

**Nevada Office of the Western Interstate Commission for Higher Education
(Nevada WICHE Commission)**

Room 114

Nevada System of Higher Education

2601 Enterprise Rd

Wednesday, April 6, 2022, 10:00 am

AGENDA

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| 1 | | <p>Call to order and roll call. The meeting was called to order at</p> <p>In Attendance: Fred Lokken, Executive Commissioner Cathy Dinauer, Commissioner Crystal Abba, Officer in Charge Renee Davis, Acting Vice Chancellor of Academic and Student Affairs and Community Colleges Yvonne Nevarez-Goodson, Deputy General Counsel, NSHE Jose Quiroga, Acting Director of Nevada Office of WICHE, Research Analyst, Academic and Student Affairs, NSHE Patricia A. Avila-Porter, Candidate for Director of the Nevada Office of WICHE</p> |
| 2. | Information Only | Public Comment. None present or in writing. |
| 3. | For Possible Action | <p>Approval of Minutes. Executive Commissioner Lokken requested that each set of minutes for March 2, 2021, August 18, 2021, and January 4, 2022, should be handled individually.</p> <p>Jose Quiroga had edits regarding the April 6, 2022, agenda regarding minutes. The April 6, 2022, Agenda states minutes date as March 2, 2021, and August 18, 2021, when it should be March 22, 2021, and October 28, 2021, respectively. Also, the January 4, 2022, meeting should list as attendee Renee Davis, Associate Vice Chancellor of Academic Affairs and Student Services.</p> <p>Commissioner Dinauer made a motion for approval of the March 22, 2021, meeting minutes with edits. Motion approved by Executive Commissioner Lokken and Commissioner Dinauer.</p> <p>Commissioner Dinauer made a motion for approval for the October 28, 2021, meeting minutes with edits. Motion approved by Executive Commissioner Lokken and Commissioner Dinauer.</p> <p>Commissioner Dinauer made a motion for approval for the January 4, 2022, meeting minutes with edits. Motion approved by Executive Commissioner Lokken and Commissioner Dinauer.</p> |
| 4. | For Possible Action | Director Vacancy - Appointment of Director of the Nevada Office of WICHE. Upon the recommendation of the NSHE Academic and Student |

Affairs staff, the Nevada WICHE Commission may appoint Patricia A. Avila-Porter as Director of the Nevada Office of WICHE pursuant to NRS 397.030, as amended by Senate Bill 446 of the 2021 Legislative Session, effective on May 2, 2022. NSHE Academic and Student Affairs staff will provide a summary of the search process for the Director position.

Acting Director Jose Quiroga provided a summary of search process for the Director of the Nevada Office of WICHE: Position posted. Committee formed with NSHE staff and Executive Commissioner Lokken. There were 9 applications, 6 meet minimum criteria, 4 moved to remote interview and 2 for in person meeting. Through process Patricia Porter was selected to move forward to the Commission for possible appointment.

Crystal Abba commented that since the last Commission meeting with the signing of the Memorandum of Understanding which essentially established the merging of the office into the Academic and Student affairs unit Crystal also interviewed the candidate. Ms. Abba stated that the Commission is fortunate to have this candidate. As discussed in the last Commission meeting Ms. Porter will inherit some challenges immediately facing the Nevada Office of WICHE but is no doubt that the Office is in good hands. Ms. Abba stated, not as Officer in Charge, but as the Vice-Chancellor of Academic and Student Affairs that they strongly recommended the candidate for this appointment.

Executive Commissioner Lokken requested a motion. Commissioner Dinauer made a motion to appoint Patricia Avila-Porter as the Director of the Nevada Office of WICHE. Executive Lokken second the motion.

Candidate Patricia Avila-Porter thanked the Commission and attendees for the opportunity and look forward to working with the Commissioners and NSHE staff.

Executive Commissioner Lokken said they were excited as well and expressed gratitude to NSHE in moving the hiring process along and working with NSHE again. Executive Commissioner Lokken was confident in appointment of candidate Porter abilities and in stabilizing the office. Commissioner Dinauer expressed welcome to Director Porter to Nevada Office of WICHE.

Crystal Abba added that at last Commission meeting they discussed and approved a stipend for Jose Quiroga as Acting Director. The stipend was paid out of the vacancy savings and will stop at the end of this month with the new Director salary taking over.

Jose Quiroga requested a friendly amendment that appointment for Patricia Avila-Porter is effective May 2, 2022. Commission Dinauer made a friendly amendment that the appointment will be effective May 2, 2022, and Executive Commissioner Lokken seconded it.

Executive Commissioner Lokken thanked Jose Quiroga for the hard work put in as Acting Director of WICHE.

