

New Mexico Highlands University
Special Board of Regents Meeting
President's Conference Room
Rogers Administration Building
NMHU Main Campus
Las Vegas, NM 87701
December 18, 2013 at 10:00 a.m.

1. Call to Order – Chairman Sanchez
2. Roll Call
3. Approval of Agenda for December 18, 2013
4. Approval of the Minutes of November 1, 2013
5. Deletion of Social Studies, Secondary Teaching: Concentration and Minor – Action Item
6. Associate of Arts in Social and Behavioral Sciences – Action Item
7. Clinical Rehabilitation Counseling Emphasis Area in Master's – Action Item
8. Proposed Naming of Gina Briefs-Elgin Writing Center – Action Item
9. Golf Course Well and Effluent Easement – Action Item
10. HNSI Contract for Bulk ZeenKleen Sales – Action Item
11. Weather Policy
12. President's Report
 - A. Administrative Searches/Appointments
 - B. Spring Enrollment
 - C. Admissions Requirements
 - D. FY15 Formula Funding Plan(s)
 - E. Lottery Scholarships
 - F. J3 System Roofing Maintenance Contract (Melody Replacement at \$100K)
 - G. Rodeo Facilities
 - H. 'Green House' Lot Options
 - I. Tuition and Fees Ranking List
 - J. CUP Performance Effectiveness Report
 - K. Commencement with SJC
 - L. NMHU Confessions page(s)
 - M. FY14 Midyear Review
 - N. Las Vegas Night January 23rd at La Fonda Hotel
 - O. Other
13. Executive Session – (1) Limited personnel matters related to the hiring, promotion, demotion, dismissal, assignment, resignation, or investigation or consideration of complaints or charges against an employee; (2) threatened or pending litigation subject to the attorney-client privilege in which the University may become a participant; and (4) real estate acquisition or disposal. Pursuant to provisions of NMSA 1978, §10-15-1(H)(2)(7)&(8).
14. Baker A/E contract – Action Item
15. Adjournment

**New Mexico Highlands University
Board of Regents Special Meeting
December 18, 2013**

The New Mexico Highlands University Board of Regents held a special meeting on December 18, 2013 in the President's Conference Room, Rodgers Administration Building on the New Mexico Highlands University main campus in Las Vegas, New Mexico. Chairman Sanchez called the meeting to order at 10:05 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; Mr. Max Baca, Interim Vice President for Finance & Administration; Dr. Gilbert Rivera, Vice President for Academic Affairs; and Dr. Fidel Trujillo, Dean of Students

Others Present: Dr. Maureen Romine, Faculty Senate Chair; Ms. Tina Sione, ASNMHU President; Ms. Carolina Martínez, Executive Administrative Assistant; and numerous other individuals in the audience including; faculty, staff, and media

Approval of the December 18, 2013 Meeting Agenda

President Fries recommended moving action item #9, Golf Course Well and Effluent Easement after item #4, Approval of the Minutes from November 1, 2013. Regent López moved to amend the December 18, 2013 agenda as recommended by President Fries. Regent Marchi seconded. Voting in favor were: Chairman Sanchez, Regent Long, Regent López, Regent Marchi, and Regent Martinez.

Regent López moved to approve the December 18, 2013 agenda as amended. Regent Marchi seconded. Voting in favor were: Chairman Sanchez, Regent Long, Regent López, Regent Marchi, and Regent Martinez. Motion passed unanimously.

Approval of the Minutes from November 1, 2013

Regent Long moved to approve the minutes from November 1, 2013 as presented. Regent Martinez seconded. Voting in favor of the motion were: Chairman Sanchez, Regent Long, Regent López, Regent Marchi, and Regent Martinez. Motion passed unanimously.

Golf Course Well and Effluent Easement – Action Item

President Fries reported that the proposed agreement (**Attachment A**) is for a general utility easement on the NMHU golf course property that would allow the City of Las Vegas to extend their effluent line through part of the golf course property. Running the line would allow the City to complete a loop in the effluent line which would serve the northern part of Las Vegas that cannot receive effluent water. Sutin Thayer & Browne, NMHU legal counsel, reviewed the agreement.

Mr. Don Cole, Water System Manager for the City of Las Vegas, informed the Board that the City plans to tie into the existing effluent line that currently serves the golf course. Once the line is tied

in, it will immediately follow the road to the pump house (by the pond) at which point the line would be directed onto city property.

