. Mr. Rosenberg stated he did not wish to deny access but did not want the decision made solely on the basis of it being easier and less expensive for students to remain in the Elko area.

Mr. Phillips asked what impact is anticipated to be for the universities and other community colleges, with Dr. Nichols responding that the transfer rate from GBC to the universities is very low. Those students who continue in higher education usually go to other universities. The rate between community colleges is negligible. Mrs. Gallagher stated that those students who are university-bound will still go and that this is not a competitive situation with the two existing universities. The people who benefit from this program are those who would not leave the area to obtain a higher degree.

Mr. Phillips expressed his concern for setting a precedent for the other community colleges to start similar programs. Dr. Nichols responded that the Regents do not see a benefit in creating four-year programs in a geographic area where it is possible for the student to attend those classes at the existing institutions. The only rationale for this program is the geographic isolation and lack of a four-year institution in close proximity.

Dr. Jarvis stated the Board has been clear in denying baccalaureate programs for the other community colleges. Dr. Jarvis offered his support of the program and congratulated Dr. Nichols, President Remington, and Dr. Samels for their work. Dr. Jarvis added that this institution upgrade is the only way the rural population will achieve higher education.

Mrs. Dondero stated that the Board's goal is to provide the opportunity for higher education to young people.

Mrs. Gallagher commented that if GBC was next door to UNR she would not approve of the program, but that this program is a means of providing access.

Mr. Rosenberg stated he wanted assurance that the other community colleges would not come forward with similar proposals. Dr. Derby stated that the Board made that clear in past discussions and has reinforced that position today.

Mrs. Gallagher moved approval of the feasibility study for the development of selected four-year programs by GBC. Mrs. Price seconded. Motion carried.

GBC Student Body President, Liza Micheli, expressed her thanks to the Board on behalf of the student body.

The meeting recessed to the Finance & Planning Committee at 9:55 a.m. and reconvened at 11:30 a.m. with all members present except Regents Gallagher, Graves, Phillips, and Wiesner.

20. Campus Presentation – President Randolph reported that they would be highlighting the WNCC Honors Program and introduced Ms. Winnie Cortemeier.

Ms. Cortemeier reported that WNCC employs two programs for students:

- The Honors Program requires an overall GPA of 3.5 and above.
- The Academic Enrichment Program requires an overall GPA of 3.49 or below.
- The program is patterned after a program at the College of the Canyons in Santa Clarita, California. It is a contract-based program where students enter into a contract with a faculty member to complete a project that is above and beyond the regular course requirements.
- The programs encompass all campuses, programs, disciplines, and instructors.

Ms. Cortemeier provided a slide presentation of a sampling of the projects' students and mentors.

The meeting recessed at 12:00 noon and reconvened at 3:20 p.m. following the completion of the Finance & Planning Committee meeting, with all members present except Regents Berkley, Graves, and Wiesner.

21. Approved Finance & Planning Committee Report - The Finance & Planning Committee, sitting as a Committee of the Whole, considered the following action items and recommended approval.

- 1998-99 Operating Budgets
- 1998-99 Self-Supporting Budgets
- 1998-99 System Administration Self-Supporting Budget
- Revisions to Biennial Operating Priorities
- Salary Study Consultant
- 1998-1999 State Budget Accountability Report
- Revision of Capital Improvement Project, DRI

Mrs. Dondero moved approval of the above items as presented.  
Mr. Alden seconded. Motion carried.

22. Approved Consent Agenda – Approved the Consent Agenda with the exception of item 11A, which was addressed separately. Item 7 was withdrawn by UNR.

(1) Approved Minutes - Approved the minutes of the meeting held April 30-May 1, 1998.

(2) Approved Emeritus - Approved emeritus status as recommended by the institution presidents:

CCSN - To be effective July 1, 1998:

Mr. Jim Smith, Fire Science and Developmental Math,  
Professor Emeritus.

GBC - To be effective July 1, 1998:

Mrs. Barbara Tenney, Winnemucca Center, Director Emerita.

UNLV – To be effective May 19, 1998:

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Dr. David W. Emerson, Chemistry, Professor Emeritus.

Dr. Bill Wagon seller, Education, Professor Emeritus.

Dr. Betty Yantis, Management, Professor Emerita.

- To be effective December 31, 1998:

Dr. Robert Davenport, History, Associate Professor Emeritus.

