

New Mexico Highlands University
Board of Regents Special Meeting
Margaret J. Kennedy Alumni Hall
NMHU Main Campus
Las Vegas, NM 87701
April 23, 2012 at 10:30 a.m.

1. Call to Order – Chairman Leveo V. Sanchez
2. Roll Call
3. Approval of Agenda for April 23, 2012
4. Approval of the Minutes from March 26, 2012
5. Academic Affairs – Dr. Gilbert Rivera, Vice President
 - a. Sabbaticals
 - b. Tenure and Promotion
 - c. Athletic Training Master's
 - d. Research Day
 - e. Environmental Science Concentration within Environmental Geology
 - f. Certificate in Forest and Watershed Restoration – Action Item
 - g. Other
6. Student Affairs Report – Dr. Fidel Trujillo, Dean of Students
 - a. Informational Items
7. Faculty Senate Report – Dr. Maureen Romine
8. Staff Advisory Senate Report – Ms. Margaret Gonzales
 - a. Staff Advisory Senate By-laws Changes – Action Item
9. Student Senate Report – Mr. Chris Burns
10. Persons Wishing to Address the Board
11. 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) real estate acquisition or disposal. Pursuant to provisions of NMSA 1978, §10-15-1(H)(2)(5)&(8)
12. Fiscal Business
 - a. FY12 Third Quarterly Report – Action Item
 - b. Sole Source Report
 - c. Audit Firm for FY12 – Action Item
 - d. Car Rental Program on Campus – Action Item
 - e. Print Shop and Other Surplus Property Disposal – Action Item
 - f. Final FY12 BARs Unrestricted and Restricted –Action Item
 - g. FY13 Budget
 - i. Overview

- ii. Tuition, Fees, Room & Board – Action Item
- iii. Hay Group Staff Salary Study
- iv. Article 25, Faculty Salaries – Action Item
- v. FY13 Budget – Action Item

- 13. Board Retreat Agenda
- 14. President's Report
- 15. Executive Session – (1) threatened of pending litigation subject to the attorney-client privileges in which the university may become a participant. Pursuant to provisions of NMSA 1978, §10-15-1(H)(7)
- 16. Adjournment

New Mexico Highlands University
Board of Regents Meeting
April 23, 2012

The New Mexico Highlands University Board of Regents held a regular meeting on April 23, 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 10:45 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; Mr. Chris Burns, ASNMHU President; and 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 Site, and over the KEDP Radio Station.

Approval of Meeting Agenda for April 23, 2012

Regent Long moved to approve the April 23, 2012 agenda. Regent Marchi seconded. Voting in favor were: Chairman Sanchez, Regent Long, Regent López, Regent Marchi, and Regent Syner. Motion passed unanimously.

Approval of the Minutes from March 26, 2012

Regent López moved to approve the minutes from March 26, 2012 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.

Academic Affairs – Dr. Gilbert Rivera, Vice President

Vice President Rivera presented his written report (**Attachment A**)

a. Sabbaticals

Vice President Rivera reported that faculty who have taught at NMHU for six years or more are eligible to apply for sabbatical leave. Faculty members are awarded sabbatical leave after review and approval from peers; Dean of their college; the faculty affairs committee; and the Vice President for Academic Affairs. The following sabbatical leave awards are as follows:

- Dr. Jane Gorman, full professor of Social Work, spring 2013
- Dr. Jennifer Lindline, full professor of Biology, fall 2012
- Dr. Mary Shaw, associate professor of biology, spring 2013
- Dr. Donna Woodford-Gormley, associate professor of English, spring 2013

b. Tenure and Promotion

Vice President Rivera reported that twelve faculty members have applied for tenure or promotion. The applications were reviewed by the respective Dean and the Faculty Affairs Review Panel. Vice President Rivera is currently reviewing the applications and will be submitting his recommendations to President Fries for final approval at the end of the academic year.

c. Athletic Training Master's

The Higher Education Committee has accepted the Athletic Training Master's Program proposal and will forward it to the Board of Finance for final action on May 15, 2012.

d. Research Day

The 10th Annual Research Day was held on April 5, 2012. Research and scholarly accomplishments by students and faculty were displayed and celebrated (**Attachment B**).

e. Environmental Science Concentration within Environmental Geology

A new Environmental Science interdisciplinary concentration within the Environmental Geology major will be available to students the fall of 2012. Graduates of the concentration will be prepared to work on the following subjects: earth processes, evaluation of alternative energy systems, pollution control and migration, and natural resources management among others.

f. Certificate in Forest and Watershed Restoration – Action Item

The Forest and Watershed Restoration Institute in conjunction with the Natural Resources Management Department are proposing a certificate program that will prepare undergraduate students with entry level skills and knowledge to work in the forest and watershed restoration field.

