

**MINUTES OF THE BOARD OF REGENTS
NEW MEXICO STATE UNIVERSITY**

1. CALL TO ORDER

The Board of Regents of New Mexico State University met in the Auditorium, Corbett Center, Las Cruces, New Mexico on Wednesday, October 10, 2012.

Chair Cheney called the meeting to order at 10:00 a.m.

Regents Present	Mike Cheney, Chair Isaac J. Pino, Vice Chair Christopher Dulany, Secretary / Treasurer Javier M. Gonzales, Member Kari Mitchell, Member
Ex-officio Regents Present	Dr. Tim Ketelaar, Faculty Senate Chair Breeana Sylvas, President ASNMSU
Officers of the University Present	Dr. Wendy K. Wilkins, Executive Vice President / Provost
Chair NMSU Employee Council	Mr. Fred Lillibridge

2. INTRODUCTIONS

- a. Introduction of Press, Elected Officials, and Others by Maureen Howard, Associate Vice President for University Communications and Marketing Services

Associate Vice President Maureen Howard announced that there were elected officials present, Senator Mary Kay Papen and Representative Joni Gutierrez. Newspaper reporters from Las Cruces, El Paso, and Albuquerque, Television reporters from Las Cruces and El Paso, and also Las Cruces Radio were present.

3. APPROVAL OF AGENDA

Regent Pino moved and Regent Gonzales seconded to approve the agenda. The motion carried unanimously.

4. CONFIRMATION OF PRIOR EXECUTIVE SESSION

- The Board of Regents of New Mexico State University met in executive session at 9:00 a.m. on Wednesday, October 10, 2012, in the Corbett Center Curry Room 329 in Las Cruces, New Mexico to discuss personnel matters in accordance with Section 10-15-1H, paragraph (2), of the New Mexico Open Meetings Act. Those board members who were present hereby certify by roll call vote that only matters of that nature were discussed in closed meeting.

The motion to adopt this statement, upon being put to a vote, was passed and adopted on the following recorded vote: Chair Cheney, Vice Chair Pino, Secretary/Treasurer Dulany, Member Javier Gonzales and Member Kari Mitchell. Five Regents present having voted in favor of said motion, said motion carried, and said statement was adopted.

5. PUBLIC COMMENT

Joe Delk is a 1970 graduate of New Mexico State University and has lived in Las Cruces for the past 24 years. Mr. Delk came before the board as a board member of the New Mexico Cattle Growers Association (NMCGA). He recognized the challenging two weeks that the Board of Regents have had to deal with and that the NMCGA supports the board's actions in these matters. Over the most recent years in both the livestock industry and the agriculture industry, there has been a drift away from the fundamental land grant mission of this university of agriculture and engineering. NMCGA fully supports a move back in that direction and would like the board to keep those fundamental elements in their minds as they are tasked with the job of searching and hiring a new President for the university. NMCGA would also like to encourage the board to look closely at the NMSU Extension Service and the role they have played in our agricultural history. There is still a place for the Extension Service as NMSU moves forward. The NMSU Extension Service has been met with some challenges with financing, which is understandable, and NMCGA would like to encourage the board's support of that entity in the university system. The Extension Service is very important to agriculture and very important to our youth to help develop leadership skills. They also do the best job of recruiting. Mr. Delk also stated that if there is a place for the NMCGA on the search committee or being involved in that process, it would be appreciated.

