New Mexico Highlands University
Board of Regents Meeting
Margaret J. Kennedy Alumni Hall
NMHU Main Campus
Las Vegas, NM 87701
December 21, 2012 at 9:00 am

1. Call to Order – Chairman Leveo V. Sanchez
2. Roll Call
3. Approval of Agenda for December 21, 2012
4. Approval of the Minutes from August 3, 2012 and September 10, 2012
5. Academic and Student Affairs
    a. Academic Affairs Report – Dr. Rivera
        i. Educational Leadership Certificate Programs – Action Item
        ii. Developmental Education Conference Report
        iii. Master's in Fine Arts
        iv. Oil and Gas BBA and MBA Concentrations
        v. Other
    b. Dean of Students Report – Dr. Trujillo
        i. Policies Statement Regarding the Prevention of and Response to Sex Offenses, Domestic Violence, and Stalking – Action Item
        ii. Native American Student Enrollment Report
        iii. Other
6. Finance and Administration
    a. 1st Quarterly Report – Action Item
    b. FY13 Budget Update
    c. FY14 Budget
    d. Disposal of Surplus Property (horse trailer) – Action Item
    e. City of Las Vegas Easement – Action Item
    f. Other
7. Naming of the New Residence Hall – Action Item
8. Faculty Senate Report – Dr. Maureen Romine
9. Staff Advisory Senate Report – Ms. Margaret Gonzales
10. Student Senate Report – Mr. Chris Burns
11. Persons Wishing to Address the Board

12. President's Report

    a. HayGroup Study: Staff Classifications, Titles, Salaries
    b. Radio Station RFP – Action Item
    c. SUB Update
    d. Enrollment
        i. 2012-13
        ii. 2013-14 and Housing
        iii. Concurrent Enrollment
    e. Complete College America (CCA)
    f. Other

13. 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) threatened or pending litigation subject to the attorney-client privilege in which the University may become a participant; and (3) real estate acquisition or disposal. Pursuant to provisions of NMSA 1978, §10-15-1(H)(2)(7)&(8)

14. Legal Services Contract – Action Item

15. Adjournment

New Mexico Highlands University
Board of Regents Meeting
December 21, 2012

The New Mexico Highlands University Board of Regents held a meeting on December 21, 2012 in the Margaret J. Kennedy Alumni Hall on the New Mexico Highlands University main campus in Las Vegas, New Mexico. Chairman Sanchez called the meeting to order at 9:12 a.m.

Attendance
Board Members Present: Mr. Leveo V. Sanchez, Ms. Nancy R. Long, Mr. Jesus L. López, Mr. Frank Marchi, and Ms. Caitlin Syner.

Administrative Personnel Present: Dr. James Fries, President; Dr. Gilbert Rivera, Vice President for Academic Affairs; Dr. Fidel Trujillo, Dean of Student Affairs; and Ms. Rachel King, NMHU Legal Counsel.

Others Present: Dr. Maureen Romine, Faculty Senate Chair; Ms. Margaret Gonzales, Staff Advisory Senate President; Ms. Carolina Martínez, Executive Administrative Assistant; and numerous other individuals in the audience, including faculty, staff, students, community representatives, and media. The meeting was broadcast live via instructional television video to the NMHU-Raton Center, NMHU-Farmington Center, and over the KEDP Radio Station.

Approval of Meeting Agenda for December 21, 2012
Regent López moved to approve the December 21, 2012 agenda. Regent Long seconded. Voting in favor were: Chairman Sanchez, Regent Long, Regent López, Regent Marchi, and Regent Syner. Motion passed unanimously.

Approval of the Minutes from August 3, 2012 and September 10, 2012
Regent Marchi moved to approve the minutes from August 3, 2012 and September 10, 2012 as presented. Regent Long seconded. Voting in favor of the motion were: Chairman Sanchez, Regent Long, Regent López, Regent Marchi, and Regent Syner. Motion passed unanimously.

