



ASSOCIATED STUDENTS OF NEW MEXICO HIGHLANDS UNIVERSITY  
Meeting Minutes for Sunday, September 18<sup>th</sup> 2016

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Call to order

ASNMHU Vice-President Isaac Lopez called the meeting to order at 5:08pm on Sunday September 18<sup>th</sup> 2016.

**Attendees:**

Executives:

1. President Padilla

2. Vice President Lopez

3. Secretary Lujan

4. Treasure Gonzales

5. President Pro- Tempore  
Vigil

Senators:

1. Baca

2. Crain

3. Garcia

4. Merrills-Gonzalez

5. Gruenig

6. Trujillo

7. Quintana

8. Rochester

9. Abeyta

10. Wu

**Members not in Attendance:**

Senators:

1. Mbadie

2. Pacheco

3. Pennant (½ Absence)

4. Wolfel

5. Myers

*Total of 12 voting members*

## Preliminary Items

### General Consent Items

- Senator Merrills-Gonzalez states that the Mike Super Magic Show was a success and hope ASNMHU members got to attend the event.

### NMHU Accreditation Probation Information- Dr. Kempner

Faculty Senate President Dr. Kempner states that he comes before the senate to give information on the issue that New Mexico Highlands University has been put on accreditation probation, and also is available to answer any questions ASNMHU may have. Kempner advises to look at NMHU FAQ section located on the Universities page, which is located at the bottom, and it answers all questions that may arise from parents and students. He states accreditation is used to represent that all universities are on the same page and go through the same requirements, which is federally mandated and conducted every four to six years. Fall of 2015 was when NMHU was selected to present how the University is paring up to the 21 different criteria required. Unfortunately, they did not approve what was turned in by NMHU, and in return they placed NMHU on probation. This probation is a period of time in which NMHU needs to work together and fix all the issues to meet the specified criteria. Highlands will then again be reviewed in December of 2017. Major areas that need to be addressed is the Universities mission statement, part time faculty, budgeting and finance, NMHU centers, and student support. A final decision will be made in June of 2018 in deciding if the University will remain accredited or revoked. Until then the University will remain accredited and no changes will be made to the student's degrees. NMHU will be working hard to fix and address the issues. The Higher Learning Commissions main goal for NMHU is to see a unified campus. This is a time that the administration, faculty, students, and ASNMHU can use to fix all the issues that have occurred for some time. NMHU will make all plans public.

## Action Items

### Approval of the Agenda

President Pro-Tempore Vigil would like to include an amendment to the agenda after item XII to include a budget adjustment to move money from the line item labeled as student retreat to purchase an adequate sound system for the ZOOM system sessions, reason being that the meetings cannot be heard at a fine quality. Motion is second by Senator Wu. All 12 senators are in favor, the motion Passes Unanimously. Vigil motions to approve the agenda as amended, second by Senator Abeyta. All 12 senators are in favor, the motion Passes Unanimously. Agenda is approved.

Pro-Temp Vigil requests to amend the agenda to reinstate an approval of the minutes from 08-09-2016 meeting in addition to adding constitutional question after item 12, second by Senator Abeyta. 10 for 1 against, vote passes.

Senators in Favor: Vigil, Gruenig, Quintana, Rochester, Garcia, Abeyta, Wu, Merrills-Gonzalez, Trujillo, Baca