Matt Rush, Executive Director for the New Mexico Farm and Livestock Bureau, who represents over 16,000 farm family members across the state of New Mexico. They are represented by their President, Mr. Michael White from Dexter, NM and their Board of Directors, which is made from 24 agricultural producers from all corners of the state. Mr. Rush feels like he has the greatest job in the world, because he gets to represent New Mexico's finest and that's the people who grow the food, fiber and fuel that we all depend upon each and everyday of our lives. The NM Farm and Livestock Bureau believes that the Board or Regents has had a tough couple of weeks with some tough decisions being made. On behalf of the Farm and Livestock Bureau, they support the Regents and feel like this university has lost a little focus from what the core of this university truly is. Hopefully, NMSU can get back to focusing on what they know best and what's at the heart and soul of this great university. Agriculture appreciates and respects the Regents and are there to help in any way they can. If there is anything that they can do on behalf of the board or on behalf of their producers, they want the board to know they are a phone call away. The Board of Regents are at a pivotal point in this university's history and while the last couple of weeks have not been easy, the Farm and Livestock Bureau know that with hard times comes brighter days too. This is a great opportunity for the university to set a new and even better course and to maybe even refocus where the university has been but more importantly on where the university is going. So on behalf of the NM Farm and Livestock Bureau, they would like to extend the same invitation that if there is anything they can do in the selection process, or if there is anything they can do to help the Regents or the university, to

please feel free to call on them. The Farm and Livestock Bureau will support and have the university's back.

Mickey Clute mentioned that he was from Las Cruces and a proud alumnus of NMSU. He has served the university on the privatized side from being chairman of the foundation board, investment committee chairman, athletic committee chairman and just an ad hoc chairman. There are some things that he thinks are important in what the board is doing and that is the decision to change the leadership. As Regents, this is their job. The new leader will have to create an environment where the faculty can teach and do research, where the students can learn and become the best that they can be and hopefully become a graduate and become part of that wonderful commaderie called an employed taxpayer. He has some suggestions for the Board to consider that he thinks are important based on his background with the university. He believes NMSU should look for a leader who understands the culture of New Mexico and the differences in the regions of New Mexico (East side, North, the Rio Grande corridor, etc). These are important. He also believes that NMSU needs to find a leader who values legislative relationships, because that's the lifeblood of the university. This leader would also need to understand and perpetuate alumni and donor relations, because that is the extra enhancement in front of the university. This leader would also value the community relationships with both city and state. Mr. Clute also stated that he for one supports being a full member of division 1 athletics, and fully funding that effort, because conference affiliation hinges on that. This leader must have a passion for leading NMSU in its teaching and research mission as the NM Land Grant Institution. They must also be focused on increasing the recognition of NMSU and its value to the state of NM. And finally he would ask that NMSU decide once and for all what color crimson is, so that we can all bleed the same color.

John Papen, a lifelong resident of Las Cruces and alumnus of NMSU, has served on the foundation board, the athletics fundraising board and participated in many things that this fine university does. He is only representing himself, a citizen of Las Cruces, to show his support for the Board of Regents. He knows that this is a challenge in an organization as big as NMSU. He feels the Board is up for this challenge and wants to take this opportunity to thank them for the wonderful job they are doing. There are approximately 28,000 students here at NMSU, which is your primary concern, and he knows that the Board will pick the right person, in a timely manner, to run this fine university.

Ammu Devasthali is an alumni of NMSU, a longtime resident of Las Cruces and a proud supporter of the College of Arts and Sciences at NMSU. She fully supports the actions the Regents have taken to remove Dr. Couture from her post as president of NMSU. She is among those that believe that Dr. Couture was a poor fit for this university and also community. Ms. Devasthali does however share the frustrations of the university community as well as the community at large at the lack of inadequate information that had been provided in regards to this very important development. We live in a culture of 24/7 news cycle and instant messaging. We have facebook and twitter feels that she needs to know everything about everything the minute it happens. However, she mentioned that we should all take a deep breath and pause for a moment and weigh our need to know against the Regents duty to make sure that NMSU is protected against all potential legal action and that the Regents cannot give out information about matters that they cannot legally discuss. Ms. Devasthali stated that our need to know is not as

important as the need to protect NMSU. There is much work to be done regarding how the search committee is put together, what decisions need to be made in the selection process and who would be a good fit to be president of this large university. She plans to share her thoughts with the Regents and would hope others would do so as well. If we really care about this university, we should, regardless of all the media chatter, focus our energies on making sure that the upcoming GO Bond passes. Among other things, the money from this will go to desperately needed improvements to facilities where our students learn and our faculty members teach. Let us let the Regents do their job and let us make sure that the students and faculty understand that we in the community have their back. Let's pass the GO Bond.

