

**NEW MEXICO STATE UNIVERSITY
BOARD OF REGENTS MEETING**

Wednesday, October 21, 2015

Regents Room, Educational Services

NMSU Main Campus

Las Cruces, New Mexico

3:00 pm

MINUTES

Regents of New Mexico State University

Mike Cheney, Chair	Las Cruces, New Mexico
Debra Hicks, Vice Chair	Hobbs, New Mexico
Amanda López Askin, Sect./Treas.	Las Cruces, New Mexico
Jerean Hutchinson, Member	Las Cruces, New Mexico
Kari Mitchell, Member	Las Cruces, New Mexico

Ex officio Members of the Board of Regents:

The Honorable Susana Martinez, Governor
Stuart Munson-Mcgee, Ph. D., Faculty Senate
Mr. Dustin Chavez, President ASNMSU

Officers of the University:

Garrey Carruthers, Ph. D., Chancellor & President, NMSU
Dan Howard, Ph. D, Executive Vice President & Provost, NMSU

AGENDA

3:00 PM

- 1. CALL TO ORDER**- Chairman Mike Cheney (2 minutes)

Chairman Mike Cheney called the meeting to order at 3:00pm. Regents present included the Chairman, Regent Kari Mitchell, Regent Jerean Hutchinson, Regent Amanda López Askin and Regent Debra Hicks. Ex-officio members present were ASNMSU President Dustin Chavez, Faculty Senate Chairman Stuart Munson Mcgee and Employee Council Chairman Greg Block. NMSU President and Chancellor Garrey Carruthers was present.

- 2. INTRODUCTIONS**

- Introduction of Press, Elected Officials, and Others by NMSU Associate VP Maureen Howard (2 minutes)
- Introduction of Interim President of NMSU-Grants by Chancellor Garrey Carruthers (4

minutes)

NMSU Associate Vice President for University Communications and Marketing Services Maureen Howard announced that there were no members of the press present.

NMSU Chancellor Garrey Carruthers introduced two Interim Deans currently serving the university. He introduced longtime NMSU employee Jim Libbin as the Interim Dean at the College of Agricultural, Consumer and Environmental Sciences (ACES). He introduced Dr. Steven Stochaj as the Interim Dean at the College of Engineering. He plans to serve until July of 2016.

3. **APPROVAL OF AGENDA**-Chairman Mike Cheney (2 minutes)

Chairman Mike Cheney announced the correction of the naming items from the Era Rentfrow Pavilion to Era Rentfrow Hall and the NMSU Charles Strickland Central Pavilion to the Charles Strickland Central Utility Plant. Regent Kari Mitchell asked that the agenda be amended to move item 9.1.a. to the Action Items section. The motion was made by Regent Debra Hicks and seconded by Regent Jerean Hutchinson. Motion passed.

Regent Kari Mitchell requested that a committee report for the Regents' Student Success Committee be added to the recurring reports section of future agendas.

4. **PUBLIC COMMENT**- NMSU Associate VP Maureen Howard/Special Assistant to the (10 minutes)

No persons signed in for public comment.

5. **APPROVAL OF THE MINUTES**-Chairman Mike Cheney (5 minutes)

Minutes of May 8, 2015

Minutes of July 21, 2015

The minutes of the July 21st meeting were amended to reflect a request from Regent Jerean Hutchinson to NMSU Provost Dan Howard to provide a detailed report to the Board of Regents on the progress NMSU programs are making in moving degree plans from a 128 credit hour requirement to a 120 credit hour requirement. Regent Mitchell added the need to stress "urgency" in the request citing that it needs to be at an accelerated rate in accordance with best practices of high performing institutions. The motion was made by Regent Kari Mitchell and seconded by Regent Jerean Hutchinson. Motion passed.

2:25 PM

6. **ADOPTION AND PRESENTATIONS OF RESOLUTIONS**- Chairman Mike Cheney (10 minutes)

a. Higher Education Reform Resolution

Chief of Staff to the Board of Regents Janet Green read a resolution by the Board of Regents supporting Higher Education Reform as critical for our institution. Chairman Cheney stated that our Vision 2020 strategic plan is the "what" we do, this resolution states the "why" we do it. Regent Kari Mitchell moved approval and the motion was

seconded by Regent Jerean Hutchinson. Motion passed.

