IN ATTENDANCE:

Regents of New Mexico State University
Chair Dina Chacón-Reitzel, Vice Chair Ammu Devasthali, Secretary/Treasurer Luke Sanchez, Debra Hicks
Non-Voting Advisory Members - ASNMSU Vice President Melina Burnside, Faculty Senate Chair Becky Corran, Employee Council Chair Sonia A. White
University Officials - Chancellor Dan E. Arvizu, Ph.D., President John D. Floros, Ph.D., Provost Carol Parker, J.D., Vice Chancellor and Chief Strategic Financial Officer Ruth A. Johnston, Ph.D., Senior Vice President Andrew Burke, Ed.D., General Counsel Roy Collins III, J.D., Vice President for Research and Dean of the Graduate School Luis Cifuentes, Ph.D., Vice President for Student Success Renay Scott, Ph.D., Associate Dean of the NMSU Cooperative Extension Service Jon Boren, Ph.D.
Recognized Guests – Spencer Treat, NMSU Student, Erik Harrigan, Managing Director of RBC Capital Markets

MINUTES

The Board of Regents meeting is available by webcast through the link at http://panopto.nmsu.edu/bor/

A. Call to Order, Chairwoman Dina Chacón-Reitzel
The meeting was called to order by Chairwoman Chacón-Reitzel at 8:01 AM.

Pledge of Allegiance
The pledge of allegiance was led by Mr. Spencer Treat. Mr. Treat introduced himself noting that he grew up in Roswell, New Mexico and graduate of New Mexico Military Institute and was commission in May. This is his first semester at NMSU studying Kinesiology. Mr. Treat noted that he takes part in several activities on campus, including recreational sports and Greek life. Mr. Treat is a platoon leader for the New Mexico National Guard in charge of 36 combat medics.

1. Introductions

Introduction of the Media and Elected Officials, Associate Vice President Justin Bannister
Vice President Bannister announced that Mr. Algernon D’Ammassa from the Las Cruces Sun News was present. There were no elected officials present.

2. Confirmation of Quorum, Chairwoman Dina Chacón-Reitzel
Board staff confirmed the quorum with Regents Hicks, Devasthali, Chacón-Reitzel, and Sanchez present in the board room. It was noted that the board has a vacancy as a result of the resignation of Jerean Hutchinson.

3. Approval of the Agenda, Chairwoman Dina Chacón-Reitzel
A motion to approve the agenda as presented was entered by Regent Devasthali with a second by Regent Sanchez. Motion passed.
WHEREAS, on November 9, 2019 volunteers from across campus and the greater Las Cruces community came together to participate in a daylong project to paint and refurbish NMSU Student Veterans Housing; and

WHEREAS, Nikki Gardner, mom to Aviation Structural Mechanic Petty Officer 2nd Class Sienna Ryan, was the catalyst to this housing project and who stated:

I started this whole process because when she comes back I want her to feel like she has a nice little home because she’s really sacrificed a lot.

WHEREAS, NMSU students, faculty and staff, specifically from the offices of the Chancellor, Military and Veterans Programs, ASNMSU, Student Veteran’s Organization, Student Affairs and Enrollment Management, Auxiliary Services, Housing and Residential Life, and Facilities and Services came out to show their appreciation for our veteran and military students; and

WHEREAS, alumni and friends Maria Foster ’01, Mike Foster (Navy veteran and friend of NMSU) and Jennifer Foster ’19 joined in on the efforts; and

WHEREAS, this is just the beginning of the many activities to renovate student veteran housing units on campus; and

WHEREAS, NMSU is committed to providing quality education, resources and facilities to the brave men and women of our armed forces; and

WHEREAS, we are profoundly appreciative of their service.

NOW, THEREFORE, BE IT PROCLAIMED in official session that the Board of Regents of New Mexico State University thanks and commends the efforts of everyone involved with the housing project, and for the dedicated service of our veteran and activity military students.

PROCLAIMED this fifth day of December, 2019 at Las Cruces, New Mexico.

At the conclusion of the reading of the proclamation, Chairwoman Chacon-Reitzel thanked members of the community for their help with the project. Chancellor Arvizu recognized the efforts of Chief of Staff Lenny Martinez for organizing the effort and noted that this is just the first phase of the project with additional information to follow regarding next steps.

