

New Mexico Highlands University
Board of Regents Meeting
Student Union Building
NMHU Main Campus
Las Vegas, New Mexico 87701
April 26, 2013 at 9:00 a.m.

1. Call to Order – Chairman Sanchez
2. Roll Call
3. Approval of Agenda for April 26, 2013
4. Approval of the Minutes of March 20, 2013
5. Matters from the Board
 - A. Board of Regents Officer Elections – Action Item
 - B. Board of Regents Subcommittee Appointments
6. Consent Calendar – Action Items
 - A. Curricular Changes
 - a) Deletions:
 - BS in Computer and Mathematical Modeling
 - BA Concentration in Certified Financial Planning
 - BA Concentration in International Business
 - b) Suspensions:
 - MBA in Government Non-Profit
 - c) Additions:
 - BA in Biology
 - Biochemistry Concentration in Chemistry BA Program (Undergraduate)
 - MBA Concentration in Marketing
 - Certificates in the Following Areas of Business
 - Accounting (UG)
 - Finance (UG)
 - Human Resources Management (UG)
 - Media Marketing (UG)
 - Accounting (Grad)
 - Finance (Grad)
 - Human Resources Management (Grad)
 - Media Marketing (Grad)
 - B. MOU with Dalian Ocean University
 - C. ASNMHU Constitutional Changes
 - D. Naming of H-Club area in Stu Clark Building for Coach Don Gibson
 - E. Resolutions regarding Dr. Willie Sanchez, Mr. Alfredo “Chemo” Gallegos, and Mr. Mel Root
 - F. Procurement Limits Policy
 - G. Approval of Moss Adams LLP for FY13 Audit (Year two)
 - H. Third Quarterly Financial Report
 - I. FY13 Final BAR
 - J. RFP for A/E Services on Master Planning for Athletic Facilities

- K. Commercialization of Hydrazine Patent – Action Item(s)
 - a) Trademark ZeenKleen Name and Logo – Action Item
 - b) Licensing Agreement with Ameren Callaway Power Plant – Action item
 - c) Basic Licensing Agreement with Power Companies – Action Item
 - d) Licensing Agreement with AmplaChem for Sales of ZeenKleen – Action Item
 - e) Creation of ZeenKleen Foundation Under University Research Park Act – Action Item
 - f) Negotiations with Millennium Corporation
- 7. Academic & Student Affairs Committee – Regent Frank Marchi
 - A. Academic Affairs Report
 - a) Reduce Upper Division Credits Requirement from 51 to 45 Hours – Action Item
 - b) P.E. Requirement Waiver for Student Athletes – Action Item
 - c) Articulation and Cooperative Marketing Agreement with ETLS – Action Item
 - d) Behavioral Intervention Policy – Action Item
 - e) Informational Items
- 8. Finance & Administration – Regent Jesus L. López
 - A. FY14 Tuition, Fees, Room, and Board Rates – Action Item
 - B. FY14 Budget – Action Item
 - C. Informational Items
- 9. President’s Report – Dr. James Fries, President
 - A. Student Center Opening
 - B. Student Success
 - C. Commercialization of Hydrazine Patent
 - D. SFCC Higher Education Center
 - E. Sabbaticals, Tenure, Promotion
 - F. Other
- 10. Faculty Senate Report – Dr. Maureen Romine
- 11. Staff Advisory Senate – Ms. Margaret Gonzales
- 12. ASNMHU Report – Mr. Chris Burns
- 13. Persons Wishing to Address the Board
- 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; and (3) threatened or pending litigation subject to the attorney-client privilege in which the University may become a participant. Pursuant to provisions of NMSA 1978, §10-15-(H)(2)(5)&(7)
- 15. Future Board Meetings: July 26, 2013; October 25, 2013; January 24, 2014; April 25, 2014 – Action Item
- 16. Adjournment

New Mexico Highlands University
Board of Regents Meeting
April 26, 2013

The New Mexico Highlands University Board of Regents met on April 26, 2013 in the Governance Room in the Student Union Building on the New Mexico Highlands University main campus in Las Vegas, New Mexico. Chairman Sanchez called the meeting to order at 9:10 a.m.

Attendance

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

Administrative Personnel Present: Dr. James Fries, President; Dr. Fidel Trujillo, Dean of Student Affairs; and Dr. Linda LaGrange, Associate Vice President for Academic Affairs.