The City is moving forward with the North Grand Effluent Project which includes the installation of a 100,000 gallon tank and booster station located in the vicinity of City Hall. If the Board approves the effluent water line extension through the golf course it will connect to the 100,000 tank which will provide a loop system enabling the City to provide water in two directions.

President Fries stated that Mr. Cole and the City have been extremely cooperative regarding this process. This new proposal minimizes the amount of work to be done in the golf course.

Regent López moved to authorize President Fries to pursue the Golf Course Well and Effluent Easement agreement to conclusion and subject to the written memorialization to be brought before the Board for final approval at a later date. Regent Long seconded. Voting in favor of the motion were: Chairman Sanchez, Regent Long, Regent López, Regent Marchi, and Regent Martinez. Motion passed unanimously.

Dr. Gilbert Rivera, Vice President for Academic Affairs informed the Board that all of the academic proposals being presented today (**Attachment B**) were reviewed and are being recommended by: the faculty of the respective departments; the deans of each school or college; the Faculty Academic Affairs Committee; and the Faculty Senate.

Deletion of Social Studies, Secondary Teaching: Concentration and Minor – Action Item

The deletion of the Social Studies History Program concentration and the Minor in Social Studies are recommended for deletion. Both programs were intended for social studies teachers in public schools. Students have not enrolled in either program for approximately 10 years.

Regent López moved to approve the Deletion of Social Studies, Secondary Teaching: Concentration and Minor (**Attachment C**) as presented. Regent Long seconded. Voting in favor of the motion were: Chairman Sanchez, Regent Long, Regent López, Regent Marchi, and Regent Martinez. Motion passed unanimously.

Associate of Arts in Social and Behavioral Sciences – Action Item

Vice President Rivera reported that this associate's degree is the first of several that may be submitted by the faculty. The Department of Social and Behavioral Sciences is proposing a two-year Associate of Arts degree in social and behavioral sciences to help the many students who drop out after their junior year. This program will give students the opportunity to earn a two-year degree; would allow them to continue school to earn their bachelor's degree; increase their opportunity for employment; and possibly increase their pay grade. In addition, the new funding formula changes will boost the university's funding for completed degrees.

Vice President Rivera stated that the administration is recommending approval of the Associate of Arts in social and behavioral sciences.

Regent Marchi asked if additional resources would be needed for the associate's degree. Vice President Rivera responded no. The courses are interdisciplinary; therefore no additional resources would be required.

President Fries added that the credential would be meaningful and could aid them with employment if they needed to drop out of the four-year program.

Regent López raised concerns that students may be dissuaded from pursuing a four-year degree when they have the option to earn a two-year degree instead.

Dr. Maureen Romine, Faculty Senate Chair, indicated that the issue was addressed by the Faculty Senate and the consensus is that offering an associate's degree in some programs, on a case by case basis, would benefit our students. She added that the item would continue to be an ongoing topic of conversation/discussion for the Faculty Senate.

Regent López noted that Highlands cannot lose sight of the fact that it is a four-year institution.

Dr. Rivera pointed out that only 20% of the entering class graduates. Research shows that students who complete a two-year degree are more likely to complete a four-year degree than those who don't.

President Fries stated that the university is not actively recruiting students into the two-year degree program but there is a need to offer the degree to address student needs and help them achieve success.

Vice President Rivera informed the Board that the Higher Learning Commission, NMHU's accrediting agency, does allow the university to offer two-year degrees.

Regent Marchi moved to approve addition of the Associates of Arts in Social and Behavioral Sciences (**Attachment D**) as presented. Regent Long seconded. Voting in favor of the motion were: Chairman Sanchez, Regent Long, Regent López, Regent Marchi, and Regent Martinez. Motion passed unanimously.

Clinical Rehabilitation Counseling Emphasis Area in Master's – Action Item

Vice President Rivera reported that the Department of Counseling and Guidance out of the School of Education is proposing a Clinical Rehabilitation Counseling emphasis. The university currently has a Rehabilitation Counseling Program that consists of 48 credit hours and is accredited by the Council on Rehabilitation Counseling Education (CORE). This new emphasis will not require additional resources.

Regent Long moved to approve the emphasis name change from Professional Counseling to Clinical Mental Health Counseling and approval of the new Clinical Rehabilitation Counseling emphasis (**Attachment E**) 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.

