

New Mexico Highlands University
Board of Regents Meeting
Margaret J. Kennedy Alumni Hall
NMHU Main Campus
Las Vegas, NM 87701
November 14, 2008
9:00 a.m.

1. Call to Order – Chairman Javier Gonzales
2. Roll Call
3. Approval of agenda for meeting
4. Approval of minutes: September 12, 2008 Board Retreat and September 26, 2008 meeting
5. Consent calendar – Action Items
 - a. Residence Hall furniture: out to bid, not to exceed \$630,000
 - b. Quarterly financial report approval
6. Academic and Student Affairs Committee – Regent Nancy Long
 - a. Faculty Handbook deletions – Action Item
 - b. Research Handbook changes – Action Item
 - c. Approval of Certificate program in Cultural Resource Management – Action Item
 - d. Other
7. Finance and Administration Committee – Regent Leveo Sanchez
 - a. Employee Educational Assistance Policy – Action Item
 - b. Other
8. Student Senate Report – Ms. Nicole Parra-Perez
9. Graduate Student Senate Report – Ms. Ashley Ramirez
10. Faculty Senate Report – Dr. Maurine Romine
11. Persons wishing to address the Board
12. Comments by the Regents
13. President's Report – Dr. James Fries
 - a. Open Meetings Act resolution – Action Item
 - b. State budget update/NMHU budget planning
 - c. HED funding recommendations
 - d. WICHE tuition and fee data
 - e. GO Bond funding and projects
 - f. Capital projects update
 - g. NNMC proposal re taxing authority

h. Other

14. 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; (4) real estate acquisition or disposal; and (5) discussion of competitive sealed proposals for legal services solicited pursuant to the Procurement Code. Pursuant to provisions of NMSA 1978, 10-15-1(H)(2)(5)(6)(7)&(8).
15. Legal services contract – Action Item
16. Contract(s) for architectural services – Action Item
17. Adjournment

**New Mexico Highlands University
Board of Regents Meeting
November 14, 2008**

The New Mexico Highlands University Board of Regents met in regular session on November 14, 2008 at the Margaret J. Kennedy Alumni Hall, on the New Mexico Highlands University main campus in Las Vegas, New Mexico. Chairman Gonzales called the meeting to order at 9:11 am.

Attendance

Board Members Present: Chairman Javier Gonzales, Ms. Nancy Long, Ms. Sherry Salas, Mr. Jesus Lopez and Mr. Leveo Sanchez.

Administrative Personnel Present: Dr. James Fries, President; Dr. Gilbert Rivera, Vice President for Academic Affairs, Dr. William Taylor, Vice President for Finance & Administration, Ms. Judy Cordova-Romero, Vice President for Student Affairs, and Ms. Rachel King, Legal Counsel.

Others Present: Dr. Maureen Romine, Faculty Senate Chair; Ms. Ashley Ramirez, AGS President; and Ms. Susie Maestas, 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, Rio Rancho, Santa Fe, and Raton Centers, and over the KEDP Radio Station.

Regent Lopez requested a moment of silence for Emilio Naranjo who passed away last night. Regent Lopez described Mr. Naranjo as one of the greatest men in northern New Mexico.

President Fries recommended amending the agenda to include the presentation of a Certificate of Honor before discussing the Consent Calendar. He also proposed moving Item 16., Contract(s) for Architectural Services – Action Item, between Item 13 f. and 13 g.

Approval of Agenda for Meeting of November 14, 2008

Regent Lopez moved to approve the November 14, 2008 agenda as amended. Regent Salas seconded the motion. Voting in favor were: Chairman Gonzales, Regent Long, Regent Sanchez, Regent Lopez and Regent Salas. Motion passed unanimously.

Approval of Minutes for September 12, 2008 and September 26, 2008 Meetings

Regent Long made a motion to approve the minutes of September 12, 2008 and September 26, 2008 as presented. Regent Salas seconded the motion. Motion passed.

President Fries presented a Certificate of Honor awarded by the City of Las Vegas to Chief Scott Scarborough and officers for assisting the City during a recent fire.

Chairman Gonzales also commended Chief Scarborough for the successful review that came out of Homeland Security's visit.

Dr. Bill Taylor introduced Ms. Eileen Bentley, Budget Director, who brings 18 years of experience and Mr. Jeff Gallegos, Assistant Human Resources Director, who brings over 25 years of experience to NMHU.