Others Present: Dr. Maureen Romine, Faculty Senate Chair; Ms. Margaret Gonzales, Staff Advisory Senate President; Ms. Tina Sione, ASNMHU President Pro-Temp; and Ms. Carolina Martínez, Executive Administrative Assistant; and numerous other individuals in the audience, including faculty, staff, students, community representatives, and media.

Approval of Meeting Agenda for April 26, 2013

Regent López moved to approve the April 26, 2013 agenda. Regent Long seconded. Voting in favor were: Chairman Sanchez, Regent Long, Regent López, Regent Marchi, and Regent Martinez. Motion passed unanimously.

Approval of the Minutes from March 20, 2013

Regent López moved to approve the minutes from March 20, 2013 as presented. Regent Marchi seconded. Voting in favor of the motion were: Chairman Sanchez, Regent Long, Regent López, Regent Marchi, and Regent Martinez. Motion passed unanimously.

Matters from the Board

Board of Regents Officer Elections – Action Item

Regent López moved to re-appoint Regent Sanchez as Chair the Board. Regent Long seconded. Voting in favor of the motion were: Regent Long, Regent López, Regent Marchi, and Regent Martinez. Chairman Sanchez abstained.

Regent Long moved to re-appoint Regent López as Vice Chair of the Board. Regent Marchi seconded. Voting in favor of the motion were: Chairman Sanchez, Regent Long, Regent Marchi, and Regent Martinez. Regent López abstained.

Regent Long moved to nominate Regent Marchi as Secretary/Treasurer for the Board. Regent López seconded. Voting in favor of the motion were: Chairman Sanchez, Regent Long, Regent López, and Regent Martinez. Regent Marchi abstained.

Board of Regent Subcommittee Appointments

Chairman Sanchez re-appointed Regent López to chair the Finance & Administration Committee and Regent Long to chair the Academic & Student Affairs Committee.

Consent Calendar – Action Item

- A. Curricular Changes (**Attachment A**)
 - a) Deletions:
 - BS in Computer and Mathematical Modeling
 - BA Concentration in Certified Financial Planning
 - BA Concentration in International Business
 - b) Suspensions:
 - MBA in Government Non-Profit
 - c) Additions:
 - BA in Biology
 - Biochemistry Concentration in Chemistry BA Program (Undergraduate)
 - MBA Concentration in Marketing
 - Certificates in the Following Areas of Business
 - Accounting (UG)
 - Finance (UG)
 - Human Resources Management (UG)
 - Media Marketing (UG)
 - Accounting (Grad)
 - Finance (Grad)
 - Human Resources Management (Grad)
 - Media Marketing (Grad)
- B. MOU with Dalian Ocean University (**Attachment B**)
- C. ASNMHU Constitutional Changes (**Attachment C**)
- D. Naming of H-Club area in Stu Clark Building for Coach Don Gibson (**Attachment D**)
- E. Resolutions regarding Dr. Willie Sanchez, Mr. Alfredo “Chemo” Gallegos, and Mr. Mel Root (**Attachment E**)
- F. Procurement Limits Policy (**Attachment F**)
- G. Approval of Moss Adams LLP for FY13 Audit (Year two) (**Attachment G**)
- H. Third Quarterly Financial Report (**Attachment H**)
- I. FY13 Final BAR (**Attachment I**)
- J. RFP for A/E Services on Master Planning for Athletic Facilities (**Attachment J**)
- K. Commercialization of Hydrazine Patent – Action Item(s) (**Attachment K**)
 - a) Trademark ZeenKleen Name and Logo – Action Item (**Attachment L**)
 - b) Licensing Agreement with Ameren Callaway Power Plant – Action item(**Attachment M**)
 - c) Basic Licensing Agreement with Power Companies – Action Item
 - d) Licensing Agreement with AmplaChem for Sales of ZeenKleen – Action Item (**Attachment N**)
 - e) Creation of ZeenKleen Foundation Under University Research Park Act – Action Item
 - f) Negotiations with Millennium Corporation

Regent López moved to approve the Consent Calendar items A-K as presented. Regent Long seconded. Voting in favor were: Chairman Sanchez, Regent Long, Regent López, Regent Marchi, and Regent Martinez. Motion passed unanimously.