Senators Against: Crain

**Now currently 11 voting member as Senator Pennant has left the meeting.**

### Approval of the 08-09-2016 Minutes

Senator Gruenig states that last meeting ASNMHU body had debate on which choosing to abstain was counted as 2/3 and has issue because there were bylaws that were rejected due to the matter. Gruenig states she has consulted with her father who is a Lawyer/Attorney. Gruenig's father states that ASNMHU must follow what it states in the constitution and therefore stating that to abstain does not count as a no within the 2/3 vote. Parliamentarian Tudor states that ones who abstained did not vote as present they just did not vote. But the constitution states that they are voting members regardless if they actually vote, the 2/3 is defined as all voting members present. Vice President Lopez states that a we all interpret things differently and ASNMHU must go with the decision of the Parliamentarian. President Pro-Tempore Vigil states that it is not the job of parliamentarian to interpret the constitution but for the body to consult a constitutional question and is the duty of the senate body and the parliamentarian is to enforce what is written not interpret. Lopez asks if there are any questions pertaining to the minutes. Secretary Lujan asks if the questions asked are pertaining to the issues of the minutes within the bylaws section referring to a bylaw that has been rejected, Gruenig states yes that is the issue with the minutes. Vigil motions to table the minutes from September 9<sup>th</sup> 2016 and second by Gruenig. Motion receives 9 in favor 2 against. Excluding Senator Pennant, as Pennant has left the meeting.

Senators In Favor Include: Vigil, Gruenig, Quintana, Rochester, Garcia, Abeyta, Wu, Merrills-Gonzalez, Trujillo.

Senators Against Include: Crain, Baca

Motion Passes, minutes are tabled.

Motion made by Senator Garcia to approve the September 9<sup>th</sup> 2016 minuets, second by Senator Quintana. All 11 senators are in favor of the motion, vote passes unanimously, minutes are approved as is.

### Increasing Student Success and Academic Excellence at New Mexico Highlands University- Dr. Edward Martinez

Dr. Edward Martinez comes before the senate to give an overview of the "Increasing Student Success and Academic Excellence" plan. Dr. Martinez states that the plan was sent to fellow members of ASNMHU weeks prior by Secretary Lujan. Dr. Martinez explains that the plan was put into place for New Mexico Highlands University to increase retention. In 2006-07 a committee was put together known as the retention committee. The plan was put together but the committee could not reach an agreement therefore in 2011-12 Benito Pacheco And Alex G. from the office of Academic Support called to put a new committee together. A reason for NMHU being placed on probation is because NMHU has not made clear how the University can increase retention and graduation rates. The plan is placed and set but will change as time goes on for adjustments when needed, but focuses on increasing retention rates by 2% each year. And if it goes up by a constant 2% then by 2020 the University is up by 50%. Dr. Edward Martinez requests that ASNMHU vote on the upon the plan.

Senator Merrills-Gonzalez motions to approve the plan set fourth by Dr. Martinez, second by Senator Baca. All 11 senators vote in favor of the retention plan, vote passes unanimously. Retention plan is approved by ASNMHU.

### Undergraduate/Club allocation

*Highlands Student Leadership Council (Carla Espinoza):* Asking for a total \$500.00 to attend the national HACU conference which will go toward for gas and logging. The finance committee has recommended to allocate the full \$500.00 to *Highlands Student Leadership Council*. Senator Abeyta motions to approve the allocation of \$500.00 second by Senator Merrills-Gonzalez. All 11 senators in favor, vote passes unanimously. Funding of \$500 is approved.

*2016 Domenici Public Policy Conference (Tamlyn Crain):* Asking for a total of \$247.68 for a conference attended, in which Senator Crain listened to several speakers including former secretary of defense Chuck Hagel, Albuquerque Mayor Richard Berry, and many more. The full amount was recommended by the finance committee. Pro-Tempore Vigil motions to allocate the recommended funding second by Senator Rochester. Funding of \$247.68 is approved with proof of the necessary documents.

Senators in Favor Include: Vigil, Gruenig, Quintana, Rochester, Garcia, Abeyta, Wu, Merrills-Gonzalez, Trujillo, Baca.

Abstentions: Crain

## Graduate Allocation

*GSA 2016 NMHU Geology Students:* Is asking for a total of \$2,267.00 to attend a Global Geology conference in Denver, Colorado. Fellow graduate and undergraduate geology students at NMHU will present and the funding will go toward meals and transportation. A total of 3 graduate and 2 undergraduates. There has been some confusion therefore Pro-Temp Vigil motions to set a five-minute recess, second by Senator Baca. All 11 senators are in favor of the motion, vote passes unanimously. A five-minute recess is set.

