



*Nevada Governor's Office of the Western Regional Education Compact*

*for the*

*Nevada Western Interstate Commission for Higher Education (WICHE)*

Commission Meeting Minutes

February 1, 2018

10:30 a.m.–12:00 p.m.

In Attendance:

**Fred Lokken:** Executive Commissioner, State of Nevada WICHE attended via video link

**Chester Burton:** Commissioner, State of Nevada WICHE

**Colleen Lennox:** Accountant Technician 1, State of Nevada WICHE

**Gregg Ott:** Deputy Attorney General (DAG), Office of the Attorney General, State of Nevada

**Jeannine Warner:** Director, State of Nevada WICHE

**Guests:** No guests or members of the public present.

1. Call to order. 10:40 a.m.
2. There was no public comment, there were no members of the public present.
3. Commissioner Burton is the Chief Financial Officer of the Nevada System of Higher Education. In his last position, he served as President of Western Nevada College. He brings a new point of view to the WICHE Commission and hopes to be a resource to the Commission. Commissioner Burton looks forward to his attendance at the annual meeting in November, looks forward to his service as a resource and working with other Commissioners. He mentions Regional may add more colleges to the compact such as University College of the Cayman Islands. Three states may also enter the compact. He would like to collaborate with the Chancellor of Regents and other staff to prepare a proposal for Regional to address Nevada's needs.  
Commissioner Lokken reported on the recent Regional WICHE Commission meeting. He relayed his perception of a new direction for Regional WICHE with new leadership. This theme continued in the November meeting in the form of new initiatives. He requested addition, of discussion regarding national events, to a future agenda. One new initiative discussed in the Denver meeting was cybersecurity. This is a completely different direction from usual and may be a prospect to broaden WICHE's service. He noticed he is not on the Executive Committee roll and brought that to the attention of Elizabeth Golder for correction. He sees Nevada WICHE's possible participation in this with the other Western states. He mentioned the Regional discussion of Nevada as a possible site for the next annual meeting. This would need coordination between the Nevada System of Higher Education (NSHE) and Regional WICHE. He wonders if the location considered is in Northern or Southern Nevada.

4. Commissioner Burton motioned to approve the July 17, 2017 meeting minutes. Commissioner Lokken seconded the motion and called for discussion. There was no discussion. He called for the vote. All voted aye; the motion carried unanimously.
  
5. Commissioner Lokken referenced attachments to the agenda regarding Regional committee assignments. He stated they were decisions made at the Regional level and requested clarification from Director Warner on whether these items are required to be codified at this level. Commissioner Burton commented that the attachments were decision made at the Regional level, did not require codification in this meeting and was not an action item. Director Warner replied that Nevada's Commissioners volunteered for assignments. Ratification of assignments happened at the annual meeting.

Commissioner Burton motioned to accept the Regional WICHE Commission committee assignments. Commissioner Lokken seconded the motion.

Commissioner Lokken proposed to forward this agenda item to a future agenda to accommodate the new Nevada Commissioner and Regional would be notified of changes to Nevada's committee assignments. Director Warner replied this could be done.

Acceptance of the Regional committee assignments with notification to Regional WICHE of future was motioned by Commissioner Lokken, who then called for the vote. All were aye; the motion carried unanimously.

6. Current Legislative Advisory Committee (LAC) representatives from Nevada are Senator Joseph P. Hardy and Assemblywoman Amber Joiner. Senator Hardy did not attend the fall LAC meeting. Commissioner Burton stated staff from NSHE Government Affairs confirmed his interest in continued service on the LAC. Commissioner Burton asked what happens when the Senator's term ends. He also noted Assemblywoman Joiner would not seek re-election. She would serve through January 2019 in conjunction with her Assembly seat. Commissioner Lokken anticipates completion of Senator Hardy's term as Nevada WICHE's LAC representative next fall.

Since she will not participate in the next legislative session, Nevada WICHE can approach Assemblywoman Joiner separately about appointment as its representative on the LAC. Commissioner Lokken offered to speak with the Assemblywoman to gauge her interest in continuance with LAC, attendance at the fall meeting or whether it might be appropriate for her to step down. Commissioner Burton commented she would have to resign her LAC position since her legislative term is still current.

Chet motioned "to approach either Senator Ben Kieckhefer or Assemblyman Tyrone Thompson to serve as alternate." Commissioner Lokken seconded the motion and asked Director Warner if this had been done in the past. She answered yes. Commissioner Lokken stated coordination with NSHE is critical.

Commissioner Lokken called for the vote. All were in favor; the motion carried unanimously.

(Audio went out at this time. The Commissioners had a conversation but the discussion was not recorded.)

Due to the audio going out, staff requested restatement of the motion. Commissioner Lokken asked Commissioner Burton to identify the two legislators to approach.