President Fries provided a brief report on each consent calendar item:

- Four academic programs are recommended for suspension; the MBA in Government Non-Profit is recommended for suspension; and two BA degrees, one MBA, and eight business certificate programs were recommended for addition to the NMHU curriculum.
- The MOU with the Dalian Ocean University in China opens the door to further discussion to establish a detailed agreement between NMHU and Dalian Ocean.
- The ASNMHU Constitutional changes were approved by the ASNMHU and by the student body with a vote greater than 50% as required.
- The H-Club requested a section in the lobby of the Stu Clark building be named in honor of Coach Don Woods.
- Approval of three resolutions is being requested; the resolutions recognize the many contributions Dr. Willie Sanchez, the first Hispanic Vice President at NMHU; Mr. Alfredo “Chemo” Gallegos, Director of Upward Bound; and Mr. Mel Root, Foundation member, Alumni Association member, and H-Club member for their many contributions to NMHU. All three gentlemen past away this past year.
- The administration is requesting Board approval of the procurement changes to the university’s User’s Guide to Purchasing and Accounts Payable Manual to comply with the State’s modifications passed during this year’s legislative session. The changes become effective July 1, 2013.
- Approval of the Moss Adams Audit firm contract for the second year is requested.
- The third quarterly report to the New Mexico Higher Education Department indicating the university’s financial budget status for the period ending March 31, 2013 is due. President Fries indicated that total revenues through the end of March 31st reflect 76% of the approved target budgets. Total expenditures reflect 71% of the approved budget.
- The FY13 BAR is included as part of the FY14 budget report. President Fries reported that the unrestricted and restricted budget adjustment requests (BAR’s) are the final BAR’s for the FY13 fiscal year.
- The request for an RFP to develop a master plan for athletic facilities is to incorporate the existing facilities and the old student center for intercollegiate athletics, intramurals, and recreational activities.

- The university owns a patent on a hydrazine spill remediation process. The process patented by the university changes the highly toxic chemical to an environmentally safe one. Discussions with NASA and the Air Force regarding possible licensing are ongoing.

Commercialization of the hydrazine patent includes the trademark name and logo ZeenKleen.

An initial licensing agreement with the Ameren Calloway Power Plant has been signed and the administration is recommending Board approval for finalization.

Board approval is being requested for the draft agreement with AmplaChem. Profits from chemical sales will be split 50/50 between AmplaChem and the university.

Millennium Enterprises Inc. in Marietta, GA, specializing in chemical spill containment systems, is interested in working with the university to produce absorbent pads; air sealed containers; special shower stalls for hazmat suits; and a variety of other products for the patent process. Discussions with Mr. Bob Blaskovic, owner of Millennium, are underway.

The administration is requesting Board approval to move forward with the drafting of documents to establish a new foundation under the University Research Park Act for ultimate approval by the Board.

Academic & Student Affairs Committee – Regent Frank Marchi

Reduce Upper Division Credit Requirement from 51 to 45 Hours – Action Item

President Fries reported that as part of an overall review of university policies and graduation requirements, he requested the Faculty Senate explore the possibility of reducing the upper division credit requirement from 51 to 40 credit hours, as well as reducing the minimum number of credit hours required to graduate from 128 to 120. The Faculty Senate reviewed and approved the reduction of the upper division requirement from 51 to 45. The administration is requesting Board approval of the upper division requirement reduction.

Regent Long moved to approve the upper division credit hour requirement reduction from 51 to 45 credit hours (**Attachment O**). Regent López seconded. Voting in favor were: Chairman Sanchez, Regent Long, Regent López, Regent Marchi, and Regent Martinez. Motion passed unanimously.

P.E. Requirement Waiver for Student Athletes – Action Item

President Fries informed the Board that university core requirements include (2) hours of P.E. credit even for student athletes. Student athletes spend countless hours training and participating for their sport. As requested by President Fries, the Faculty Senate and Faculty Senate Academic Affairs Committee reviewed the requirement and are recommending the (2) P.E. credit hours requirement for student athletes who complete one semester of participation in their sport, as certified by the Athletic Director's Office, be waived.

Regent López moved to approve the P.E. requirement waiver for student athletes completing one semester of participation in their sport as certified by the Athletic Director's Office (**Attachment**

P). Regent Marchi seconded. Voting in favor were: Chairman Sanchez, Regent Long, Regent López, Regent Marchi, and Regent Martinez. Motion passed unanimously.

Articulation and Cooperative Marketing Agreement with ETLS – Action Item

President Fries reported that the university has had prior interaction with Mr. and Mrs. Levin, owners of the English Time Language School (ETLS), who are also the Dalian Ocean University contacts. The ETLS works with students from China and other countries wanting to pursue their education in the U.S. In many cases students would need to complete the ESL program at ETLS to ensure their English skills are adequate for admittance to NMHU. The agreement between NMHU and ETLS would be non-exclusive and would help market the university. The two-year agreement includes a one-year extension and a sixty-day termination with or without cause. The agreement was reviewed by NMHU legal counsel and is being recommended for Board approval.