(3) Approved Promotion, UNR - Approved promotion as recommended by the president. Ref. C-3 on file in the Board office.

UNR - \* indicates recommending for both promotion and tenure.

Mr. Joseph DeLappe\*, Arts & Science

Dr. Dale Devitt, Agriculture

Dr. Thomas Wright, Business Administration

(4) Approved Tenure - Approved tenure as recommended by the president. Ref. C-4 on file in the Board office.

UNR - \* indicates recommending for both promotion and tenure.

Mr. Joseph DeLappe\*, Arts & Science

WNCC -

Dr. Connie Denham, Family Services Center

(5) Approved Hire With Tenure, UNLV – Approved the hire with tenure of the following faculty:

A. Dr. David Henry and Dr. Barbara Thomlison. Dr. Henry will serve as Director of the Hank Greenspun School of Communication with the rank of professor, to be effective July 1, 1998. Dr. Thomlison will join the School of Social Work, UNLV as a professor effective August 1, 1998.

B. Dr. Stuart Mann will serve as a full professor with tenure in the Department of Hotel Management, UNLV to be effective August 1, 1998. Dr. Mann has been hired as the dean of the William F. Harrah College of Hotel Administration.

(6) Approved Leave of Absence without Salary, UNR - Approved a second year unpaid leave of absence for Professor John Strefeler, Department of Accounting/CIS in the College of Business Administration. Professor Strefeler is working with Mt. Union College in Ohio in areas that will assist him and UNR in building a 150-hour accounting program.

(7) Withdrawn-Purchase of Property, UNR – Item was withdrawn.

(8) Approved Minimum Graduate Assistant Salaries - Approved the following deletion in the Handbook, Title 4, Chapter 3, Section 28, Graduate Assistant Salary Schedules.

(Deleted material is in [brackets], new material is underlined.)

[Section 28. Graduate Assistant Salary Schedules

Salary schedules for graduate assistants and graduate fellows shall be subject to approval of the Board of Regents. The following schedule is in effect as of the date of this revision and shall remain effective until changed by action of the Board of Regents:

Level 1 \$5,000 (nine-month salary)

Level 2 5,250

Level 3 5,500

Level 4 5,750

Level 5 6,000

Salary amounts shown are intended as maximums with implementation dependent upon the financial ability of each institution.]

Section [29] 28

Section [30] 29

Section [31] 30

An annual report shall be sent to the Board of Regents on Graduate Assistant Salary Schedules.

(9) Approved Budget Transfers - Approved budget transfers as contained in the quarterly report required by Board policy.



(10) Approved Resolution, Bond Sale – Approved the University of Nevada, Reno to sell \$2 million in Revenue Bonds to supplement funding supporting the construction of the Parking/Student Services structure.

RESOLUTION NO. 98-3

A resolution pertaining to the issuance of bonds for the purpose of financing the cost of the construction, other acquisition, rehabilitation and improvement of additional parking facilities at the University of Nevada, Reno; authorizing the Chancellor to arrange for the sale of bonds; and providing other matters pertaining thereto.

(11) Approved Interlocal Agreements – Approved the Interlocal Agreements except item 11A which was addressed separately.

B. Parties: Board of Regents/UNR and the Nevada Department of Transportation (Interlocal Contract).

Effective: 24 months after date of execution of the contract, or upon completion of all work, whichever is the later date.

\$\$: \$100,000 to UNR.

Purpose: UNR to furnish technical expertise necessary to perform services relating to highway structures.

C. Parties: Board of Regents/UNR and the Nevada Division for Aging Services (Interlocal Contract).

Effective: February 1, 1998 to June 30, 1998.

\$\$: \$4,000 to UNR.

Purpose: UNR to provide statewide training for family caregivers, para-professionals and other individuals involved with caregivers of elderly persons.

D. Parties: Board of Regents/UNR and the Nevada Junior Livestock Show Board (Interlocal Contract).

Effective: July 1, 1998 to June 30, 1999.

\$\$: \$31,943 to UNR.

Purpose: UNR to hire consultants, students and part-time employees to fulfill temporary needs in conducting the Junior Livestock Show.

E. Parties: Board of Regents/School of Medicine and the Nevada Department of Prisons (Interlocal Contract).

Effective: July 1, 1998 to June 30, 1999.

\$\$: \$44,184 to Medical School.

Purpose: Psychiatry Residency Program.