Chancellor Garrey Carruthers noted he supports the resolution but wanted to add that the funding formula performance issue may be up for discussion in the 2016 Legislature. He believes that they may be looking at adjusting it to hold two year programs harmless if they do not meet performance metrics. He believes they should leave it alone and plans to speak with the HED Secretary. Chairman Cheney pointed out that metrics can be “toyed with” and we need to do what is best for New Mexico State University. We need to do this in public education as the private sector certainly does and it is actually a self-defense mechanism.

c. **Military and Veterans Appreciation Week Resolution**

Chief of Staff to the Board of Regents Janet Green read a resolution by the Board of Regents supporting Military and Veterans Programs Appreciation Week at our institution. Program Director Jacobo Varela was present to receive the resolution citing this new tradition at NMSU. Jacobo and some students who are veterans posed for a photograph with the Board of Regents.

7. **REGENTS’ ABOVE AND BEYOND AWARD**-NMSU President Garrey Carruthers (5 minutes)

Chancellor Carruthers read the nomination of KRWG Director Glen Cerny as the Above and Beyond recipient. Glen was lauded for his cheerful, positive attitude as well as his mentorship of student broadcasters and journalists. Several of these students have gone on to be employed with ESPN. Glen was presented with his award and took a photo with the Board of Regents.

8. **CONFIRMATION OF PRIOR EXECUTIVE SESSIONS**- Chairman Mike Cheney (3 minutes)

Regents’ Chief of Staff Janet Green read and took a roll call vote on the executive session: The Board of Regents of New Mexico State University met in executive session at 12:30pm on Tuesday, July 21, 2015, in the Educational Services Center, Room 2 on the Las Cruces Campus to discuss limited personnel matters, pending or threatened litigation, purchase, acquisition or disposal of real property or water rights in accordance with Section 10-15-1H, paragraphs (2), (7), and (8) 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 the closed meeting.

Regent Cheney yes___ Regent Hicks yes___ Regent Mitchell yes___

Regent Hutchinson yes___ Regent López Askin___ yes___

9. **CONSENT CALENDAR**- Chancellor Garrey Carruthers (20 minutes)

Chairman Cheney noted that item 9.1.a was moved to Actions Items.

a. **Policy-**

1. Approval of Revision to Policy 1.10 (Policy Development, Review and Approval) removing procedures, re-titling, and authorizing a transition to a revised policy system consisting of a Regents Policy Manual and a separate set of NMSU System Administrative Rules and Procedures.
2. Approval of Repeal of Policies 2.35.1.3.4 (Mobile Communication Device Usage) and 2.35.1.3.5 (High Speed Data Connectivity in Employee's Home) from the NMSU Policy Manual and Relocation into the Business Procedures Manual.
3. Approval of Revised Policy 7.20.75 (Leaves-Sick Leave) to repeal Section C. which has been superseded by the new policy 7.20.42 (Faculty Care Leave).
4. Approval of Minor Revisions to Policy 7.20 (Leaves) for consistency with new policy 7.20.42 (Faculty Care Leave).
5. Approval of Minor Revisions to Policy 7.20.80 (Leaves-Sick Leave Bank) for consistency with new policy 7.20.42 (Faculty Care Leave).

NMSU General Counsel Liz Ellis was asked to speak to the development of this policy. It had been in discussion since the filing of a lawsuit over the challenge of not having leave for nine-month faculty. Provost Howard made it one of his priorities.

b. Administrative-

1. Approval of Disposition/Deletion of Property. University property being recommended for disposition/deletion.
2. Approval of Temporary Investment Report for quarter ended 6/30/2015. The report reflects a weighted average yield of .95% for the quarter ended 6/30/2015, compared to the average one-year Treasury Bill yield of .26%.
3. Approval of NMSU-Carlsbad: Boiler Replacement and Information Technology (IT) Renovation.

This project includes removal of old boilers and associated pumps, reconfigures boiler infrastructure, and replaces existing systems with new energy-efficient boilers that will be controlled by a central monitoring system. Renovations to IT infrastructure in the NMSU Carlsbad Computer building include renovations to IT server rooms and the installation of an emergency generator with associated infrastructure.

