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 commissioned 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.
4. **Public Comment, Associate Vice President Justin Bannister**

Vice President Bannister noted that there were no sign-ups for public comment.

B. **Approval of the Minutes, Chairwoman Dina Chacón-Reitzel**

1. **Regular Meeting September 4, 2019**

Regent Hicks moved approval of the agenda for the Regular Meeting on September 4 with a second by Regent Devasthali. Motion passed.

2. **Special (Work session) Meeting September 4, 2019**

Regent Devasthali moved approval of the agenda for the Special Meeting on September 4 with a second by Regent Sanchez. Motion passed.

3. **Special Meeting of October 4, 2019**

Regent Hicks moved approval of the agenda for the Special Meeting on October 4 with a second by Regent Devasthali. Motion passed.

4. **Special Meeting of October 23, 2019**

Regent Devasthali moved approval of the agenda for the Special Meeting on October 23 with a second by Regent Sanchez. Motion passed.

5. **Special (Work session) Meeting of October 24, 2019**

Regent Sanchez moved approval of the agenda for the Special Work Session Meeting on October 24 with a second by Regent Hicks. Motion passed.

6. **Joint meeting with NMSU Grants Advisory Board on November 12, 2019**

Regent Sanchez moved approval of the agenda for the Joint meeting with NMSU Grants Advisory Board on November 12, 2019 with a second by Regent Hicks. Motion passed.

7. **Confirmation of Prior Closed Executive Session of November 23, 2019**

Regents Staff read the confirmation of prior executive session:

The Board of Regents met in a closed executive session at 7:00 AM on Saturday, November 23, 2019 in Hadley Hall, Room 130, NMSU Las Cruces Campus, 2850 Weddell Street in Las Cruces, New Mexico. The closed executive session meeting was held to discuss limited personnel matters related to Exhibit A Performance Evaluation Instrument and Exhibit B Objective statement for the 2019 – 2020 academic year. Also, the board discussed the existing employment agreement with Chancellor Arvizu related to the evaluation elements of the contract, in accordance with NMSA Section 10-15-1 H(2) of the New Mexico Open Meetings Act.

Board members certified by roll call vote that only matters of that nature were discussed.

Regent Hicks responded yes, Regent Chacón-Reitzel responded yes, Regent Devasthali responded yes, and Regent Sanchez responded yes.

C. **Awards and Recognitions, Chairwoman Dina Chacón-Reitzel**

1. **Proclamation Recognizing Student Veteran’s Housing Project Volunteers, Regent Dina Chacón-Reitzel**

Regents Staff read the proclamation aloud, as follows:
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 Arvizú 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 Chacon-Reitzel

Regent Chacon-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
committee recommended approval of the projects, which later were later approved by the full board of Regents in the special meeting on October 23rd.

On November 22nd, the agenda included some items that are on the agenda for action and consent today. First, the committee was presented with several facilities improvement projects that you see on the consent agenda for today in items F-19 through F-21. The committee voted unanimously to recommend that the full board approve these items. Later in the meeting, we lost a quorum during Odor Control Station lease discussion which is an item that you see on the Action items (item G-2 on your agenda) and we could not recommend approval by vote, although there were no objections noted. We will have Scott Eschenbrenner presenter on this item later today.

Future Regents Real Estate committee meetings are planned for February 27 from 2:00 pm to 4:00 pm, April 2 from 10:00 am to 12:00 pm, and June 25 from 10:00 am to 12:00 pm.

2. Audit and Risk Committee Report, Regent Ammu Devasthali

Regent Devasthali reported that the Regents Audit and Risk Committee met on Wednesday, October 30th, 2019 for the Exit Conference for the FY 19 Annual Financial Statement Audit, with KPMG, NMSU’s external auditors. Mr. John Kennedy of KPMG and his team lead the Exit Conference. Results of the FY 19 audit were discussed and a review of financial statements and findings conducted for NMSU, NMSU Foundation, and Arrowhead Center. There were no significant findings. The FY 19 annual financial report was submitted to the Office of the State Auditor and receipt of the report was noted as November 1, 2019. Once approved by the State Auditor, the financial statement will be presented to the board.