Chairwoman Chacon-Reitzel also recognized the Regent Sanchez’s birthday was yesterday.

D. Committee Reports

1. Real Estate Committee, Regent Dina Chacón-Reitzel

Regent Chacón-Reitzel reported that the Regents Real Estate Committee met twice since the last quarterly meeting on September 4. Meetings occurred on October 4 and November 22.

On October 4, the committee recommended approval of the sale of property on Locust street, which was later approved by the full board of Regents in a special meeting on October 23rd. The Real Estate Office is currently working the city of Las Cruces on a subdivision for this property and it is expected to close by the end of December. In addition, several building improvements were presented by facilities and services and the
E. Recurring Reports

1. NMSU Faculty Senate Report, Chair Becky Corran

Chair Corran reported that several discussions are underway about activities on campus, including ongoing efforts to support indigenous faculty and are working with administration on a land acknowledgement statement, working with faculty to understand what it means to live and work where we do and what that means on an ongoing basis. Discussion will continue through December. Other work is being done on revising student evaluations, fractional grading, working with the Provost’s office on a taskforce on faculty classification to consider what type of faculty we currently have on campus and that the work being done is accurately represented with titles and positions. Graduate certificates and name changes have been passed over the past semester and work will continue as departments propose new programs. Elections for a new faculty senate chair will be held early in the spring and nominees will be known later today. Chair Corran expressed her confidence in the prospects for future Senate leadership. Also, the Faculty Senate Constitution is being revised to ensure that it reflects the nature of the faculty senate and potential for being more efficient.

2. Associated Students of NMSU Report, Vice President Melina Burnside

Vice President Burnside reported that the executive department has planned several events, including homecoming, tailgates, open mic nights at Pete’s Patio, Toss No Mas and Keep State Great. Halloween Howl and a campus event where ASNMSU hosted U.S. Representative from New Mexico Xochitl Torres Small was also mentioned. In October, ASNMSU held elections for Senators who will start their terms next semester. The Judicial branch of ASNMSU put on a campaign about mental health and ASNMSU welcomed about 20 interns. The Government Affairs department has been preparing for the upcoming legislative session. ASNMSU worked alongside WAVE and the Office of Institutional Equity about consent. The Activities department was also heavily involved in the planning of the Noche de Luminarias and Giving Tuesday. Senate passed 112 bills, 29 resolutions, and 12 memorials.

3. NMSU Employee Council Report, Chair Sonia White

Chair White reported that Employee Council is working on two major changes. One is proposed changes to the bylaws that reflect extended terms for executive committee members and the other proposal is to allow non-exempt union employees to become voting members of Employee Council. For the later, the changes that occurred as a result of the FLSA rule changes caused questions about why union eligible staff were not allowed to vote. It was noted that the union had to agree to such a provision and approval was sought over the past month. Union President of AFSCME Local 2393 met with Chair White regarding this proposal and the proposal was discussed by AFSCME Local 2393 in their previous meeting where the proposal was accepted. Such a change requires changes to the bylaws and Employee Council has been working with the President and General Counsel on these changes. An updated set of bylaws are expected to be presented and voted on in the next meeting.

Chairwoman Chacon-Reitzel asks how many employees are being affected by this change. Chair White replied that there would be an additional non-exempt voting member from each campus with an alternate for each as well.

4. Aggie Development Inc. Report, President & CEO Scott Eschenbrenner

Mr. Eschenbrenner discussed two items in his report. First, he noted that the infrastructure project for Aggie Uptown on University Avenue is running behind schedule. The project is about six weeks behind and anticipated go extend through January. Soil condition and workarounds for a high-pressure gas line were cited as reasons for the delay. Project cost is higher than anticipated requiring change orders around $40,000, bringing the total project cost to about 2 million dollars.
Arrowhead will continue the industry-focused accelerator programs such as AgSprint.

A recent award from the Department of Commerce’s Minority Business Development Agency for support of Native American student entrepreneurs across New Mexico.

An MOA was signed with the Mexican State of Chihuahua to help entrepreneurs in that state offering Arrowhead programs in that region.

