

New Mexico Highlands University Board of Regents Meeting

New Mexico Highlands University

Margaret J. Kennedy Alumni Hall

Las Vegas, New Mexico

July 13, 2007 at 10:00 am

1. Call to Order – Chairman Javier M. Gonzales
2. Roll Call
3. Approval of Agenda for July 13, 2007
4. Approval of Minutes from May 11, 2007
5. Consent Calendar – Action Items
 - a) Five Year Capital Plan
 - b) FY09 Capital Projects
 - c) Research & Public Services Project Appropriation Request for Fiscal Year 2008-2009
 - d) Fiscal Year 2008-2009 Budget Summary for Current Unrestricted & Plant Funds
 - e) Kardas, Abeyta and Weiner, PC (auditing services) – \$75,796
 - f) Southwest Trane (Teacher Education Building ductwork) – \$76,392.97
 - g) Xerox Corporation (Lease, Services and Supplies) – \$179,699.52
 - h) New Mexico Land and Title (golf course lot #7) – \$192,383.97
 - i) Bruker Biospin (Magnet Shim System) – \$ 206,400
 - j) City of Las Vegas for FY06-07 (natural gas, potable water, sewage removal and solid waste disposal) – \$228,000
 - k) City of Las Vegas for FY07-08 (natural gas, potable water, sewage removal and solid waste disposal) – \$1,527,000
 - l) Public Service Company (electricity for main campus) FY07-08 – \$700,000
 - m) Manufacturers Applied Renovation Systems, Inc (bleachers) – \$308,715.13
 - n) NMHU Foundation (NMHU-Rio Rancho rent and insurance) – \$376,208
 - o) ABL Educational Enterprise, Inc (food service contract) – \$700,000 – Action Item
 - p) Health Centers of Northern New Mexico (health services) - \$150,000 – Action Item
6. Hispano Roundtable Presentation – Mr. Joseph Garcia and Mr. Juan Jose Pena
7. Academic Affairs Committee – Regent Rosanna Vázquez
8. Budget & Finance Committee – Regent Robert Benavides
 - a) Approval of the May 2, 2007, Budget & Finance Meeting Minutes – Action Item
9. Buildings & Grounds Committee – Regent Walter Adams

10. Student Affairs Committee - Regent Sherry Salas
11. Student Senate Report – Mr. Greg Rael
12. Faculty Senate Report – Dr. Maureen Romine
13. Persons Wishing to Address the Board
14. President's Report –Dr. James Fries, President
 - a) Sexual Harassment Policy – Action Item
 - b) Sexual Assault Policy – Action Item
 - c) Student Grievance Policy – Action Item
 - d) Informal Resolution of Student Complaints – Action Item
 - e) Equal Opportunity in Education Statement – Action Item
 - f) Other
15. 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; (3) threatened or pending litigation subject to the attorney-client privilege in which the University may become a participant; and (4) real estate acquisition or disposal. Pursuant to provisions of NMSA 1978, §10-15-1(H)(2)(5)(7)&(8)
16. Comments by Regents
17. Adjournment

New Mexico Highlands University Board of Regents Meeting
New Mexico Highlands University
July 13, 2007

The New Mexico Highlands University Board of Regents met in regular session on July 13, 2007 at the Margaret J. Kennedy Alumni Hall, New Mexico Highlands University, Las Vegas, New Mexico. Chairman Gonzales called the meeting to order at 10:00 a.m.

Attendance

Board Members Present: Mr. Javier M. Gonzales, Mr. Walter Adams, Mr. Robert Benavides, Ms. Sherry Salas, and Ms. Rosanna Vázquez

Administrative Personnel Present: Dr. James Fries, President; Ms. Judy Cordova, Vice President of Student Affairs; Dr. Gilbert Rivera, Interim Vice President for Academic Affairs; and Ms. Rachel King, Legal Counsel

Others Present: Dr. Maureen Romine, Faculty Senate; Mr. Greg Rael, Student Senate Vice President; Ms. Carolina López, Board of Regents Administrative Assistant and numerous other individuals in the audience, including faculty, staff, students, community representatives, and media. The Board meeting was broadcast live via instructional television video to the NMHU Farmington, Santa Fe, and Rio Rancho Centers, and over the KEDP NMHU Radio Station

Approval of Agenda for Meeting of July 13, 2007

President Fries suggested removing item 8a from the agenda because it could be addressed at the next Budget and Finance Committee Meeting.