4. Approval of DACC-Main: Classroom Renovations.

This project installs classrooms and laboratory upgrades including finishes, fixtures, lighting and configuration. Restrooms will be expanded to add

fixtures to meet current plumbing codes. Also, this project includes structural stabilization of the foundation for a portion of the building, partial building re-roof, and a new Americans with Disabilities Act ramp.

5. Approval of DACC-Gadsden: Center Expansion.

This project includes the design and construction of a new building with approximately 20,000 square feet, site development, and provision of additional parking. The project will add needed classrooms, laboratories, faculty offices, library, student success space, and an auditorium/lecture hall.

6. Approval of NMSU-Grants: Martinez Hall Improvements.

These outdoor and indoor improvements include faculty offices, classroom upgrades and campus parking, security, lighting and landscaping.

7. Approval of NMSU-Grants: Design/Reconstruction Drainage Improvements New Mexico Department of Transportation Phase III.

This project constructs drainage improvements that include upgrades to roads at the south and west side of Martinez Hall.

8. Approval requested for the appointment of Dr. Stefan Zollner as member of the board of directors according to the bylaws for the New Mexico Consortium Inc. (NMC), a 501(c)(3) nonprofit corporation under the New Mexico Nonprofit Corporation Act and the New Mexico Research Park Corporation Act. Dr. Zollner will be replacing Dr. Martha Mitchell as the NMSU Second Position. (NMSU Vice President for Research, Vimal Chaitanya)

9. Approval of Proposition No. 02-15/16 to change the degree name and major from “Bachelor of Science in Agriculture with a major in Wildlife Science” to “Bachelor of Science in Fish, Wildlife, and Conservation Ecology with a major in Fisheries and Wildlife Science.” (NMSU Deputy Provost Greg Fant)

10. Approval Proposition No. 03-15/16 to change the degree name and major from “Master of Science in Wildlife Science” to “Master of Science in Fish, Wildlife, and Conservation Ecology.” (NMSU Deputy Provost Greg Fant)

11. Approval Proposition No. 04-15/16 to change the degree name and major from “Bachelor in Conservation Ecology to “Bachelor of Science in Conservation Ecology.” (NMSU Deputy Provost Greg Fant)

12. Request Approval for an Honorary Doctorate to be conferred to Dr. Dan E. Arvizu.(Chancellor Garrey Carruthers)

Chancellor Carruthers presented the summary description of the Consent Agenda Items. He gave additional information about the Honorary Degree Recipient, Dr. Dan Arvizu who is the Director and Chief Executive officer of the U.S. Department of Energy's National Renewable Energy Laboratory (NREL). Dr. Arvizu is from Alamogordo, New Mexico and has an Engineering degree from NMSU and a Doctorate from Stanford. Chancellor Carruthers pointed out that the number two person at the laboratory is also an NMSU graduate, Dr. Dana Christiansen and the number three at NREL is also an NMSU graduate. Chairman Cheney called for a motion to approve the consent calendar. Regent Debra Hicks moved and Regent López Askin seconded the motion. Motion passed.

10. ACTION ITEMS (20 minutes)

1. Approval of the Ground lease between the NMSU Board of Regents and Aggie Development Incorporated (ADI) for 6 & 12 acres north of University Avenue, (Scott Eschenbrenner, President ADI). (3 minutes)

President of Aggie Development Incorporated (ADI) Scott Eschenbrenner introduced Clayton Bradley, a new Director of Real Estate hired at NMSU. Clay is an NMSU graduate, Crimson Scholar and a J.D. from a North Carolina Law School. He is from Carlsbad and spent time as an oil land attorney.

The motion to approve the ground lease was made by Regent Mitchell and seconded by Regent Hutchinson. Motion passed.

2. Approval of New Policy 1.05.22 (BOR-Use of NMSU Seal), establishing the limited, formal circumstance it may be used for. (3 minutes)

Chancellor Carruthers deferred to NMSU General Counsel Liz Ellis who stated that the point of the policy is avoid dilution of the NMSU Seal which is reserved for specific purposes which have been stated on the NMSU website for some time. Chairman Cheney called for a motion to approve, it was moved by Regent Hutchinson and seconded by Regent López Askin. Motion passed.

