

New Mexico Highlands University  
Special Board of Regents Meeting  
President's Conference Room  
Rodgers Administration Building  
NMHU Main Campus  
Las Vegas, NM 87701  
December 16, 2014 at 9:00 a.m.

1. Call to Order – Chairman Sanchez
2. Roll Call
3. Approval of the Agenda for December 16, 2014
4. Approval of the November 18, 2014 Meeting Minutes – Action Item
5. Finance & Administration – Mr. Max Baca
  - A. First Quarter Report – Action Item
  - B. Other
6. Academic Affairs and Student Affairs – Dr. Teresita Aguilar
  - A. ACT Requirement – Action Item
  - B. Dean's Section of the Faculty Handbook – Action Item
  - C. Grading Option Policy (+/- Grading) – Action Item
  - D. Strategic Planning Update
  - E. Other
7. Presidential Search Process – Action Item
8. Agreement with EDC for Incubator/Commercial Kitchen Space – Action Item
9. Legal Services Contracts – Action Item
  - Cuddy & McCarthy
  - Sutin Thayer & Browne
10. President's Report – Dr. James Fries
  - A. Legislative
    - a. HED FY16 Budget Proposal
    - b. HED STB Recommendations
    - c. NM Hispanic Medical Assoc. Healthcare Pre-Professional Program
    - d. Native American Initiative in Social Work
  - B. Lottery @ 95%
  - C. Enrollment, Housing, and Budget
  - D. Scholarships – Action Item
  - E. Winter Break: December 22, 2014 until January 5, 2015
  - F. Other

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) threatened or pending litigation subject to the attorney-client privilege in which the University is or may become a participant; and (3) real estate acquisition or disposal. Pursuant to provisions of NMSA 1978, §10-15-1(H)(2)(7)&(8).
12. Raton Facility Options (Tabled on November 18, 2014) – Action Item
13. Public Action as Necessary on Closed Session Discussions – Action Item
14. Adjournment

**New Mexico Highlands University  
Board of Regents Meeting  
December 16, 2014**

The New Mexico Highlands University Board of Regents held a special meeting on December 16, 2014 in the President's Conference Room in the Rodgers Administration Building on the New Mexico Highlands University main campus in Las Vegas, New Mexico. Chairman Sanchez called the meeting to order at 9:07 a.m.

**Attendance**

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

Administrative Personnel Present: Dr. James Fries, President; Dr. Teresita Aguilar, Provost/Vice President for Academic Affairs; Mr. Max Baca, Interim Vice President for Finance & Administration; Dr. Fidel Trujillo, Dean of Students; and Mr. William Wootton, Vice President for Advancement

Others Present: Dr. Maureen Romine, Faculty Senate Chair; Ms. Kimberly Blea, Staff Advisory Senate President; Mr. John F. Kennedy, NMHU Legal Counsel/Cuddy & McCarthy Law; Ms. Carolina Martínez, Executive Administrative Assistant; and numerous other individuals in the audience, including faculty, staff, community representatives, and media.

**Approval of the December 16, 2014 Meeting Agenda**

Regent López moved to approve the November 16, 2014, agenda as presented. Regent Marchi seconded. Voting in favor were: Regent Long, Regent López, Regent Marchi, Regent Martinez, and Chairman Sanchez.

President Fries recommended moving item #7, Presidential Search Process – Action Item before the meeting adjournment.

Regent Marchi moved to approve the amended agenda as recommended by President Fries. Regent Martinez seconded. Voting in favor were: Regent Long, Regent López, Regent Marchi, Regent Martinez, and Chairman Sanchez.

**Approval of the Minutes from October 18, 2014**

Regent López moved to approve the minutes from October 18, 2014 as presented. Regent Marchi seconded. Voting in favor of the motion were: Regent Long, Regent López, Regent Marchi, Regent Martinez, and Chairman Sanchez.

**Finance & Administration – Mr. Max Baca**

**First Quarterly Report – Action Item**

Mr. Baca reported that the quarterly report is as of September 30, 2014. The New Mexico Higher Education Department (NMHED) requires all NM higher educational institutions to submit quarterly reports.

Mr. Baca reported the following:

- The revenue budget is down approximately \$230,000 from projections.
- There was a \$7.4 million increase in net assets from June FY14 to September 30, 2014.
- Expenditures for security are higher than expected due to the need to pay officers overtime for providing security at larger events (approximately \$25,000); a match of \$115,000 for the Perkins Loan needs to be met.

Regent López moved to approve the First Quarterly Report (**Attachment A**) as presented. Regent Marchi seconded. Voting in favor of the motion were: Regent Long, Regent López, Regent Marchi, Regent Martinez, and Chairman Sanchez.