Regent Adams moved to remove item 8a from the July 13, 2007 agenda and approve the agenda as amended. Regent Salas seconded the motion. Voting in favor were: Regent Gonzales, Regent Adams, Regent Benavides, Regent Salas, and Regent Vázquez. Motion passed unanimously.

Approval of Minutes from May 11, 2007

Regent Adams moved to approve the May 11, 2007, minutes. Regent Vázquez seconded the motion. Voting in favor were: Regent Gonzales, Regent Adams, Regent Benavides, Regent Salas, and Regent Vázquez. Motion passed unanimously.

Consent Calendar – Action Items

- a) Five Year Capital Plan - (attachment a)
- b) FY09 Capital Projects - (attachment b)
- c) Research & Public Services Project Appropriation Request for Fiscal Year 2008-2009 - (attachment c)
- d) Fiscal Year 2008-2009 Budget Summary for Current Unrestricted & Plant Funds - (attachment d)
- e) Kardas, Abeyta and Weiner, PC (auditing services) – \$75,796 - (attachment e)
- f) Southwest Trane (Teacher Education Building ductwork) – \$76,392.97 - (attachment f)
- g) Xerox Corporation (Lease, Services and Supplies) – \$179,699.52 - (attachment g)

- h) New Mexico Land and Title (golf course lot #7) – \$192,383.97 - (attachment h)
- i) Bruker Biospin (Magnet Shim System) – \$ 206,400 - (attachment i)
- j) City of Las Vegas for FY06-07 (natural gas, potable water, sewage removal and solid waste disposal) – \$228,000 - (attachment j)
- k) City of Las Vegas for FY07-08 (natural gas, potable water, sewage removal and solid waste disposal) – \$1,527,000 - (attachment k)
- l) Public Service Company (electricity for main campus) FY07-08 – \$700,000 - (attachment l)
- m) Manufacturers Applied Renovation Systems, Inc (bleachers) – \$308,715.13 - (attachment m)
- n) NMHU Foundation (NMHU-Rio Rancho rent and insurance) – \$376,208 - (attachment n)
- o) ABL Educational Enterprise, Inc (food service contract) – \$700,000 - (attachment o)
- p) Health Centers of Northern New Mexico (health services) - \$150,000 - (attachment p)

Regent Adams moved to approve the Consent Calendar as presented. Regent Benavides seconded the motion. Voting in favor were: Regent Gonzales, Regent Adams, Regent Benavides, Regent Salas, and Regent Vázquez. Motion passed unanimously.

Chairman Gonzales stated the items on the consent calendar were discussed at the Budget & Finance Committee Meeting on Monday, July 9, 2007.

Hispano Round Table Presentation – Mr. Joseph Garcia and Mr. Juan Jose Pena

Chairman Gonzales introduced Mr. Juan Jose Pena from the Hispano Roundtable. Mr. Pena called on Mr. Joseph Garcia to present the Hispano Round Table's Ten Point Plan (attachment q).

Chairman Gonzales asked the Faculty Senate and the ASNMHU to review the plan and make recommendations to the Board on the points Highlands should implement.

President Fries commended the Hispano Round Table for their commitment to the importance of education. President Fries stated that he wanted to return to Highlands to help New Mexico students and teachers in the educational system. President Fries further stated that parents and grandparents need to take an active role in their children's education.

Academic Affairs Committee – Regent Rosanna Vázquez

Regent Vázquez informed the committee that Vice President Rivera provided a written report (attachment r).