Proposed Naming of Gina Briefs-Elgin Writing Center – Action Item

Vice President Rivera informed the Board that Dr. Regina Briefs-Elgin came to Highlands in 1990 and established herself as a respected and hardworking faculty member for 21 years. Her demeanor and kindness allowed her to work well with students and faculty. She became the Writing Center Director and Coordinator of the Developmental Composition Program. Faculty members in the English Department have requested that the Writing Center be named in honor of Dr. Briefs-Elgin acknowledging her dedication and many contributions to the university.

Regent López suggested that the naming of buildings be deliberately delayed to ensure adequate feedback and research is provided.

Vice President Rivera reported that he reviewed the, Board approved, Building Naming Policy and felt that naming the Writing Center in honor of Dr. Briefs-Elgin fits the policy.

Regent López moved to table the proposed naming of the writing center (included in **Attachment F**) until the Naming Policy can be reviewed by the Board. Regent Marchi seconded. Voting in favor of the motion were: Chairman Sanchez, Regent Long, Regent López, Regent Marchi, and Regent Martínez. Motion passed unanimously.

HNSI Contract for Bulk ZeenKleen Sales – Action Item

President Fries informed the Board that the HNSI Contract for Bulk ZeenKleen Sales is an extension of an earlier agreement approved by the Board building a relationship with the Hydrazine Neutralizing Solutions, Inc. Company in Atlanta, GA. The earlier agreement authorized HNSI to prepare, manufacture, market, and sell absorbent pads, spill wipes, and solutions of ZeenKleen containing material to neutralize hydrazine. The university holds the patents on the mediation system for addressing hydrazine spills. The university also has a copyright on the name ZeenKleen.

The university also has an agreement with an importing company in Illinois to import the chemical labeled ZeenKleen from China.

HNSI has investigated marketing and realized that they need to be a representative for the bulk chemical sale of ZeenKleen. This contract will allow HNSI to sell the bulk ZeenKleen in metric ton quantities. The agreement would require that HNSI buy ZeenKleen through AmplaChem the company that imports the material from China. The university would receive financial remuneration from AmplaChem for the material brought in from China. The university would also receive additional compensation from retail sales through HNSI.

Regent Long moved to approve the Exclusive Patent & Trademark License Agreement/HNSI Contract for Bulk ZeenKleen Sales as presented (**Attachment G**). Regent Marchi seconded. Voting in favor of the motion were: Chairman Sanchez, Regent López, Regent Marchi, and Regent Martínez. Motion passed unanimously.

Vice President Rivera reported that the Forestry Program received its accreditation until 2018 by the Society of Foresters. NMHU is the only Hispanic serving institution to receive such an accreditation.

Weather Policy

Regent Martinez indicated that he was contacted by some students, faculty, and staff regarding the weather policy (**Attachment H**). He stated that several faculty, staff, and students travel to Las Vegas for work and class and on days of inclement weather he wants to be sure the university is making a conscious effort to ensure everyone's safety.

President Fries reported that there are two versions of the weather policy, one in the student handbook which is the current policy; and one on the NMHU website which is an abbreviated version of the policy. President Fries stated that he would work with Sean Weaver, Director of University Relations to post the weather policy in its entirety.

Regent Martinez commented that the policy should take into account the road conditions to Las Vegas when determinations to close or delay school are made. Regent Martínez stated that his concerns were travel and road conditions to the main campus on inclement weather days.

Regent López responded that the university needs to have a consistent policy. The university cannot close if road conditions to the university from one location are bad and all other roads to the university are clear.

President Fries informed the Board that the President's Office receives complaints both way; people call to complain if school is not canceled and they also call to complain that school should not have been canceled.

Regent López reiterated President Fries' statement commenting that when it comes to the weather people are never happy. If the school is closed because of bad weather people are unhappy. If you leave school open during bad weather people are unhappy. Regent López stated that such decisions should be left to the President and not so much on a written weather policy.

President Fries noted that decisions to cancel/not cancel classes are based on local weather conditions and on whether the Facilities Department can open the campus up enough so that the campus is accessible. The other part of the policy taken into account is that everyone at the university; all students, faculty, and staff are adults and they should use their best judgment based on their driving experience, and the weather and road conditions at their home. If they do not feel safe driving to the campus then they should stay home. In most cases, students who miss class are responsible for making up their work; the policy also states that faculty should be reasonable in dealing with the individual student situations. Employees have to work with their supervisors.