F. Parties: Board of Regents/School of Medicine and the Nevada Division of Health (Interlocal Contract).

Effective: April 1, 1998 to June 30, 1998.

\$\$: \$5,000 to Medical School.

Purpose: Seventh Annual Emergency Medical Services Conference.

G. Parties: Board of Regents/School of Medicine and Nevada Division of Mental Hygiene and Mental Retardation (Interlocal Contract).

Effective: July 1, 1997 until cancelled.

\$\$: \$3,641,033 to Medical School.

Purpose: Medical School to recruit and hire psychiatrists to provide direct patient care, treatment and training to mental health facilities operated by Division of Mental Hygiene and Mental Retardation.

H. Parties: Board of Regents/TMCC and Friends of Special Children (Interlocal Contract).

Effective: May 1, 1998 through October 30, 1998.

\$\$: \$5.00 an hour for six hours a week or \$60.00 per week for a 2 day a week, part-time childcare slot, to be paid to TMCC.

Purpose: TMCC to provide one part-time child care slot for the inclusion of a child/children with a disability at the E.L. Cord Foundation Childcare Center at TMCC.

I. Parties: Board of Regents/TMCC and the Nevada Welfare Division (Interlocal Contract).

Effective: Upon approval by Board, through June 30, 1998.

\$\$: \$4,733 to TMCC.

Purpose: TMCC to provide professional training services.

J. Parties: Board of Regents/TMCC and Sparks Fire Department (Interlocal Contract).

Effective: April 21, 1998 through June 30, 2000.

\$\$: \$1,478 per student to TMCC.

Purpose: TMCC to provide college credit through fire and rescue academy education to SFD recruits.

K. Parties: Board of Regents/TMCC and Truckee Meadows Fire Protection District (Interlocal Contract).

Effective: April 21, 1998 through June 30, 2000.

\$\$: \$1,478 per student to TMCC.

Purpose: TMCC to provide college credit through fire and rescue academy education to TMFPD recruits.

L. Parties: Board of Regents/TMCC, CCSN, GBC and the Nevada State Board of Nursing (Interlocal Contract).

Effective: July 1, 1998 through June 30, 2003.

\$\$: \$25,000 per year to colleges.

Purpose: TMCC to provide Nurse Aide Competency Evaluation Program Test Center.

M. Parties: Board of Regents/TMCC and the Nevada Welfare Division (Interlocal Contract).

Effective: Board approval date, through June 30, 1999.

\$\$: \$50,000 per year to TMCC.

Purpose: Smart Starts Program.

N. Parties: Board of Regents/TMCC and the Nevada Department of Motor Vehicles and Public Safety (Interlocal Contract).

Effective: Board approval date, through June 30, 1999.

\$\$: \$15,000 to TMCC.

Purpose: Motorcycle safety courses.

O. Parties: Board of Regents/WNCC and the Nevada Department of Motor Vehicles and Public Safety (Interlocal Contract).

Effective: Board approval date, through June 30, 1999.

\$\$: \$10,000 to WNCC.

Purpose: Motorcycle safety courses.

P. Parties: Board of Regents/WNCC and City of Carson City (Interlocal Contract).

Effective: July 1, 1998 through June 30, 1999.

\$\$: None.

Purpose: Emergency Medical Services Training Program to be performed by Carson City for WNCC.

Q. Parties: Board of Regents/GBC and the Nevada Department of Motor Vehicles and Public Safety (Interlocal Contract).

Effective: July 1, 1998 through June 30, 1999.

\$\$: \$4,000 to GBC.

Purpose: Motorcycle safety courses.

R. Parties: Board of Regents/UNLV and Clark County (Interlocal Contract).

Effective: Board approval date, through June 30, 1999.

\$\$: \$36,000 per year to UNLV.

Purpose: Counseling services to youth and their families referred from Clark County's Probation and Freedom Programs.

S. Parties: Board of Regents/UNLV and Nevada Welfare Division (Interlocal Contract).

Effective: Board approval date, through June 30, 1999.

\$\$: \$53,000 to UNLV.

Purpose: Outpatient counseling to participants of the Temporary Assistance to Needy Families Program.

T. Parties: Board of Regents/UNLV and the Nevada Division of Environmental Protection (Interlocal Contract).

Effective: June 30, 1998 to May 30, 1999.

\$\$: \$8,332 to UNLV.

Purpose: Rebel Recycling Program.

U. Parties: Board of Regents/CCSN and Nevada Employment Security Division (Interlocal Contract).

Effective: June 8, 1998 to August 21, 1998.