Regent Long moved to approve the Certificate in Forest and Watershed Restoration as presented (**Attachment C**). Regent Marchi seconded. Voting in favor were: Chairman Sanchez, Regent Long, Regent López, Regent Marchi, and Regent Syner. Motion passed unanimously.

Student Affairs Report – Dr. Fidel Trujillo, Dean of Students

Dr. Trujillo informed the Board of the following (**Attachment D**):

- The Student Affairs and Academic Affairs staff have been working together to increase student retention and enrollment rates by way of the Wal-Mart/HACU Collaboration Grant. The initiative includes a Freshman Forum; a Supplemental Instruction Leaders program modeled after the NMHU-ARMAS Center for the STEM fields; and best-practices strategies used at CSU-Fullerton.
- The Office of Housing and Student Conduct will implement a new housing refund policy beginning the 2012-2013 academic year in an effort to encourage students to honor their housing contracts.

- The Office of Campus Life held the 14th Annual Student Leadership Recognition Banquet on April 3, 2012. 68 students and 9 faculty members were nominated for recognition. Mr. Sebastian Medina was selected Student of the Year; Dr. Ron Maestas was selected Professor of the Year; and the MEChA de Highlands Club was selected Student Club of the Year.
- The Upward Bound Office is awaiting notification regarding continued program funding from the U.S. Department of Education.

Faculty Senate Report – Dr. Maureen Romine

Dr. Romine presented her written report (**Attachment E**).

The Faculty Academic Affairs Committee is reviewing the ACT/SAT admission requirement proposal drafted by Mr. John Coca, NMHU Registrar; Dr. Fidel Trujillo; Ms. Thomasinia Ortiz-Gallegos, Director of Academic Support; Ms. Julia Andrada, Recruitment Office; and Ms. Amanda Ortiz, Financial Aid Office. Six years of data demonstrates students who take the standardized test are more likely to return from the fall to the spring semester. A faculty vote indicated that the majority of faculty are in favor of the requirement.

Vice President Rivera pointed out that it would not be required for students who have started college after several years.

Dr. Trujillo informed the Board that during preliminary discussions with students, it was clarified that the requirement does not include a cut-off score.

President Fries reported that one of the major changes in the funding formula this year was that instead of counting student credit hours as of the census date, only those student credit hours of students who have complete a course or are in the course at the end of the semester are counted.

Staff Advisory Senate Report – Ms. Margaret Gonzales

Ms. Gonzales presented her written report (**Attachment F**).

Newsletter

Ms. Gonzales called the Board's attention to the latest issue of the Pony Express Staff Newsletter (**Attachment G**) which recognized most of the administrative assistants employed at NMHU in celebration of Administrative Professionals Day.

a. Staff Advisory Senate By-laws Changes – Action Item

Ms. Gonzales informed the Board that the Staff Advisory Senate By-laws changes were discussed by the Board during the February 1, 2012 meeting and they are being presented today for final approval and signature.

Regent López moved to approve the Staff Advisory Senate By-laws Changes as presented (**Attachment H**). Regent Long seconded. Voting in favor were: Chairman Sanchez, Regent Long, Regent López, Regent Marchi, and Regent Syner. Motion passed unanimously.

Student Senate Report – Mr. Chris Burns

Mr. Burns informed the Board that the ASNMHU will host an End of the Year Pool Party with lots of contests at the end of the semester.

The University Celebrity concert will take place on April 26, 2012 which will feature the best high school/college student talent in Las Vegas, New Mexico.

JC's Pizza is hosting college night on Thursday nights.

The NMHU Career Fair is scheduled for April 26, 2012, it is an important event which helps students make contact with employers to gain employment.

Person's Wishing to Address the Board

Dr. Carmen Vidal-Lieberman addressed the Board with her concerns regarding faculty tenure.

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) Real estate acquisition or disposal. Pursuant to provisions of NMSA 1978, 10-15-1 (H)(2)(5)&(8). 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, Regent Marchi, and Regent Syner. Motion carried and the Board went into executive session at 11:52 a.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 under the 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 1:05 p.m.

Fiscal Business

FY12 Third 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. President Fries presented the FY12 Third Quarterly Report.