Chairman Gonzales asked for the percentage of incoming students who needed to take remedial courses. Vice President Rivera responded 87% of Highlands students would be placed in one or more remedial courses. Chairman Gonzales asked if students taking remedial courses would be able to enroll in college level courses too. President Fries responded yes. President Fries informed the committee that a task force is working to package a set of courses for students that address their needs and interests. Chairman Gonzales asked if faculty were in place to teach the remedial courses when the semester begins. President Fries stated that it has been a struggle to

find enough faculty members to teach the courses and Highlands will possibly hire Master's level students to teach remedial courses. Chairman Gonzales pointed out that last year there were discussions about hiring a company like the Sylvan Learning Center to provide a developmental program and wondered if the issue should be addressed at this time. President Fries stated that Highlands is a community of educators and that the faculty feels we can meet our student's needs better than an outside company could. President Fries stated that the success of Highlands' program needed to be evaluated and modified if needed. Regent Vázquez stated that Highlands was committed to open enrollment and because of that Highlands needs to work with the school systems to ensure that children in K-12 grades are better educated so that they are ready by the time they enter college. President Fries commended the Public Education Department (PED), the Higher Education Department (HED), and the Governor for his push to have both departments work together and coordinate. PED is moving to require four years of math in the high schools and HED is working to expand the dual enrollment program. Chairman Gonzales stated that we should ensure that students in the School of Education are properly prepared to go into the school systems. President Fries stated that one of Highlands' challenges is trying to maintain open admission and still assure our students and the public that the students who have completed a degree at Highlands have completed a legitimate university-level degree. Chairman Gonzales asked if students receive peer mentoring. Vice President Cordova informed the Board that students receive peer mentoring during their first year of college. Vice President Rivera stated that Highlands is working on building a mentoring program between students and faculty.

Budget and Finance Committee – Regent Robert Benavides

Chairman Gonzales informed the Board that he chaired the Budget & Finance Committee meeting for Regent Benavides. Chairman Gonzales stated that he asked Mr. Lawrence Trujillo to work on a green policy and present it at the next Buildings & Grounds Committee Meeting.

Buildings and Grounds Committee – Regent Walter Adams

A written report was provided (attachment s). Regent Adams informed the committee that the North/South games would be held this weekend and that the athletes are on campus.

Regent Adams asked Mr. Trujillo if the Hi-Rise demolition was on schedule. Mr. Trujillo responded yes.

Chairman Gonzales informed the committee that payback for the National Science Foundation (NSF) for audit findings was discussed at the Budget & Finance and called on Mr. Trujillo to report. Mr. Trujillo stated that Highlands reduced the NSF payback debt from \$2.2 million to \$126,000.

Chairman Gonzales stated that he wants Highlands to ensure that an RFP for a new residence hall goes out by the September Board meeting.

Regent Adams asked Mr. Max Baca if the LED Informational Board would be in place before the semester begins. Mr. Baca informed the Board that a meeting to develop a timeline would be held next week.

Student Affairs Committee – Regent Sherry Salas

Regent Salas stated that there were no further items to discuss. Vice President Cordova provided a written report (attachment t).

Student Senate Report – Mr. Jesse Lopez

Newly elected Vice President Greg Rael presented and provided the ASNMHU report (attachment u).

Faculty Senate Report – Dr. Maureen Romine

Dr. Maureen Romine indicated that there was no formal report from the Faculty Senate this meeting and that several faculty members are off campus for the summer. Dr. Romine stated that the Faculty Senate is looking forward to working with everyone to move the university forward.

Persons Wishing to Address the Board

Chairman Gonzales asked if anyone wished to address the Board. No one came forward.

President's Report – Dr. James Fries, President

President Fries introduced Ms. Marisol Greene as the new Capital Projects Manager and Mr. George Greiner as the new Golf Course Superintendent. Regent Adams asked if the Golf Course would open this year. Mr. Greiner indicated no. President Fries commented the Mr. Greiner has already demonstrated his expertise in the short time he has been with Highlands.

President Fries indicated that the policies listed on the agenda have been reviewed by Ms. Rachel King, NMHU Legal Counsel. The policies need to be revised and approved before the new student handbook is printed. President Fries stated that there were a few editorial items that have been changed since the Board packets were made; therefore, he is requesting that the policies are approved substantially in the form as presented. Regent Vazquez asked if the vote on the policies could be taken at the end of the agenda so that she could thoroughly review the Student Grievance Policy.