Chairman Gonzales congratulated Regent Long on her husband's appointment as District Judge to the Court of Appeals.

Consent Calendar – Action Items

Regent Lopez made a motion to approve the Consent Calendar. Regent Long seconded the motion. Motion passed unanimously.

**Academic and Student Affairs Committee – Regent Nancy Long
Faculty Handbook Deletions – Action Item**

Dr. Gilbert D. Rivera, Vice President for Academic Affairs reported that certain sections from the Faculty Handbook are now covered by the Collective Bargaining Agreement. The Faculty Senate is reviewing the two documents and is recommending that the following sections be deleted from the Faculty Handbook: Section VII, Evaluation (entire section), Section VII Faculty Workload (entire section) and Section VI. Faculty Personnel Policies subsections D. Faculty Personnel Records (all parts), F. Leaves (all parts), G. Faculty Benefits (all parts), and H. Salary, with the exception of Sabbatical Leaves.

Dr. Romine, Chair of the Faculty Senate indicated that as sections of the Handbook are reviewed, any changes will be forwarded on to the Board for approval. Regent Long made a motion to approve the deletions to the Faculty Handbook as noted. Regent Sanchez seconded the motion. Motion passed unanimously. **(Attachment 6a)**

Research Handbook Changes – Action Item

Regent Long reported that the Research Handbook was addressed at the subcommittee meeting and she requested that Dr. LaGrange present the changes. Dr. LaGrange reported that the updates/modifications include, definitions added for clarification, new policies and requirements added to sections, where appropriate, procedures and responsibilities expanded and/or clarified, research-related forms added and/or clarified, hyperlinks added for further reference to federal and state regulations and policies. The handbook was reviewed by University Relations before being placed on the OSRP website. President Fries indicated that the handbook was reviewed by legal counsel. Regent Jesus Lopez made a motion to approve the changes to the Research Handbook. Regent Salas seconded the motion. Motion passed unanimously. **(Attachment 6b)**

Approval of Certificate Program in Cultural Resource Management – Action Item

Dr. Rivera reported that the Certificate in Cultural Resource Management prepares students for post graduate studies and the fundamentals to apply for jobs in the federal and state sectors. The emphasis is in developing skills and training versus a Master's program which requires academic research. Regent Long recommended approval of the Certificate Program in Cultural Resource Management. Regent Salas seconded the motion. The motion passed unanimously. **(Attachment 6c)**

Student Affairs Reports

Regent Long reported that the Success Contract/Retention Activities are going very well. Regent Long reported that the Career Services Program is being revamped. Mr. Ron Garcia has done a great job providing students with support on campus. Regent Long indicated that the University was visited by Homeland Security and Ms. Cordova-Romero provided a detailed report to the subcommittee.

Other

Chairman Gonzales asked if the Faculty Affairs Committee of the Faculty Senate reviewed the Bachelor of University Studies. Dr. Rivera indicated that it was approved. Chairman Gonzales asked if there has been any discussion regarding Agriculture and Animal Science. Dr. Rivera indicated that Dr. Edward Martinez oversees a USDA grant. Dr. Romine mentioned that their department has had preliminary discussions regarding courses in Animal Science. She indicated that Dr. Ben Nelson works on such courses.

Finance & Administration Committee – Regent Leveo Sanchez

Employee Educational Assistance Policy – Action Item

Regent Sanchez reported that the Human Resources Office modified the Employee Assistance Program for employees and their families. Dr. Taylor reported that currently there is an educational assistance policy that provides assistance to staff and their family members. The current policy allows an employee to take one course for up to 4 hours per semester. The proposed policy will allow employees to register for two courses up to 8-credit hours and one course in the summer. The policy will now include domestic partners. Regent Lopez made a motion to approve the proposed Employee Educational Assistance Program. Regent Sanchez seconded the motion. The motion passed unanimously. **(Attachment 7a)**

Other

Regent Sanchez presented a summary of the Small and Capital Projects Report that Marisol Greene, Director, Facilities Management prepared. Regent Sanchez indicated the Small Capital Projects consist of Ongoing, Out-to-Bid, and/or Pending. Chairman Gonzales asked if there are any projects in jeopardy of losing their funding. Lawrence Trujillo, Associate Vice President for Finance, responded that the Higher Education Department (HED) and the Legislative Finance Committee indicate that everything is fine. The only discussion held was in reference to the use of 2005 General Obligation Bond, which will be drawn down within the next four weeks. Regent Lopez indicated that he took a tour of the dormitories and they look good.