### **Other**

The State Auditor has approved the university's audit. The university's audit firm's term expires this spring hence the university will be sending out a request for proposals for a new auditing firm early next year.

### **Academic Affairs and Student Affairs – Dr. Teresita Aguilar**

#### **ACT Requirement – Action Item**

Dr. Aguilar stated that the administration is recommending the Board eliminate the ACT exam requirement for first-year incoming freshmen for admissions or enrollment.

On December 10, 2014, the Faculty Senate unanimously passed a motion to eliminate the ACT exam admissions requirement.

Regent López asked if Highlands was following suite of other state universities by eliminating the ACT requirement. President Fries responded that approximately 800 schools across the country have eliminated ACT/SAT admissions requirements. Statistics show that the exams are not reliable indicators of student success in college. Highlands has used the exams as a placement tool for courses. The university also offers the compass test for student course placement. President Fries informed that the most reliable predictor of student college success is their high school GPA. President Fries commented that the requirement may be one of the contributing factors to the enrollment decline of new freshmen.

Dr. Maureen Romine, Faculty Senate Chair, informed the Board that the Faculty Senate members solicited input from their departments and schools and the agreement was to eliminate the ACT exam requirement.

Dr. Fidel Trujillo informed the Board that the university will continue to recommend that students take the ACT because some of the scholarships offered require certain ACT scores for awards. Dr. Aguilar added that high school counselors also recommend that students take the ACT for scholarship application requirements.

President Fries recommended the Board rescind the ACT exam requirement for admissions and enrollment at Highlands (**Attachment B**).

Regent López moved to rescind the ACT Exam Requirement for admissions and enrollment at Highlands University. Regent Martinez seconded. Voting in favor of the motion were: Regent Long, Regent López, Regent Marchi, Regent Martinez, and Chairman Sanchez.

#### **Dean's Section of the Faculty Handbook – Action Item**

Dr. Aguilar reported that the administration is proposing recommended language for the faculty handbook in the section on dean selection. The language was approved and agreed upon by both the faculty senate and the administration (**Attachment C**).

Dr. Romine informed the Board that the faculty has been working on the proposed language for the dean's selection of the faculty handbook for some time. Of the faculty who voted, 96% voted in favor of the proposed language. Dr. Romine noted that the faculty, faculty senate, faculty association, and administration were all involved in revising the proposed language.

Regent Martinez moved to approve the proposed language of the Dean's Section of the Faculty Handbook as presented. Regent Marchi seconded. Voting in favor of the motion were: Regent Long, Regent López, Regent Marchi, Regent Martinez, and Chairman Sanchez.

#### **Grading Option Policy (+/- Grading) – Action Item**

Dr. Aguilar informed the Board that the Faculty Senate voted on and approved the (+/- grading policy option on October 8, 2014. The faculty have indicated they want to have the option to choose the grading scale they use; +/- or full letter grades. The grading scale to be used by each professor will be listed in their course syllabus.

Regent López moved to approve the Grading Option Policy (+/- Grading) as presented (**Attachment D**). Regent Marchi seconded. Voting in favor of the motion were: Regent Long, Regent López, Regent Marchi, Regent Martinez, and Chairman Sanchez.

#### **Strategic Planning Update**

Dr. Aguilar reported that the strategic planning committee has 20 confirmed members. Dr. Aguilar disseminated a strategic planning timeline (**Attachment E**).

#### **Other**

Dr. Aguilar reported that she met with the voting faculty of the School of Education and they have elected to do an external search for a school dean. The position announcement will be posted in the Chronicle of Higher Education before the end of the year.

Voting faculty in the School of School of Social Work have elected to continue with interim leadership through the end of the next academic year. They will begin an external search for a school dean during the fall semester.

The majority of the voting faculty in the Colleges of Arts & Sciences wish to pursue an external search for a new dean.

### **Agreement with EDC for Incubator/Commercial Kitchen Space – Action Item President Fries reported that discussion**

President Fries informed the Board that discussions between NMHU administrators and the Las Vegas-San Miguel Economic Development Center (EDC) regarding a possible incubator and commercial kitchen on campus were held. A proposed location for the business incubator is Hewett Hall. The commercial kitchen could be housed in Archuleta Hall.

President Fries introduced Mr. Bill Hendrickson, EDC Director.

President Fries pointed out that the following concerns need to be addressed/finalized:

- Operating costs
- Cost to get the buildings and areas back online
- Liability issues
- Anti-donation concerns

Mr. Hendrickson added that the EDC is under contract with San Miguel County to implement an incubator and commercial kitchen therefore, funding may be available through the Rural Community Project to help address some of the concerns listed.

President Fries commented that having the incubator and commercial kitchen on campus would benefit Highlands students as well as the Las Vegas community.