**Commissioner Burton stated, “The motion was to, approval to approach Senator Kieckhefer and Assemblyman Thompson to see if either and/or both would be interested as serving as an alternate on the Legislative Advisory Committee from Nevada for the Regional WICHE appointment.” Commissioner Lokken confirmed that they took a vote and both Commissioners said “yes”.**

Commissioner Lokken stated that he is aware of WICHE’s limited travel funds but wants Nevada’s attendance at the LAC meetings to improve. Nevada will host the Regional meeting in May 2022. The schedule is as follows: May 2018, Missoula, Montana; May 2019, North Dakota; May 2020; Arizona and May 2021 in South Dakota.

7. Commissioner Burton motioned to appoint Allison Combs, Assistant Vice Chancellor and Director of Public Policy for NSHE, to replace Crystal Alba’s membership on the WICHE State Authorization (W-SARA) Steering Committee. Commissioner Lokken seconded the motion and called for the vote. All voted aye; motion carried unanimously.
8. Director Warner confirmed a revised packet including FY17 and FY18 Budget Status Reports for both budget accounts was sent. She provided the information for the commissioner’s review and asked if there were any questions.

Commissioner Burton stated WICHE ran considerably under budget in FY16 and it appears to be running considerably under budget year to date for FY17. He then asked if WICHE would be reverting again and if so, was there a plan to support WICHE goals in Nevada and not revert it back to the state? Director Warner noted the biennial budget for fiscal EOY17 was built while WICHE was located with NSHE. The state provided the estimated costs for the transfer. These were based on high estimates, considering that the state did not know the amount of rent, for example, and other administrative costs. In FY17 there was a large reversion related its transfer to the Governor’s office. In FY 2018, we anticipate costs for some needed marketing and are reviewing a possible new loan management system. We will look at 2995 budget figures to see if the loan management system can be incorporated. The current contract with loan processor, ECSI, expires June 30, 2018. Research is needed to help WICHE decide to continue that contract or look into another loan management system. Commissioner Burton asked if this system would fall under the Administration or Program budget. Director Warner confirmed this would come out of the BA2995 Administration budget, not the BA2681 Programs budget. Commissioner Burton hopes to see a spending plan for the next biennium budget to support WICHE goals for the state. Director Warner noted that in the last biennium there was staff turnover which affects expenditures. She said we will come up with a plan for those expenditures.

As an organization, Nevada WICHE has been profoundly impacted by the move from NSHE to the Governor’s Office, states Commissioner Lokken. For a variety of reasons we are under a new organizational structure. A decision was made based upon staff turnover coupled with operations that require a profound depth of training on financial systems and account management atypical from other state agencies. The priority this year has been cross training for staff. This means the Executive Director is required to spend a great deal of time on cross training in addition to training the second new fiscal staff member in two years. He believes this has created a tremendous problem with programs, which has prevented us from spending the money properly as directed by the Legislature. For the next meeting, when the Commission is three commissioners strong, Commissioner Lokken wants to block out time for a very strong discussion regarding this. He wants to talk about WICHE’s options moving forward concerning staffing, software, and the role of this Commission in programs and daily operations of Nevada WICHE. He then asked what progress had been made in training. Director Warner notes she has not yet begun the fiscal training, as much of her time has been dedicated to training Colleen, the new Accountant

Technician 1. It has takes 2-3 years to train the AT1 position. Colleen has been with WICHE staff for 9 months and has been doing an excellent job. She states she needs to find a way to balance approximately 6 months of fiscal training with programs and executive duties including building the biennial budget and preparation for presentation to the Legislature.

Regarding the budget, Director Warner stated many slots remain unfilled. This may be due to the fact that there has not been a trained fiscal staff person in the AT1 position for approximately a year and a half. She is reviewing the 2681 budget revenue projections through the end of the year to determine whether WICHE will be able to fill all of its slots. She still needs to add-in fiscal training per the direction of her supervisor, Director Mitchell.

Commissioner Lokken mentioned that the Commission is waiting for Commission appointments to be completed for a full Commission.

The WICHE Commission reached out to other agencies that may be able to give aid but found that WICHE operations were so unique that there was none that could give help.

9. **CLOSED SESSION. The Commission may opt to enter a closed session to discuss this item. In compliance with NRS 241.030(1)(a), a closed session will be held for purposes of discussion of a person's physical or mental health.**

Director Warner stated for the record that Ms. Burchett has been properly noticed per Nevada Open Meeting Law requirements that her issue will be discussed in this meeting. Ms. Burchett has petitioned to forgive support fees consisting of WICHE student loan and stipend grant, for two years of support in the field of Nursing per NAC 397.060. I would also like to note that the participant has worked 1.25 years of her two year service requirement in return for her grant. Documentation to support her request is a letter explaining the circumstances of her request. She has also provided a document from the Social Security Administration confirming she has a medical hardship and that she became disabled last year. Staff requested confirmation of her disability from her physician, but the physician was unavailable until today. Does the Commission accept the available documentation as verification of her hardship or would it like to table the discussion until the physician's documentation is obtained? Commissioner Burton and Commissioner Lokken both state they have no problem moving forward today.

Director Warner states the participant's information is not provided in the public information packet to protect her private health information. Staff requests for the Commission to move into a closed session per NRS 241.030 to protect the participant's personal medical information.