3. Approval of New Policy 7.20.42 (Leaves-Faculty Care Leave) to provide nine month regular faculty with a paid leave benefit to be used in the event of an FMLA qualifying event. (3 minutes)

Chancellor Carruthers asked NMSU General Counsel Liz Ellis to explain the policy which she had already discussed earlier in the consent agenda. She was asked by Regent Mitchell if the policy is in "excess of the law" Counsel Ellis explained that the law does not require an employer to make paid leave available which is what this policy does for nine-month faculty. Chancellor Carruthers notes that due to a lawsuit, he had implemented this policy as an emergency measure earlier this semester. Chairman Cheney noted to the Board of Regents that this would be a ratification. Counsel Ellis also noted that it would bring consistency as to how leave approvals were being handled across disciplines. Regent Mitchell asked Senior Vice President Throneberry about the fiscal impact of passing the policy. SVP Throneberry noted that it was not significant because the units had been managing how the leaves were

covered in the past, Regent Hicks asked about the cap on the number of hours that could be accumulated. Counsel Ellis said that the determination was made based on what other NMSU employees are entitled to receive seeking parity. One difference was explained that nine-month faculty would not accrue a leave balance that would be paid about upon termination. Chairman Cheney called for a motion to approve which was made by Regent Hutchinson. The motion was seconded by Regent Mitchell. Motion passed.

4. Approval of a Naming Opportunity: DACC East Mesa, DAMA Building name change to *Alex Sanchez Hall* (NMSU-DACC President Renay Scott) (3 minutes)

Eddie Binder, Director of Public Relations and Foundation for Dona Ana Community College (DACC) presented the naming request for a building at the Central Campus of DACC at NMSU after Dr. Alex Sanchez, its first leader. Dr. Sanchez went on to have a full career in higher education. Chairman Cheney called for a motion which was made by Regent Hicks and seconded by Regent López Askin. Motion passed.

5. Approval of a Naming Opportunity: Era Rentfrow Gymnasium name change to *Era Rentfrow Pavilion* (NMSU Interim Vice president of Advancement and Foundation President Andrea Tawney) (3 minutes)

Interim Vice President of Advancement and Foundation President Andrea Tawney presented the request to rename Era Rentfrow Gymnasium, Era Rentfrow Hall due to the diversity of activities now housed in the building to include the Kinesiology Program in the College of Education. Regent Cheney called for a motion to approve. Motion was made by Regent Mitchell and seconded by Regent Hicks, Motion passed.

6. Approval of a Naming Opportunity: NMSU Central Plant name change to *NMSU Central Plant Charles Strickland Pavilion* (NMSU Interim Vice president of Advancement and Foundation President Andrea Tawney) (3 minutes)

Interim Vice President of Advancement and Foundation President Andrea Tawney requested that the Central Utility plant be named for Charles Strickland. The first Physical Plant Direct at NMSU who word here for 45 years. Chairman Cheney called for the motion which was made by Regent Hicks. The motion was seconded by Regent Hutchinson and passed.

Chairman Cheney added that we may be whipping through these approvals very fast, but a certain amount of vetting goes into these proposals before they are brought to the Board. He wanted to thank those individuals who have contributed greatly to enable us to put their names on these buildings

permanently.

7. Approval of a Naming Opportunity: NMSU Skybox at Aggie Memorial Stadium to *Club 27*. (NMSU Athletic Director Mario Moccia). (2 minutes)

Interim Vice President of Advancement and Foundation President Andrea Tawney asked the approval of the Skybox, built at Aggie Memorial Stadium (football) be named “Club27” in honor of Chancellor Carruthers. As opposed to naming it the Presidential Skybox, the “Club 27” references the fact that Chancellor Carruthers, who has made substantial contributions to NMSU, along with his wife Kathy and the State of New Mexico is the 27th President of NMSU and was the 27th Governor of New Mexico. He is the only “Aggie” to ever hold those jobs. Chairman Cheney called for a motion to approve the naming which was made by Regent Hicks and seconded by Regent Mitchell, et.al. Chairman Cheney ceremoniously called for the vote. Motion passed.