Arrowhead was recently funded by the Small Business Administration for a Women’s entrepreneur accelerator which will be done in conjunction with the annual Women’s Conference in April.

Chairwoman Chacón-Reitzel asked about the community programs and what Arrowhead is bringing forward to legislators. Dr. Hansen noted that an expansion request for $200,000 to take programs offered on an individual basis to communities. This include the curriculum, advisors, staff time, access to information on funding and to run accelerators in these communities. Currently the appropriation is $100,000 of non-recurring funding.

It was reported that Studio G was recognized as the top twenty university business incubators in the world.

7. New Mexico Department of Agriculture, Cabinet Secretary & Director Jeff Witte

Secretary Witte reported on inbound trade missions that will be occurring over the next couple of weeks. Secretary Witte noted that he belongs to the Western United States Ag Trade Association which allows NMDA to access funds from USDA related to the Market Access Program (MAP) of the U.S. Farm Bill as part of the Foreign Market Development Fund. The funds are used for trade missions. The WUSATA Europe and Korean Dried Fruit & Nuts Inbound Trade Mission will be held next week and will be hosting five buyers from South Korea and seven from Europe. The qualified buyers that are part of the mission will visit pecan farms in New Mexico.

NMDA is also a member of the U.S. Livestock Genetics Export Association, which is also a MAP funded program. In this case, this is working with other countries to improve genetics. The Mexico trade mission, which will be during the Joint Stockman’s meeting in Albuquerque, will focus on the opportunities to improve genetics of livestock.

Hemp related issues were also reported. USDA regulations have been published as interim final rule with comments until the end of the year. Some of the challenges in the rulemaking process have been testing requirements, including 15-day test turn around, where New Mexico currently has a 20-day test turnaround. DEA lab must do sampling and testing. There are currently two labs in the State of New Mexico, and they are currently in the process of obtaining DEA certification. Out of state labs needed for now. May see some rule changes coming soon depending on the outcomes of the rulemaking process with USDA. Secretary Witte noted that an announcement with the New Mexico Department of Economic Development for another Hemp manufacturing company that is opening in New Mexico that NMED is investing in here in Las Cruces. Secretary Witte noted various levels of success in Hemp cultivation this year, with some growers having success and others battling pests and disease. Secretary Witte noted the support of NMSU in helping to build the resources for growing hemp, noting that as a result of past laws higher education researchers need to catch up to needs of growers because research on hemp has only been recently permitted.

Staffing changes at NMDA were announced. David Lucero has retired as the Division Director of Marketing after a 31-year career. Jason New has been selected to replace Mr. Lucero. David Turing also retired as Division Director of the Standard and Consumer Services Division after a 28-year career with NMDA. Mr. Turing was replaced by Raymond Johnson, who has been with NMDA for 25 years.

Secretary Witte encouraged buying agricultural products from New Mexico as gifts and provided information about an effort to encourage consumers to buy New Mexico agricultural products. Information is available at http://tradition.nmda.nmsu.edu/.
15. Fall 2019 Degree and Certificate Conferral, President John D. Floros

16. Disposition/Deletion of Property, Senior Vice President Andrew Burke

17. Budget Adjustment Requests (BAR) for Fiscal Year 2019-2020, Senior Vice President Andrew Burke

18. Temporary Investments Report for the Quarter ended 09/30/2019, Senior Vice President Andrew Burke

19. Las Cruces: 250,000 Gallon Water Tank Replacement, University Architect Heather Watenpaugh


21. Las Cruces: Baseball Training Facility (Revised), University Architect Heather Watenpaugh

22. Amendment to Regents Policy 3.80, Prohibition of Hazing and other Hostile Misconduct, General Counsel Roy Collins, III

23. Amendment to Collective Bargaining Agreement between NMSU and AFSCME Local 2392, Article 27, Sections 2 and 3, General Counsel Roy Collins, III

G. Action Items, Chairwoman Dina Chacón-Reitzel

1. Amendments to Regents Student Success Committee Charter (Attachment 4), Regent Luke Sanchez

Regent Sanchez discussed the proposed charter revisions, noting the history of how the charter draft has come to the current proposal. The purpose has been changed to have more simple language and to foster collaboration and strategic alignment. The membership section was modified to include members of administration that reflect the current structure of Student Success programs at NMSU. The meeting section changed to include the office of the provost and vice president of student success work with the committee chairs to set and distribute the agenda. The duties and responsibilities section includes simplified language with added sections on academic program oversight related to academic program and department approvals that are pending full board approval.