Regent Marchi moved to approve the Articulation and Cooperative Marketing Agreement with ETLS (**Attachment Q**) as presented. Regent Martinez seconded. Voting in favor were: Chairman Sanchez, Regent Long, Regent López, Regent Marchi, and Regent Martinez. Motion passed unanimously.

Behavioral Intervention Policy – Action Item

President Fries reported that the behavioral intervention policy formalizes the NMHU Student Behavior Intervention and Support Team. The SBIST will take a proactive and supportive approach to prevention, assessment and intervention of students showing distress or engaging in harmful or disruptive behavior. The SBIST will evaluate students and determine a course of action for recommendation to the Dean of Students. The policy was reviewed by legal counsel.

Regent Long moved to approve the Behavioral Intervention Policy (**Attachment R**) as presented. Regent Martinez seconded. Voting in favor were: Chairman Sanchez, Regent Long, Regent López, Regent Marchi, and Regent Martinez. Motion passed unanimously.

Finance & Administration – Regent Jesus L. López

FY14 Tuition, Fees, Room, and Board Rates – Action Item

President Fries informed the Board that the administration is proposing a \$248 semester increase in tuition and fees; a tuition increase of \$11 per credit hour and \$9.67 fee increase per credit hour totaling \$20.67 per credit hour.

A'viands, NMHU's food service provider, is not recommending meal plan increases. They proposed the elimination of the unlimited meals plan with the replacement of a 350 meals plan. Each meal plan purchased comes with a specified number of flex dollars that may be redeemed at the Purple Brew Coffee Shop, Einstein Brothers Bagels, and the C-Store. Students living on campus are required to purchase a meal plan; all other students and employees can also purchase meal plans.

The university did not raise housing rates last year with the exception of single rooms in Connor Hall. This year the administration is recommending room rates remain at their current rates with the exception of North Kennedy Hall. North Kennedy rooms are underpriced as compared to other campus housing options. The proposed increase is from \$1,607 to \$1,728 per semester.

The proposed tuition, fees, room, and board rates were discussed and endorsed by the President's Cabinet and ASNMHU leaders. The consensus of both groups is that NMHU should be comparable to Eastern New Mexico University and Western New Mexico University. NMHU's FY14 tuition and rates, with the proposed increase, would be \$3,191.49 per semester for a non-resident undergraduate student. The same student will pay \$4,930.20 per semester at ENMU and \$6,257.16 at WNMU.

Regent López moved to approve the tuition, fees, and room and board rates (**Attachment S**) as presented by President Fries. Regent Long seconded. Voting in favor were: Chairman Sanchez, Regent Long, Regent López, Regent Marchi, and Regent Martinez. Motion passed unanimously.

FY14 Budget – Action Item

President Fries indicated that the I&G appropriation for FY14 includes an increase of approximately \$660,000; but that the increase includes funding for an increase of 2.25% in the university's cost for the ERB retirement plan for faculty and staff and a 1% compensation increase. He also noted that the compensation increase doesn't fully fund associated fringe benefit costs. With those costs factored out, the net increase in I&G funding is approximately \$28,000. In addition, the cost of health insurance is going up by 15% for both participating employees and the university. The cost to the university is estimated at \$215,000. With that cost included, the \$660K increase can actually be viewed as close to a \$187K decrease in I&G funding for FY14 compared to FY13.

The funding formula continues to change, especially the weighting assigned to the various outcome measures, which makes predicting funding from year to year difficult.

The proposed FY14 budget as presented is balanced and includes an ending balance of 3.7%, which is within HED guidelines. The university is required to submit a budget prior to May 1st each year, so there will be some on-going adjustments between lines within this budget that will ultimately come back to the Board for approval in the first BAR request of the new fiscal year.

Regent López moved to approve FY14 Budget (**Attachment T**) as presented by President Fries. Regent Long seconded. Voting in favor were: Chairman Sanchez, Regent Long, Regent López, Regent Marchi, and Regent Martinez. Motion passed unanimously.

President's Report – Dr. James Fries, President

President Fries reported the following:

The student union building grand opening ceremony is today, April 26, 2013 at 2:00 p.m. The SUB will serve NMHU as well as the community and will greatly impact campus life.

The reduction of the upper division credit requirement; the P.E. requirement waiver for student athletes; offering of co-requisites; and posting of degrees upon degree completion will all contribute to the improvement of student success.