Jamie Brunstein is a History professor and has been a faculty member since 1996. Speaking as a faculty member, she doesn't know the grounds for Dr. Couture's departure from the university, but there has been a lot of speculation about that. She understands that the Regents are legally enjoined from commenting. But as a faculty member and a member of the faculty senate, they were informed of the change in leadership, not from within, but from the news media. And she mentioned that this happens time and time again, which make the faculty feel as though the regents don't value their input or expertise despite the fact that they are the ones getting the teaching and learning mission of this university accomplished. As a university, NMSU cannot afford to alienate the NM taxpayers or NM stakeholders by throwing hundreds of thousands of dollars of taxpayer money at the back of a departing former president. If the GO Bond fails because of the secretive way in which Dr. Couture's departure from the university was handled, this will be devastating to the real business of the university. The faculty would like to see some affirmation by the Regents of the primarily academic mission of NMSU, which is not just about agriculture and engineering, although those are important, but also about financing basic research and providing a well rounded education for NM students. This can be accomplished by the inclusion of sufficient faculty representation on the search committee for the new president, which should be more than two faculty members of a search committee of 25, which is what it was the last time. Finally, she is glad that public comment was allowed today.

Joan Crowley is a Criminal Justice professor and has been a faculty member since 1989. Ms. Crowley mentioned that it is vital that the people on the search committee are representative of the diverse interests of NMSU. The last time, there were four faculty members, two from agriculture and two from business. More faculty were added after that was pointed out. There are six colleges and four community college campuses in the NMSU system. Each of these represents a separate culture. She stated that we don't need all six or all four represented, but we do need some representation. In the past, faculty members on search committees have been selected through a nomination election process. This can be done quite quickly and would not delay the process of searching for a NMSU President, which is going to take months. However the search committee is selected she advises to make sure that process is transparent and has some kind of shared governance. She would like you to urge the Regents to reconsider the process of excluding the ex-officio member, the Faculty Senate Chair, who has the most understanding of NMSU, to attend closed meetings. Ms. Crowley stated that the chair is voted on because they have extensive experience with faculty policy and have shown a certain amount of discretion and have a great deal of training in confidentiality. She stated that confidentiality would not be breached and that the level of information

and discussions would be elevated, if the Regents have the faculty senate chair represent the faculty in their discussions.

Steve DeGiulio teaches in the Adult Education Division of Dona Ana Community College. He is an 18 year faculty member at this university. In their adult program, they open the gates of higher education to those people that never made it to school the first time around. One of these students' highest priorities is that they want to be role models in their families, neighborhoods and communities so that their kids and the next generation can get out of the cycle of poverty that many of these students are in. Mr. DeGiulio wants to thank the Regents for everything they are doing, but he feels that there are not enough Regents for the size of NMSU. He feels that NMSU is a huge organization with a presence all over the state. He mentioned that large state universities can have 20 or 30 Regents or Boards of Directors, and with that many hands on deck, there are a lot more possibilities for addressing the responsibility of oversight, not waiting until things reach a crisis state. He stated that there could be sub committees directed at different areas; for instance athletics, instruction, community colleges, etc. This doesn't mean to suggest that the Regents should manage the college, because that is the sole job of the chief executive. What he is suggesting is that he thinks the lines of communication from the bottom up should be cultivated in a way which is feasible.

6. ACTION ITEMS

a. Appointment of Interim President and Approval of Employment Contract.