Regent Long moved to approve the FY12 Third Quarterly Report as presented (**Attachment I**). Regent Marchi seconded. Voting in favor were: Chairman Sanchez, Regent Long, Regent López, Regent Marchi, and Regent Syner. Motion passed unanimously.

Sole Source Report

Dr. Trujillo present the sole source item (**Attachment J**).

Audit Firm for FY12 – Action Item

President Fries informed the Board that the university followed the Request for Proposal (RFP) process and proposals from four auditing firms were received. A committee reviewed the proposals and recommended a three-year contract renewal of the university's current auditing firm. President Fries recommended approval of a three-year audit firm contract with Moss Adams.

Regent López moved to award the FY12 audit contract to Moss Adams (**Attachment K**). Regent Long seconded. Voting in favor were: Chairman Sanchez, Regent Long, Regent López, Regent Marchi, and Regent Syner. Motion passed unanimously.

Car Rental Program on Campus – Action Item

President Fries informed the Board that an RFP for a car rental program on campus was completed and one proposal was submitted. The proposal has not been reviewed at present.

Regent Long moved to table action on the Car Rental Program on Campus item. Regent López seconded. Voting in favor were: Chairman Sanchez, Regent Long, Regent López, Regent Marchi, and Regent Syner. Motion passed unanimously.

Print Shop and Other Surplus Property Disposal – Action Item

President Fries informed the Board that some departments on campus including the Art Department might benefit from some of the listed print shop and other surplus property items. After such items are distributed a finalized surplus list will be presented to the Board.

Regent López moved to table action on the Print Shop and Other Surplus Property Disposal item. Regent Marchi seconded. Voting in favor were: Chairman Sanchez, Regent Long, Regent López, Regent Marchi, and Regent Syner. Motion passed unanimously.

Final FY12 BARs Unrestricted and Restricted – Action Item

President Fries informed the Board that the Unrestricted and Restricted Budget Adjustment Requests (BARs) are the final BAR's for the FY12 fiscal year.

Regent López moved to approve the final FY12 Unrestricted and Restricted BARs as presented (**Attachment L**). Regent Marchi seconded. Voting in favor were: Chairman Sanchez, Regent Long, Regent López, Regent Marchi, and Regent Syner. Motion passed unanimously.

FY13 Budget

Budget Overview

President Fries informed the Board that the university prepared a budget proposal which requires Board approval before it is submitted to the New Mexico Higher Education Department (NMHED) by May 1, 2012. President Fries indicated that the budget includes the increase in state funding which was previously discussed; increase in tuition and fee revenues; and some modification of expenditures. President Fries, Dr. Trujillo, and Ms. Eileen Bentley met with student leaders, staff, and centers to capture as much student input regarding tuition and fees, and room and board increases as possible.

Tuition, Fees, Room & Board – Action Item

The university is proposing no residence hall rate changes from FY13 with the exception of the single room rate in Connor Hall (**Attachment M**).

A'viands, the new food service vendor, has been well received by everyone on campus. There are some significant meal plan changes. The following meal plan and food service changes have been made in response to student requests: Block Plan; Flex Dollars; four levels of meal plans to three levels; meal plans for commuter students; and ability to use credit cards for purchases. There is a possibility that the Cantina will close.

The university is proposing a 5% tuition increase for resident and non-resident undergraduates. President Fries pointed out that the legislature did not impose a tuition credit however; they did specify that any increase of more than 5% would be treated as a tuition credit. Language in House Bill 2 directed the NMHED to provide information/suggestions on the appropriate distribution of cost of education between the state institution and students. The proposed dollar increase for international students is the same as the increase for out of state students, and therefore will be less than a 5% increase.

The university is proposing three fee increases; a fee of \$1.17 per credit hour to help fund and continue the Violence Prevention Program which had been grant funded; a \$2.00 fee increase per credit hour to assure that the university keeps all sports programs currently offered and they remain competitive; a \$1.64 technology fee per credit hour for students on the main campus. Overall the proposed tuition and fees increase for resident undergraduate students would be \$10 per credit hour or \$120 for full-time students; and \$14.30 per credit hour or \$171.60 for full-time non-resident and international students. The overall tuition and fees increase for graduate students would be \$10.50 per credit hour or \$126.00 for full-time resident students and \$14.90 per credit hour or \$178.80 for full-time non-resident and international students.

Dr. Trujillo credited President Fries for the transparency with respect to the proposed increases in tuition and fees. Dr. Trujillo indicated that he and President Fries met with students to outline the need for the increases, students are in support of the proposals and understand the need for the increases.