Student Senate Report – Ms. Nicole Parra-Perez

Ms. Judy Cordova Romero, Vice President for Student Affairs presented the ASNMHU written report on behalf of Ms. Nicole Parra-Perez. **(Attachment 8)**

Graduate Student Senate Report – Ms. Ashley Ramirez

AGS President, Ashley Ramirez presented the AGS Student Senate written report. **(Attachment 9)**

Faculty Senate Report – Dr. Maureen Romine

Dr. Maureen Romine informed the Board of the following:

- Ballen and Pino Endowments: The University hosted Mr. Edward Dominguez as the first Ballen Endowment Visiting Scholar. He will be on campus November 10-21, 2008. Dr. Romine reported that a call for nominations for another Visiting Scholar for the Spring semester has been sent out and the deadline is December 1st, with a decision by December 8th.
- Strategic Plan: Nominations for Steering Committee members from departments and schools will be sent to President Fries after November 14th.
- Handbook Revisions: The Faculty Senate is currently working on sections that require revisions due to collective bargaining. (**Attachment 10**)

Comments by Regents

Chairman Gonzales reported that he and Lew Granados visited with the Mayor of Rio Rancho and the City Manager. He indicated that he received very positive feedback on the operations at Rio Rancho.

Chairman Gonzales requested a summary of what the Board discussed at the September 12, 2008, Retreat. He also requested that President Fries provide his thoughts regarding the Strategic Plan. President Fries asked if the Board needed more than the minutes. Chairman Gonzales indicated that in addition to the minutes, he would like to see an action plan.

President's Report

Open Meetings Act Resolution – Action Item

President Fries requested approval of the Open Meeting's Act Resolution. President Fries requested the date on the document be changed to reflect the current date of November 14, 2008. President Fries stated that the resolution was modified last year to allow the BOR to participate in meetings, via telephone conference. Regent Lopez made a motion to approve the Open Meetings Act Resolution with noted changes. Regent Long seconded the motion. The motion passed unanimously.

State Budget Update/NMHU Budget Planning

President Fries reported that due to difficulties being experienced throughout the State, there is a strong possibility that institutions of higher education will be asked to reduce their current operating budgets. President Fries reported that Governor Richardson directed his Executive Branch to reduce the current operating budget by 5%. The funding for institutions of higher education is received through an appropriation from the Legislature. Any changes in institutions of higher education's operating budgets will require legislative action and approval from Governor Richardson. President Fries reported that he has not received any specific direction in reducing the budget; however, institutions of higher education received a letter from Senate President Pro-Tem Jennings. The letter indicated that this year's revenues will be reduced.

President Fries indicated that the University has not had a budget director position for several years. Having a budget director in place, will provide the University with clear direction and help track formulation of the budget and the ongoing implementation during the year.

President Fries reported that during difficult economic times, historical data shows that enrollment increases in higher education.

President Fries reported that the University's finances overall, are fiscally sound. If the University is asked to reduce its current operating budget, it is not expected to exceed 5%. President Fries indicated that the I & G state funding for the University is \$30 million; five-percent is \$1.5 million.

HED Funding Recommendations

President Fries summarized the Higher Education Department's (HED) recommendations to the Department of Finance (DFA). Secretary Dasenbrock has acknowledged the State's funding situation and the list of Capital Projects is smaller than it normally would be, totaling \$35 million. In addition, there are approximately 114, Research and Public Service Project requests submitted, totaling \$54 million.

President Fries reported that HED has not made a recommendation regarding the increase for compensation for faculty and staff.

WICHE Tuition and Fee Data

President Fries provided a summary of an annual report that updates the tuition and fees prices published by all of the public institutions in the WICHE member states. President Fries indicated that the University is the lowest in the 11-state region. Average tuition and fees for undergraduates at public four-year institutions this year, is \$5,094. Highlands University's tuition and fees are \$2,688. **(Attachment 13d)**

GO Bond Funding and Projects

President Fries reported that the General Obligation Bond for higher education passed with a 58% statewide vote. The funding amount includes \$10.8 million for NMHU, \$1.8 million will be used to continue remodeling of the Lora Shields Science Annex Building. The remaining \$9 million will be used for various infrastructure projects on campus. President Fries reported that the libraries received \$97,000 from GO Bond C. Chairman Gonzales asked how much would be spent funding Capital Projects. President Fries responded that the University is in the midst of a \$50-70 million of set of improvements.