Regent Hicks proposed that there be three members from outside of the university that sit on the committee. President Floros noted a few grammatical errors that required modifications in the purpose section.

Chairwoman Chacón-Reitzel asked about Duties and Responsibilities and where the process of reviewing revised academic programs currently resides. Provost Parker noted that there is a process detailed in the ARP regarding how this process works and that the faculty and academic departments work through a process with academic leadership and then the matter comes to the board for a vote. Regent Hicks clarified that the change is intended to have a more open dialog about the matters being brought forward in a Regents committee before they are brought to the full board for a vote.

Chairwoman Chacón-Reitzel asked for clarification about the co-chair of the committee and who that has typically been in the past. It was noted by President Floros that the co-chair has typically been a person that is an outside member, not a regent or a member of the staff.

Chairwoman Chacón-Reitzel asked about specific changes to the purpose section and expressed concerns about removing specific details in the purpose that note the role of the board in their oversight authority of the enrollment management and retention practices that effect revenue coming into the university. Chairwoman Chacón-Reitzel also noted the specific language in the purpose statement in the charter is also present in the employment agreements with the Chancellor and President as well as the university planning documents.

Regent Sanchez moved to approve the amended Regents Student Success Committee Charter absent any changes to the purpose section, provided that language was changed so that membership consisted of at least
amendments, including base salary for the President and Chancellor. What has changed is that the Chancellor has been delegated authority to act on behalf of the regents with respect to the provisions of the President’s employment agreement to set quantitative performance targets and goals, determine if targets are met, and determine amount of the incentive compensation earned. It was restated that the outcome of the amendment is that the regents need not set the goals for the president or determine incentive compensation for the president in order to fulfill the terms of the employee agreement with the president. These duties have been delegated to the Chancellor to act on behalf of the regents.

Regent Hicks noted some context for the proposed change as being related to the further differentiation of the roles of the Chancellor and President in policy.

Regent Hicks moved approval of the amendment to the Employment Agreement between the Regents of New Mexico State University and Chancellor Dan Arvizu clarifying the Chancellor’s duties and delegating responsibility to the Chancellor to evaluate and determine performance incentive compensation for the President of New Mexico State University. Motion seconded by Regent Sanchez. Motion passed.

H. **Informational Items, Chairwoman Dina Chacón-Reitzel**

1. **Informational Report to Regents Regarding Final Pricing of System Refunding Bond Series 2019, Senior Vice President Andrew Burke**

Dr. Burke noted that at the September 4, 2019 meeting of the Board of Regents that the board authorized the administration to refund the Series 2010A and 2010B bonds. Since that time there have been several reviews and approvals at New Mexico Higher Education Department and the State Board of Finance. As a result, there has been produced a rather elaborate official statement was drafted. The public sale occurred on October 23, 2019. Results have been presented to the Regents Financial Strategies, Performance, and Budget Committee on October 30, 2019. In the Board’s electronic binder is the sale certificate and Erik Harrigan is here to present the results of the bond sale. On page 6 item 10 it reflects the net present value savings from each refunding Series at 8.5% and Series B at 13%. Both exceeded the required amount. Through this refunding NMSU will realized about $700,000/year and over the next ten years that will be about 10 million dollars.

Mr. Harrigan provided a presentation and noted the transaction participants. Bond ratings were also provided. For the transaction to refund the 2010B Build America Bonds, it was noted that the federal subsidy that is related to those bonds fluctuated due to sequestration and as a result of the refunding, NMSU benefited by the elimination of that subsidy. It was a high-volume week in the market at the time the bond was sold.