3. Financial Strategies, Performance and Budget Committee Report, Regent Debra Hicks

Regent Hicks reported that the Regents Financial Strategies, Performance and Budget Committee met on Wednesday, October 30th, 2019. All items that were discussed have been brought to the board or will be brought to the board today. The 2010B and 2010C Bond refunding was discussed by Dr. Burke and those actions have been taken. A tuition and fall aid update for fall 2019 and budget deficit report were discussed. Budget Adjustment Requests were presented and are on the consent agenda for today.


Regent Sanchez reported that the Regents Student Success Committee met on November 22nd from 2-5 PM. On the agenda the Regents Student Success Committee Charter and discussed a companion document, the Regents Student Success Committee Charge, that helped to frame the focus of the committee for the coming year. There will be more discussion about the proposed revisions to the Regents Student Success Committee Charter today as an action item on our agenda.

The committee also received informationally presentations on Financial Aid, Cost of Attendance, and began conversations about how the Opportunity Scholarship may affect NMSU. The intent was to get a better understand of the current picture of the different kinds of support that students currently receive and try to anticipate how that may change in the future. There is still much discussion to have regarding this, but we got a good overall picture of what is in place currently.

The committee also reviewed some of the existing academic and non-academic initiatives that NMSU uses to support student success and heard a brief update about NMSU LEADS 2025 from Goal Team 1. In all, we heard about some new systems to help support the recruitment of high school students as early as 9th grade and efforts that are underway to better use analytics to anticipate student demand for classes and ease progression through academic programs.

The committee also welcomed a new external member from the community onto the committee. Mr. Rick Lucero, who is a graduate of NMSU in Engineering and has build a career in using data analytics and information systems and is a great addition to the team.
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.
Mr. Eschenbrenner announced that the ADI Board met on November 22nd and voted to approve a non-binding terms sheet with Trilogy Health Services for the future development of a retirement community on the NMSU campus. Mr. Eschenbrenner provided some basic information about Trilogy Health, noting that they have opened 116 since 1997 and is a company based in Louisville, Kentucky. This will be the first facility west of the Mississippi. Mr. Eschenbrenner noted that Trilogy has a customer satisfaction score of 93.6 and the past ten years it has not been below 90 percent. Trilogy is ranked by Glassdoor as 35 for Best Places to Work, ranked 68th by Springbuck as Healthiest Employer, and ranked as best workplace in aging services. Trilogy has a fast-track apprentice program, culinary, hospitality, and nurse aides. Trilogy also has a tuition assistance program that pays up to $4,000 per year, free health insurance for employees, wellness programs, and childcare discounts.

Mr. Eschenbrenner discussed the phases of the project and showed a presentation slide with details. The first phase would include skilled nursing, rehab, memory care, independent living, and assisted living. A model home will also be constructed demonstrating what they would like to do in phase two. The second phase is 150 patio homes, which will be built with 15 - 20 units at time in phases. Phase one may begin in about six months with phase two planned for about 24 months.

Mr. Eschenbrenner showed a map of the proposed site, including areas dedicated to phase one and phase two and three. Renderings of the buildings were shown, and it was noted that Trilogy has reached out to local architects, engineers, and contractors. The intent is for the look and feel to fit in well with the southwest architecture and with NMSU architecture.

Mr. Eschenbrenner noted that Trilogy was interested in Las Cruces because they had conducted a market study which showed unmet demand in the region for independent living, assisted living, memory care, and skilled nursing. Existing occupancy rates in the region is higher than national averages.

Mr. Eschenbrenner thanked present and past board members and administration for their help working with Trilogy to get to this point.

5. NMSU Foundation Report, Interim Vice President Tina Byford

Dr. Byford reported on results from Giving Tuesday, which was held earlier in the week. There were 42 new endowments booked this year. Since Giving Tuesday started at NMSU in 2015 there have been 239 new endowments. The number of students that gave increased to highest ever count of 215. In total, about 700 students have given during Giving Tuesday. Two million dollars were raised in contributions during Giving Tuesday and matching money of about 1.6 million was raised for a total of about 3.7 million dollars for the day. Dr. Byford thanked the staff, including Leslie Cervantes and Patrick Knapp.