Academic and Student Affairs

a. Academic Affairs Report (Attachment A) – Dr. Gilbert Rivera, Vice President

i. Education Leadership Certificate Program – Action Item
Vice President Rivera reported that faculty in the School of Education had proposed a certificate program that will lead to Educational Leadership licensure. After completing the Educational Leadership Certificate Program students will be able to take the Public Education Department licensure exam. If students pass the exam they will be endorsed and able to serve as public school administrators. Dr. James Burns, Chair of the Educational Leadership Department, informed the Board that the certificate program consists of eight

courses/24 credit hours. The program is only available for students holding Bachelor's degree.

Regent Long moved to approve the Educational Leadership Certificate Program as presented. Regent Syner seconded. Voting in favor of the motion were: Chairman Sanchez, Regent Long, Regent López, Regent Marchi, and Regent Syner. Motion passed unanimously.

ii. Developmental Education Conference Report

Vice President Rivera reported that he and several faculty members including Regent Marchi attended a statewide developmental education conference hosted by the New Mexico Higher Education Department. The conference was to enhance how institutions address developmental educational needs. Each institution is required to submit their developmental education plan to NMHED by March 2013. Vice President Rivera informed the Board that NMHU's preliminary plan was in their meeting packet. Regent Marchi added that faculty members were excited by the informative presentations. Regent Marchi noted that remedial education is very costly and probably not as effective as it needs to be and what NMHED is attempting to do is coordinate efforts to make remedial courses more efficient and effective. Regent Marchi reported that students find remedial courses a downer and do not return to school because they have not moved on to harder courses. The co-requisite program would allow students to get credit for remedial courses and boosts their spirits because they feel that they are actually in college.

iii. Master's in Fine Arts

Vice President Rivera stated that the media arts undergraduate program and the Computer Science Master's program are very successful. The media arts faculty members are proposing a three year terminal degree in media arts and cultural technology building on the relationships with Museum of Natural History, AmeriCorps, and other affiliations.

iv. Oil and Gas BBA and MBA Concentration

A proposal was submitted by School of Business faculty for a BBA and MBA in oil and gas management. The proposal had been approved by the Faculty Academic Affairs Committee.

v. Other

- **Wal-Mart HACU Grant** – As a component of the grant, Freshman Forum courses have been implemented. The Freshman Forum course includes: inform students of the support available to them; assistance with pre-registration; learn about Highlands; learn how to use DegreeWorks; identify a major; and connect with a faculty member as quickly as possible.

- **Dalian Ocean University** – A Memorandum of Understanding with Dalian Ocean University in China is being finalized. The academic programming will begin with business.

  President Fries informed the Board that the Geology Department faculty have built an international network of colleagues with their work on volcanos. They work with faculty in Ireland, Italy, and France.

  President Fries reported that Dr. Andrew Egan, Director of the New Mexico Forest and Watershed Restoration Institute, travels annually to the Dominican Republic where he works with a school there. President Fries called on Dr. Egan to report. Dr. Egan reported that the university has an MOU in place with the Escuela de Medio Ambiente Y Recursos Naturales. The MOU outlines a student and faculty exchange as well as students workers visiting the institute as interns. The Escuela is working to obtain accreditation from the Dominican Republic government.

- **Changes in academic administration** – Mr. John Coca, NMHU Registrar will be retiring the end of January 2013.

  62 applications for the Dean of the College of Arts and Sciences were received and 31 applications for the Dean of the School of Education. After long searches and interviews it was decided that the positions would be re-announced. Dr. Belinda Laumbach was appointed interim dean of the School of Education and Dr. Kenneth Bentson has agreed to continue serving as the dean of the College of Arts and Sciences.

b. Student Affairs Report – Dr. Fidel Trujillo, Dean of Students
Dr. Trujillo provided a written report (**Attachment B**).

i. Policies Statement Regarding the Prevention of and Response to Sex Offenses, Domestic Violence, and Stalking – Action Item

Approval of the policy statement will place NMHU in compliance with the Clery Act a federal statute. The statement would be included in the Student Handbook if approved. The statement was developed in conjunction with Ms. Kimberly Blea, Campus Violence Prevention Program Director, and NMHU legal counsel.