Meeting is resumed, because there are two undergraduates the money must come from the undergraduate fund which has a cap of \$500.00 for the two undergraduate students. And the 3 graduate students will receive an allocation of \$759.00. A motion is set by Senator Abeyta to allocate \$500.00 to the 2 undergraduate students, second by Senator Rochester. 10 for, and 1 against, vote passes. \$500.00 is allocated to the GSA undergraduate students.

Senators in Favor: Vigil, Gruenig, Quintana, Rochester, Garcia, Abeyta, Crain, Merrills-Gonzalez, Trujillo, Baca.

Senators Against: Wu

A motion is set by Senator Merrills-Gonzalez to allocate the graduate GSA a total of \$759.00 second, by Senator Abeyta. 10 for, and 1 against, vote passes. \$759.00 is allocated to the GSA Graduate students

Senators in Favor: Vigil, Gruenig, Quintana, Rochester, Garcia, Abeyta, Crain, Merrills-Gonzalez, Trujillo, Baca.

Senators Against: Wu

*Midwest Popular Culture Association Conference (Omoyemi Ajisebutu):* Is requesting \$1,237.83 to attend a Midwest Culture Conference in Chicago. Finance committee recommends to allocate \$501.83. Motion set by Senator Garcia to allocate the recommended funding, second by Senator Crain. All 11 senators are in favor of the motion, vote passes unanimously, \$501.83 is awarded.

## Constitutional Question

A constitutional question is asked by President Pro-Tempore stating upon 2/3 of the entire senate in presence can raise a constitutional question. Vigil entertains a motion to clarify that voting present is also voting to abstain. Vice President Lopez asks for review by Parliamentarian Tudor, Vigil states it is not under the discretion of the parliamentarian. Tudor states that Roberts Rules of Order is clear that the meaning of an abstention. Lopez asks Tudor to read the section stating the meaning of an abstention in Roberts Rules of Order. Tudor states on page 407 of Roberts Rules of Order it gives more information. On page 45 it states that it is the duty of the chair not to ask for an abstention of the vote, since the number of the members that respond to the vote in such a call is meaningless and to abstain is to not vote at all, and a member who make no response is equal to that of an abstention, therefore the chair must always call for the negative vote. The official Roberts Rules website answers the question “Do Abstention Votes Count?” and it states that the term abstain is an oxymoron an abstention being a refusal to vote, as stated before means to abstain from voting as a consequence there could be no such thing as an abstention vote. Tudor then states that in the usual situation, where either a majority vote or a two-thirds vote is required, abstentions have absolutely no effect on the outcome of the vote since what is required is either a majority or two thirds of the votes cast. On the other hand, if the vote required is a majority or two thirds of the members present, or a majority or two thirds of the entire membership, an abstention will have the same effect as a “no” vote. Even in such a case, however, an abstention is not a vote and is not counted as a vote. Lopez asks Tudor if the motion is in order, Tudor states no the motion is not in order. Vigil asks in reference of the ASNMHU constitution what does it mean to vote present? Lopez asks for advice of Dean of students Kimberly Blea, she advises that the senate bring it to the steering and rules committee, Vigil rejects the advice to withdraw his motion. Blea states she can send it to the legal counsel, and she states that they would recommend ASNMHU refer and follow the constitution. Pro-Temp Vigil motions to withdraw his motion with review by legal counsel, second by Senator Rochester. All 11 senators are in favor of the motion, vote passes unanimously, the constitutional question will be sent to legal counsel.

### Time and Date of the Next Regular Meeting

Pro-Tempore Vigil motions to set the next meeting on Sunday October 2<sup>nd</sup> at 5:00pm second by senator Wu.

Debate made by Parliamentarian Tudor stating that the time personally does fit his schedule due to his work study job in the library.

Vigil amends his motion to change the time of the next meeting to be at 4:00pm, second by senator Abeyta. All 11 senators are in favor of the motion, vote passes unanimously. Motion passes the next regular meeting will be October 2<sup>nd</sup> at 4:00pm.