Dr. Byford also provided an update on the campaign. The goal was 125 million and based on the results on Giving Tuesday the goal was surpassed, and the campaign has closed. The next campaign will launch in about one and half years.

Chancellor Arvizu noted that Dr. Byford will be retiring after 31 years of service to NMSU, including performing in various roles at NMSU such as Controller, Chief Operating Officer and Senior Vice President for Finance in the Foundation. The board and senior leaders acknowledged and commended her service to NMSU.

6. Arrowhead Center Inc. Report, Director & CEO Kathryn Hansen

Dr. Hansen reported on some recent awards. An award from the Daniels fund to continue expansion of K - 16 entrepreneurship programs. The award is for two years and since 2015 the Daniels fund has awarded Arrowhead Center over a million dollars for entrepreneurship education. An agreement was signed with UTEP to take our university student business incubator (Studio G) to UTEP. Expansions for the Business Accelerator programs announced with plans to take program to an additional four communities for a total of seven communities served through the program. Thanks to a recent gift from the New Mexico Gas Company,
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/.
Chairwoman Chacon-Reitzel asked about the MAP funds used for trade missions inquiring about if matching funds need to be found. NMDA doesn’t need to find matching funds, but they do document the NMDA resources uses to support such missions regarding staff time and travel expenses.

Chancellor Arvizu asked for additional details about how many hemp-related companies have relocated to New Mexico. Secretary Witte responded that about five have come from out of state and about another six have started-up locally. Chancellor Arvizu asked if the companies tend to be more focused on cultivation or manufacturing of hemp. Secretary Witte noted that the companies coming from outside the state tend to be more focused on manufacturing. In addition to oil derived from hemp, these companies are looking at other opportunities to produce various hemp products.

F. Consent Items, Chairwoman Dina Chacon-Reitzel

A motion to approve the consent items as presented was entered by Regent Sanchez with a second by Regent Devasthali. Motion passed.

1. Addition of a Position Director to Arrowhead Center, Inc. Bylaws, Kathryn Hansen, Chief Executive Officer, Arrowhead Center, Inc.

2. RESERVED

3. Faculty Senate Proposition 05-19/20 – Name Change of Academic Unit to Allied Healthcare Assistant, Faculty Senate Chair Becky Corron

4. Request to name Devasthali Hall, Room 118B, 123-125 as The Julia Barello Department Head Office, Interim Vice President Tina Byford

5. Request to name Devasthali Hall, Room 118D, as the Sara E Walker Art History Office, Interim Vice President Tina Byford

6. Request to name Devasthali Hall, Room 129, as The Daniel Gamboa and Paula Rascon-Gamboa Fabrication Lab, Interim Vice President Tina Byford

7. Request to name Devasthali Hall, Room 222, as The Feil Family Photography Studio, Interim Vice President Tina Byford

8. Request to name Devasthali Hall, Room 235, as The Robert S. and Mary E. Culpepper Conference Room, Interim Vice President Tina Byford

9. Request to name Devasthali Hall, Room 238A, as the Jane Slagle Painting Faculty Office/Studio, Interim Vice President Tina Byford

10. Request to name O’Donnell Hall, Room 27, as the Tara Jaramillo Autism Diagnostic Center, Interim Vice President Tina Byford

11. Request to name O’Donnell Hall, Room 46, as the Glass Family Research Institute for Early Childhood Studies, Interim Vice President Tina Byford

12. Request to name O’Donnell Hall, Room 111, as the Aprendamos Intervention Team, P.A. Lecture Hall, Interim Vice President Tina Byford

13. Request to name Domenici Hall, Room 208, as the Lorenzo and Yolanda Moreno Office, Interim Vice President Tina Byford

14. Request to name Domenici Hall, Room 212, as the Ross and Patty McCallister Office, Interim Vice President Tina Byford
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
three voting members from the private sector. Regent Hicks seconded the motion. Motion passed.