Regent Gonzales mentioned that he has had the opportunity to watch Dr. Manuel Pacheco in action and is very optimistic about the future of NMSU as we move forward. Dr. Pacheco has had the opportunity to serve at New Mexico Highlands University during a very difficult time during a difficult transition. Regent Gonzales was able to watch Dr. Pacheco and his calming effect on faculty as he came to assist his alma mater and help them through this transition to move on to the future for an institution that has been so important to NM. What Regent Gonzales was able to observe early on with Dr. Pacheco, is that his credentials are immense; President of the University of Arizona, President of University of Missouri System, President of Laredo State University in Texas and President of Houston-Downtown and this list goes on with his capabilities to serve in an academic institution with great distinction. Regent Gonzales learned that Dr. Pacheco is more than a credentialed President; he is a New Mexican who loves New Mexico. And he has demonstrated that over and over again, when he has been called back to the state whether it is to serve the Governor as an advisor of education, or to come back to his alma mater to help them through a difficult transition at NM Highlands, or to come to NMSU over 3 years ago to assist us during our transition and now, once again today. He has consistently proven that he loves this state and has no doubt, as we go forward that the love will be seen and experienced by our faculty, by our students, and by those constituencies outside of this university who care about our future. Regent Gonzales knows that Dr. Pacheco is going to put us in a position to be able to attract great talent whether it comes from within this university system or outside of it to be a part of the university family. He commended Chair Cheney for the time he has put in over the last two weeks, as he knows it has been enormously challenging not only in face of a lot of media criticism, but certainly in the face of a lot of us wanting to see how we were

going to get through today. Chair Cheney handled it with great distinction. Regent Gonzales wants to thank Dr. Pacheco for taking time out of his life to help us. Dr. Pacheco and his wife Karen have certainly been a blessing to NM institutions. They are both excited to come to Las Cruces, as they have grandkids spread between Arizona and Texas so they are in a perfect position to go back and forth. Regent Gonzales thanked Dr. Pacheco for being willing to come serve this institution with his leadership. Dr. Pacheco is not coming here to be a placeholder, or to tread water, but that he is coming here to help move this university forward in the face of a lot of challenges and taking advantage of the amazing talents of this university and all the good that it has to be able to address these challenges.

Regent Pino mentioned that he is really looking forward to working with Dr. Pacheco over the next year. Regent Pino and Dr. Pacheco had a chance to establish a relationship three years ago. Regent Pino had just come on the board as a Regent just as Dr. Pacheco did as interim. Regent Pino stated that Dr. Pacheco was a friend and a mentor. Regent Pino looks forward to renewing that relationship, because he knows that he has greater things to offer NMSU as he has in the past. Dr. Pacheco has much to accomplish in a short amount of time, but Regent Pino feels they picked the right man who will get things done for us. Regent Pino welcomed Dr. Pacheco back.

Regent Pino moved and Regent Mitchell seconded for Appointment of Dr. Manuel Pacheco as Interim President of New Mexico State University and that the employment contract will be drafted to include a term not to exceed one year and the salary not to exceed \$360,000 to be ratified at the next regular Board of Regents meeting scheduled for Monday, October 15 in Carlsbad. The motion passed unanimously.

Regent Cheney gave some background information on Dr. Pacheco. Dr. Pacheco received his bachelor's degree from NMHU and received his Ph.D. from The Ohio State University. Regent Cheney stated that we are proud to have a gentleman with NM roots and an extensive educational background. Dr. Pacheco's positions include, as Regent Gonzales mentioned, Interim Position at NMHU, Interim Position at NMSU in 2009 and there are many other awards and recognitions that Dr. Pacheco has received and it's an honor to have a gentleman that is dedicated to a true interim transition process so that this board can turn their attention to the task of taking some of those good comments they received and building the search process so they can select the next president of NMSU. With that said, Dr. Pacheco has been in town for the last day or so throughout the bedding process and at this time he welcomed Dr. Pacheco to say a few words.