### Budget Adjustment

President Pro-Tempore motions for a budget adjustment for the money that was allocated to the retreat be changed and relabeled to be used for an adequate sound system for the new zoom system, because the audio quality is poor, second by Senator Gruenig. Treasurer Gonzales states that a sound system typically starts off with a rate of \$750. Rochester asks if the body will need to vote on the purchasing of the sound system again, chair responds yes, so it to keep that in mind. Vigil states that the motion shall include that it is the task of the Treasurer to purchase the sound system. All 11 senators are in favor of the motion, vote passes unanimously, the reallocation is approved.

## Informational Items

### Executive Reports

**President Padilla-** States that organization is key for our year in ASNMHU and he will give the committee chair several tasks to follow to make sure everyone is on board. Padilla then states he has the bar set high for 2016-2017 ASNMHU and cannot make the same mistakes from the previous years. He stated that we must remain in our scope of authority, and stated that Pro-Temp Vigil cannot make all the motions nor create their own bylaws to give themselves more power. The senate must not put in place byways to supersede the constitution or to go around the constitution. He wants everyone to have their own voice not listen to one person, and his goal is to reform ASNMHU. He asks for goals of members or issues they may see. Senator Merrills Gonzalez states that the global that was sent to address Pro Temp Vigil was really unprofessional, and that it could have been handled differently, and we need to be unified. Padilla stated when he feels obstructed how can solve the issue? Internally or publicly, and what if internally does not work then can he go publicly? Quintana asks if the email was a point of humiliation, Padilla responds with no its more of someone acting beyond their scope of authority, because Vigil posted publicly beyond the rules of the bylaws, that it was not personal. Padilla stated that it is a conflict of interest that some members voted for Dean of Students Kimberly Blea as the advisor because some students work for Student Affairs. Padilla will be meeting with Campos and Salazar so if anyone has points to bring up let him or VP Lopez know. Padilla mentions that fluffy was a success and he like to see that the campus initiative fee is going toward something. Padilla refers to parliamentary Tudor to reference from the constitution about the process of vacancy appointments. Padilla ends his report by stating ASNMHU shall reform and each member shall represent the 100 students.

**Vice President Lopez-** States that ASNMHU shall put personal bias aside and work together.

**Secretary Lujan-** If all members of the senate can send her their availability for office hours via email. Lujan also stated that she has been in contact with the office of University Relations for the posting of minuets, and agendas to the website, therefore it shall be updated shortly.

**Treasurer Gonzales-** States that he will email the meeting budgets to all members of ASNMHU. In reference to the sheet Gonzales has passed out undergraduate has a total of \$5,168.32 and the graduate budget has a total of \$3,862.00, for the remainder of the semester, and that concludes Treasurer Gonzales's report

**President Pro Tempore Vigil-** States that it his 8<sup>th</sup> year in a leadership role and through that period of time he has learned that leadership does not just constitute one person, although at the podium for this meeting all was heard was "I, and My goals". Vigil states that last term ASNMHU had a retreat to go over goals for ASNMHU as a unified body, not just one person creating goals for all of ASNMH, therefore his main concern is why is one person deciding all of ASNMHU's goals. Vigil takes concern in the chairs decision to make the members stand to make motions, and believes it is a way to squander their views and voice when presenting to the body. He states that the email sent from President Padilla was disgusting, and should have been handled differently, and agrees that his email may have been out of order, though nothing was wrong in the email itself just the hand of communication that it came from. Vigils final note for his report is that the amended bylaws are not giving one specific person power but separating the powers of the three branches, because all ASNMHU has been elected to serve the university. Also the at large seat is not stated in the constitution and the reason for the seat being open in the past was because ASNMHU could not fill the Graduate of Social Work seat, therefore the at large seat was created by former President Joseph Dominguez and Former Dean of Students Dr. Trujillo. Therefore, ASNMHU no longer needs an at large because there is representation from Senator Baca for the Graduate of Social Work.