Regent Long moved to approve the Policies Statement Regarding the Prevention of and Response to Sex Offenses, Domestic Violence, and Stalking as presented (**Attachment C**). Regent López seconded. Voting in favor were: Chairman Sanchez, Regent Long, Regent López, Regent Marchi, and Regent Syner. Motion passed unanimously.

ii. Native American Student Enrollment Report (Attachment D)

Dr. Trujillo informed the Board that he worked with Ms. Rochelle Yazzie, Native American Services Coordinator and Dr. Jean Hill, Director of Institutional Research & Effectiveness to research information on Native American student enrollment at NMHU.

Dr. Trujillo reported that Native American student enrollment for the 2012 Fall semester is 229 with the breakdown as follows: 108 students on the main campus; 66 students enrolled at NMHU-Farmington; 25 at NMHU-Rio Rancho; 6 students at NMHU-Santa Fe; 19 students enrolled at NMHU-Albuquerque (Social Work); 2 at NMHU-Raton; and 3 students enrolled with NMHU distance education.

Dr. Trujillo reported that the university has Memorandum of Understanding's for Native American student scholarships with 23 tribes; 15 scholarships were utilized.

Regent López indicated his objective is to have NMHU become a NASI as well as a Hispanic Serving Institution. President Fries indicated that 10% of the student enrollment would have to be Native American in order to be classified a NASI. Regent López stated that NMHU should work toward meeting the 10% threshold of becoming at NASI as to open doors for the university.

Regent López thanked Dr. Trujillo for his efforts and preparation of the report.

iii. Other

Dr. Trujillo reported that the Emergency Response Team, chaired by Dr. Kenneth Bentson, has been working to develop an emergency response plan for dealing with natural disasters and emergencies. Once a plan is developed there will be trainings scheduled to inform the campus community on proper responses in different situations.

Finance and Administration

1st Quarterly Report – Action Item

President Fries informed the Board that the university is required to submit quarterly reports to the New Mexico Higher Education Department indicating the financial budget status for each quarter in the year.

Regent López moved to approve the FY13 1st Quarterly Report as presented (**Attachment E**). Regent Marchi seconded. Voting in favor were: Chairman Sanchez, Regent Long, Regent López, Regent Marchi, and Regent Syner. Motion passed unanimously.

FY13 Budget Update
President Fries presented the FY13 Budget Report ending November 2012 (**Attachment F**). Total revenues at the end of November were 45% of the approved budget. Total expenditures were 36%. Student Financial Aid expenditures were 72% and the Athletic budget expenditures were 53% both budgets will be monitored and funding will be shifted to cover expenditures for the year. The university will work towards building up the reserve by monitoring expenses and generating revenue.

President Fries reported that the student union building construction is progressing. The SUB will not be ready by the anticipated date, December 22, 2012; clean-up, painting, and carpet installation need to be done. It is anticipated that the food services will be serving meals there when the spring semester begins. One of the issues that will contribute to a modest delay in the building occupancy will be the testing and balancing process of the HVAC system. The openness of the building and the three way valves in the water circulation system complicate the testing and balancing. Many compliments regarding appearance of the SUB have been received. Regent López expressed his displeasure with the rust panels on the new student union building. Some discussion was held regarding options for replacing the panels and associated costs. No decisions were made.

FY14 Budget
President Fries informed the Board that the New Mexico Higher Education Department along with all the higher education institutions have spent a lot of time working revisions to the funding formula for higher education. NMHED recommended a $4.7 million increase in funding for higher education. NM State University and NMHU will see a reduction in state funding if NMHED follows through with their funding plan. NMHU would see a $75,000 reduction.