Item 9.a.1 was moved here. I became item 8. on the Action Items section of the agenda.

8. Approval of Revision to Policy 1.10 (Policy Development, Review and Approval) removing procedures, re-titling, and authorizing a transition to a revised policy system consisting of a Regents Policy Manual and a separate set of NMSU System Administrative Rules and Procedures.

Regent Mitchell asked the Chancellor or General Counsel Liz Ellis to expound on the reason this policy change is being proposed. Chancellor Carruthers explained that for many years there has been an attempt to separate numerous procedures from the NMSU Policy manual which is voluminous. The Chancellor stated that at the recent President’s Academic Council meeting a triumvirate of the General Counsel Liz Ellis, Assistant Counsel Lisa Warren and Faculty Senate Chairman Stuart Munson-Mcgee had negotiated the current language under paragraph 3 in the proposed policy dealing with shared governance.

General Counsel Ellis went on to explain that the process of rewriting the policy manual had been done about 4 times in a 9-10 year period and had never been completed. The mechanism for approval would be to have the existing policy manual be the rules and procedure manual at first so we would have things existing in both manuals. It would be an exact replica. The policy manual is to serve as a home for the broad policy directives set forth by the Board of Regents. The Rules and Procedures Manual would house the “minutiae” of how those policies are managed by the day to day operations of the university.

Regent Mitchell pointed out that there may be areas of policy where the procedure of how the spirit of the policy is implemented may be an area where the Board would want to have a say about the procedure, e.g. “shared governance.” She said that she was certain the Faculty Senate Chair would want to weigh in on that as well.

Regent Mitchell wanted to express that she is hopeful that as large as the task will be, that the process allows the institution to grow and move forward and alleviate itself of some of the policies and/or procedures that may be crippling NMSU. General Counsel Ellis stated she did not know how long the process would take but that much of the work would belong to the Regents. Regent Mitchell advocated for transparency and feedback. Regent Mitchell explained that she hoped that those who have “the boots on the ground” would be given an opportunity to participate.

Chancellor Carruthers explained the process for first and second readings at the University Administrative Council meetings which is a very large group. Faculty Senate Chairman Stuart Munson Mcgee wanted to add “his two cents” worth in saying that he supports this policy. He gave an example of the Faculty Grievance Review Board Policy which has 28 pages of procedure. He believes the policy manual is the appropriate place for a policy on the spirit of having a Faculty grievance review Board but doesn’t really think that the Board of regents wants to weigh in on whether a timeframe should be 14 days as opposed to 16 days. He noted that Senate had been reviewing this and arguing about procedures for about one and one half years.

Chairman Cheney noted the conscientious nature of the Board of Regents and although it will be a big task, they will be deliberative as they proceed. Regent Hicks added that the process of how the policies are administered is also a responsibility of the Board. She made reference to the control and manage language charged to the Board. Chancellor Carruthers assure the Board that it will come to them in manageable “bites” for review and consideration. Also he noted that the intent is not to change policies but in some areas clean up language to make the policy clearer.

Chairman Cheney called for a motion to approve. Motion was made by Regent Hutchinson and seconded by Regent López skin. Motion passed.

4:25 PM

11. FUTURE BOARD MEETINGS- Chairman Mike Cheney (5 minutes)

Friday, December 11, 2015, Las Cruces, New Mexico
Wednesday, March 9, 2016 (Proposed)

Informational Dates

2015 NMSU Homecoming, October 24
2015 Fall Commencement, December 12

Chairman Cheney reviewed the upcoming meeting dates. He noted that the proposed date for March 2016 may need to change due to conflicts.

