New Mexico Highlands University
Board of Regents Meeting
President’s Conference Room
NMHU Main Campus
Las Vegas, NM 87701
September 10, 2012 at 10:30 a.m.

1. Call to Order – Chairman Leveo V. Sanchez

2. Roll Call

3. Approval of Agenda for September 10, 2012

4. Tax Exempt Bond Tax Compliance Policy – Action Item

5. Bias-Based Police Profiling Policy – Action Item

6. Consider Consent Election Agreement for Police Officers – Action Item

7. President’s Report

8. Executive Session – (1) limited personnel matters related to the hiring, promotion, demotion, dismissal, assignment, resignation, or investigation or consideration of complaints or charges against an employee; (2) bargaining strategy preliminary to collective bargaining; and (3) threatened or pending litigation subject to the attorney-client privilege in which the University may become a participant. Pursuant to provisions of NMSA 1978, §10-15-1(H)(2)(5)&(7)

9. Adjournment
The New Mexico Highlands University Board of Regents held a special meeting on September 10, 2012 in the President's Conference Room in the Rogers Administration Building on the New Mexico Highlands University main campus in Las Vegas, New Mexico. Chairman Sanchez called the meeting to order at 10:40 a.m.

Attendance
Board Members Present: Mr. Leveo V. Sanchez, Mr. Jesus L. López, and Mr. Frank Marchi. Ms. Nancy R. Long participated in the meeting via conference call.

Board Members Absent: Ms. Caitlin Syner.

Administrative Personnel Present: Dr. James Fries, President; Dr. Gilbert Rivera, Vice President for Academic Affairs; Ms. Rachel King, NMHU Legal Counsel; and Ms. Mariposa Padilla-Sivage, NMHU Legal Counsel.

Others Present: Mr. Max Baca, IT Director; Ms. Donna Castro, Human Resources Director; Mr. Martin Salazar, Optic Reporter; and Ms. Carolina Martínez, Executive Administrative Assistant.

Approval of Meeting Agenda for September 10, 2012
President Fries recommended moving item 6. Consider Consent Election Agreement – Action Item after the Executive Session.

Regent Marchi moved to approve the September 10, 2012 agenda with the amendment recommended by President Fries. Regent López seconded. Voting in favor were: Chairman Sanchez, Regent Long, Regent López, and Regent Marchi, Motion passed unanimously.

Tax Exempt Bond Tax Compliance Policy – Action Item
President Fries informed the Board that the university’s financial advisor, Mr. Paul Cassidy from RBC Capital advised the administration to implement a tax exempt bond tax compliance policy. Mr. Cassidy recommended that the BLX Group prepare a draft policy.

President Fries reported that the draft policy was developed by the BLX Group. BLX will continue to work with the university to ensure the bond tax compliance policy is followed.

Regent Marchi asked why university counsel did not draft the policy and how much the university paid BLX for the draft. President Fries responded that on advisement from NMHU Legal Counsel it was best for a third party to develop the draft. He also indicated the fee was approximately $4,000.

Regent López moved to approve the Tax Exempt Bond Tax Compliance Policy as presented (Attachment A). Regent Marchi seconded the motion. Voting in favor were: Chairman Sanchez, Regent Long, Regent López, and Regents Marchi. Motion passed unanimously.
Bias-Based Profiling Policy – Action Item
President Fries informed the Board that once the Bias-Based Profiling Policy is Board approved it will be submitted to the Office of the Attorney General. Regent López noted that the Office of the Attorney General requires all law enforcement agencies to have a bias-based profiling policy in place. Regent Marchi suggested NMHU officers complete a training session to ensure the policy is followed.

Regent López moved to approve the Bias-Base Profiling Policy as presented (Attachment B). Regent Marchi seconded the motion. Voting in favor were: Chairman Sanchez, Regent López, and Regents Marchi. Abstaining: Regent Long. Motion passed.

President’s Report
President Fries informed the Board of the following:

- The Monitoring Report, entailed the strategic plan implementation and finances, was accepted by the Higher Learning Commission with no further reports required. The next reaccreditation site visit is scheduled for 2019-2020. The HLC has added a new accreditation requirement for all institutions, an Assurance Report and site visit, scheduled for 2015-2016.

- Like most schools in New Mexico, NMHU’s undergraduate enrollment numbers are up; graduate student enrollment numbers are slightly lower this semester.

- The NMHU football team, after two games, is now 2-0.

- A men’s cross country team member won the Lobo Open Meet.

- The Wilson Complex Floor will be dedicated to the late former Mayor/NMHU alum Henry O. Sanchez during the H-Club Homecoming Banquet on October 4th. The Homecoming Pageant will take place on the 4th at 7pm. The Alumni Banquet is scheduled for October 5th. The parade will take place on Saturday, October 6th at 10am. The football game will kick-off at 1pm.

- The university is actively working to raise student’s awareness of the importance of voting and is assisting with voter registration.

- A registered sex offender, with no affiliation to the university, is no longer allowed on campus.

- The HayGroup study is in its final stages, with their report/recommendations expected within the next two weeks.

- The student center construction continues to move forward.

- The Newman & 6th Street parking lot is complete with asphalt and striping.
• Funding formula meetings with the New Mexico Higher Education Department are ongoing. The funding formula will be used by NMHED for its budget recommendations due on November 1, 2012.

Executive Session – (1) limited personnel matters related to the hiring, promotion, demotion, dismissal, assignment, resignation, or investigation or consideration of complaints or charges against an employee; (2) bargaining strategy preliminary to collective bargaining; and (3) threatened or pending litigation subject to the attorney-client privilege in which the University may become a participant. Pursuant to provisions of NMSA 1978, §10-15-1(H)(2)(5)&(7). Regent López moved to enter into executive session for the sole purpose of discussing the items listed. Regent Marchi seconded. A roll call was taken and voting in favor were: Chairman Sanchez, Regent Long; Regent López, and Regent Marchi. Motion carried and the Board went into executive session at 11:10 a.m.

Regent Long exited the meeting during executive session.

Regent López moved return to regular session. Regent Marchi seconded. Regent López stated for the record that only the items specified under executive session were discussed and that no action was taken. Regents present confirmed. A roll call was taken and voting in favor of coming out of executive session into regular session were: Chairman Sanchez, Regent López, and Regent Marchi. Motion carried unanimously and the meeting was called back to order at 12:52 p.m.

Consider Consent Election Agreement – Action Item
Regent López moved to approve the consent election agreement related to the certification petition of the Fraternal Order of Police before the Labor Management Board (Attachment C). Regent Marchi seconded the motion. Voting in favor were: Chairman Sanchez, Regent López, and Regents Marchi. Motion passed unanimously.

Adjournment
Regent López moved to adjourn the meeting. Regent Marchi seconded the motion. Motion carried and the meeting adjourned at 12:55 p.m.

[Signatures]