2. Lease of Odor Control Station Tract and Grant of Underground Utility Easement to the City of Las Cruces, Special Assistant to the President Scott Eschenbrenner

Mr. Eschenbrenner presented information about the lease and noted that it was coming to the board for action because a quorum was lost in the last Real Estate Committee meeting and this matter couldn't be voted on for a recommendation at that time and therefore was not placed on the consent agenda.

Regent Hicks moved approval of the lease of the Odor Control Station Tract and underground utility easement to the City of Las Cruces. Motion seconded by Regent Sanchez. Motion passed.

3. Quantitative Performance Targets and Goals (Objective Statement) for Chancellor Dan Arvizu and President John Floros for Fiscal Year 2019–2020, Regent Dina Chacón-Reitzel

Chairwoman Chacón-Reitzel noted that the Chancellor's and the President's incentive compensation is determined on an annual basis according to their employment agreements. The incentive compensation is based on quantitative targets and stretch goals that provide a basis for the minimum and maximum payout of incentive compensation. A pool for incentive compensation payout that is available is based on total additional net revenue realized by the achievement of these goals.

The board performed an in-depth review of the performance of the Chancellor and President and reviewed the performance targets and goals for fiscal year 2019–2020. Chancellor Arvizu was asked to present on the proposal that was offered to members of the board.

Chancellor Arvizu noted that NMSU LEADS 2025 strategic plan and the goals for the next five years that were presented and approved by the board previously were the basis of the current incentive compensation proposal. In the first year, the metric was to stabilize enrollment. Chancellor Arvizu referenced Exhibit B in the Electronic Binder for the meeting. Chancellor Arvizu explained that the targets are in line with the 5-year plan and are intended to demonstrate that if targets are achieved that it creates enough incentive pool funds for the incentive compensation payout.

Regent Hicks noted her appreciation to the board and Chancellor Arvizu and President Floros for working collaboratively on the evaluation process and the metrics for the year going forward.

Chairwoman Chacón-Reitzel thanked the present and past board members for setting up a system of performance incentive system that was easy to work with because it tied to the compensation earned to the performance metrics making it a valuable process for the entire university and the board.

Regent Hicks moved approval of the Quantitative Performance Targets and Goals (Objective Statement) for Chancellor Dan Arvizu and President John Floros for Fiscal Year 2019–2020. Motion seconded by Regent Devasthali. Motion passed.

4. 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, Regent Dina Chacón-Reitzel

Chairwoman Chacón-Reitzel noted that as the contracts were being reviewed as part of the annual evaluation process, it was noted that there were some ambiguities that required clarification. To be clarified is the reporting relationship between the Regents and the staff, such that the Chancellor reports to the Regents and the President reports to the Chancellor. The Chancellor would then perform evaluation and management related functions for the President. This change facilitates performance-based incentive compensation that aligns with strategic goals for NMSU LEADS 2025 by providing greater discretion to the Chancellor in setting targets and goals for the staff. It was noted that there were several things not changed through these
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 Chacon-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
Regent Hicks noted that the most recent reports for revisions to the ARP that are presented to the board are currently not available on the General Counsel Web site. Ms. Warren noted that they will update the web page to include these documents.

Regent Hicks asked about the provisional rules regarding the Cleary Act and when they will be made permanent. Ms. Warren responded that they are currently under review. The provisional policy created an advisory committee for Cleary Act compliance, and they have reviewed it. On Tuesday next week the University Administrative Council will have a second reading of the policy and can act to recommend approval to the Chancellor at that time.

3. Chancellor’s Report, Chancellor Dan E. Arvizu

Chancellor Arvizu noted that he is working with administration on preparing for the upcoming legislative session. The Council for University Presidents (CUP) have partnered with the New Mexico Association of Community Colleges and the New Mexico Independent Community Colleges to generate a single set of requests for higher education. It was noted that over the past few years higher education budgets have been cut 44%. First, 8% new money funded through the formula is being requested. Also, a 5% increase in compensation is being requested, with the additional note that the calculation used to determine the compensation increase better fully fund the increase. Additional requests include more funding for dual credit, deferred maintenance, and IT improvements. The Higher Education Department preliminary numbers are 6% of new money with a 1% redistribution. Compensation at 3%, which would be more fully funded. Dual credit 5 million is proposed, deferred maintenance is 5 million, IT is 25 million, and 35 million for the Opportunity Scholarship.