Ms. King informed the Board that someone who voted to approve the agenda could motion to reopen the agenda. Regent Vázquez moved to reopen the agenda. Regent Salas seconded. Motion passed.

Regent Vazquez moved to amend the agenda by moving items a-e of the President's Report to follow the Executive Session. Regent Salas seconded. Motion passed.

f) Other

President Fries informed the Board of the following:

- The NMHU Madrigal Choir was scheduled to perform at the Hispanic Cultural Center on July 19, 2007 and that they would be traveling to Austria to perform in August.

- Highlands has become the 14th partner in the Great Plains Cooperative Ecosystems Study Unit. This partnership is tied to the Forest and Watershed Restoration Institute and Forestry/Natural Resources Program. Great Plains Cooperative Ecosystems Study Unit is housing the Office of the Southern Plains Network which is part of the National Forest Service.
- The Gear-Up and Upward Bound Programs were not refunded but both applications are under review and we are optimistic that we will receive funding to sustain both programs.
- A North Central Accreditation (NCA) Committee is working on plans for the self-study process in preparation for the comprehensive visit scheduled for the fall of 2009.

President Fries thanked the Board of Regents, Faculty Senate, and faculty for their hard work in reviewing and approving the policies that helped get NMHU off of the AAUP Censured List.

President Fries informed the Board that students in family housing complained that there were insects in their apartments and that NMHU is spraying regularly and taking other steps to resolve the problem.

President Fries indicated that there were some complaints about the swimming pool and that the pool has been an area of concern and is on the capital outlay list.

President Fries informed the Board that a break-in at Ford Hall had been reported in the local papers and that Highlands is working on the situation.

President Fries announced that he was the keynote speaker at the Economic Development Center (EDC), Las Vegas-San Miguel Chamber of Commerce, and Las Vegas MainStreet joint Banquet; had a radio interview with Senator Pete Campos and attended the Wood Business Park Dedication. He noted that Highlands is taking an increasingly active roll within the Las Vegas Community.

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; (3) threatened or pending litigation subject to the attorney-client privilege in which the University may become a participant; and (4) real estate disposal. Pursuant to provisions of NMSA 1978, §10-15-1(H)(2)(5)(7)&(8). Regent Vázquez moved to adjourn to executive session Regent Salas seconded the motion. Regent Adams stated for the record that Chairman Gonzales stepped out of the meeting but would be joining the Regents in Executive Session. A roll call was taken and voting in favor of the motion were: Regent Adams, yes; Regent Benavides, yes; and Regent Salas, yes. Motion carried and the Board went into executive session at 11:40 am.

Regent Adams moved to come out of executive session into open session. Regent Benavides seconded the motion. For the record, Chairman Gonzales reported he joined the Regents in Executive Session and that only those items cited in the motion were discussed in executive session and no action was taken. Regents present confirmed the statement. A roll call was taken and voting in favor of the motion were: Regent Gonzales, yes; Regent Adams, yes; Regent Benavides, yes; Regent Salas, yes; and Regent Vázquez, yes. Motion carried unanimously and the meeting was called back to order at 1:45 pm.

President's Reports Items a-e

a) Sexual Harassment Policy – Action Item

Ms. King provided an overview of the Sexual Harassment Policy (attachment v).

Regent Adams moved to approve the Sexual Harassment Policy substantially in form. Chairman Gonzales asked President Fries to state why the wording “substantially in form” should be included in the motion. President Fries informed the Board that minor editorial adjustments had to be made before it is finalized. Regent Salas seconded the motion. Voting in favor were: Regent Gonzales, Regent Adams, Regent Benavides, Regent Salas, and Regent Vázquez. Motion passed unanimously.

b) Sexual Assault Policy – Action Item

Ms. King provided an overview of the Sexual Assault Policy (attachment w) and stated that the policy was in the Student Handbook.