Regent López recommended that the administration consult with legal counsel regarding the anti-donation clause because the EDC is a private organization.

No action was taken.

### **Legal Services Contracts – Action Item**

- **Cuddy & McCarthy**
- **Sutin Thayer & Browne**

President Fries recommended that the Board extend the legal service contacts for both the Cuddy & McCarthy and Sutin Thayer Browne law firms by one year.

Regent López moved to extend both the Cuddy & McCarthy and the Sutin Thayer & Browne legal service contracts by one year (**Attachment F**). Regent Martinez seconded. Voting in favor of the motion were: Regent Long, Regent López, Regent Marchi, Regent Martinez, and Chairman Sanchez.

### **President's Report – Dr. James Fries**

#### **HED FY16 Budget Proposal**

The New Mexico Higher Education Department (NMHED) has submitted their FY16 budget proposal to the legislature. The budget is very consistent with formula funding recommendations from the Steering Committee. The Steering Committee developed a distribution formula which NMHED is using as their basis for the proposal. Two major items not recommended by the

Steering Committee are how much new money the legislature and executive branch agree is available to fund higher education. Secondly, how much of an institution's current fiscal year budget would be cut for redistribution based on the outcome measures. For modeling purposes only, the Steering Committee used a 2% increase in new money and a 10% carve out formula.

### **HED STB Recommendations (Attachment G)**

President Fries reported that NMHED will make a recommendation that Highlands receive \$2 million for use on infrastructure improvements as part of the FY16 Severance Tax Bonds proposal.

### **NM Hispanic Medical Association Healthcare Pre-Professional Program**

The NM Hispanic Medical Association will be seeking grant funding in the \$130K-150K range for a healthcare pre-professional program. The program would provide mentorship opportunities, distance learning opportunities; tutoring in preparation for the MCAT exam; job shadowing. The UNM School of Medicine is in support of the program.

### **Native American Initiative in Social Work**

Individuals are interested in lobbying for funding to develop a Native American Social Work Institute at Highlands. The program would research projects; identify methodology, work to identify effective approaches to address the needs of Native American students; and develop courses. Ms. Evelyn Blanchard is spearheading the project. Dr. Regis Pecos is also in support of the project.

### **Lottery @ 95%**

NMHED will fund the Lottery Scholarship at 95% for the spring 2015 semester due to an \$11 million projection shortfall. Full-time students at Highlands on the Lottery Scholarship will be \$103.63 short of full funding for their tuition.

### **Enrollment, Housing, and Budget**

Last week credit hours were down 3% from the same time last year. This week, credit hours are up by 8% compared to the same time last year. It is unclear what the university's spring enrollment will be until students registration closes.

Fall housing numbers decreased in the lower cost units. Double rooms in Connor Hall and Melody Hall had lower occupancy rates than the Viles & Crimmin Residence Hall.

Housing occupancy rates have typically declined by 10% from fall to spring. We are at 81% occupancy for the fall semester which suggests that we would be at 71% occupancy for the spring semester.

The average student debt at Highlands is approximately \$14,083 whereas the average for students in the state is \$18,656. New Mexico is the only state where the average student debt is under \$20,000.

### **Scholarships – Action Item**

The proposed awards are not specifically tied to tuition, fees, room, board, or book rates. The changes are intended to clarify scholarship requirements and the net value over a 4-year period.

The value of the Dean's, Presidential Silver, Presidential Gold, and the Regents scholarships have increased significantly. The level of award for the second semester for students not receiving the lottery scholarship has been increased in an effort to increase student retention. The Regents scholarship has been changed in accordance with state statutes, which covers tuition & fees and a book award. The maximum number of semesters is clearly specified. Students on the Regents, Presidential Gold, and Presidential Silver are eligible to apply for the NMHU Honors Program. The Lottery Scholarship is more clearly defined by listing the 15 credit hour requirement for the first semester and a 2.5 gpa or better.

Highlands will offer a grant to NM high school graduates who have a 2.0-2.5 gpa.

Regent López moved to approve the scholarship packages as presented (**Attachment H**). Regent Martinez seconded. Voting in favor of the motion were: Regent Long, Regent López, Regent Marchi, Regent Martinez, and Chairman Sanchez.

**Winter Break: December 22, 2014 until January 5, 2015**

Highlands will be closed for Winter Break beginning December 22, 2014 through January 5, 2015.

**President's Other**

- The Santa Fe Higher Education Center will be having their grand opening on January 14, 2015. Highlands Santa Fe Center will be housed at the center.
- Two names were submitted to the Governor's Office for the student regent position.
- The kitchen and bathrooms at the President's house are being remodeled.