Regent López moved to approve the Tuition, Fees and Room & Board Rate increases as presented (**Attachment N**). Regent Marchi seconded. Voting in favor were: Chairman Sanchez, Regent Long, Regent López, Regent Marchi, and Regent Syner. Motion passed unanimously.

HayGroup Staff Salary Study

The university has retained the HayGroup to conduct a study of staff salaries and classification system. The study should be complete by mid-June. The study will be used as a means of proposing a salary policy to the Board for the upcoming year.

Article 25, Faculty Salaries – Action Item

President Fries reported that under Article 25 of the collective bargaining agreement, faculty salaries are to be negotiated yearly. The administration and faculty teams have reached an

agreement (**Attachment O**) and the administration is requesting Board approval of the language as proposed for Article 25 subject to ratification by the Faculty Association.

Regent Long moved to approve the recommendation by President Fries regarding faculty salaries and the increase that would be given under Article 25 of the Collective Bargaining Agreement subject to ratification by the faculty. Regent Marchi seconded. Voting in favor were: Chairman Sanchez, Regent Long, Regent López, Regent Marchi, and Regent Syner. Motion passed unanimously.

Executive Session – (1) threatened or pending litigation subject to the attorney-client privileges in which the university may become a participant. Pursuant to provisions of NMSA 1978, 10-15-1 (H)(7). Regent López moved to enter into executive session for the sole purpose of discussing the item listed. Regent López stated for the record that Mr. Jim Franken and members of his staff would be joining the Regents during executive session to discuss particulars relating to a building but only as they relate to potential threatened litigation involving the prior contractor. Regent Syner 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 1:47 p.m.

Regent Long moved to come out of executive session into open session and stated for the record that only that item specified under the executive session item was discussed and no action was taken. Regent López seconded. Ms. Rachel King, NMHU Legal Counsel stated for the record that only President Fries, the NMHU Regents, Mr. Max Baca, Director of IT Services, and legal counsel were present during executive session. Regent López stated that the Board, President Fries, and legal counsel collectively determined to not engage in any discussion with Mr. Franken and his staff during executive session and instead have President Fries and Mr. Franken present on the progress of the student union building project to the board in open session. Regents present confirmed all statements. 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 1:58p.m.

Mr. Franken introduced Mr. Phillip Martínez and Mr. Rick Tavelli; both are site managers on the student union building project. Mr. Franken informed the Board of the following:

- Franken Construction is waiting on the final kitchen design from the architects to begin work on the kitchen
- Some subcontractors chose to withdraw from the project and have been replaced
- Today was the first day of construction, 42 people are on the job site
- Drillers are working on the geothermal
- The folding doors are being installed in the ballroom
- Access floors will be pulled to be cleaned vacuumed, washed, and resealed correctly
- The drywall is being done by Franken Construction for the next couple of days and a new drywall contractor will be in place soon
- New electricians are on site
- The project is back on track

President Fries noted that Mr. Franken's report was part of the President's Report.

FY13 Budget – Action Item

President Fries indicated that some of the primary pieces of the proposed FY13 budget have been discussed earlier during the meeting and informed the Board of the following: the university has experienced three years of budget reductions. This year there will be a \$1.5 million dollar increase in state appropriations to Highlands University, approximately 6% of the university's base funding. The tuition and fee package that was approved earlier during the meeting represents a significant increase in tuition. A decrease of indirect cost revenues is projected. The university is receiving more grants, but the grants are more scholarship oriented and do not bring any indirect revenue. On the expenditure side, the \$1.5 million increase in state appropriations includes approximately \$370,000 that will go into the shift in the retirement plan. Electricity rates have increased, in addition the university under budgeted the cost of electricity for this year in the vicinity of \$100,500. There was also an error in the summer session budget last year that is being corrected in this budget which is approximately \$100,000.

As mentioned during the last Board meeting, the goal for the administration team this year was to keep the university operating effectively and also to put as many dollars as possible into a faculty and staff compensation package. It has been a least three years since faculty and staff have received a salary increase and if you want to have good employees who perform and have done so during this recession they should be compensated. The university has the opportunity to provide increases this year and much of the increased. Funding is being recommended as part of a salary package. On the staff side, there is no specific proposal at this time but a pool of money has been set aside to handle staff salaries. The university is waiting for the HayGroup Study outcome, which will be completed in June, before a more specific salary compensation package is presented.

Total projected revenues are \$71,591,000 combined with the beginning balances in the various funds and the total available is \$85,308,000. The BAR approved earlier in the meeting is the result of combining the original budget and the estimated actuals.

