

**New Mexico Highlands University  
Board of Regents Special Virtual Meeting  
July 14, 2020**

The New Mexico Highlands University Board of Regents held a special virtual meeting on July 14, 2020. The meeting streamed via ZOOM from the New Mexico Highlands University main campus in Las Vegas, New Mexico. The university complied with the Governor's Office and the New Mexico Department of Health's social distancing mandate which limits mass gatherings to five (5) therefore, the Board of Regents meeting was held as a virtual meeting only. The university made every effort to accommodate members of the public as stated in the July 7, 2020 meeting announcement. The items addressed during the meeting were time sensitive and could not wait. Thus in accordance with the NM Attorney General's Open Government Division Advisory, the meeting was held as a virtual meeting only. Members of the public were able to access the meeting and also participated in the meeting during the Public Comment section of the agenda via zoom and/or via phone call:

<https://nmhu.zoom.us/j/122824474>

Or iPhone one-tap: US: +13462487799,122824474# or +16699006833,122824474#

Or Telephone: Dial (for higher quality, dial a number based on your current location):

US: +1 346 248 7799 or +1 669 900 6833 or +1 312 626 6799 or +1 646 558 8656 or +1 253 215 8782 or +1 301 715 8592

Webinar ID: 122 824 474

International numbers available: <https://nmhu.zoom.us/u/ac1IDo7Azz>

Or an H.323/SIP room system: H.323: 162.255.37.11 (US West), 162.255.36.11 (US East)

Chairman Sanchez called upon Dr. Kimberly Blea, Dean of Students to read an opening statement: *"Thank you for joining the NMHU Board of Regents today, July 14, 2020 for our virtual Board meeting. The university is complying with the Governor's Office and the NM Department of Health's social distancing mandate which limits mass gatherings to five (5). The university has made every effort to accommodate members of the public. The items to be addressed at this meeting are time sensitive and cannot wait, thus in accordance with the New Mexico Attorney General's Open Government Division Advisory, the meeting is being held as a virtual meeting only. Board members participating in the meeting remotely are: Bill Garcia, Frank Marchi, Danelle Smith, Christopher Ulibarri, and Chairman Leveo Sanchez."*

*"Also participating in the meeting remotely are Dr. Sam Minner, Dr. Roxanne Gonzales, Mr. Max Baca, Dr. Terri Law, Dr. Kimberly Blea, Dr. Orit Tamir, and Ms. Veronica Black"*

*"Should Board members or university lose connectivity and there is no longer have a quorum, the Board meeting will be suspended and no action will be taken until a quorum is reconvened."*

**Call to Order** – Chairman Sanchez called the meeting to order at 1:05 p.m.

**Roll Call** - Board Members Present via ZOOM: Mr. William Garcia. Mr. Frank Marchi, Ms. Danelle Smith, Mr. Leveo V. Sanchez, and Mr. Christopher Ulibarri.

Administrative Personnel Present via ZOOM: Dr. Sam Minner, President; Dr. Roxanne Gonzales, Provost/Vice President for Academic Affairs; Mr. Max Baca, Vice President for Finance & Administration; Dr. Theresa Law, Vice President of Student and Donor Engagement; and Dr. Kimberly Blea, Dean of Students

Others Present via ZOOM: Dr. Orit Tamir, Faculty Senate Chair; Ms. Veronica Black, Staff Advisory Senate President; Ms. Tamlyn Crain, ASNMHU President; Mr. Luke Salganek, University Legal Counsel, and Ms. Carolina Martínez, Sr. Executive Administrative Assistant. Numerous faculty, staff, students, community members, and the general public participated in the meeting as it was streamed via ZOOM.

### **Approval of the July 14, 2020 Special Virtual Meeting Agenda**

Regent Garcia moved to approve the Board's special virtual meeting agenda for July 14, 2020 as presented. Regent Ulibarri seconded. A roll call vote was taken, voting in favor: Regent Garcia, Regent Marchi, Regent Smith, Regent Ulibarri, and Chairman Sanchez. Motion carried.

### **Approval of the Minutes from May 7, 2020**

Regent Smith moved to adopt the minutes from the May 7, 2020 meeting as presented. Regent Ulibarri seconded. A roll call vote was taken, voting in favor were: Regent Marchi, Regent Smith, Regent Ulibarri, and Chairman Sanchez. Regent Garcia abstained. Motion carried.

### **Board of Regents Report**

Regent Marchi reminded the Board that the New Mexico Higher Education Regents Coalition (HERC) researched student regent terms and learned that student regents continue to serve in their regent roles even if they graduate. Students remain on the board until a replacement is appointed.

Regent Marchi also reminded the Board that during the previous meeting, President Minner asked if a student regent's term is affected if they graduate, become a university employee, and as employee are eligible to join an employee union. Regent Marchi found that none of the issues cause any problems with their eligibility however, they must abstain from voting on issues such as collective bargaining.