**Executive Session – (1) limited personnel matters related to the hiring, promotion, demotion, dismissal, assignment, resignation, or the 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 is or may become a participant; and (3) real estate acquisition or disposal. Pursuant to provisions of NMSA 1978, §10-15-1(H)(2)(7)&(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; voting in favor were: Regent Long, Regent López, Regent Marchi, Regent Martinez, and Chairman Sanchez. Motion carried. The Board entered into executive session at 11:28 a.m.

Regent Long exited the meeting at 11:28 a.m.

Regent López moved to return to open session. Regent Marchi seconded. Regent López stated for the record that only those items specified under the executive session were discussed and no action was taken by the Board. Regents present confirmed. Voting in favor of returning to open session were: Regent López, Regent Martinez, Regent Marchi, and Chairman Sanchez. Motion carried unanimously and the Board returned to open session at 12:32 p.m.



### **Raton Facility Options – Action Item**

The Board discussed the option of turning the NMHU-Raton facility to the City of Raton. The university would have the potential to use the facility for courses offered over the next five years. Mr. John Kennedy, NMHU legal counsel is to draft the agreement.

President Fries introduced Mr. Tim Hagerman, Community, Business, and Rural Development Representative for the State of New Mexico, who is in support of the City of Raton accepting the NMHU-Raton facility.

Regent López moved that the NMHU Board of Regents convey the NMHU-Raton facility, along with the surplus property, to the City of Raton as per the resolution presented (**Attachment I**) to include modification to be made by Mr. Kennedy. Regent Marchi seconded. Voting in favor were: Regent López, Regent Marchi, Regent Martinez, and Chairman Sanchez.

### **Public Action as Necessary on Closed Session Discussions – Action Item**

No action was taken.

### **Presidential Search Process – Action Item**

Chairman Sanchez recapped that at the last Board meeting he was appointed to identify a search firm for the presidential search. He was also delegated the task of establishing a presidential search committee. Numerous search firms were contacted and five firms are submitting proposals.

Regent López recommended delegating to Chairman Sanchez and Regent Marchi the task of reviewing the proposals and selecting a search firm best suited for the university's needs. He noted that they be mindful that without a request for proposal, the contract needs to be under \$60K.

Regent López moved to delegate to Chairman Sanchez and Regent Marchi the task of reviewing the proposals and selecting a search firm to assist the presidential search committee in the selection process of a new university president; and that the selection process be documented consistent with the university and state procurement requirements. Regent Martinez seconded. Voting in favor of the motion were: Regent López, Regent Marchi, Regent Martinez, and Chairman Sanchez.

President Fries noted that reimbursable and gross receipts tax are not included in the \$60K limit.

Mr. Kennedy recommended that when a decision is made on the search firm selected that the contract be brought to the full Board for ratification.

Chairman Sanchez listed the search firms who are submitting proposals: RH Perry & Associates; Strategic Search Advantage; Academic Search Inc.; AGB Search; and ELS Group.

Chairman Sanchez named the prospective search committee members and the group they represent:

Dr. G. Doyle Daves, Chair  
Dr. Ian Williamson

NMHU Foundation Board  
NMHU Faculty Association/NMHU Faculty Member


Dr. Maureen Romine	NMHU Faculty Senate/NMHU Faculty Member
Mr. Joseph Dominguez	ASNMHU President/Graduate Students
Mr. John Ramon Vigil	Undergraduate Students
Mr. Nicholas Leger	Community Member/NMHU Faculty Member
Ms. Ruth Mares	Community Member
Mr. Don Mackel	Representative at Large
Mr. Bobby Duran	Representative at Large
Ms. Ivy Romero	Alumni Association/NMHU Staff Member
Dr. Fidel Trujillo	NMHU Administration
Ms. Kimberly Blea	NMHU Staff Advisory Senate/Staff Member
Ms. Eileen Garcia	NMHU Foundation/Alumni

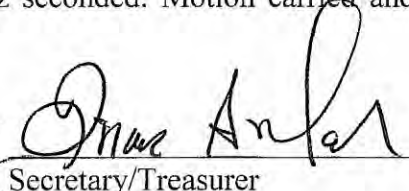
Regent López moved to approve the search committee members as listed by Chairman Sanchez. Regent Marchi seconded. Voting in favor of the motion were: Regent López, Regent Marchi, Regent Martinez, and Chairman Sanchez.

President Fries presented Regent López, and Regent Martínez with an award of appreciation. Regent Long's award will be delivered to her. He thanked them for their leadership and commitment to the university and for serving as NMHU Regents.

#### **Adjournment**

Regent López moved to adjourn. Regent Martinez seconded. Motion carried and the meeting adjourned at 1:28 p.m.

  
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Chairman  
NMHU Board of Regents

  
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Secretary/Treasurer  
NMHU Board of Regents