President Fries informed the Board that once a decision is made to close the campus the announcement is posted on the NMHU website; text messages and emails are sent to all students, faculty, and staff; and the closure is announced on the local radio stations and television stations. President Fries noted that unlike the local public schools that have liability transporting elementary and secondary education students to and from school; Highlands has approximately 700 students living on campus and another several hundred who live in Las Vegas. Dr. Trujillo added that the elementary and secondary education schools can make up their missed days at the end of the school year whereas college students cannot.

President's Report

President Fries reported the following:

- **Administrative Searches/Appointments**

- Dr. Teresita Aguilar has accepted the appointment as Provost/Vice President for Academic Affairs (VPAA).
- The candidate selected for the Vice President for Advancement position declined; the search will be reopened.
- An advertisement for a new Athletic Director will go out in the spring.
- The three dean positions have been advertised.

President Fries informed the Board that Dr. Rivera earned both his bachelor's and master's in Math at Highlands. He taught at both East Las Vegas and Mora Schools for a combined seven years. He had a lengthy career in a variety of positions at Highlands and Luna Community College. When he returned to Highlands in 2007 he helped get the university off of censured status and helped bring stability back to Highlands.

Vice President Rivera thanked everyone for their support during his time as Vice President at NMHU.

Dr. Romine, on behalf of the faculty, thanked Vice President Rivera for his contributions to the NMHU faculty.

- **Spring Enrollment**

Overall year-to-date enrollment numbers are about 2% behind last year's numbers. Enrollment Report was provided (**Attachment I**).

- **Admissions Requirement**

Some changes being instituted by the Public Education Department can potentially limit the student financial aid eligibility. Unless a student has a high school diploma or a GED, their eligibility for financial aid is in question if they receive a certificate of completion.

- **FY15 Formula Funding Plan(s)**

The Higher Education Department submitted their FY15 Funding Formula plan to the Legislative Finance Committee. All 24 higher education institutions submitted a funding formula approach to the LFC as well. Both approaches are based on basically the same outcome measures: the number of degrees awarded; the number of degrees from STEMH fields; and the number of degrees awarded to at risk students.

The LFC prepared its own proposal. All three proposals focus on outcome measures.

Chairman Sanchez recommended scheduling a meeting with the NMHED Cabinet Secretary to hear their proposed funding formula. President Fries indicated that he would work to schedule the suggested meeting before the legislative session begins.

- **Lottery Scholarships**
Funding for the lottery scholarship continues to be an ongoing issue. The amount of money available for the lottery scholarships falls and the legislature approved putting \$10 million of tobacco settlement money into the lottery scholarship fund for FY14. Tobacco settlement monies have since decreased by approximately half. NMHED by statute will have to decrease the amount of funding to all lottery scholarship recipients proportionately.
- **J3 System Roofing Maintenance Contract (Melody Replacement at \$100K)**
The Facilities Department through Ms. Sylvia Baca, Director entered into a maintenance contract with J3 System Roofing to routinely inspect the roofs on campus and make minor repairs where appropriate and to assure that the university was taking steps to maintain the warranties on the roofs. J3 identified problems with the roof on Melody Hall and the contractors are replacing the roof resulting in a \$100K savings to the university.
- **Rodeo Facilities**
The university is completely out of the Zamora rodeo facility. The university has a limited arrangement with the San Miguel County Fair Grounds. Molzen-Corbin who is contracted to review all of the NMHU athletic facilities will examine the fairground facilities as well.
- **“Green House” Lot Options**
Three options for the usage of the “Green House” lot (**Attachment J**). The first option is to create seven parking spaces and a ½ basketball court. The second option is to create nine parking spaces and a volleyball court. The third option is the creation of 17 parking spaces. President Fries indicated that a survey would be conducted to determine the greater interest.
- **Tuition and Fees Ranking List**
An overview of the Public Southwestern Four Year Institutions, 2013-2014 (**Attachment K**) was provided by President Fries. NMHU is ranked #1 for the lowest in-state tuition and fees (annual) at \$4,000. Some discussion was held regarding the pros and cons of being listed as the university with the lowest tuition.