The Educational Retirement Board has recommended increases in both employer and employee contribution rates.

It appears that significant funding will be available for capital projects both through severance tax bonds and one-time general funding. The general obligation bond approved by the voters in November included $6 million for the Trolley Building renovations. The NMHED capital request list included the Trolley Building as their number 2 priority.

Disposal of Surplus Property (Horse Trailer) – Action Item
President Fries informed the Board that the university is seeking approval to sell a horse trailer owned by the NMHU Rodeo Team. The university does not have a truck large enough to pull the trailer and due to liability and insurance reasons a personally owned vehicle cannot pull the trailer. The trailer has been unused for the past two years.

Regent López moved to approve the sale of the horse trailer (**Attachment G**). Regent Long seconded. Voting in favor were: Chairman Sanchez, Regent Long, Regent López, Regent Marchi, and Regent Syner. Motion passed unanimously.

City of Las Vegas Easement – Action Item

President Fries informed the Board that the City of Las Vegas has requested an easement that would run through Melody Park and allow the City to connect to effluent lines and in the process allow them to deliver effluent water to the university. The 2" effluent line to be installed at no cost to the university would serve Melody Park. There would be a one-time estimated cost of $1,200 for a water meter installation and usage cost.

Regent López moved to grant the City of Las Vegas an easement through Melody Park for installation of effluent water lines (**Attachment H**). Regent Marchi seconded. Voting in favor were: Chairman Sanchez, Regent Long, Regent López, Regent Marchi, and Regent Syner. Motion passed unanimously.

Naming of the New Residence Hall (Attachment I) – Action Item
Chairman Sanchez reported that he attended the Legacy Luncheon hosted by the NMHU Foundation. The luncheon honored donors who have gifted a minimum of $100,000 to the university over a lifetime. Both the Viles and Crimmin organizations have funded over 800 student scholarships.

Regent López, a Viles scholarship recipient, informed the Board that Ms. Emiteria "Matie" Viles was an orphan born in Sapello, NM. Upon the passing of her husband, Mr. George A. Viles, she became a wealthy widow; she sought out legal counsel to establish the scholarship fund to help orphaned students attend college.

Regent López reported that Ken and Sue Crimmin moved to New Mexico when he served at Camp Luna during the war. Regent López served as legal counsel for Ken and Sue's endowment at the university which was established over 23 years ago.

Regent López moved that the new student residence hall be named the Matie Viles and Ken & Sue Crimmin Student Residence Hall, with an official dedication and tribute and plaque emblazoned with "Matie Viles and Ken & Sue Crimmin Student Residence Hall". Upon approval by the Board and based on a report from President Fries, the name may be shortened for example to the Viles Crimmin or Crimmin Viles Residence Hall. Regent Long seconded. Voting in favor were: Chairman Sanchez, Regent Long, Regent López, Regent Marchi, and Regent Syner. Motion passed unanimously.

Faculty Senate Report – Dr. Maureen Romine
Dr. Romine presented her written report (**Attachment J**).

Staff Advisory Senate Report – Ms. Margaret Gonzales
Ms. Gonzales presented her written report (**Attachment K**) and indicated that the latest issue of the Staff Newsletter was in their meeting packets (**Attachment L**).

Ms. Gonzales thanked Regent Syner and Chairman Sanchez for their service on the NMHU Board of Regents.

Student Senate Report – Mr. Chris Burns
Dr. Trujillo presented on behalf of Mr. Burns. Dr. Trujillo informed the Board that ASNMHU is working with the athletic department to enhance the intermural activities on campus.

Four students applied for the student regent position.

Person's Wishing to Address the Board
No one came forward.