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| | | <p>Executive Commissioner Lokken called for a vote and motion passed appointing Patricia Avila-Porter as the new Director of the Nevada Office of WICHE.</p> |
| <p>5.</p> | <p>For Possible Action</p> | <p>Commission Delegation to Director. The Commission may delegate to the Director any of the following duties under NRS Chapter 397, as amended by Assembly Bill 247 of the 2021 Legislative Session, effective on July 1, 2021, , including:</p> <ul style="list-style-type: none"> 1) Pursuant to NRS 397.030, authority to transmit proposed language to the Legislative Counsel Bureau pursuant to NRS Chapter 233B for the development of proposed, permanent administrative regulations for future consideration and adoption by the Commission; 2) Pursuant to NRS 397.062 and 397.063, as amended by Sections 15 and 16 of Assembly Bill 247, respectively, of the 2021 Legislative Session, authority to administer and account for the Nevada Office of the Western Interstate Commission for Higher Education’s Account; 3) Pursuant to NRS 397.064, as amended by Section 17 of Assembly Bill 247 of the 2021 Legislative Session and NRS 397.0645, as amended by Section 18 of Assembly Bill 247 of the 2021 Legislative Session, authority to convert a stipend into a loan for failure to satisfy the criteria for a stipend and enter into loan agreements with participants that include the repayment terms, bear the interest rates, and assess default and delinquency charges and attorneys’ fees based upon criteria established in the Commission regulations; 4) Pursuant to NRS 397.068, as amended by Section 19 of Assembly Bill 247 of the 2021 Legislative Session, authority to determine participant infractions for failure to comply with requirements set forth in the Commission’s regulations and impose authorized fines and/or expel participants from the program based upon criteria established in the Commission’s regulations; 5) Pursuant to NRS 397.0685, as amended by Section 20 of Assembly Bill 247 of the 2021 Legislative Session, authority to reduce the period of required professional practice for a stipend based upon the criteria established in the Commission’s regulations; 6) Pursuant to NRS Chapter 397, authority to interpret and enforce any existing participant agreements or contracts. <p>Crystal Abba commented a point of clarification as the Commission delegated this authority in last meeting to Jose Quiroga as Acting Director this request is for the new Director of Nevada Office of WICHE to Ms. Porter.</p> <p>Yvonne Nevarez-Goodson, Deputy General Counsel stated that the statutory authority in NRS 397 authorizes the Commission to delegate specific duties to the Director of the Nevada Office of WICHE. Administratively and historically, this has been the best course to take of these duties without going to open meeting. The discretion goes to the Commission regarding these duties.</p> |

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| | | <p>Commissioner Dinauer made a motion to delegate authority the duties listed under NRS 397 as listed to Director Porter. Motion was seconded and approved by Executive Commissioner Lokken and Commissioner Dinauer.</p> |
| <p>6.</p> | <p>Information Only</p> | <p>Nevada Office of WICHE Status Report. NSHE Academic and Student Affairs staff will provide a report on agency status and operations and program needs, including, without limitation, regulations and procedures, participant account review, program outreach, and staffing.</p> <p>Jose Quiroga gave an update regarding outstanding categories for the Commission. Payment of \$112,500 was made to the Nevada Psychology Internship Consortium as per Memorandum of Understanding which ends in 2023. Executive Lokken asked for an update on program and to invite the program director to a future Commission meeting. PSEP (Professional Student Exchange Program) that funds stipend for Occupational Therapy, Physical Therapy, Physician Assistant, Pharmacy students will spend just under \$900,000. All returning PSEP students have been funding and working with regional WICHE to identify new PSEP students. The next focus is to fund HPEP (Health Profession Education Program) with anticipation of posting application soon.</p> <p>Executive Commissioner Lokken asked if the Office has a spreadsheet to track PSEP students coming of an off that cycle? Mr. Quiroga said he is tracking student funding cycles but unaware if there is tracking of students completing their educational program on a one-by-one basis, but it can be looked at in the future for the Commission as well as who was funded by program.</p> <p>Executive Commissioner Lokken stated we partially pulled out of PSEP, example Veterinary Medicine and not funding any new initiatives but would like to revisit this as determined by the state's critical needs list. The Veterinary Medicine seemed to fall off but hearing from Rural area of need. Would like due diligence here.</p> <p>Executive Commissioner Lokken where are we in the budgetary process? Thinks that deadline is August 1, 2022. Executive Commissioner Lokken is planning to have some discussion with legislators regarding future funding outlook. Would like to look at requesting additional funding even if grant in nature.</p> <p>Executive Commissioner Lokken asked where are we regarding any loan payoffs? These payoffs in the past have helped fund some HPEP spots. If the payoff happens during a certain window, we can use it to boost allocations. Jose Quiroga did state there was a loan payoff two months back but that has already been accounted for. Mr. Quiroga will follow up regarding notes left by former Director.</p> <p>Crystal Abba asked if received direction from GFO regarding the budget? Ms. Abba stated that they think it is September 1, 2022, and that Executive Commissioner comment is salient. Executive Commissioner Lokken stated in past the budget has been a roll forward since 1995. Ms. Abba recommended that the Commission give direction during a meeting so you have it on record and that can be cited during the legislative session.</p> |

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| | | Jose Quiroga responded to early question by Executive Commissioner Lokken that HPEP program was previously included in breakdown of the budget. |
| 7. | Information Only | <p>New Business. Items for consideration at future meetings may be suggested. Any discussion of an item under “New Business” is limited to description and clarification of the subject matter of the item, which may include the reasons for the request, and no substantive discussion may occur at this meeting on new business items in accordance with the Nevada Open Meeting Law (NRS 241.010 et seq.)</p> <p>Executive Commissioner Lokken stated that revision of the Nevada Administrative Code is ongoing, and Jose Quiroga confirmed.</p> <p>Executive Commissioner Lokken said the Commission can make a recommendation regarding an open spot on the Commission.</p> |
| 8. | Information Only | <p>Public Comment. Comment will be limited to two minutes per person. Persons making comment are asked to begin by stating their name for the record and to spell their last name.</p> <p>In accordance with the Attorney General Opinion No. 00-047, as restated in the Attorney General’s Open Meeting Law Manual, the Executive Commissioner may prohibit comment if the comment is a topic that is not relevant to, or within the authority of, the Commission, or if the content is willfully disruptive of the meeting by being irrelevant, repetitious, slanderous, offensive, inflammatory, irrational or amounting to personal attacks or interfering with the rights of other speakers.</p> <p>No public comment present or in writing.</p> |
| 9. | | Adjournment |