**Parliamentarian Tudor-** States that whether the email was distasteful or not it was constitutional. Tudor has handed out a paper entailing that after research and advisement from Dr. Rodriguez the bylaws we all illegally passed, and the list states the reason why the bylaws were illegally passed. One reason is because the amendments were not given a week ahead of time, and result did not give the body time to question and review the amendments. Tudor states that if the amendments/bylaws had been submitted accordingly to Roberts Rules of Order then the votes that are highlighted in yellow would be passed following accordingly, but the bylaws highlighted in red would not have passed in accordance to Roberts Rules of Order, because in order to pass the amendment would have to have received 10 votes, therefore they did not pass constitutionally. Which would have made 8 of the 10 amendments constitutional if they would have been submitted accordingly. Parliamentarian Tudor will send out an emailed copy of the documents. VP Lopez asks if the document will go to legal counsel, Tudor states yes. Dean of Students Blea states that there will be an extreme cost in order to send the document and it also need to be approved before it can be sent. Tudor states that there are professors within the university who have their degree in law therefore he will submit to them. The body requests that it should be someone non biased and not associated with ASNMHU Treasurer Gonzales recommends Dr. Leggier, ASNMHU agrees. Steering and Rules as well as Dean Blea will sit in on the matter. Secretary Lujan asks Tudor if he hadn't known these laws prior whose fault does this mistake lie upon? Because it is a big issue. VP Lopez states that the fault is shared amongst himself and Parliamentarian Tudor, but it their first semester and it is a learning process. ASNMHU rises issue because the initial bylaws were not submitted ahead of time. VP states that according to the constitution the bylaws did not need to be voted on therefore it did not fall into the same grounds that the amendments did. Pro-Temp Vigil states that just because the constitution states it should be submitted does not mean that ASNMHU body does not have a say, and that ASNMHU make the laws, and it states that within the constitution. VP Lopez states that ASNMHU did vote on the bylaws and that they did pass besides the ones that were highlighted in red. Tudor states it the decision is neither official or unofficial and the final decision will be made upon review from Dr. Leggier, and that concludes Tudors report.

## Committee Report

Activities- Chair Crain asks that the committee members send her an email stating when they can all meet to plan future activities.

Finance- Treasurer Gonzales states that the next finance meeting will be October 2<sup>nd</sup> at 3:30 pm.

All other committees had nothing to report.

## Dean of Students Report

*Dean of Students Report Kimberly Blea:* States she wants to develop strategies to reform the senate and the problems the occur are coming from lack of experience and all members should receive a copy of Roberts Rules of Order. She states that it President Padilla wants to question her role of as an advisor for ASNMHU and she welcomes it, and Padilla can also speak to Dr. Minner pertaining to the matter as well. Blea states if any student has any questions regarding accreditation probation to ask her. Blea advises that ASNMHU got elected by the students to serve and all ASNMHU members should put all personal bias aside and stop trying to one up one another because it is a waste of time and causes frustration. Blea explains that anytime ASNMHU senators sponsors a bill and that will be traveling there are documents require by the university including the travel request form and submitted to the travel office 3 days prior to the date of travel. If the student is traveling out of state it must be received by the business office 10 day prior to the day of travel. Senators must work with the student to make sure they enforce these rules and regulations. Also if the student attends a conference proof needs to be sent as well as hotel and transportation receipts. If a student requests an advance the student needs to put in a travel voucher and can receive an advancement of 80%. And has a total of 30 days to turn in the receipts if not received within 30 days the funds that was not

accounted for will be charger to the students account. Blea also hands out a list of Scholarships that are still available to the student, and encourages everyone to apply and send out the word. That concludes the Dean of Students Report.

### Public Participation

No Public Participation was made.

### Adjourn

Adjournment was made at 8:13pm on Sunday, September 18<sup>th</sup> 2016.

*Natasha N Lujan*  
Secretary

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October 2<sup>nd</sup> 2016  
Date of approval

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