**13. NEW MEXICO STATE UNIVERSITY CHANCELLOR &
PRESIDENT’S REPORT, Chancellor Garrey Carruthers (15 minutes)**

Chancellor Carruthers addressed Vision 2020 Goal 2, Internationalization and Diversity. He discussed the recent trip that NMSU participated with the Legislative Finance Committee. We are signing agreements with the Tecnológico University system in Mexico in order to attract 300 students to NMSU. They would arrive in the summer of 2016 and work in an English as a Second language Center (ESL) at NMSU. The tuition for the program would be fashioned after the 150% tuition model currently in place with the Western Undergraduate Exchange (WUE). The Regents asked the Chancellor and SVP Throneberry about the fiscal impact of this program. The current amount of waivers is 45 million in total waivers. Regent Cheney said this is an exciting opportunity for NMSU. Regent Mitchell pointed out that she agrees it is an exciting program and wants to encourage NMSU students to seek the opportunity to study in Mexico as well. Chancellor Carruthers discussed the reciprocity of the WUE model.

4:40 PM

13. INFORMATIONAL PRESENTATIONS- Chairman Mike Cheney

Fall Enrollment and Student Affairs Update-Vice President Bernadette Montoya, Student Affairs and Enrollment Management (20 minutes)

First-time undergraduates are up, however NMSU is down 2.8% system-wide, about 743 students from last fall. Main campus is down 2.1% and SCH are down XX, Vice President Montoya congratulated the College of Engineering (1.4%) and the College of Education who

5:00 PM

14. RECURRING REPORTS – Chairman Mike Cheney

a. Audit Committee Update-Brad Beasley, Chair (5 minutes)

The committee meets on November 5th and will report in December.

b. Budget Committee Update-Chairman Adolpho Telles (5 minutes)

SVP Angela Throneberry gave a comprehensive overview of the Regents' Budget Committee meetings for the last quarter. In August, the student debt, loan default, Agricultural Experiment Station, (AES) budget, Cooperative Extension Service (CES) budget, and the cuts to the NMSU Instruction and general (I & G) budget were presented and discussed.

In September, the committee discussed the Deloitte Staffing Study, all budget cuts for the year, student accounts receivable, and tuition waivers. In October, the committee reviewed the Athletics budget which was presented by Athletic Director Mario Moccia, Ad Astra (a software tool for scheduling classrooms, courses, and analytics), the Budget Adjustment Request Process (BAR), the NMSU Research Budget, and Research and Public Service Projects (RPSPs).

- c. Report from the Chair, Faculty Senate, Dr. Stuart Munson-Mcgee (5 minutes)

Faculty Senate Chairman Stuart Munson Mcgee reported that the Senate is currently reviewing four propositions. One is a new undergraduate major in Educational leadership. They are reviewing policies and procedures on what will be on transcripts. This has been underway for about 1.5 years. The University's Promotion and Tenure Guidelines are required to be reviewed every three years. This includes Allocation of Effort and Performance Evaluations. The Senate is discussing as proposal brought forward by the College of Engineering to eliminate the Viewing a Wider World (VWW) course requirements. Chairman Munson Mcgee believes it will be out in spring 2016.

Chairman Cheney asked Chairman Munson Mcgee if he would take the Higher Education Reform Resolution passed today back to the Faculty Senate. Regent Mitchell asked that he report back to the Senate the appreciation for the good work of faculty having 83% submit 6 week grades for the new retention approaches.

- d. Report from the President, Associated Students of NMSU, Mr. Dustin Chavez (5 minutes)

The ASNMSU President reported that 1300 Aggies participated in "Keep State great". He thanked University Advancement for raising \$460 for "Tough Enough to wear Pink" (TETWP). He thanked Chancellor and provost for his day of "shadowing". He referred to Chancellor Carruthers as being "mentally agile".

- e. Report from the Chair, NMSU Employee Council, Mr. Greg Block (5 minutes)

Greg Block reported that September 1st they held the first annual tailgate event at Aggie Memorial Stadium. He announced that the Employee Picnic which was held on October 16th has 2200 people in attendance on the Horseshoe. He thanked Facilities and Services who set up the event and Sodexo for the food. He said they had reduced expenses through marketing approaches working with University Communications.

The Employee Council has held two forums. The forum on the Deloitte Staffing Study had 600 people in attendance. A second forum on Athletics garnered about 100 people in attendance. Ricardo Rel will speak at the next forum on Legislative priorities. Other forums in 2016 will cover sustainability, health insurance, and the NMSU budget.

5:25 PM

15. ADJOURNMENT-Chairman Mike Cheney

Chairman Cheney adjourned the meeting at 4:33 pm.