Commissioner Burton motioned to move into a closed session for the purpose of discussion on loan forgiveness for Ms. Burchett. Commissioner Lokken seconded the motion and called for the vote. All were in favor, the motion carried unanimously. It was confirmed no public was present. The Commission entered into a closed session at 42 minutes into the recording.

The Commission returned to open session by unanimous vote at 46 minutes and 32 seconds into the recording. Commissioner Lokken announced that the meeting had returned to open session.

Commissioner Burton motioned that per the discussion held in closed session, the WICHE Commission forgive the remaining principal, penalties and interest for the HCAP Nursing participant Burchett and she shall have no further liability going forward. Commissioner Lokken seconded the motion and called for the vote. All were in favor, the motion carried unanimously.

10. Director Warner stated that DAG Ott has reviewed and approved the documents. Mr. Ott confirmed that the forms are in compliance with the forms on the state website. He worked with the Executive Director for agreement on a Scope of Work that suited the needs for the documentation. This is pending DPBH approval but, the form it is in now is acceptable to me.

Director Warner stated DPBH was notified on January 23, 2018 of today's Commission meeting and was provided a deadline of yesterday. Unfortunately, they were not able return the agreement in time for this meeting. She asked the Commission if they would accept the agreement as it is. If the Division comes back with changes, it will be reviewed at the next Commission meeting and move it forward to the next Board of Examiners meeting. This is to document and approve the terms of the transfer as it pertains to FY18.

Commissioner asked the reason for the transfer to another state agency and not directly appropriated to WICHE for the transfer? Director Warner responded this collaboration was established in the last biennium between the Regional WICHE office and the Nevada WICHE office. Originally the funding was appropriated to this agency, then forwarded to the Regional office, because the Regional office is the employer of the interns. It is her understanding that in the current biennium, if the funds are sent to the Division, the interns can then bill for Medicare and Medicaid. Our funding covered three interns, then the Division received some additional funding to support interns. This became a three way collaboration with the intent that the Division would take over the entire internship following this biennium. Director Warner added that Regional WICHE provides the accreditation and financing for the internships and the Division provides the facilities for the interns and Nevada WICHE provides the financing for the interns. Commissioner Lokken clarifies that Nevada WICHE is requiring the Intralocal Agreement to show good stewardship of the money, to document the transfer and its purpose. It defines how the money is to be used and describes the relationship between Nevada WICHE and DPBH.

Commissioner Burton motioned to approve the Draft Intralocal Agreement, Agenda Item No. 10 as stated above regarding the draft Intralocal Agreement with NV DPBH, including the funds transfer of \$225,000 support and sustain Psychology internships as approved in the 17-19 biennial budget, with the caveat that if there are changes made to the draft by the Division that it be returned to the Commission for further review.

Commissioner Lokken seconded this motion and called for the vote. All were in favor, the motion carried unanimously.

11. Director Warner requested that this item be tabled. Representative from the Division, Dr. Sean Dodd, was invited to give background and report on the success of this collaboration. Unfortunately he has moved. He has offered to come to the next Commission meeting and provide contact information for his replacement She is hoping that they will be both be able to speak at the next meeting.

Commissioner Lokken made a motion to table this agenda item indefinitely until their schedules can be confirmed. He reiterated that the agreement with NV DPBH will be reviewed for further discussion. Commissioner Burton seconded the motion. Commissioner Lokken called for the vote. All were in favor. The motion carried unanimously.

12. Commissioner Burton stated he would like a future agenda item to address the 2019-2022 program budget, he would like to have more discussion about the pros and cons of moving the program budget, which supports the loans and stipends, to a revolving budget account, which would not require going back each year for a new appropriation. He wants to discuss the pros and cons as related to the budget to possibly pursue in the upcoming legislative session.

Director Warner stated the agency has not yet received formal notification of appointment of the new Commissioner. Once formalized, the Regional office as is customary.

Commissioner Lokken suggested the following agenda topics for discussion at the next Commission meeting: Information on the next biennial budget, introduction and background for the incoming Commissioner on the current organizational structure, the history/movement of WICHE to the Governor's office, address additional staffing requests, ideas to prevent reversion and promote success of the agency.

He also would like to have further discussion regarding additional staffing requests, the issues on reversion of funds, and the authority and role of the Commission. He wants to know more about the relationship the Commission has with Brian, the OSIT Director, what authority the Commission has and does not have, and why. This has been chartered as an independent commission since its inception, and as the Executive Commissioner I have no say over my operating budget, however, the previous commission did that as a motion. I want the junior commissioners to be aware of the relationship we have with that office. There will be a change in Governorship in 2019 and Commissioner Lokken is up for reappointment, having served the remaining three years of the commissioner he replaced.

Director Warner stated regarding future agenda items will be added as needed. Staff will provide a status report on the 2681 program budget regarding slots and funding.

Commissioner Lokken wants status reports of progress with Social Work slots and the Arizona model of finding mental health counseling for the rurals. Director Warner responds that staff will provide a status update on funding for nurses and social workers after revenues are reviewed.

13. No public comment was received.

There were no members of the public present.

14. Having no further business and receiving no public comment, Commissioner Lokken adjourned the meeting at 11:52 a.m.