The commercialization of the hydrazine patent could prove to be a game changer for the university in terms of potential revenue.

New Mexico State University signed an MOU with the Higher Education Center at the Santa Fe Community College. NMHU, the University of New Mexico, and the Institute of American Indian Arts are already partners with the HEC and currently offer undergraduate and graduate degree programs at the center.

Dr. Carol Linder, Associate Professor of Biology, and Mr. Andrew Wollner, Associate Professor of Media Arts & Technology were granted sabbatical leave.

Six professors were granted tenure and 12 professors were promoted.

Dr. Andrew Israel was named a Fulbright Scholar by the U.S. Department of State.

Mr. Kim Carpenter will be the 2013 commencement speaker. He is a Highlands alum and former NMHU employee. He wrote a book "The Vow", which was adapted into a movie. "The Vow" will soon be printed in Chinese.

The Math Camp will now offer writing courses beginning this summer.

The university received an art collection of over 150 pieces from Dr. Robert Bell, Ms. Sterling Puck, Dr. George Talbot, and others. The collection includes pieces from prominent New Mexico artists. They requested Kennedy Lounge be used as an art gallery to display the art.

Faculty Senate Report – Dr. Maureen Romine

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

Staff Advisory Senate Report – Ms. Margaret Gonzales

Ms. Gonzales presented her written report (**Attachment V**) and also provided the latest edition of the staff newsletter (**Attachment W**).

ASNMHU Report – Ms. Chris Burns

Ms. Tina Sione, ASNMHU President Pro-Tem reported that the ASNMHU elections were held April 18019, 2013 and there was good student participation. Students also voted on and approved the ASNMHU Constitutional changes.

President Fries announced that Ms. Sione was elected ASNMHU President for the upcoming academic year. Mr. Burns successfully ran for ASNMHU Vice President. President Fries noted that Ms. Sione has been a very active student on campus.

Persons wishing to address the Board

No one came forward.

Future Board Meetings: July 26, 2013; October 25, 2013; January 24, 2014; and April 25, 2014 – Action Item

Regent López moved to approve the meeting dates as presented, subject to change as needed. Regent Marchi seconded. Voting in favor were: Chairman Sanchez, Regent Long, Regent López, Regent Marchi, and Regent Martinez.

President Fries introduced and welcomed Mr. Michael Brasher, Secretary for the New Mexico Board of Finance, to the meeting.

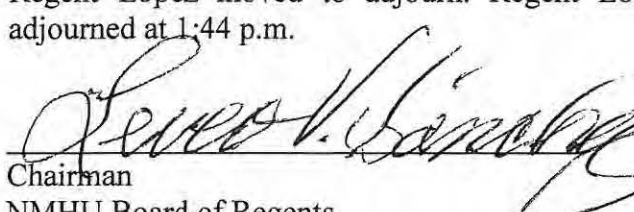
Executive Session – (1) Limited personnel matters related to the hiring, promotion, demotion, dismissal, assignment, resignation, or investigation or consideration of complaints or charges against an employee; (2) bargaining strategy preliminary to collective bargaining; and (3) threatened or pending litigation subject to the attorney-client privilege in which the University may become a participant. Pursuant to provisions of NMSA 1978, 10-15-1 (H)(2)(5)&(7). Regent López moved to enter into executive session for the sole purpose of discussing the items listed. Regent Long seconded. A roll call was taken and voting in favor were: Chairman Sanchez, Regent Long, Regent López, Regent Marchi, and Regent Martinez. Motion carried and the Board went into executive session at 11:52 a.m.

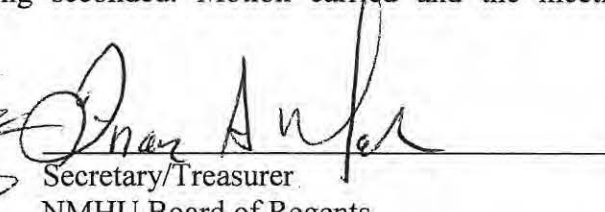
Regent Martinez exited the meeting at 1:35 p.m.

Regent López moved to come out of executive session into open session. Regent Marchi 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, and Regent Marchi. Motion carried unanimously and the meeting was called back to order at 1:43 p.m.

Adjournment

Regent López moved to adjourn. Regent Long seconded. Motion carried and the meeting adjourned at 1:44 p.m.


Chairman
NMHU Board of Regents


Secretary/Treasurer
NMHU Board of Regents