Regent Adams moved to approve the Sexual Assault Policy substantially in form. Regent Vázquez seconded the motion. Voting in favor were: Regent Gonzales, Regent Adams, Regent Benavides, Regent Salas, and Regent Vázquez. Motion passed unanimously.

c) Student Grievance Policy – Action Item

Ms. King presented the Student Grievance Policy (attachment x).

Regent Vázquez asked that the policy include the hours of operation for Ms. Donna Castro, Human Resources Director. Regent Vázquez asked where the grievance files would be stored. Ms. King informed the Board that the file would be stored in the Office of Student Affairs and /or the University's AA/EEO Office.

Regent Vázquez moved to approve the Student Grievance Policy substantially in form with the inclusion of additional language that would provide for confidentiality to the point that the University as a public entity can provide. Chairman Gonzales asked Dr. Romine whether she had anything to add. Dr. Romine responded no. Chairman Gonzales stated for the record that an ASNMHU representative was absent and therefore could not offer an opinion. Regent Salas seconded the motion. Voting in favor were: Regent Gonzales, Regent Adams, Regent Benavides, Regent Salas, and Regent Vázquez. Motion passed unanimously.

d) Informal Resolution of Student Complaints – Action Item

Ms. King stated that the Informal Resolution of Student Complaints (attachment y) was already in place and only a few minor revisions were made to the current policy.

Regent Adams moved to approve the Informal Resolution of Student Complaints substantially in form. Regent Vázquez seconded the motion. Voting in favor were: Regent Gonzales, Regent Adams, Regent Benavides, Regent Salas, and Regent Vázquez. Motion passed unanimously.

e) Equal Opportunity in Education Statement – Action Item

Ms. King indicated that the Office of Civil Rights and the Department of Education require that all higher education institutions have a statement that states the University will not discriminate against students on the basis of any protected category. Ms. King indicated that she was sure that Highlands had adopted a statement at some point but stated that Highlands should adopt it again and put it in the Student Handbook. The statement falls under both state and federal law.

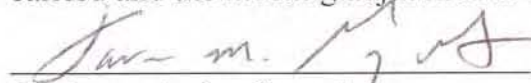
Regent Vázquez moved to approve the Equal Opportunity in Education Statement substantially in form with the inclusion of Ms. Castro's office hours. Regent Adams seconded the motion. Voting in favor were: Regent Gonzales, Regent Adams, Regent Benavides, Regent Salas, and Regent Vázquez. Motion passed unanimously.

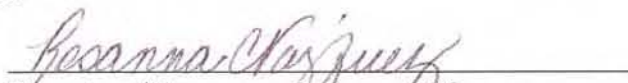
Comments by the Regents

Chairman Gonzales indicated that when he chaired the Campus Safety Taskforce there was a lot of discussion on how universities' protective forces would respond to threats or events on campus and requested that President Fries assess whether our Campus Police should be certified, develop a manual/policy on how they would respond to specific events, and recommended whether they should carry weapons. President Fries informed the Board that a committee has been set up and is developing a security policy. President Fries stated that some of Highlands Officers were certified and that Highlands was making an effort to increase the training for all officers. President Fries informed the Board that the ASNMHU had endorsed certified university officers carrying weapons. At the moment, our officers cannot carry batons, mace, or any type of weapon. Chairman Gonzales stated that there is no shortage of expertise on the issue and that an external group might be able to help provide some strategic advice. President Fries stated that Highlands was fortunate to have Chairman Gonzales serve as the chair for the State's Safety Taskforce. Regent Adams asked that Highlands pay to get officers certified but that they in turn sign a contract for a commitment to work at the university for a specified time. Regent Benavides stated that there are grants in Homeland Security that Highlands could apply for to help offset security training costs.

Adjournment

Regent Adams moved to adjourn the meeting. Regent Vazquez seconded the motion. Motion carried and the meeting adjourned at 2:15 pm.


Chairman Javier Gonzales
NMHU Board of Regents


Secretary/Treasurer Rosanna Vázquez
NMHU Board of Regents