The refunding results were presented and about 1.6 million in present value savings were seen for Series 2010B bonds. Compared to when the authorizing resolution was presented to the board back in September, where a present value savings was expected of about 1.2 million, therefore $400,000 in present value savings was achieved than anticipated. For the 2010C Bond, the projected present value savings was $800,000 in September but present value savings at time of sale was about one million dollars, $200,000 more than projected.

Regent Hicks thanked all those involved in the project because we had a “windfall” and noted that while the market can be unpredictable, everyone did a really good job.

2. **Summary of Revisions to the Administrative Rules and Procedures of NMSU (ARP) for the period 04/13/2019 through 11/12/2019, General Counsel Roy Collins, III**

General Counsel Collins called Associate General Counsel Lisa Warren to present on the summary of revisions to the ARP. A summary of the revisions was presented to the board in their electronic binder. Ms. Warren noted that there were 14 rules revised, two were minor clean-up and the remainder were substantive revisions. Six new rules passed, four were documenting existing practice and two were for compliance related
President Floros noted as a result of strategic funding that has been approved this year, NMSU was able to stabilize enrollment. This was in comparison to 3% decrease projections, the 6.5% decrease that UNM has seen in enrollment, and the flat rate of growth for the University of Texas at El Paso, who only saw an increase of 6 students. President Floros thanked those involved in making that happen for undergraduate and graduate enrollment. President Floros noted that NMSU has a deficit and may not spend all approved strategic funds until the budget situation is stabilized. Research expenditure increases were noted and President Floros thanked the hard-working faculty and staff for helping to make that happen.

For the first time in the university’s history, NMSU is projecting outreach, extension, and community development as a separate goal noting the many positive things that NMSU does for the community. A big part of the effort is the extension service. A group is working to clarify what funding can be controlled, outside of federal and state funding.

President Floros also noted that as a result of a recent survey, it was reported that many students feel at home at NMSU soon after coming to campus. President Floros praised the faculty and staff for their efforts to make this a reality and noted that it speaks to the values of who NMSU is as a university and how we treat our students.

President Floros noted that NMSU has four major teams in place right now that have been working to move forward the four goals of NMSU LEADS 2025 and were a big part of the recent administrative retreat that included nearly 200 department heads, supervisors, vice presidents, associate deans, and deans.

Each one of the teams is overlapping to enhance communication and meet quarterly as an entire team and more frequently with the leadership of the goal teams and university leadership.

Vice President Renay Scott discussed updates on Goal 1, which focuses on enrollment and completion. Dr. Scott discussed the challenges related to the total number of high school graduates. It was noted that Texas instituted their new in-state scholarship which we have seen reflected in some of our lead measures, and the challenges associated with recruitment of international students continues to be an issue. Despite all these factors, the fact the NMSU increased enrollment is a tremendous accomplishment.

Dr. Scott noted the graduate school new student count of 126 students over the past year, which was a result of the Graduate School to overhaul process. This was despite a fairly high graduation rate. Dr. Scott noted that enrollment success are the result of a university-wide effort.

Dr. Scott presented information about retention, noting that the Fall to Spring persistence increased by 2%. First-year retention (fall to fall) was noted as 75%, which a 1% increase. Five-year graduation rate increased from 42% to 46% and six-year rate increased from 47% to 48%. It was noted that for every student that graduates, we need to find a new student to keep enrollment stable. Two-year and three-year retention rates have decreased slightly, and more information will be presented about this later.

Dr. Scott talked about Financial Aid adjustments which increased revenue per student independent of tuition increases.

Dr. Scott discussed implementation of technology that will enhance communication about student information that can be shared among various departments, faculty, and staff.