Chancellor reported that he is pleased with the progress on NMSU’s Energy and Water nexus work is coming. NMSU was part of a team that won a grant for inland desalination, the project with the New Mexico Environment Department on the Produced Water Research Consortium. Chancellor Arvizu also note that a proposal to the Binational Industrial Research and Development Foundation made up of the United States and Israel. This 20-million-dollar solicitation was proposed after meeting with some entities in Israel and NMSU has partnered with Tel Aviv University. Last week NMSU received word that they have been invited to interview for the award.

Regent Hicks noted the availability of the legislative priorities ‘cheat sheet’ for the upcoming legislative session.

Regent Devasthali asked about the 35 million proposal from HED for the Opportunity Scholarship and if that amount will be adequate. Chancellor Arvizu noted that it depends on what needs to be achieved. Several factors of how the scholarships are distributed contribute to how well the funding will meet the needs, which have yet to be determined and discussed in more detail.

Regent Hicks noted that while the discussions are occurring, it was important to consider the financial sustainability of the program. Chancellor Arvizu noted that this is a conversation that the legislators will have going forward.

Chairwoman Chacón-Reitzel asked about the efforts of CUP and the community colleges in formulating a unified request from legislators and if this is the first time that such a initiative has taken place. Chancellor Arvizu noted that this is the first time in recent memory that such a process has occurred.

4. President’s Report, President John D. Floros

President Floros made some general comments related to NMSU LEADS 2025 before turning over the presentation to Goal Team Leaders to provide reports on the NMSU LEADS 2025 Goals.
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 is 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.
Partnerships with Sandia at PSL will develop an externship program. Research and Creativity Week which included more than 60 events, was last week and it is the beginning of creating a culture of sharing research among colleges and departments at the university. A new leadership team for PSL has been assembled, including Jim Chavez, Eric Sanchez, and Phillip DeLeon. Graduate school is working with Slate, which is a customer relations management software to help with enrollment as well as other technology integrations.

In addition to water, NMSU LEADS objective to address global problems with local implications have seen work in the areas of quantum information science, artificial intelligence, transforming New Mexico Education, including MOUs with Los Alamos, Explora!, Navajo Tech, as well as Lea, Gadsden, and Doña Ana counties.

Work on the Healthy Borders initiative is being done through the developing of a Ph.D. academic program on borders. Local workforce needs in STEM are being addressed through Classified Ready Engineering Workforce program at PSL.

Associate for Extension Dr. Jon Boren provided an overview of NMSU Goal 3 (Amplify Extension and Outreach) progress. Dr. Boren noted that the team has met numerous times and has identified five key points. The first point is that extension and outreach activities of goal 3 are related to other activities for the other goals. Second, NMSU can do a better job of leveraging the extension network with other colleges and units across the system. Third, all the colleges and units are doing good job outreach and engagement, but there isn’t a good system to capture those activities. Forth, was to continue the Carenage Classification for Community Engagement which is up for rectification in 2025. Fifth, while total expenditures is important to track, it’s important to measure the impacts of the activities to determine return on investment.

To achieve these key points, four priorities were identified, and sub-groups were formed to focus on these priorities. The first priority is to develop a system to document the extension, outreach, and engagement activities. Watermarks and Digital Measures are being examined to help with this activity. The second priority is to understand and disseminate information on current outreach efforts. The third priority is to better connect the extension network with the colleges and community colleges, and units across the university. The forth priority is to develop and implement a framework for system-wide holistic corporate engagement to support corporate relations, industry sponsorship, research and philanthropy.