President's Report

a. **HayGroup Study: Staff Classification, Titles, Salaries (Attachment M)**
President Fries reported that the study looked at classifications, and job titles as well as salaries. Staff seemed pleased with the overall results of the study. The Board approved the funding allocation for staff salaries at the June 26, 2012 meeting. Staff received notification regarding their new grade and their FY13 adjustment last week. The university had a disproportionate number of employees who were below the minimum range. FY13 salaries for those people were adjusted up to the minimum plus 1%. The HayGroup collected data from 6 of the 9 local entities and CUPA data to ensure employee salaries at Highlands are not only internally but externally competitive as well. President Fries complimented the Human Resources staff for the large amount of hours put into the study.

b. **Radio Station RFP – Action Item**
The university put out an RFP to identify interested parties wanting to acquire the various low power radio licenses that were granted by the FCC to the university and one license to the Foundation. No responses were received. Timing for a construction permit on the Newcomb license is about to expire. The administration is requesting the Board authorize the administration to explore and potentially enter into a lease agreement for the Newcomb license.

Regent López moved to authorize the administration to explore and enter into a lease agreement for the Newcomb license. Regent Long seconded. Voting in favor were: Chairman Sanchez, Regent Long, Regent López, Regent Marchi, and Regent Syner. Motion passed unanimously.

c. **SUB Update**
Discussion regarding the student union building was held earlier in the meeting.

d. **Enrollment**
   i. **2012-13**
   President Fries informed the Board that the latest enrollment report from Mr. John Coca, NMHU Registrar was in the meeting packet (**Attachment N**). President Fries pointed out that the Spring 2013 enrollment numbers as compared to last year are ahead by 6%. President Fries reported that funding from the NM Lottery is insufficient to cover the number of students and scholarship costs associated with it. Legislative changes to the program may impact enrollments in higher education.

ii. 2013-14 and Housing

President Fries informed the Board that demand for housing at NMHU last fall exceeded capacity and further enrollment growth may impede if housing is not available. Possible housing options for the 2013-14 academic year may be to turn rooms in Melody Hall and Connor Hall back into double rooms this would create an additional 52 beds. The second housing option providing an additional 45 beds would be to revitalize Hewitt Hall as a residence hall Costs for renovations and furniture at Hewitt Hall would roughly cost $700,000. As the number of out-of-state and international students increases the need for more on campus housing increases.

iii. Concurrent Enrollment (Attachment O)

NMHU participates in the National Student Clearinghouse Research Center. The center provided a list of other institutions that Highlands' students are also attending for at least one class. There are well over 350 students at Highlands who are also taking one or more courses from other institutions. The largest number of students are taking classes at Central New Mexico. Students are currently enrolled at 43 other institutions across the country.

e. Complete College America (CCA) (Attachment P)

President Fries reported that NMHED invited him to be part of a team from New Mexico to attend a national meeting of Complete College America last week. CCA is changing the higher education dialogue on a national level. Governors from 32 states plus the District of Columbia have committed their states to be CCA states. Some positive parts of CCA are that they emphasis a look at all students enrolled at higher education institutions, not just first-time/full-time freshman, CCA also puts emphasis on data collection and utilization for decision making and evaluating options where institutions can attempt to improve student success. The overall thrust is threefold: to increase graduation numbers and reduce the time it takes to get a degree; reformation of remedial education; and pathways/structure for student success.

f. Other

- The Castaneda Hotel was purchased. Conversations regarding how the purchase might impact the university and some of our programs are ongoing.
- Various projects at NMHU-Rio Rancho are moving forward: new windows were installed; the electrical renovations are complete; and new signage possibilities are being discussed.
- The default rate on student loans at Highlands is 6.4% as compared to the 9.1% national rate.
- The university's hydrazine patent continues to show promise. The university was contacted by a power company in Kansas to find out if the patent might be applicable to aid with a problem they have using hydrazine. A team from the university will go to Kansas in January to provide a demonstration. Discussions with the U.S. Air Force and NASA are ongoing.
- The Forestry Program was notified of an upcoming site visit for the Society of American Foresters in April 2013. If the program is successfully accredited,

NMHU will be the first Hispanic Serving Institution in the country with such a program.