The expenditure budgets that are projected, unrestricted and restricted combined, are \$78,149,000 there are a significant numbers of transfers. The projected current fund ending balance is \$3.4 million or 6%.

President Fries thanked Ms. Bentley for her work preparing the budget.

President Fries is recommending Board approval for the total budget in the amount of \$78,149,034.

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

Board Retreat Agenda

President Fries along with suggestions from Regent Marchi developed a list of possible topics for the Board Retreat. Possible topics include: organizational structure; enrollment; mission of the university; ACT/SAT exams; role of the Board of Regents; tour of the student union building site; updates from the center/site directors; and possibly a few action items. A Board of Regents Retreat was scheduled for Friday, May 5, 2012 at 8:30 am in Kennedy Hall on the main campus.

President's Report

President Fries thanked the Board for their leadership and noted the commitment the faculty, staff, and students have made to the university over the last five years and three months. President Fries stated that the President's Gala was Dr. Sharon Caballero's idea. Dr. Caballero, Executive Director for Advancement, had a committee of 52 people who were regularly attending weekly meetings in preparation for the gala. The event was phenomenal from beginning to end; it had a positive warm atmosphere. President Fries thanked Dr. Caballero for her leadership in planning the gala.

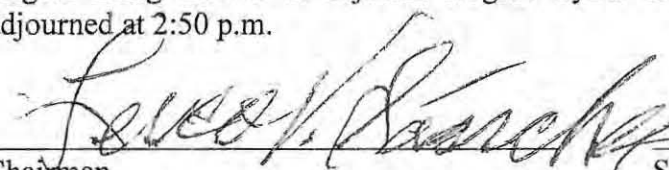
- President Fries announced that the bonuses for faculty and staff were distributed and several thank you notes were received.
- Main campus commencement is scheduled for May 12th at 1:00 pm at Wilson Complex. The NMHU-Rio Rancho commencement is scheduled for May 11th. 779 students are eligible to walk the line at commencement this year. Roughly 50/50 bachelor's and master's degrees will be given. Approximately 69% of those receiving a degree this year are women.
- Students from 36 different countries are represented at NMHU including Jillisa Grant, from Jamaica, who set a national long jump record and also placed 3rd in the 200 meter.
- The Social Work accreditation team visited last week and were very complimentary of NMHU's Social Work Program. The School of Social Work has the only bilingual master's program in the country. The MBA/MSW combined degree is highly unique. The School of Social Work Dean, Dr. Alfredo Garcia has negotiated with the State Substance Abuse Counseling Licensing Board to accept students who complete the social work substance abuse certificate program to be granted licensure as a Licensed Alcohol and Drug Abuse Counselor (LADAC), this is the only state where such recognition of granting such licensure is approved by a state substance abuse licensing board.
- The City of Las City elections are over; President Fries thanked Dr. Joseph McCaffrey for putting his name forward as a member of the city council. Dr. McCaffrey made it onto the run-off election, and he is an example of what caring members of the community should do.
- The federal student loan policies have changed; graduate students are no longer eligible for federal direct subsidized loans after July 1, 2012. There are also increases in

origination fees. Undergraduates will begin paying interest on a loan as soon as they graduate; there had been a six month grace period.

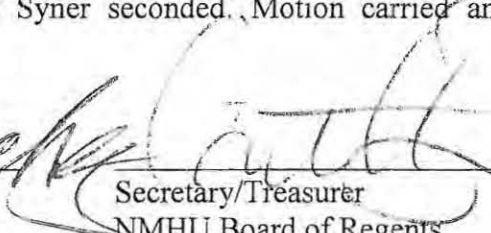
- The Higher Learning Commission will continue to award 10-year reaccreditation, NMHU received reaccreditation 2010. However, modifications to the accreditation procedures mandate that in the 4th year of reaccreditation, an institution has to submit an assurance filing. Since the university received reaccreditation fairly recently, the assurance filing will take place in 2015-2016.
- A series of meetings were held to review the facilities needs of the athletic department, intermurals, recreational activities, and the exercise & sport science program to determine the best use of the current student center which will be mostly unoccupied once the new student union building is completed. Discussions are ongoing.
- The Director of the Museum of Natural History & Science in Albuquerque has invited media arts and software systems development students to display their work at the museum. One of the museum's permanent displays on Emergence was done by NMHU's media arts students.

Adjournment

Regent Long moved to adjourn. Regent Syner seconded. Motion carried and the meeting adjourned at 2:50 p.m.



Chairman
NMHU Board of Regents



Secretary/Treasurer
NMHU Board of Regents