\$\$: \$33,444 to CCSN.

Purpose: Claimant Employment Program.

V. Parties: Board of Regents/CCSN and Nevada Division of Environmental Protection (Interlocal Contract).

Effective: July 1, 1998 to June 30, 1999.

\$\$: \$110,000 to CCSN.

Purpose: Providing tuition and text materials to students enrolled in Automobile Emission Training Program.

W. Parties: Board of Regents/CCSN and Nevada Department of Motor Vehicles and Public Safety (Interlocal Contract).

Effective: July 1, 1998 to June 30, 1999.

\$\$: \$32,000 to CCSN.

Purpose: Motorcycle safety courses.

X. Parties: Board of Regents/Medical School and Nevada Division of Health Care Financing and Policy (Interlocal Contract).

Effective: May 15, 1998 through May 14, 1999.

\$\$: Nevada Medicaid will reimburse Medical School in accordance with Medicaid benefits policy and limitations. No dollar amount specified.

Purpose: Mental health services in outpatient

psychiatric treatment program in accordance with Medicaid policies and regulations.

Dr. Eardley moved approval of the Consent Agenda with the exception of items 7 and 11A. Mrs. Gallagher seconded. Motion carried. Mr. Rosenberg abstained.

(11A) Approved Interlocal Agreements – Approved Interlocal Agreement item 11A.

A. Parties: Board of Regents/UNR Cooperative Extension and Nevada Department of Wildlife, Nevada Department of Transportation, Nevada Division of Agriculture, Nevada Division of Forestry, Humboldt County, Quinn River Conservation District, Paradise-Sonoma Conservation District, Paradise Valley Weed Control District, Fort McDermitt Paiute-Shoshone Tribe, Summit Lake Paiute Tribe, University of Nevada Extension Service, U.S. Fish and Wildlife Service, Natural Resources Conservation Service, U.S. Forest Service, Bureau of Indian Affairs and the Bureau of Land Management, Sheldon National Wildlife Refuge (Interlocal Contract).

Effective: July 1, 1998 through June 30, 1999.

\$\$: Various agencies will provide funding when available.

Purpose: Coordinated noxious weed management program on public and private lands in Humboldt County.

Mr. Alden moved approval of Interlocal Agreement item 11A. Mrs. Gallagher seconded. Motion carried. Mrs. Dondero and Mr. Rosenberg abstained.

23. Approved Collective Bargaining Agreement, TMCC - Approved the extension of the collective

bargaining agreement between UCCSN and TMCC, and TMCC and the Nevada Faculty Alliance for the period July 1, 1998 to June 30, 2000.

Mrs. Gallagher moved approval of the extension of the agreement.  
Mr. Alden seconded.

Mr. Alden asked if a representative of the Nevada Faculty Alliance was present to indicate agreement, with the Chancellor responding that the local and state chapters had both signed off on the agreement.

Motion carried.

24. Approved Reorganization of Administrative Structure, CCSN – Approved President Moore's proposed reorganization to the administrative structure at CCSN, to be phased in over the next two to three years. The effect of the changes is to establish dean level positions supervising department chairs and program coordinators/directors. Ref. 1 on file in the Board office.

Mr. Alden moved approval of the reorganization. Mr. Phillips seconded.

Mr. Alden asked if the faculty had collaborated on the issue, with Dr. Moore responding that the parties most involved (the department chairs) had concurred with the plan and that the faculty senate was sympathetic with the plan.

Motion carried.

25. Approved CCSN and Nevada School of Arts – Approved CCSN considering a proposal from the Nevada School of Arts (NSA) that would allow their use of 5 acres of property at the Charleston Campus. They would build a facility approximately 60,000-sq. ft. dedicated to the Arts, which include Music and Fine Arts. CCSN would use the building in the mornings and evenings allowing its arts and music programs to expand in the Arts facility. The NSA has initiated a grant proposal to the Donald W. Reynolds Foundation. Request is made for approval to work out agreements, specific location on the Charleston Campus, funding of operations and maintenance and the terms of the use agreement. Any agreement will be brought back to the Board for consideration.



Mr. Alden moved approval for CCSN to proceed with agreement discussions with Nevada School of Arts (NSA) with the understanding that a final agreement will be brought back to the Board. Mrs. Dondero seconded. Motion carried.