President Fries thanked Regent Syner for her service on the Board. He noted that she has been a tremendous member of the Board and a terrific voice for Highlands' students. President Fries presented Regent Syner with a service award. Regent Syner stated that it was an honor to serve on the NMHU Board of Regents.

President Fries presented Chairman Sanchez with a service award and thanked him for serving as Chairman of the Board. President Fries noted that he attended the Legacy Donors Luncheon and during the meeting Mr. Sanchez was referred to as "Mr. Highlands". President Fries noted that the contributions, time, expertise, and dedication that Chairman Sanchez has put into the institution in practically every capacity possible is remarkable. If Chairman Sanchez is not re-appointed to the NMHU Board it is hoped that he would find other ways to continue to be involved with the university. Chairman Sanchez stated that there was nothing else he would have rather done than work with Highlands in any capacity but he has certainly enjoyed serving on the Board. Chairman Sanchez indicated that he started visiting the campus while his mother began renewing her teaching certificates every summer since 1932. He expressed his adoration for the students, faculty and staff at NMHU.

Dr. Romine thanked Chairman Sanchez and Regent Syner as well as the rest of the Board for their hard work and support of the faculty.

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) threatened or pending litigation subject to the attorney-client privilege in which the University may become a participant; and (3) real estate acquisition or disposal. Pursuant to provisions of NMSA 1978, 10-15-1 (H)(2)(7)&(8). Regent López moved to enter into executive session for the sole purpose of discussing the items listed and for discussion concerning contents of the competitive sealed proposals for professional legal services. Regent Long seconded. A roll call was taken and voting in favor were: Chairman Sanchez, Regent Long, Regent López, Regent Marchi, and Regent Syner. Motion carried and the Board went into executive session at 12:35 p.m.

Regent López moved to come out of executive session into open session. Regent Long seconded. Regent López stated for the record that only those items specified in the motion to enter into executive session item were discussed and 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 Long, Regent López, Regent Marchi, and Regent Syner. Motion carried unanimously and the meeting was called back to order at 2:52 p.m.

Legal Services Contract – Action Item
Regent Long moved to award the RPF for legal services to Cuddy & McCarthy and Sutin, Thayer & Browne law firms with the specific assignments to be made by the Board of Regents and President Fries based upon the issue. After a short discussion, the Board decided to re-enter executive session.

Regent López moved the Board retire into executive session to consider the proposals, submitted in accordance to the RPF issued by the university, for professional legal services pursuant to provisions of NMSA 1978, 10-15-1 (H) of the New Mexico Open Meetings Act. Regent Long Seconded. A roll call was taken and voting in favor of the motion were: Chairman Sanchez, Regent Long, Regent López, Regent Marchi, and Regent Syner. Motion carried and the Board returned to executive session at 2:54 p.m.

Regent López moved to come out of executive session pursuant to the previous motion. Regent López stated for the record that the board discussed and considered only the matter for which a motion to re-enter closed session was made and no was taken. Regent Long seconded. 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 Long, Regent López, Regent Marchi, and Regent Syner. Motion carried unanimously and the meeting was called back to order at 3:08 p.m.

Regent Long renewed her motion to award the RFP for legal services to Cuddy & McCarthy and Sutin, Thayer & Browne with legal issues to be assigned to each firm by the administration and the Board of Regents. Regent López seconded. Voting in favor of the motion were: Chairman Sanchez, Regent Long, Regent López, Regent Marchi, and Regent Syner. Motion passed unanimously.

Adjournment
Regent Long moved to adjourn. Regent López seconded. Motion carried and the meeting adjourned at 3:09 p.m.

Chairman
NMHU Board of Regents

Secretary/Treasurer
NMHU Board of Regents