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) deliberations upon competitive sealed proposals for A/E services on Trolley Building; (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)(6)(7)&(8). 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; voting in favor were: Chairman Sanchez, Regent Long, Regent López, Regent Marchi, and Regent Martinez. Motion carried. The Board went into executive session at 1:05 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, Regent Marchi, and Regent Martinez. Motion carried unanimously and the meeting was called back to order at 3:05 p.m.

President's Report (continued)

- **CUP Performance Effectiveness Report**

The Council of University Presidents publishes the CUP Performance Effectiveness Report which is primarily provided to the Legislative Finance Committee members and others in the legislative process/state government. The report included a section on Highlands as well as all of the other institutions.

- **Commencement with SJC**

It is recommended that NMHU hold their graduation in collaboration with San Juan College. Doing so would create visibility of the university's presence at SJC.

- **NMHU Confessions page(s)**

These are anonymous pages that have been filled with unkind comments about individuals, and some are libelous. Two of the three pages have been removed. Legally these types of pages cannot use NMHU logos or other copyrighted materials. The university cannot file a complaint on behalf of students, faculty, or staff. The individual must file a complaint on their own behalf. As complaints are received, Dr. Fidel Trujillo, Dean of Students, deals with them as best he can.

- **FY14 Midyear Review**

Tuition revenues are down, but overall the budget is currently in good shape.

- **Las Vegas Night January 23rd at La Fonda Hotel**

The event begins at 5pm.

- **Other**

- President Fries, Chairman Sanchez, Regent Marchi, Vice President Rivera and Dr. Belinda Laumbach have attended various meetings as part of the Governor's education Taskforce to look at proposed changes recommended by the New Mexico Public Education Department regarding teacher education.
- Chairman Sanchez informed the Board that Mr. Darwin Ludi, NMHU alum, called him regarding possibly bringing Mr. Billy Mills to the next athletic banquet. Mr. Ludi was concerned with the lack of funding and cancelation of the banquet.
- President Fries confirmed that the Athletic Department did not have an athletic banquet in 2013 due their over expended budget. President Fries is working with the NMHU Athletic Director to find out if a banquet could be held next year and if it is not possible perhaps the university could bring Mr. Mills in to provide a presentation for all the student athletes. President Fries indicated he would follow up with Mr. Ludi about a donation for a banquet.

Baker A/E Contract – Action Item

President Fries informed the Board that the proposed Baker A/E Contract (**Attachment L**) was provided in their meeting packets; pointing out that one section required some modifications.

Regent López moved to approve the Baker A/E Contract for the Trolley Building subject to negotiated modifications by President Fries and the administration. Regent Marchi seconded. Voting in favor of the motion were: Chairman Sanchez, Regent Long, Regent López, Regent Marchi, and Regent Martinez. Motion passed unanimously.

Regent López extended his congratulations to Dr. Teresita Aguilar on her new position as Provost/VPAA.

President Fries acknowledged the end of Regent Long's NMHU Board of Regents term. He thanked her for service to the university in various roles including HU attorney and Board member.

Chairman Sanchez added that Regent Long also served the university well when she assisted the Foundation Board in purchasing the NMHU Rio Rancho site. He commented that Regent Long has been highly committed to NMHU and Las Vegas.

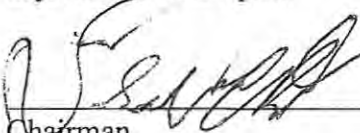
Regent López remarked that Regent Long was a tremendous asset to the Board and the university.

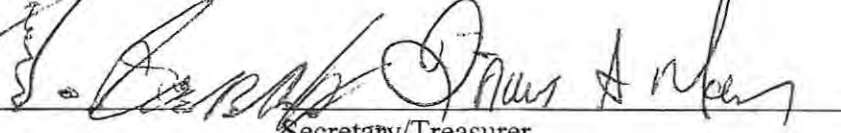
Regent Long said that it was going to be hard not being a Regent but that she plans to stay involved with the university.

Regent Marchi noted that Regent Long served the university well as a Regent and invited her to serve on the Foundation Board.

Adjournment

Regent Martinez moved to adjourn. Regent Long seconded. Motion carried and the meeting adjourned at 3:37 p.m.


Chairman
NMHU Board of Regents


Secretary/Treasurer
NMHU Board of Regents