Dr. Pacheco said it is a pleasure to be here and looks forward to this opportunity. He was telling someone earlier, once he was confirmed for this position, that he would enjoy this more than he did the last time. Yesterday he got an email from a sister here in Las Cruces, who is a psychiatrist, and he mentioned the possibility that he may be coming back and she told him that he was either a glutton for punishment or he had a weird sense of excitement. He is excited to be here, because the last time it was a wonderful experience. He knew this university was a great one, but didn't know how great. NMSU has faculty that is to be lauded, academic leadership is excellent, and there is a wonderful community that needs to be further cultivated and recognized. Las Cruces has a university, a land grant institution, which has a responsibility throughout the entire state in many respects. Not only in terms of its academic mission but also to

be the conduits for disseminating information of the research of this institution and as was said in earlier public comments, for helping to recruit students to this wonderful institution. This is a worthy institution of consideration for those students. The research that has occurred at NMSU over the past several years is significant and that needs to continue. The way that this research will continue is by making sure that the university is well recognized in the areas that it serves. He thinks it is important to address the responsibilities that the university has both to the local area and the region. He will make it an important objective to meet with, as often and as much as he can, the various constituencies of the university and to make sure their desires and needs are at least taken into account. He has also expressed, with discussions of faculty leadership that he intends and is looking forward to the opportunity to interact with faculty leadership to solicit input and also to share his own notions about how this institution should set itself up for the permanent president who will come later. Dr. Pacheco has no desire to be that person. He retired ten years ago and enjoys retirement. He intends to get back to that after this year is accomplished. The most important thing is that he truly looks forward to being here this next year and he and his wife look forward to interacting with everyone and serving the needs of the state and NMSU.

7. OTHER / COMMENTS

Dr. Timothy Ketelaar commented on behalf of faculty senate. On Saturday, October 6, the faculty senate chair in his capacity as an ex officio member of the Board of Regents, requested to attend the closed session today at 9:00 am. On Monday morning, October 8, the chair of the BOR informed the Senate Chair that this request had been denied. The Faculty Senate, as a whole, shared this disappointment. However, as Senate Chair he accepts the regent's decision. He reminded everyone that Faculty Senate previously commented on the Regents decision on October 1, regarding the resignation of President Couture. At the public meeting of the Board of Regents, NMSU Faculty Senate stated that they wish to convey respect and support for the Regents decision. Today, regarding the Regents handling of the appointment of the interim president, the Faculty Senate would like to acknowledge receipt of this information. Finally, Dr. Ketelaar wanted to remind the larger NMSU community that throughout this process, NMSU faculty and students continue to dissipate fully in the life of the university without interruption. He stated that in a few hours, he would be walking across to Hardman Hall to teach 60 smiling faces in what is one of his favorite classes as an instructor. Hardman Hall is one of several buildings on campus that will benefit from Bond C if the voters choose to pass this bond. This Bond will not raise taxes, but will raise the spirits of the 60 students of his class. He can't imagine one student not taking a class at Hardman Hall or Jacobs Hall during their time on campus, as part of their general education requirements. These buildings would be improved and the students would benefit. It is his hope that the citizens of this state, by sending a message, that although we share the concerns to spend our money wisely the students of NMSU are always a worthy investment.

Regent Cheney values Dr. Ketelaars perspective. He is pleased with the level of engagement not only by people who stepped up and made comments but by Dr. Ketelaar as leader of the Faculty Senate. Regent Cheney looks forward to great things from NMSU as they move forward with input from NM stakeholders, which are necessary.

Provost Wilkins is pleased to have finally met Dr. Pacheco. It turns out that their academic careers have almost intersected numerous times as they actually have a number of academic interests in common. She is hoping that they can work successfully together on behalf of the institution and perhaps create a groundwork in which a very successful search can take place. She looks forward to a great working relationship with Dr. Pacheco.

8. ADJOURNMENT

There being no more business the Board of Regents adjourned at 10:45 a.m.

Minutes recorded by Carolyn Aragon.



Mike Cheney, Chair
Board of Regents



Christopher Dulany, Secretary / Treasurer
Board of Regents