Vice Chancellor Dr. Ruth Johnston discussed goal 4, building a robust university system. Goal 4 is vast, and it has many areas of focus. The team has met every other week and formed six priorities. Examples include the Strategic Financial Cabinet, which is a group from across the university learning about how to best do finance in working with the state and in indirect cost recovery. A process improvement group has been organized and is working with Human Resources on a lean process improvement. The group includes Faculty Senate and Employee Council, and Students. Also, a Sustainability Policy and Oversight Council that will work across many different university functions. A system-wide climate survey was conducted, and results will be available next week. There was a public private partnership proposal and submissions were finalized today. The partnership is looking at dining and housing services as well as facilities to maximize efficiency of service delivery. Aggie Service Center is extending services to add financial support, in addition to payroll support and procurement support.

5. Provost’s Report, Provost Carol Parker

Provost Parker reflected on her first semester here at NMSU. Provost Parker noted that she serves on all four of the goal teams for LEADS 2025 and has been working to provide support and coordination to these efforts. As Chief Academic Officer, the Provost has been focused on involving the faculty and focusing on academic programs. Providing opportunities for professional development and working with department heads has been an important part of that engagement as it relates to Goal 4, but it also has implications for Goal 1. The Provost is working closely with Faculty Senate on some joint taskforces to make sure that we have the right
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
graduate students we have and how many we graduate. In the case of Rhetoric and Composition, it is easier to
build capacity in programs that already graduate many students.

Chairwoman Chacón-Reitzel commented on the positive news that was discussed today about the future
direction of NMSU and how NMSU is supporting students.

I. Announcements and Comments, Chairwoman Dina Chacón-Reitzel

1. “Gun’s Up” – Good News for NMSU!

Regent Sanchez noted his Guns up for Camp Kesem. Camp Kesem is a student organization at NMSU that
works through a non-profit organization. A small team of students worked to raise funds to have send kids
whose parents that have cancer to a summer camp. This year the team raised $5000, achieving their goal on
Giving Tuesday. Also, they attended a leadership conference and they were recognized for having one of the
largest increases and fundraising and camper growth. Regent Sanchez congratulated the Howard Hughes
Institute Medical Research Scholar Program students for finishing an undergraduate research thesis. Regent
Sanchez also congratulated the Women’s Volleyball team for an excellent season and in bringing home the
WAC Championship.

Regent Hicks gave her Guns up to the College of Engineering for being the 12 best value engineering program,
beating out Texas Tech, UTEP, and UNM.

President Floros thanked his executive team including Andy Burke, Ruth Johnston, Renay Scott, Luis Cifuentes,
and Melody Munson-McGee established a fund to support student during Giving Tuesday.

J. Upcoming Board of Regents Meetings, Chairwoman Dina Chacón-Reitzel

It was noted by Regents staff that the proposed January 13, 2020 date for a meeting with the NMSU Carlsbad
Advisory board noted in the agenda will need to be rescheduled. Also, the Board will likely meet in Santa Fe on
January 24 to approve the Annual Financial Statement Audit which was recently approved for release by the State
Auditors Office.

1. Proposed Dates (all meetings to take place at NMSU Las Cruces campus unless otherwise specified):
- January 13, 2020 – Board of Regents meeting with NMSU Carlsbad Advisory Board in Carlsbad
- January 31, 2020 at 1:30 PM – Arrowhead Board of Directors Meeting
- February 27, 2020 at 10 AM – Regents Audit and Risk Committee Meeting
- February 27, 2020 at 2 PM – Regents Real Estate Committee Meeting
- February 28, 2020 at 10 AM – Regents Financial Strategies, Performance, and Budget Committee
  Meeting
- March 18, 2020 – Regents Student Success Committee Meeting
- March 19, 2020 – Board of Regents Regular Meeting (Annual Meeting)
- April 1, 2020 at 2 PM – Regents Financial Strategies, Performance, and Budget Committee
  Meeting
- April 2, 2020 at 10 AM – Regents Real Estate Committee Meeting
- May 14, 2020 – Board of Regents Regular Meeting
- May 27, 2020 at 10 AM – Regents Audit and Risk Committee Meeting
- June 3, 2020 – Regents Student Success Committee Meeting
- June 10, 2020 at 1:30 PM – Arrowhead Center Board of Directors Meeting
- June 24, 2020 at 2 PM – Regents Financial Strategies, Performance, and Budget Committee
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