Vice President for Research and Dean of the Graduate School Cifuentes presented on the research and graduate school enterprises. Dr. Cifuentes noted the creation of a Principle Investigator (PI) academy and it will be expanded to department heads and program directors. Dr. Cifuentes discussed capture management, where the Research area has been tasked with going after at least four proposals that are more than 10 million dollars. The strategy is to train the campus more broadly on how to work toward these proposals.
distribution of faculty within job roles and that the tenure and promotion structure is aligned with the strategic goals. Provost Parker mentioned partnering with Vice President Scott Enrollment management, as the academic program curriculum, pedagogy and faculty are integral to the success of Goal 1. The three main areas of focus for next year will be enrollment management, pedagogy of retention, and curricular design. Enrollment management is an effort to improve capacity to project course demand several years out into the future. Currently demand is only projected a semester in advance, but NMSU currently has the technology and data to support longer term projections. The goal is to have a system that would allow students to register for courses up to two years in advance. This provides better planning opportunities, but also helps the student to project the fulfillment of their progress toward their degree. The pedagogy of retention is backed by much research and professional development is an important part of disseminating knowledge about teaching. Inclusive teaching methods, early low-stakes feedback practices, particularly when integrated with information systems to help bring faculty into the care network for students, are examples of types of professional development that are anticipated. Curricular design is an emerging area also has implications for persistence, retention, and graduation rates. NMSU is working with APLU on a project to analyze the way courses are sequence and the impact of prerequisites and corequisites on whether the student would complete a degree. While there might not be a cause an effect relationship, there are certain scenarios that cause traps for the students that are already known. Priorities will be to work on enrollment management, faculty professional development, and then using findings from the research project on curricular sequence, as appropriate.

Regent Devasthali noted the continuing need to welcome the community into the campus and referenced the campus master plan as moving forward with plans to have buildings face University Avenue and having departments related to the Arts be along University Avenue as a natural conduit for welcoming the public. Regent Devasthali recognized the efforts of NMSU to continue to help build outreach to the community and hopes that efforts will continue to better connect with the community. President Floros responded that NMSU can do more with the City of Las Cruces and surrounding communities and this will be something the university will be working on in the future.

Regent Sanchez commented on the enthusiasm he has for enrollment management and professional development that provides faculty with pedagogical training and he invited the administration to find ways to engage current students in those conversations. Provost Parker responded that student input will bolster the need for this work and progress reports can be given about work in this area as well.

Regent Hicks commented that while she understood there is a decline in high school graduates, Texas is overcapacity on students, such that there are more high school students graduating than the Texas universities can accommodate. Dr. Scott confirmed.

Regent Sanchez asked Dr. Cifuentes about what is being done to support graduate students that are currently enrolled at NMSU. Themes that have come up include tuition remission, and to address this challenge one method is to include tuition in the external funding requests, otherwise there is need to have more flexibility in using university funds for this purpose. The other area is healthcare. As a result of the Affordable Care Act, it was recommended that Graduate Students obtain healthcare through ACA. There is currently no health care for graduate students from the university. Mental healthcare was also noted as a need going forward.

Regent Devasthali asked about achieving Carnegie R1 status and how NMSU is supporting the humanities in order to achieve this goal. Dr. Cifuentes responded that the university will need to invest in this area and noted that he is enthusiastic about a new doctoral program that is being developed in border studies. The process of putting a new program together can be lengthy and this process needs to be shortened. President Floros commented that NMSU is not as competitive as needed with graduate programs and funding of these programs is being sought through appropriations requests with other research universities in the state. Regarding R1 status, it was noted that several factors contribute to the classification. This includes how many
• June 25, 2020 at 10 AM - Regents Real Estate Committee Meeting
• August 4, 2020 – Regents Student Success Committee Meeting
• August 26, 2020 at 10 AM - Regents Audit and Risk Committee Meeting
• August 26, 2020 at 2 PM - Regents Financial Strategies, Performance, and Budget Committee
• September 11, 2020 – Board of Regents Regular Meeting in Alamogordo
• September 11, 2020 – Board of Regents meeting with NMSU Alamogordo Advisory Board in Alamogordo
• October 22, 2020 – October 23, 2020 – Board of Regents Retreat (Location TBD)
• October 28, 2020 at 10 AM - Regents Audit and Risk Committee Meeting
• October 28, 2020 at 2 PM - Regents Financial Strategies, Performance, and Budget Committee
• December 10, 2020 – Board of Regents Regular Meeting

K. Adjournment, Chairwoman Dina Chacón-Reitzel

Regent Hicks moved to adjourn. Meeting adjourned at 11:34 AM.

Meeting Minutes Approved on January 24, 2020 by the New Mexico State University Board of Regents

Dina Chacón-Reitzel
Board of Regents Chair

Luke Sanchez
Board of Regents Secretary/Treasurer