26. Information Only-Tahoe Initiative Information, DRI - President James V. Taranik discussed an opportunity for DRI to acquire property at Lake Tahoe for developing research programs.

Dr. Taranik reported that the U.S. Forest Service will manage the overall site of 125 acres with the TRPA, state and federal land managers jointly utilizing the facilities, and a small facility utilized by UCCSN and U.C. Davis researchers. The site is located near Elk Point, just south of Cave Rock. It was formerly called the Bourne Property or the "Round Hill Pines Resort." The site includes a historic lodge on a mostly level site with electric power, water, and easy sewer access, and large areas for parking, vehicle storage, and experiment staging. The focus of the research would be land management scientific research issues addressed by DRI, UNR, and U.C. Davis.

Mr. Rosenberg asked about combining this project with the Whittel property. Dr. Taranik responded that this site provides more space and that UNR has plans for research labs at the Whittel property. There is quite a distance between the Whittel property, the UCD Fishery and the South Lake Tahoe site.

Dr. Derby commended Dr. Taranik for developing a promising, creative, and cooperative proposal at the end of his tenure.

Mrs. Gallagher requested a report on the projected research projects. Dr. Taranik responded that DRI would be happy to return with a formal presentation for the Board.

27. Approved Forgiving University of Nevada Press Loan – Approved forgiving the balance of the amount owed on the University of Nevada Press loan. In April 1996, the Board issued an interest-free loan of \$80,000 to the University of Nevada Press to help alleviate some cash-flow problems that had arisen. The Press has repaid \$50,000 on schedule and has implemented a comprehensive array of fiscal management procedures to ensure future solvency. After a review of the financial standing of the University of Nevada Press by Vice Chancellor Anderes, the Chancellor recommended that the balance of the loan due be forgiven.

Mrs. Price moved to forgive balance of loan. Mr. Alden seconded. Motion carried.

28. Information Only-Bill Drafts for 1999 Nevada State Legislature - The Chancellor requested direction from the Board for preparation of Bill Draft Requests to be considered by the Board at their meeting in August 1998. Topics under consideration include: a request for a funding study for higher education in Nevada to update and revise the funding formulas currently in effect; and provision for carry-forward of unexpended State funds from the first to the second year of a biennial budget.

Mr. Rosenberg suggested a draft for excluding the Distinguished Nevadan discussions from the Open Meeting law, with Mr. Ray stating that the Legislature takes a dim view of exceptions to that law.

Dr. Harter suggested a draft for the prohibition of hazing, with Mr. Phillips stating that the Board could set a policy but the criminal statute covers most of those issues. Dr. Eardley suggested that the policy be set at Board level. Mr. Ray stated that a policy would make hazing a disciplinary matter. To make it a criminal offense would entail going to the Legislature to make it a criminal offense. Deputy to the Chancellor for External Relations, Ms. Suzanne Ernst, stated that Regent Berkley had indicated that she would be working with legislators during the session for such a bill.

29. Approved Easement Deeds, Jay Dow, Sr. Wetlands, UNR – Approved President Crowley's request for approval to sign the "Easement Deeds" in relation to the Jay Dow, Sr. Wetlands. Legal Counsel will review all documents prior to signing.

Dr. David Westfall reported that in 1993, the University of Nevada, Reno accepted a gift of some 1,350 acres of property near the Herlong Dry Lake in Lassen County, California. The property is known as the Jay Dow, Sr. Wetlands and is dedicated to the study of the migratory waterfowl. The U.S. Department of Wildlife and the California Fish and Game Department has joined UNR in this study.

In order to resolve the threat of litigation regarding legal access across Wetlands property by adjoining landowners, and to provide the university uncontested access into Wetlands property, a California attorney was retained to negotiate an exchange of "non-exclusive easements" between the four contesting property owners and the university. All concerned parties have finally reached an agreement and the "Easement Deeds" are ready for execution.

Mr. Rosenberg moved approval of President Crowley signing the "Easement Deeds" following review and approval of Legal Counsel. Mrs. Gallagher seconded. Motion carried.

30. New Business – Chair Derby thanked Board Secretary Mary Lou Moser for hosting a dinner for retiring DRI President Jim Taranik the previous evening.

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Mr. Alden requested to correct the record by stating that UNLV took appropriate action and responded to the student's mother's letter as referred to by Mr. Williams in the discussion on item 12 above.

The meeting adjourned at 4:00 p.m.

Mary Lou Moser