### **President's Report – Dr. Sam Minner**

- **Recent Updates**
  - The campus remains closed
  - The university is preparing for the special legislative session
  - We are experiencing a 3% summer enrollment increase in comparison to last summer; this summer, due to the COVID-19 pandemic, all of our course offerings were via online/alternative instruction
  - We have exceeded our private giving/donation goal of \$2million for the year
  - The university developed television ads which are broadcast on local channels
  - Two Research Projects & Sponsored Programs (RPSPs) received legislative funding they are; a re-designed Career Services Program and our doctorate of nursing program
  - The administration is working with a New Mexico Mayor on a new initiative that may bring more social work students to NMHU
  - He received a letter from the federal government informing that international students would be required to either transfer to another university for face-to-face instruction or

return to their home countries. He immediately wrote to our congressional delegation expressing his concerns about the policy.

- **Fall Reopening**

- **Instruction**

He has written several letters in opposition of the new information from the Department of Homeland Security regarding international students having to return to their countries if all of their courses are distance learning. The Council of University Presidents has written a joint letter to our delegation regarding the opposition of the DHS notification.

- **Athletics**

The Governor's order regarding no athletics activities does not apply to colleges/universities.

**Provost/Vice President for Academic Affairs – Dr. Roxanne Gonzales**

Dr. Gonzales introduced Dr. Veena Parboteeah the new dean of the School of Business, Media Arts & Technology and Dr. Mary Earick, the new Dean of the School of Education.

**Collective Bargaining Agreement (CBA) – Action Item**

**Article 4 (Agreement Control)**

**Article 5 (Future Negotiating Procedures)**

**Article 12 (Workload and Work Hours)**

**Article 28 (Procedures for Dismissal of a Tenured Faculty Member for Cause or Dismissal of Tenure-Track Faculty During His or Her Appointment Contract)**

**Article 37 (Granting Tenure to Administrators)**

**Article 40 (Distance Learning) – Action Item**

Regent Garcia moved to adopt Collective Bargaining Agreement Articles 4, 5, 12, 28, 37, and 40 as presented (**Attachment A**). Regent Ulibarri seconded. A roll call vote was taken, voting in favor: Regent Garcia, Regent Marchi, Regent Smith, Regent Ulibarri, and Chairman Sanchez. Motion carried unanimously.

**Vice President for Finance & Administration – Mr. Max Baca**

**FY21 Operating Budget-Required Budget Adjustment Request (BAR) – Action Item**

Mr. Baca provided the Regents with the FY21 Operating Budget-BAR in advance of the meeting (**Attachment B**).

Mr. Baca informed the Board that a solvency plan will be presented at the next Board meeting.

Regent Marchi moved for approve the FY21 Operating Budget-Required Budget Adjustment Request as presented. Regent Garcia seconded. A roll call vote was taken, voting in favor: Regent Garcia, Regent Marchi, Regent Smith, Regent Ulibarri, and Chairman Sanchez. Motion carried.

**Executive Session – (a) limited personnel matters related to the dismissal, resignation, and/or investigation or consideration of complaints or charges against any individual or public employee pursuant to NMSA 1978, § 10-15- 1(H)(2); (b) bargaining strategy preliminary to collective bargaining pursuant to NMSA 1978, § 10-15-1(H)(5); (c) and threatened or**

**pending litigation subject to the attorney- client privilege in which the university is or may become a participant pursuant to NMSA 1978, § 10-15-1(H)(7).** Regent Marchi moved to enter into executive session for the sole purpose of discussing the items listed. Regent Smith seconded. A roll call vote was taken; voting in favor: Regent Garcia, Regent Marchi, Regent Smith, Regent Ulibarri, and Chairman Sanchez. Motion carried and the Board entered into executive session at 2:41 p.m.

Regent Marchi moved to return to open session. Regent Smith seconded. Regent Marchi stated for the record that only those items specified under the executive session were discussed and the Board took no action. Regents present confirmed. A roll call was taken, voting in favor of returning to open session were: Regent Garcia, Regent Marchi, Regent Smith, Regent Ulibarri, and Chairman Sanchez. Motion carried and the Board returned to open session at 3:40 p.m.

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

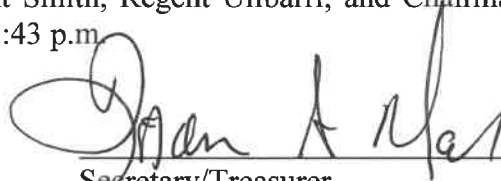
No action was taken.

**Adjournment**

Regent Smith moved to adjourn. Regent Ulibarri seconded. A roll call vote was taken, voting in favor: Regent Garcia, Regent Marchi, Regent Smith, Regent Ulibarri, and Chairman Sanchez. Motion carried and the meeting adjourned at 3:43 p.m.



Chairman  
NMHU Board of Regents



Secretary/Treasurer  
NMHU Board of Regents