Capital Projects Update

President Fries reported that the efforts are underway to upgrade the dining hall and various residence halls. He also indicated that many older vehicles in the University fleet will be replaced with more efficient hybrids. President Fries announced that the chairs that will be used at the Board of Regents meetings will also be used in the President's Conference room. President Fries reported that negotiations with architects for the proposed Student Center and the Master Plan are progressing in a timely fashion.

Contract(s) for Architectural Services – Action Item

President Fries reported that the University is negotiating a contract for architectural and engineering services necessary for the design of a new student center. The contract will exceed \$500,000, which requires Board action. President Fries presented two options: 1) The Board can authorize Dr. Fries to proceed with a contract for architectural services, or 2) Plan a Special Board Meeting to approve a contract. After further discussion, Regent Lopez made a motion to

authorize President Fries and his staff, to execute a contract for the design of the Student Union Building, and report back to the Board of Regents for informational purposes what the amount would be. Regent Long seconded the motion. The motion passed unanimously.

NNMC Proposal regarding Taxing Authority

President informed the Board that he received an email from President Griego indicating that Northern New Mexico College plans to seek legislature approval to establish a taxing authority to supplement its resources. President Fries stated that President Griego, in his email, asked if Eastern NM University, Western NM University, and Highlands have an interest in joining Northern in seeking a taxing authority. Discussion indicated no support for such action at Highlands.

Other

President Fries indicated that he received information that the University of New Mexico (UNM) is moving its programs out of the Santa Fe Community College and consolidating them at the Los Alamos facility, effective immediately. President Fries also noted that College of Santa Fe is experiencing problems. Dr. Fries recommended that the University review the possibility of expanding its presence in Santa Fe. Chairman Gonzales asked if it would be appropriate to do a Market Analysis, such as the one done in Farmington. Chairman Gonzales agreed that the University should expand in Santa Fe.

President Fries announced that Mr. Jeff Gallegos, Assistant Human Resources Director will host a training program for employees. The first such program is scheduled on December 12th and is entitled, Customer Service.

President Fries reported that the University is in the final stages of the search for a Vice President for Advancement and he plans to make an announcement soon.

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; (4) real estate acquisition or disposal; and (5) discussion of competitive sealed proposals for legal services solicited pursuant to the Procurement Code, Pursuant to provisions of NMSA 1978, 10-15-1 (H) (2) (5) (6) (7) & (8). Regent Lopez moved to adjourn into executive session. Regent Long seconded the motion. A roll call was taken and voting in favor were: Chairman Gonzales, Regent Long, Regent Sanchez, Regent Lopez, and Regent Salas. Motion carried and the Board went into executive session at 11:16 a.m.

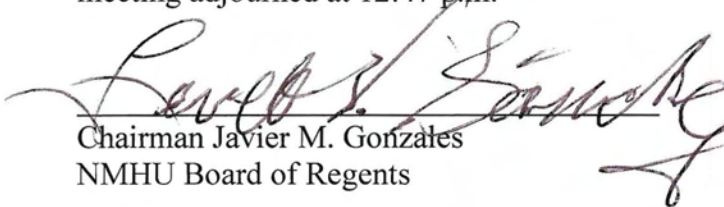
Regent Lopez moved to come out of executive session into open session. Regent Salas seconded the motion. A roll call was taken and voting in favor were: Chairman Gonzales, Regent Long, Regent Sanchez, Regent Lopez, and Regent Salas. Motion carried unanimously and the meeting was called back to order at 12:43 p.m.

Legal Services Contract – Action Item

Regent Long reported that a committee reviewed responses to the RFP for the provision of legal services over the next four years. The recommendation from the committee is that the University retain the services of Sutin, Thayer and Browne subject to final contract negotiations. Chairman Gonzales commended Regents Long and Sanchez for their participation in the committee. Ms. Nancy Long made a motion to approve the retention of Sutin, Thayer and Browne as the University's legal counsel. Regent Sanchez seconded the motion. The motion passed unanimously.

Adjournment

Regent Lopez moved to adjourn. Regent Long seconded the motion. Motion carried and the meeting adjourned at 12:47 p.m.

	
Chairman Javier M. Gonzales	Secretary/Treasurer Sherry Salas
NMHU Board of Regents	NMHU Board of Regents